

CALIFORNIA ENERGY COMMISSION
REPORT OF CONVERSATION Page 1 of 1

DOCKET

07-AFC-4

DATE Jan 11 2008

RECD. JAN 14 2008



**Energy Facilities Siting and
 Environmental Protection
 Division**

FILE: 07-AFC-4

PROJECT TITLE: CVEUP

<input checked="" type="checkbox"/> Telephone	619-585-5707	<input type="checkbox"/> Meeting Location:	
NAME:	Marilyn Pongeggi, Principal Plnr, Chula Vista, Bldg&Plng Dept	DATE:	01-11-08
		TIME:	4:30 p.m.
WITH:	Negar Vahidi, Land Use Technical Specialist, Aspen Environmental Group		
SUBJECT:	City of Chula Vista Land Use Questions		

COMMENTS:

On 01-11-08, I spoke with Ms. Marilyn Pongeggi, the City's Principal Planner whom I had met at the Informational Hearing. At the Informational Hearing, the various City staff that were in attendance indicated that Marilyn would be the best point person to discuss land use planning and zoning issues, which is why I contacted her. I asked Marilyn two main questions regarding land use issues associated with CVEUP:

1. I inquired about whether, or not, I could get a copy of the Conditional Use Permit (CUP) that the City issued for the peaker plant that's currently located at the CVEUP site so that I could review the conditions the City had placed on that project; and
2. Based on thorough review of the City's Zoning Code and applicable ordinance sections for Precise Plan Modifier Districts, it is still unclear as to why the CVEUP site would have "modifier" on its zoning. Therefore, I wanted clarification on what a "modifier" on a zone is, and in particular, if she could provide me with information on whether, or not, the City had placed a "modifier" on the CVEUP site's zoning back when the peaker was permitted, and what the "modifier" required of the project.

Marilyn indicated that the existing peaker was issued a Special Use Permit (SUP) and not a CUP, because the peaker was (at that time) considered the type of use that required SUP issuance by the Community Development Department. She doesn't think that the site has a "modifier" on it, because it has a SUP. I pointed out that the AFC Land Use section indicates that the site is under a Precise Plan Modifier, and she indicated that she thinks the Applicant may be incorrect in their interpretation of the site's zoning. She will speak to City zoning experts and call me back with details to clarify the exact status of what zoning provisions guide development on the site. She also indicated that the reason the site was issued a SUP and not a CUP is because it is located in a redevelopment area. She also indicated that the Applicant may have misinterpreted the SUP as a "modifier." She will discuss these issues and call me back with more information.

Marilyn also indicated that the City will likely ask for conditions to be placed on the Project because of new General Plan policies. She indicated that City staff is conducting internal discussions regarding the CEC's requests (in our 12/27/07 letter) to get back to us with information that will help us with the land use analysis.

cc: Eric Knight, CEC Siting Division Christopher Meyer, CEC Siting PM	Signed:
	Name: Negar Vahidi