



Agenda of the National City Planning Commission

Meeting of March 7, 2022 – 6:00 p.m.

ONLINE ONLY MEETING

<https://www.nationalcityca.gov/webcast>

LIVE WEBCAST

Council Chambers, Civic Center

1243 National City Boulevard

National City, CA 91950

NOTICE: The health and well-being of National City residents, visitors, and employees during the COVID-19 outbreak remains our top priority. The City of National City is coordinating with the County of San Diego Health Human Services Agency, and other agencies to take measures to monitor and reduce the spread of the novel coronavirus (COVID-19). **The World Health Organization has declared the outbreak a global pandemic and local and state emergencies have been declared providing reprieve from certain public meeting laws such as the Brown Act.**

As a result, the National City Housing Advisory Committee and Planning Commission Meeting will occur only online to ensure the safety of City residents, employees and the communities we serve. A live webcast of the meeting may be viewed on the city's website at <http://nationalcityca.new.swagit.com/views/33>.

PUBLIC COMMENTS: There are multiple ways you can make sure your opinions are heard and considered by our Housing Advisory Committee and Planning Commission as outlined below:

Submit your public comment prior to the meeting: To submit a comment in writing, email PlcPubComment@nationalcityca.gov and provide the agenda item number and title of the item in the subject line of your email. **Public comments or testimony is limited to up to three (3) minutes.**

If the comment is not related to a specific agenda item, indicate General Public Comment in the subject line. All email comments received by 4:00 p.m. on the day of the meeting will be read into the record at the Housing Advisory Committee and Planning Commission meeting and retained as part of the official record. All comments will be available on the City website within 48 hours following the meeting.

Register online and participate in live public comment during the meeting: To provide live public comment during the meeting, you must pre-register on the City's website at <https://www.nationalcityca.gov/government/community-development/planning/public-comment> by 4:00 p.m. on the day of the meeting to join the National City Housing Advisory Committee and Planning Commission Meeting.

*****Please note that you do not need to pre-register to watch the meeting online, but you must pre-register if you wish to speak.**

Once registered, you will receive an email with a link from Zoom to join the live meeting. You can participate by phone or by computer. Please allow yourself time to log into Zoom before the start of the meeting to ensure you do not encounter any last-minute technical difficulties.

*****Please note that members of the public will not be shown on video; they will be able to watch and listen and speak when called upon.**

Public microphones will be muted until it is your turn to comment. Each speaker is allowed up to three (3) minutes to address the Housing Advisory Committee and Planning Commission. Please be aware that the Chair may limit the comments' length due to the number of persons wishing to speak or if comments become repetitious or unrelated. All comments are subject to the same rules as would otherwise govern speaker comments at the meeting. Speakers are asked to be respectful and courteous. Please address your comments to the Housing Advisory Committee and Planning Commission as a whole and avoid personal attacks against members of the public, Housing Advisory Committee members and Planning Commissioners, and City staff.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the Planning Department at (619) 336-4310 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Welcome to the National City Housing Advisory Committee and Planning Commission meeting. The National City Housing Advisory Committee and Planning Commission conducts its meeting in the interest of community benefit. Your participation is helpful. These proceedings are video recorded.

PLANNING COMMISSION MEETING

Roll Call

Approval of Minutes

1. Approval of Minutes from the Meeting of February 7, 2022

Approval of Agenda

2. Approval of the Agenda for the Meeting on March 7, 2022

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring Planning Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.

PRESENTATIONS

CONTINUED PUBLIC HEARINGS

PUBLIC HEARINGS

3. Resolution taking action on a Conditional Use Permit for beer and wine sales at an existing restaurant (Teriyaki Sun) located at 4 North Euclid Avenue, Suite A. (Case File No. 2021-24 CUP)
4. Resolution taking action on a Conditional Use Permit for distilled spirits sales (Type 21) at a proposed retail outlet (Tahona Mercado) to be located at 802 'B' Avenue. (Case File No. 2021-27 CUP)
5. Resolution taking action on a Conditional Use Permit for the operation of a veterinary clinic at an existing Petco store located at 3426 Highland Avenue, Suite B. (Case File No. 2021-29 CUP)
6. Resolution taking action on a Conditional Use Permit for the modification of an existing wireless communications facility located at 700 National City Blvd. (Case File No. 2021-30 CUP)

OTHER BUSINESS

7. Resolution taking action on a request for reduction in off-street residential parking spaces for a proposed 30-unit residential building to be located at West 15th Street and Roosevelt Avenue. (Case File No. 2022-01 SPR)
8. Resolution taking action on a request for reduction in off-street residential parking spaces for a proposed 29-unit residential building to be located at West 16th Street and Roosevelt Avenue. (Case File No. 2022-03 SPR)
9. Resolution taking action on a request for reduction in off-street residential parking spaces for a proposed 29-unit residential building to be located at West 14th Street and National City Blvd. (Case File No. 2022-04 SPR)

STAFF REPORTS

Deputy City Attorney

Director of Community Development

Principal Planner

Commissioners

Chairperson

ADJOURNMENT

Adjournment to the regularly scheduled meeting on March 21, 2022 at 6:00 p.m.



Planning Commission Minutes

Planning Commission Meeting portion of the Housing Advisory Committee and Planning Commission Meeting Meeting of February 7, 2022

ONLINE ONLY MEETING - LIVE WEBCAST

<https://www.nationalcityca.gov/webcast>

Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

Agenda Items

The meeting was called to order by Chair Yamane at 7:10 p.m.

Roll Call

Commissioners Present: Sendt, Yamane, Natividad, Roman, Sanchez, Dela Paz, Valenzuela

Commissioners Absent: None.

Staff Also Present: Director of Community Development Armando Vergara, Deputy City Attorney Gabriela Torres, Principal Planner Martin Reeder, Associate Planner David Welch

4. Approval of Minutes from the Meeting of November 15, 2021

Motion by Dela Paz, second by Valenzuela to approve the Minutes for the Meeting of November 15, 2021.

Motion carried by the following vote:

Ayes: Sendt, Yamane, Roman, Sanchez, Valenzuela, Dela Paz

Abstain: Natividad

Noes: None.

Absent: None.

Commissioner Natividad abstained due to his absence at the meeting of November 15, 2021.

Motion approved.

5. Approval of the Agenda for the Meeting on February 7, 2022.

Motion by Natividad, second by Roman to approve the Agenda for the Meeting on February 7, 2022 and to move Item #11 up on the agenda.

Ayes: Sendt, Yamane, Natividad, Roman, Sanchez, Valenzuela, Dela Paz

Abstain: None.

Noes: None.

Absent: None.

Motion approved.

ORAL COMMUNICATION: None.

PRESENTATIONS: None.

CONTINUED PUBLIC HEARINGS: None.

11. Discussion – Newly Amended City Council Policy #107 – Appointment to Boards, Commission and Committees

Presented by Deputy City Clerk Shelley Chapel. Ms. Chapel answered questions posed by the Commissioners.

PUBLIC HEARINGS:

6. Resolution taking action on a Negative Declaration for a Tentative Parcel Map for the subdivision of one lot into four at 1616 'M' Avenue with exceptions for less than required lot width and minimum lot size. (Case File No. 2021-22 LS)

Presented by Associate Planner David Welch. Mr. Welch answered Commissioner questions.

