

RESOLUTION NO. 2022-18

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
DENYING A CONDITIONAL USE PERMIT
FOR A DRIVE-THROUGH FAST FOOD RESTAURANT TO BE
LOCATED AT 1900 EAST PLAZA BOULEVARD
CASE FILE NO. 2021-11 CUP
APN: 557-420-31

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a drive-through fast food restaurant (In-N-Out) to be located at 1900 East Plaza Boulevard at a duly advertised public hearing held on August 1, 2022, at which time oral and documentary evidence was presented; and

WHEREAS, at said public hearing the Planning Commission considered the staff report contained in Case File No. 2021-11 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 1, 2022, support the following findings:

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, because there are four other drive-through eating places within a half-mile of the site: Dunkin' Donuts, McDonald's, Popeyes Louisiana Kitchen, and Starbucks.
2. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because it would contribute to a concentration of unhealthy fast food eating places.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 1, 2022, by the following vote:

AYES: Castle, Natividad, Sanchez, Yamane

NAYS: Sendt, Valenzuela

ABSENT: Miller

ABSTAIN: None.

CHAIRPERSON