Applicant Fernando Diaz de la Vega was present.

Motion by Roman, second by Valenzuela to close the Public Hearing and **approve** the Resolution taking action on a Negative Declaration for a Tentative Parcel Map for the subdivision of one lot into four at 1616 'M' Avenue with exceptions for less than required lot width and minimum lot size. (Case File No. 2021-22 LS)

Motion carried by the following vote:

Ayes: Sendt, Sanchez, Roman, Valenzuela

Abstain: None.

Noes: Yamane, Natividad, Dela Paz

Absent: None.

Motion approved.

7. Resolution taking action on a Conditional Use Permit for the modification of an existing wireless communications facility located at 1215 Wilson Avenue. (Case File No. 2021-09 CUP)

Presented by Principal Planner Martin Reeder.

Motion by Dela Paz, second by Sendt to close the Public Hearing and **approve** the Resolution taking action on a Conditional Use Permit for the modification of an existing wireless communications facility located at 1215 Wilson Avenue. (Case File No. 2021-09 CUP)

Motion carried by the following vote:

Ayes: Sendt, Yamane, Natividad, Roman, Sanchez, Valenzuela, Dela Paz

Abstain: None.

Noes: None.

Absent: None.

Motion approved.

8. Resolution taking action on a Conditional Use Permit for the relocation of an existing wireless communications facility located at 1320 Highland Avenue. (Case File No. 2022-02 CUP)

Presented by Principal Planner Martin Reeder.

Applicant Eric Fulsang was present.

Commissioner Dela Paz asked that the City Attorney's Office review any recent legislation that would impact the 1996 Telecommunications Act.

Principal Planner Martin Reeder advised that he would submit a request for the City Attorney's Office to do so.

Commissioners took a recess at 8:39 p.m. and returned at 8:44 p.m.

Roll call was initiated and all Commissioners were present.

Written public comment was received from Maria Mora in opposition.

Motion by Dela Paz, second by Sendt to close the Public Hearing and **approve** the Resolution taking action on a Conditional Use Permit for the relocation of an existing wireless communications facility located at 1320 Highland Avenue. (Case File No. 2022-02 CUP)

Motion carried by the following vote:

Ayes: Sendt, Yamane, Natividad, Roman, Sanchez, Valenzuela, Dela Paz

Abstain: None.

Noes: None.

Absent: None.

Motion approved.

OTHER BUSINESS:

9. Resolution taking action on a review of a proposed street vacation of a portion of Kimball Way, north of East 14th Street and northwest of the intersection with 'F' Avenue for Conformance with the General Plan. (Case File No. 2021-23 SC)

Presented by Principal Planner Martin Reeder.

Motion by Dela Paz, second by Sendt to approve a Resolution taking action on a review of a proposed street vacation of a portion of Kimball Way, north of East 14th Street and northwest of the intersection with 'F' Avenue for Conformance with the General Plan. (Case File No. 2021-23 SC)

Motion carried by the following vote:

Ayes: Sendt, Yamane, Roman, Sanchez, Valenzuela, Dela Paz

Abstain: None.

Noes: Natividad

Absent: None.

Motion approved.

10. Resolution taking action on a request for reduction in off-street commercial parking spaces for an existing industrial building located at 2940 Hoover Avenue. (Case File No. 2021-28 SPR)

Presented by Principal Planner Martin Reeder.

Motion by Dela Paz, second by Roman to approve a Resolution taking action on a request for reduction in off-street commercial parking spaces for an existing industrial building located at 2940 Hoover Avenue. (Case File No. 2021-28 SPR)

Motion carried by the following vote:

Ayes: Sendt, Yamane, Natividad, Roman, Sanchez, Valenzuela, Dela Paz

Abstain: None.

Noes: None.

Absent: None.

Motion approved.

STAFF REPORTS:

Deputy City Attorney: None.

Director of Community Development: None.

Principal Planner: Martin Reeder commented that building permits are expected to be submitted soon for the Library Lofts project adjacent the National City Public Library.

COMMISSIONER REPORTS:

There were no Commissioner Reports.

ADJOURNMENT by Chair Yamane at 9:34 p.m. to the meeting of March 7, 2022.

CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of March 7, 2022.



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR BEER AND WINE SALES AT AN EXISTING RESTAURANT (TERIYAKI SUN) LOCATED AT 4 NORTH EUCLID AVENUE, SUITE A.

Case File No.: 2021-24 CUP

Location: Northwest corner of Division Street and North Euclid Avenue

Assessor's Parcel Nos.: 552-283-11

Staff report by: David Welch – Associate Planner

Applicant: Jose Armando Lua

Zoning designation: MXD-1 (Minor Mixed-Use District)

Adjacent use and zoning:

- North: Single-family residential / RS-2 (Small Lot Residential)
- East: Gas station and 7-11 across North Euclid Avenue / MXD-1
- South: Single-family residential across Division Street / RS-2
- West: Single-family residential / RS-2

Environmental review: Not a project per California Environmental Quality Act (CEQA) as defined in Section 15378

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request for beer and wine sales, subject to the attached recommended conditions. The sale of beer and wine is a conditionally-allowed use in the Minor Mixed-Use District (MXD-1) zone and would be accessory to food sales at the restaurant.

Executive Summary

The suite is an existing restaurant (Teriyaki Sun). The restaurant proposes to sell beer and wine, in conjunction with food sales, from 10:00 a.m. to 9:00 p.m. Sunday through Thursday and 10 a.m. to 9:30 p.m. Friday and Saturday. Teriyaki Sun is an existing family-run Japanese restaurant.

Site Characteristics

The project site is within a shopping center located on the northwest corner of Division Street and North Euclid Avenue. The property is approximately six acres in size. The suite occupied by the restaurant is 2,600 square feet in size. There is no outdoor seating area proposed or existing for the restaurant. The shopping center has adequate parking and permits have been submitted recently for ADA improvements and new signs.

Commercial businesses in the area are mostly contained within the National City Plaza shopping center with a gas station and 7-11 also located across North Euclid Street. Planet Fitness has recently moved into the largest suite on the property. Teriyaki Sun is on the southwestern corner of the property and faces both the parking area and Division Street. All other surrounding properties are single-family residential and a solid, six-foot high masonry wall separates the shopping center from neighboring residences. The property is in census tract 119.02, which includes the area from East 4th Street north to the City border, between Interstate 805 and North Euclid Avenue, and from East 8th Street north to the City border east of North Euclid Avenue. The attached census tract map shows the location of the subject tract (Attachment 6).

Proposed Use

The applicant is proposing to sell beer and wine in conjunction with on-site food sales in the 2,600 square-foot restaurant (ABC Type 41 license). Proposed hours of operation are 10:00 a.m. to 9:00 p.m. Sunday through Thursday and 10 a.m. to 9:30 p.m. Friday and Saturday. The seating area is comprised of 1,695 square feet that is all located indoors. There is room for 68 patrons. No live entertainment is proposed.

Analysis

Section 18.30.050 of the Land Use Code allows for on-site alcohol sales with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 437 occupants and owners.

Community Meeting – Pursuant to Section 18.30.050 (C) of the National City Zoning Code, a community meeting was held Wednesday, February 16, 2022 from 10:15 a.m. to 11:45 a.m. at the subject restaurant. The meeting advertisement is attached (Attachment 8); there was one attendee from the community. The applicant stated that the same occupants that were notified of the Planning Commission meeting were notified of the community meeting. The local resident that attended was concerned about the business having loud music long into the evening. No live music is proposed with this CUP application and the latest the restaurant proposes to be open is 9:30 p.m.

Distance Requirements – Chapter 18.030.050 (D) of the National City Zoning Code requires a 660-foot distance from any public school; there is a school within 660 feet of the site; however, restaurants with greater than 30 percent of their area devoted to seating are exempt from this distance requirement. The property in question has approximately 65 percent of its floor area devoted to seating, in excess of the minimum requirement.

Alcohol Sales Concentration/Location

Per the California Department of Alcoholic Beverage Control (ABC), there are no current on-site sale licenses in census tract 119.02 where a maximum of eight are recommended, meaning that the census tract is not considered by ABC to be over-saturated with regard to alcohol sales outlets.

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 10 points, which places it in the Low Risk category (Low Risk is considered 12 points or less). PD provided a risk assessment, which is included as Attachment 7. The application is in a census tract with a high crime rate. The Police Department rates businesses where the sale of alcohol occurs in a high crime rate census tract as a

“three” (on a scale of 1 to 3) on their rating system, which usually indicates a higher risk. The business is in a census tract with a high crime rate. However, because of the business type and lack of alcohol licenses in the census tract, the overall points are lower than normally seen.

Institute for Public Strategies (IPS)

No comments were received from IPS as of the writing of this report, although they usually recommend at least the need for Responsible Beverage Sales and Service (RBSS) training for all staff. This is a standard condition of approval and is included with this report.

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the MXD-1 zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. There is no Specific Plan in the area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed alcohol sales would be incidental to the primary use of food sales. A restaurant currently exists on the site.

5. Granting the permit would not 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.

The proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive RBSS training.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted in the MXD-1 zone.

The following two findings are also included with alcohol CUPs:

7. The proposed use is deemed essential and desirable to the public convenience or necessity.

Alcohol sales will contribute to the viability of the restaurant, an allowed use in the MXD-1 zone.

8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

Conditions of Approval

Standard Conditions of Approval have been included with this permit as well as conditions specific to on-site alcohol sales per Council Policy 707 (hours of operation, employee training, and accessory sales, etc.).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption being a conditionally-allowed use in the MXD-1 zone. The proposed use would be incidental to the proposed restaurant use in a commercial area. The addition of on-site beer and wine sales is not expected to increase the demand for parking, other services on the property, or have any significant effects on the area. The census tract in which the restaurant is located is not considered to be over-concentrated with regard to on-sale alcohol licenses, and beer and wine will only be available with the sale of food.

Options

1. Approve 2021-24 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2021-24 CUP based on findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2021-24 CUP, dated 11/8/2021)
5. Public Hearing Notice (Sent to 437 property owners & occupants)
6. Census Tract & Police Beat Maps
7. PD comments
8. Community Meeting Advertisement
9. Resolution

David Welch

DAVID WELCH
Associate Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2021-24 CUP – TERIYAKI SUN

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is permitted within the MXD-1 zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. There is no Specific Plan in the area. In addition, a restaurant use is consistent with the MXD-1 land use designation contained in the Land Use and Community Character element of the General Plan.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed alcohol sales would be accessory to the primary use of food sales, and because a restaurant currently exists on the site.
5. Granting the permit would not 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 the proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive Responsible Beverage Sales and Service (RBSS) training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted in the MXD-1 zone.

7. The proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales will contribute to the viability of the restaurant, an allowed use in the MXD-1 zone.

RECOMMENDED CONDITIONS OF APPROVAL

2021-24 CUP – TERIYAKI SUN

General

1. This Conditional Use Permit authorizes the sale of beer and wine for on-site consumption at a proposed restaurant (Teriyaki Sun) located at 4 North Euclid Avenue, Suite A. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2021-24 CUP, dated 11/8/2021.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void at such time as there is no longer a Type 41 California Department of Alcoholic Beverage Control license associated with the property.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

7. No alcohol sales are permitted until the applicant has been issued a Type 41 license from the California Department of Alcoholic Beverage Control.
8. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must

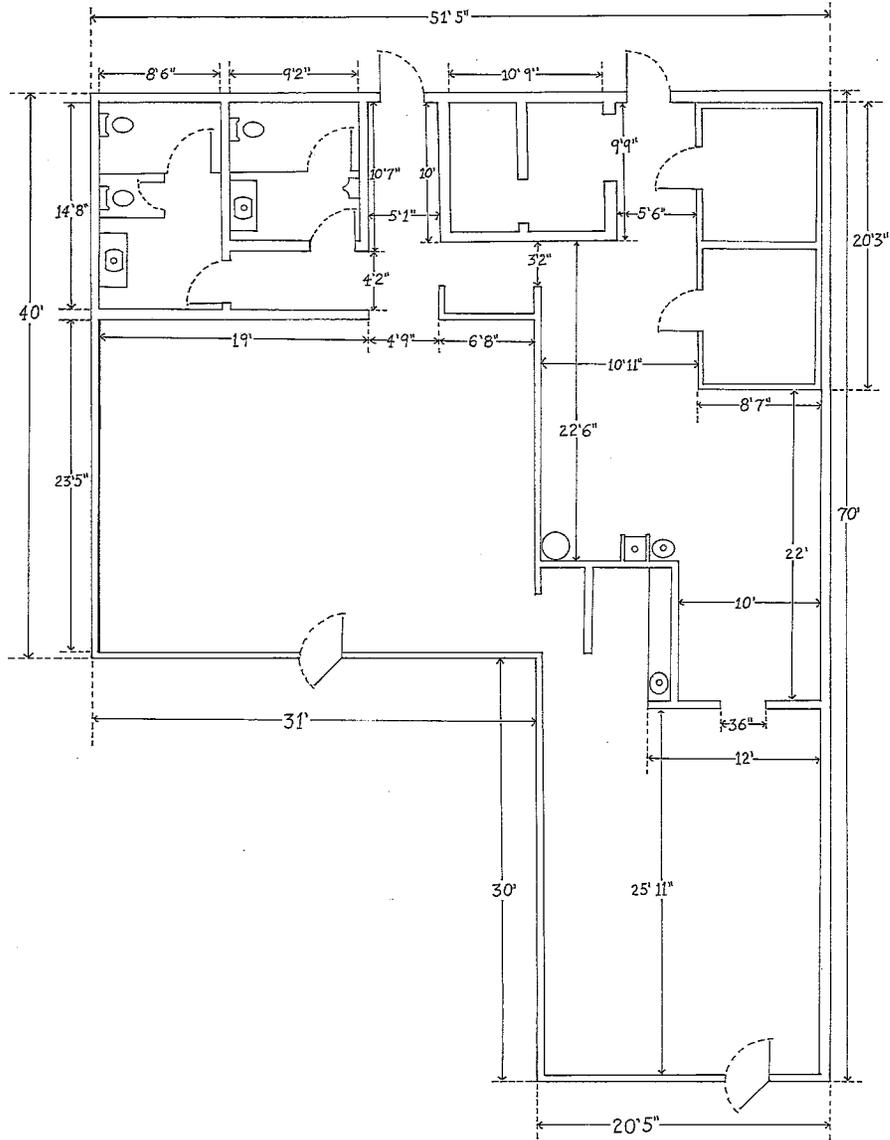
be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

9. The sale of alcoholic beverages shall only be permitted between the hours of 10:00 a.m. and 9:00 p.m. Sunday through Thursday and 10:00 a.m. and 9:30 p.m. Friday and Saturday.
10. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
11. Alcohol shall be available only in conjunction with the purchase of food.
12. No live entertainment shall be permitted without modification of this CUP.
13. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.
14. The permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

2021-24 CUP – 4 N. Euclid Ave., Ste. A – Overhead



Exhibit A, Case File No. 2021-24 CUP, 11/8/2021



Teniyaki Sun Floor Plans
 4 N Euclid Ave
 National City CA 91950
 Kitchen Area 905.5 sf
 Customer Area 1694.5 sf
 Total Area 2600 sf

ATTACHMENT 4

REVISIONS	BY

Date	11-01-21
Scale	1/4" = 1'
Drawn	G.O.
Job	Teniyaki Sun
Sheet	1
of	2 sheets



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT FOR BEER AND WINE SALES
AT AN EXISTING RESTAURANT (TERIYAKI SUN)
LOCATED AT 4 NORTH EUCLID AVENUE, SUITE A.
CASE FILE NO.: 2021-24 CUP

The National City Planning Commission will hold a public hearing at their regular online meeting after the hour of 6:00 p.m. **Monday, March 7, 2022**, on the proposed request. The meeting will be LIVE WEBCAST from the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Jose Armando Lua)

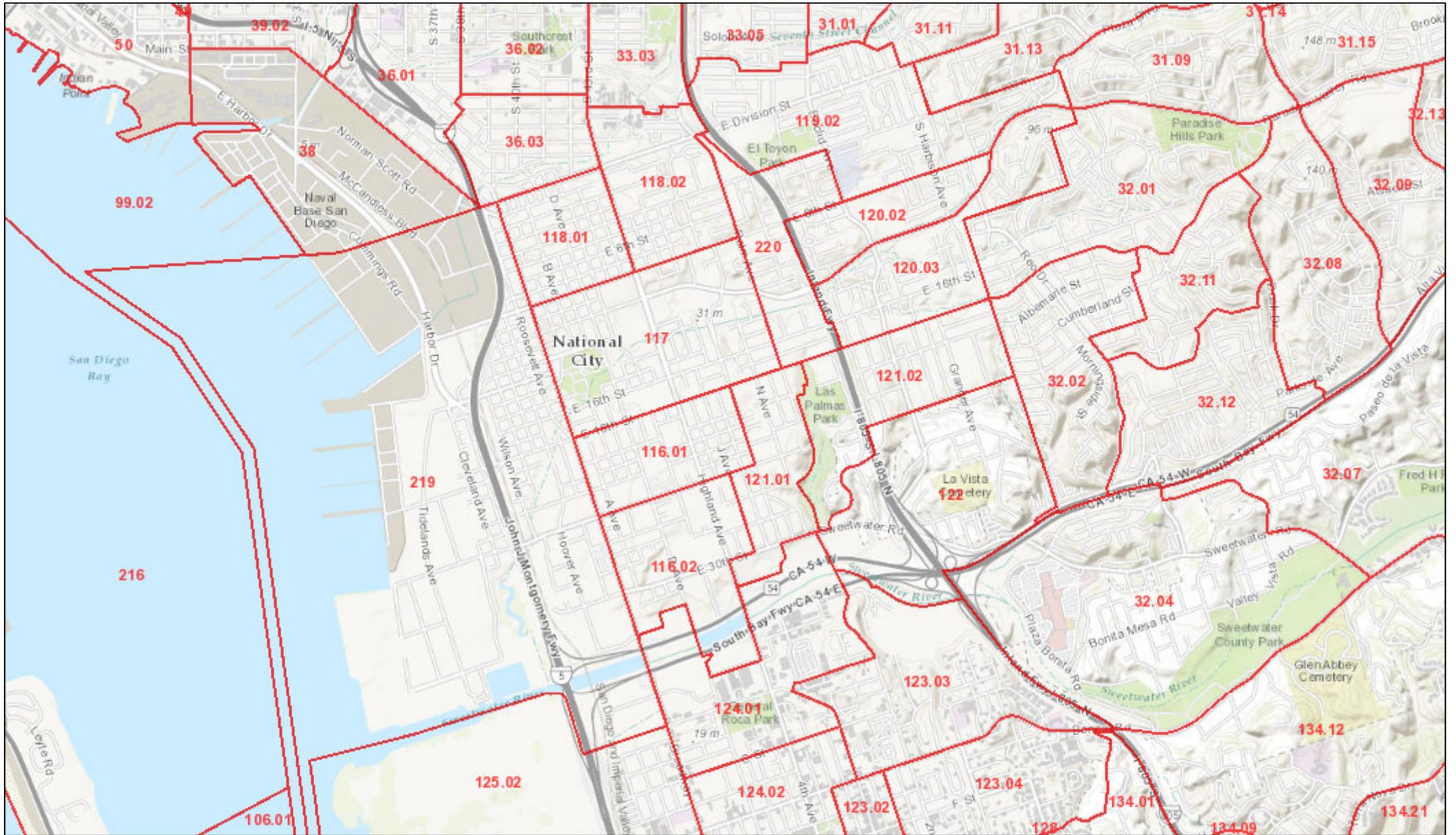
Due to the precautions taken to combat the continued spread of coronavirus (COVID-19), City Council Chambers are closed to the public. Anyone interested in this public hearing may observe it on the City's website at <http://nationalcityca.new.swagit.com/views/33>.

The applicant is proposing to add beer and wine sales at the existing restaurant. Proposed operating hours are 10:00 a.m. to 9:00 p.m. Sunday through Thursday and 10:00 a.m. to 9:30 p.m. Friday and Saturday.

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **March 7, 2022**, by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION

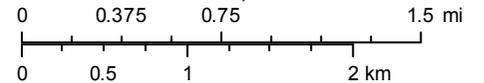


August 25, 2014

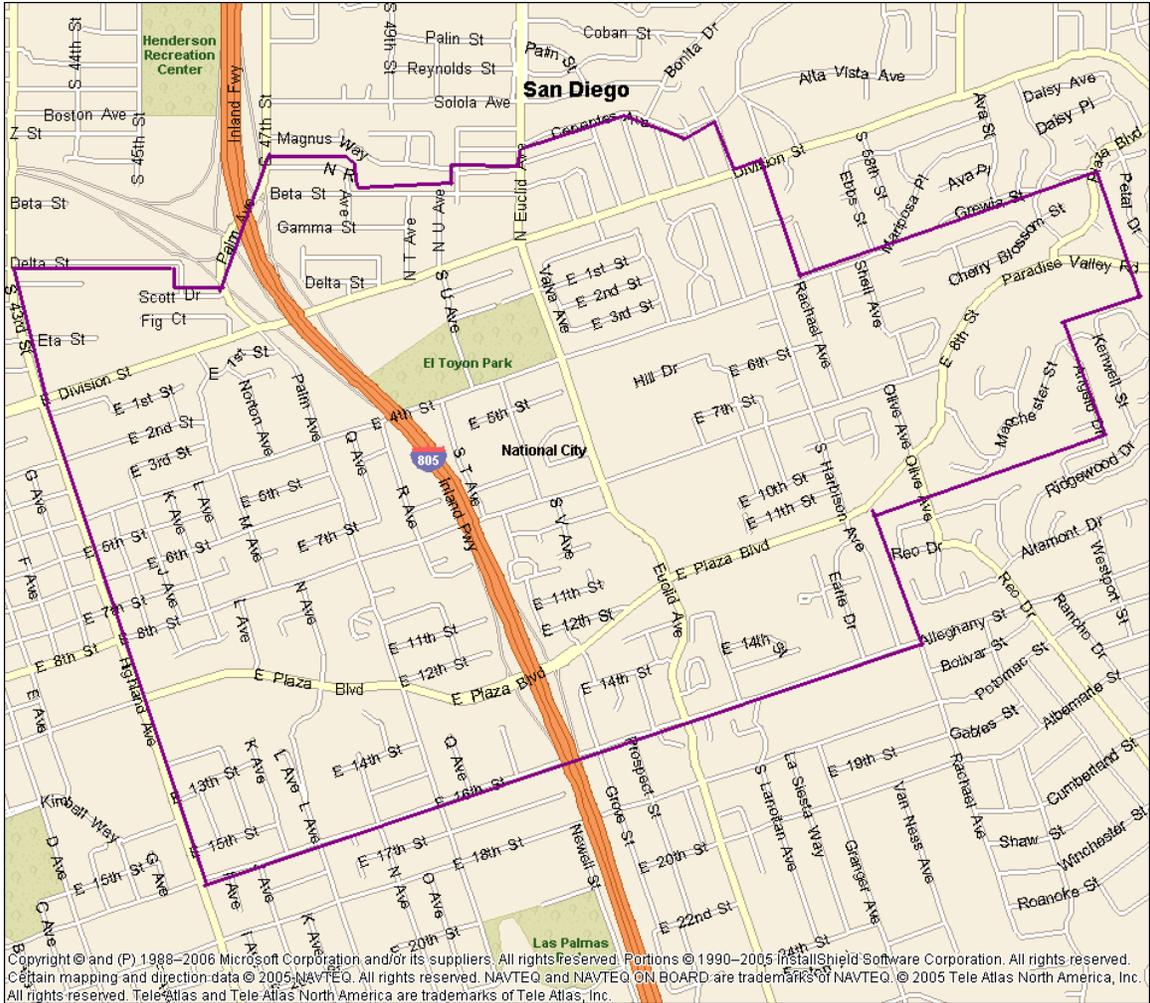
CensusTracts 2010

ATTACHMENT 6

1:45,467



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



City of National City Beat 21



NATIONAL CITY POLICE DEPARTMENT
ALCOHOL BEVERAGE CONTROL
RISK ASSESSMENT

DATE: 11/22/2021

BUSINESS NAME: Teriyaki Sun

ADDRESS: 4 North Euclid Avenue

OWNER NAME: Jose Lua DOB: 09-06-1998

OWNER ADDRESS: 25311 Jesmond Dene Road 92026

(add additional owners on page 2)

I. Type of Business

- Restaurant (1 pt)
- Market (2 pts)
- Bar/Night Club (3 pts)

II. Hours of Operation

- Daytime hours (1 pt)
- Close by 10pm (2 pts)
- Close after 10pm (3 pts)

III. Entertainment

- Music (1 pt)
- Live Music (2 pts)
- Dancing/Live Music (3 pts)

IV. Crime Rate

- Low (1 pt)
- Medium (2 pts)
- High (3 pts)

V. Alcohol Businesses per Census Tract

- Below (1 pt)
- Average (2 pts)
- Above (3 pts)

<p>Notes:</p> <p>Currently, there are 0 on sale license in tract 119.02</p> <hr/> <p>Currently, there are 2 active off sale licenses in tract 119.02</p> <hr/> <hr/> <p>*The crime rate is high as a result of calls for service in the area.</p> <hr/> <p>*Homeless calls and calls at El Toyon Park make up the majority of the calls in this area.</p> <hr/> <p>*There have only been (5) calls for service related to the business over the past year.</p> <hr/>

VI. Calls for Service at Location (for previous 6 months)

- Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk (12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts) Total Points <u>10</u>
--

VIII. Owner(s) records check

- No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: Jose Lua DOB: 09/06/1998

OWNER ADDRESS: 25311 Jesmond Dene Road ESCO 92026

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

Recommendation:

Completed by: W. Walters, Sergeant Badge ID: 398

CA



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Having trouble viewing the report?

Results for: Active Retail Licenses

County: SAN DIEGO County

Census Tract: 119.02

Report Date: Monday, November 22, 2021

Search

Results will be filtered as you type

0 Results

License Number: 390654

Status:ACTIVE **License Type:**20 **Orig. Iss. Date:**10/25/2002 **Expir. Date:**06/30/2022

15 N EUCLID AVE,
NATIONAL CITY, CA 91950

Primary Owner:7 ELEVEN INC **Premises Addr.:**Census Tract: 0119.02

Business Name: 7 ELEVEN STORE 2131 13564F **Geo Code:**3708

License Number: 372525

^

Status:REVPEN **License Type:**21 **Orig. Iss. Date:**02/01/2001 **Expir. Date:**08/31/2021

34 N EUCLID AVE,
NATIONAL CITY, CA 91950-1934

Primary Owner:MADLAIN INC **Premises Addr.:**Census Tract: 0119.02

Business Name: WRIGLEYS SUPERMARKET **Geo Code:**3708



You are invited to attend a:

COMMUNITY MEETING

Date: WEDNESDAY, FEBRUARY 16, 2022

Time: 11:00AM TO 12:00 NOON

Address: TERIYAKI SUN, 4 N EUCLID AVE, NATIONAL CITY CA 91950

This meeting is to inform citizens of a use permit application that has been filed for the service of alcoholic beverages at Teriyaki Sun, 4 N Euclid Ave, National City, CA 91950

We are looking forward to meeting you and discussing any concerns or questions you may have regarding this proposed restaurant operations. If you can't attend the meeting, or if you have any questions before then, please feel free to contact George Panagiotou, the Applicant's representative at 858-300-0033 or via email info@olympuslawcorp.com

This notice is being sent to you in fulfillment of the City of National City requirements. This outreach effort to our neighbors is necessary because an application for development or use has been filed with the City of National City Planning Department.

RESOLUTION NO. 2022-06

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT
FOR BEER AND WINE SALES AT AN
EXISTING RESTAURANT (TERIYAKI SUN)
LOCATED AT 4 NORTH EUCLID AVENUE, SUITE A.
CASE FILE NO. 2021-24 CUP
APN: 552-283-11

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales at an existing restaurant (Teriyaki Sun) located at 4 North Euclid Ave, Suite A at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2021-24 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 November 15, 2021, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is permitted within the MXD-1 zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. There is no Specific Plan in the area. In addition, a restaurant use is consistent with the MXD-1 land use designation contained in the Land Use and Community Character element of the General Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed alcohol sales would be accessory to the primary use of food sales, and because a restaurant currently exists on the site.
5. Granting the permit would not 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 the proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive Responsible Beverage Sales and Service (RBSS) training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted in the MXD-1 zone.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales will contribute to the viability of the restaurant, an allowed use in the MXD-1 zone.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of beer and wine for on-site consumption at a proposed restaurant (Teriyaki Sun) located at 4 North Euclid Avenue, Suite A. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2021-24 CUP, dated 11/8/2021.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form

within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

3. This permit shall become null and void at such time as there is no longer a Type 41 California Department of Alcoholic Beverage Control license associated with the property.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

7. No alcohol sales are permitted until the applicant has been issued a Type 41 license from the California Department of Alcoholic Beverage Control.
8. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
9. The sale of alcoholic beverages shall only be permitted between the hours of 10:00 a.m. and 9:00 p.m. Sunday through Thursday and 10:00 a.m. and 9:30 p.m. Friday and Saturday.
10. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the

sale of food. All information obtained by an investigation of records shall remain confidential.

11. Alcohol shall be available only in conjunction with the purchase of food.
12. No live entertainment shall be permitted without modification of this CUP.
13. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.
14. The permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

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 March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONDITIONAL USE PERMIT FOR DISTILLED SPIRITS SALES (TYPE 21) AT A PROPOSED RETAIL OUTLET (TAHONA MERCADO) TO BE LOCATED AT 802 'B' AVENUE.

Case File No.: 2021-27 CUP

Location: Near southwest corner of East 8th St. and 'B' Avenue

Assessor's Parcel Nos.: 556-472-26

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Amar Harrag

Zoning designation: Downtown Specific Plan Development Zone 9 (DZ 9)

Adjacent use and zoning:

- North: Commercial across East 8th Street / DZ 9
- East: Commercial across 'B' Avenue / DZ 9
- South: Parco (8th & B) Mixed-use project / DZ 9
- West: Big Ben Market across alley / DZ 9

Environmental review: Not a project per California Environmental Quality Act (CEQA) as defined in Section 15378

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request for the sale of distilled spirits, subject to the attached recommended conditions. The sale of alcohol is a conditionally-allowed use in DZ 9 and would contribute to the diversity of commercial offerings in the area.

Executive Summary

The applicant is proposing to operate a craft liquor store (ABC Type 21) in the 600 square-foot retail suite. The business (Tahona Mercado) will focus on small batch and artisanal Mexican liquor. Proposed operation hours are 11:00 am to 9:00 pm Monday through Friday and 10:00 am to 10:00 pm Saturday and Sunday.

Site Characteristics

The project location is a vacant commercial suite in the new Parco development, a mixed-use residential and commercial building occupying the half block between East 8th and 9th Streets and between 'B' Avenue and the alley to the west. The suite is 600 square-feet in size and located along 'B' Avenue. The area is mostly adjacent to commercial uses, although there are residential uses located to the south across East 9th Street.

Proposed Use

The applicant wishes to operate a high-end craft liquor store in a new commercial suite in the Parco development in downtown National City. The store will sell high-quality liquor, mostly sourced from small producers and artisanal companies from remote areas of Mexico. Most of the products will be exclusive batches and unique to the applicant's brand. The business would employ three people.

Analysis

Section 18.30.050 of the Land Use Code allows for off-site alcohol sales with an approved CUP. Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements. The same is required for modification of an existing CUP. There are also specific conditions required as part of City Council Policy 707, which regulates alcohol licenses.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 684 occupants and owners.

Community Meeting - Pursuant to Section 18.30.050 (C) of the National City Zoning Code, a community meeting was held Friday, November 26, 2021 at 4:30 p.m. at the subject suite. The meeting advertisement and minutes are attached (Attachment 8); three residents were in attendance and indicated their support for the request.

Distance Requirements - Chapter 18.030.050 (D) requires that businesses that sell alcohol as a principal use maintain a 660-foot distance from [Institutionally-zoned] schools. While there is a school within 660 feet (Integrity Charter School), it is not an institutionally-zoned property and thus not subject to the distance requirement. The nearest school in the Institutional zone is Central Elementary School, located over 750 feet away.

This chapter also requires that liquor stores be a minimum of 500 feet from each other. The nearest liquor store (Wilson’s Liquor) is over 2,000 feet away. There is a market (Big Ben Market) next door to the subject business, but is not included in the distance requirement.

Alcohol Sales Concentration/Location

Per the California Department of Alcoholic Beverage Control (ABC), there are currently 8 off-sale licenses in this census tract (117) where a maximum of four are recommended, meaning that the census tract is considered by ABC to be over-saturated with regard to alcohol sales outlets. For reference, the outlets are:

Name	Address	License Type*	CUP
Seafood City	1420 E. Plaza Blvd. Suite C	21	Y
Big Ben Market	108 E. 8 th St.	21	Y
Wal Mart	1200 Highland Ave.	20	Y
Smart & Final	1220 E. Plaza Blvd. Suite 510	21	Y
CVS Pharmacy	1201 E. Plaza Blvd.	21	Y
7 Eleven	1539 Highland Ave.	20	Y
Wilson’s Liquor	916 E. 8 th St.	21	Y
Bottles & More Liquor	1535 E. 18 th St.	21	-

* Type 20 - Off-Sale of Beer and Wine

* Type 21 - Off-Sale of Beer, Wine, and Distilled Spirits

Census tract 117 includes the area between National City Boulevard and “N” Avenue, and between East 8th Street and East 18th Street. The attached census tract map shows the location of the subject tract (Attachment 6).

Many of the issues related to liquor sales are related to availability of smaller quantities and cheaper products, most of which are contained to businesses not subject to CUPs due to legal nonconforming status. However, businesses with CUPs are limited to the size of distilled spirits bottles (e.g. no airplane bottles or pints). Other issues with malt liquor (e.g. 22s, 40s) are also addressed by a CUP, although these products are not part of the proposed sales inventory.

Police Department (PD)

PD provided a Risk Assessment report, which assigns points based on the type of business, license concentration, and calls for service (among others) and ranks the business according to potential risk (low, medium, or high). In this case, Tahona Mercado received a score of 13, which would indicate a medium risk. Medium risk is considered 13 to 18 points.

Institute for Public Strategies (IPS)

No comments were received from IPS as of the writing of this report, although they usually recommend at least the need for Responsible Beverage Sales and Service (RBSS) training for all staff. This is a condition of the previous approval and will remain for the current request, if approved.

Public Comment

No public comment was received as part of the public hearing notice.

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within DZ 9 pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A retail alcohol use is consistent with the Downtown Specific Plan land use designation contained in the Land Use and Community Character element of the General Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial vacant suite, which was previously analyzed for traffic impacts when the building was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed alcohol sales outlet would be consistent with other commercial businesses in the area accessory to the mixed-use commercial and residential building.

5. Granting the permit would not 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.

The proposed use would be subject to conditions that limit the hours and manner in which alcohol is sold.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in DZ 9.

The following two findings are also included with alcohol CUPs:

7. The proposed use is deemed essential and desirable to the public convenience or necessity.

In this case, the sale of distilled spirits sales will contribute to the diversity of local commercial offerings in the area, an allowed use in the DZ 9 zone.

8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

Findings for Denial

There are three findings for denial as follows:

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, because there are two other Type 21-license outlets within a half-mile of the site:

Outlet Name	Address	ABC license type
Big Ben Market	108 E. 8 th St.	21
Wilson's Liquor	916 E. 8 th St.	21

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 the area has a high crime rate, which may be exacerbated by the addition of distilled spirits.
3. Based on findings 1 and 2 above, public convenience and necessity will not be served by adding distilled spirits sales to the existing alcohol license pursuant to law.

Conditions of Approval

Conditions of Approval include those specific to off-site alcohol sales per Council Policy 707 (alcohol container volume, size, and number; RBSS training, hours, accessory sales, etc.).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for off-site consumption being a conditionally-allowed use in DZ 9. High-end distilled spirits sales would contribute to the diversity of the downtown commercial offerings. However, the area is considered to be a high crime area and there are already two other outlets in close proximity that offer distilled spirits. Conditions requiring compliance with City Council Policy 707 are intended to alleviate concerns related to area impacts should the CUP be approved. The decision of the Planning Commission will be relayed to the City Council for filing or potentially another public hearing if necessary.

Options

1. Approve 2021-27 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2021-27 CUP based on the attached findings or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2021-27 CUP, dated 12/8/2021)
5. Public Hearing Notice (Sent to 684 property owners & occupants)
6. Census Tract & Police Beat Maps
7. PD Risk Assessment
8. Community Meeting Advertisement and minutes
9. Resolutions



MARTIN REEDER, AICP
Principal Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2021-27 CUP – Tahona Mercado

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within DZ 9 pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A retail alcohol use is consistent with the Downtown Specific Plan land use designation contained in the Land Use and Community Character element of the General Plan.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial vacant suite, which was previously analyzed for traffic impacts when the building was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed alcohol sales outlet would be consistent with other commercial businesses in the area accessory to the mixed-use commercial and residential building.
5. Granting the permit would not 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, the proposed use would be subject to conditions that limit the hours and manner in which alcohol is sold.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in DZ 9.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the sale of distilled spirits sales will contribute to the diversity of local commercial offerings in the area, an allowed use in the DZ 9 zone.

8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL

2021-27 CUP – Tahona Mercado

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, because there are two other Type 21-license outlets within a half-mile of the site.
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 the area has a high crime rate, which may be exacerbated by the addition of distilled spirits.
3. Based on findings 1 and 2 above, public convenience and necessity will not be served by adding distilled spirits sales to the existing alcohol license pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2021-27 CUP – Tahona Mercado

General

1. This Conditional Use Permit authorizes the sale distilled spirits for off-site consumption at a proposed market (Tahona Mercado) to be located at 802 'B' Avenue. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2021-27 CUP, dated 2/25/2022.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

6. The sale of alcoholic beverages shall be limited to between the hours of 11:00 am to 9:00 pm Monday through Friday and 10:00 am to 10:00 pm Saturday and Sunday.
7. The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
8. No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
9. Wine shall not be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.

10. Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.
11. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the Permittee.
12. All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.
13. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
14. The Permittee shall post signs in compliance with the requirements and specifications of subsection B of section 10.30.070 on each exterior wall of the licensed premises that faces a vehicle parking lot, to read as follows:

“WARNING

It is unlawful to drink an alcoholic
beverage or to possess an open alcoholic
beverage container in public or in a public parking lot.
NCMC 10.30.050 and 10.30.060.”

15. Containers of alcoholic beverages may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
16. Every employee of the Permittee, including ownership and management, shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to commencing alcohol sales. As part of the RBSS training, the Permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
17. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

18. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.

2021-27 CUP – Tahona Mercado – Overhead

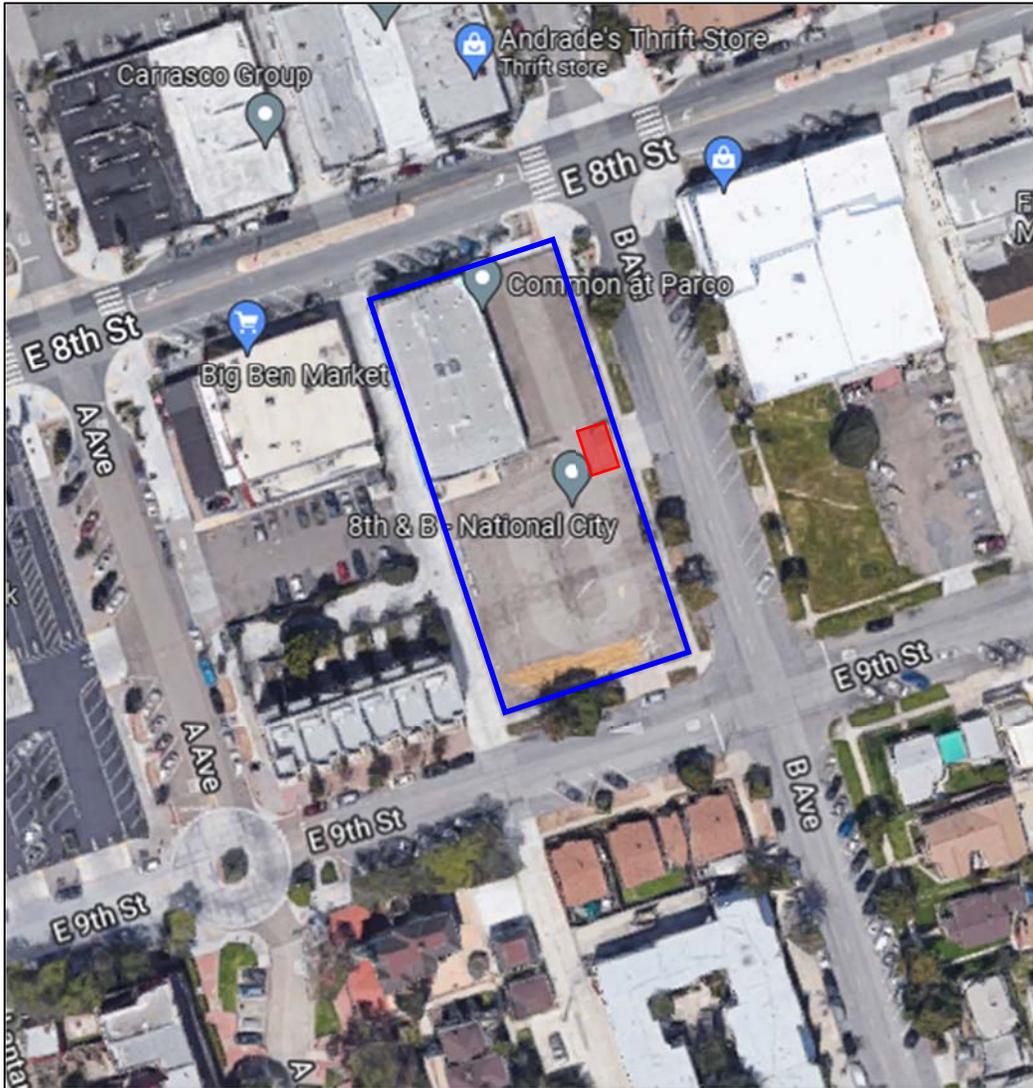
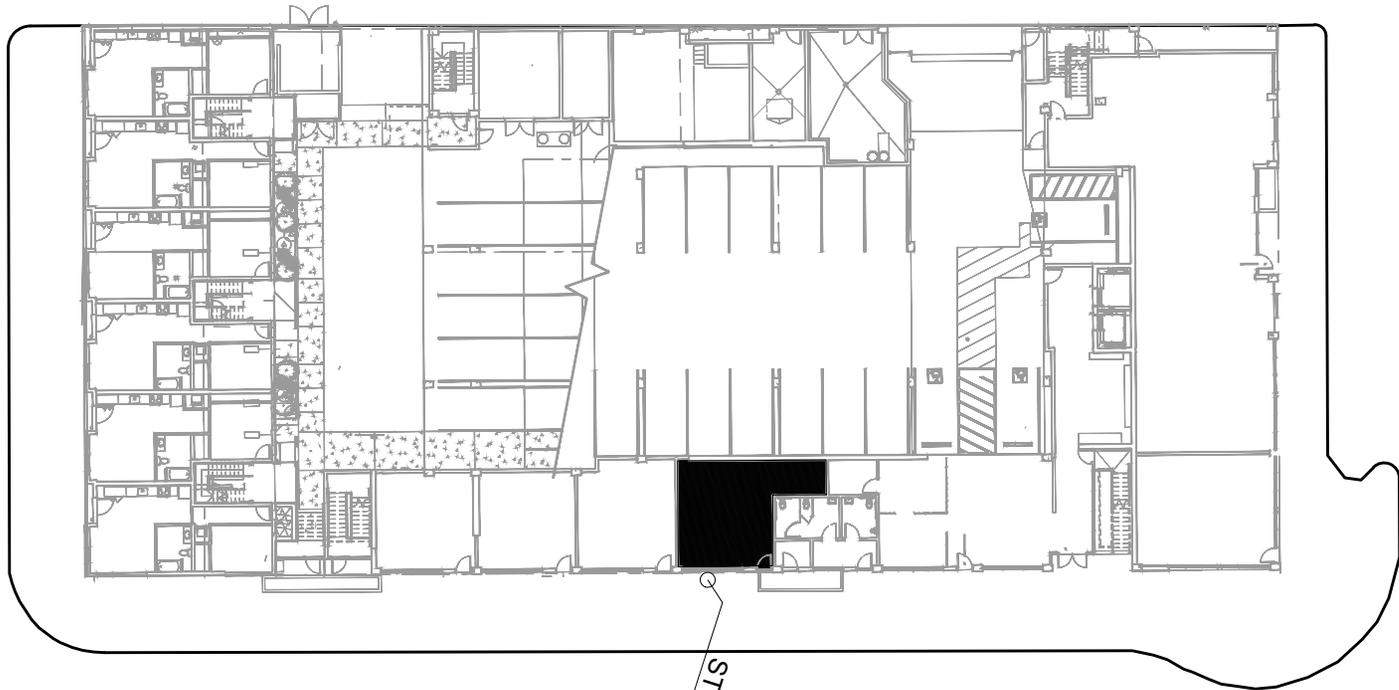


Exhibit A
Case File No.: 2021-27 CUP
Date: 2/25/2022

ALLEY

8th STREET

9th STREET

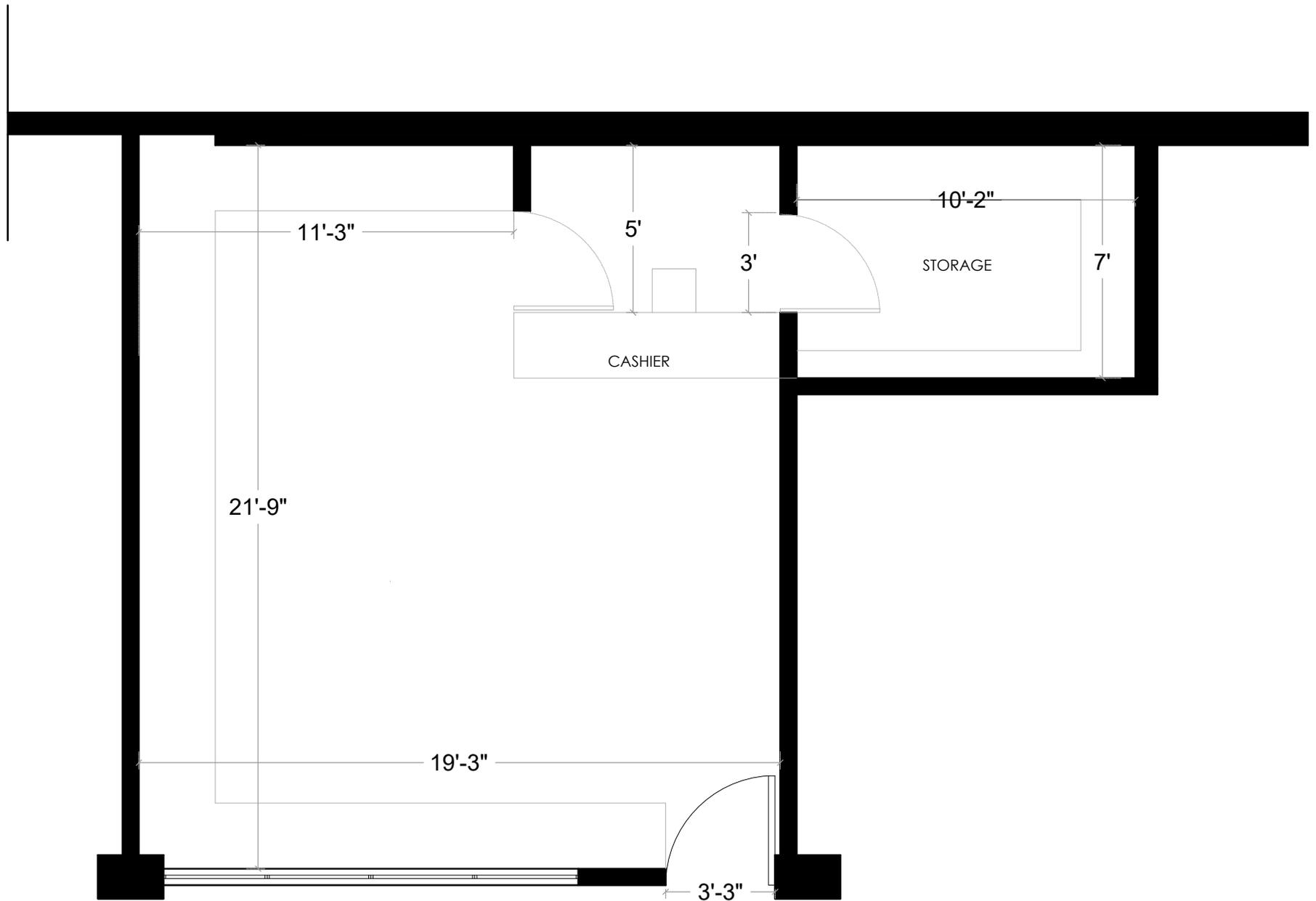


STORE

B STREET

SITE PLAN
ESC. 1:2000

ATTACHMENT 4



⊙ STORE PLAN
ESC. 1:50



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR DISTILLED SPIRITS SALES (TYPE 21)
AT A PROPOSED RETAIL OUTLET (TAHONA MERCADO)
TO BE LOCATED AT 802 'B' AVENUE.
CASE FILE NO.: 2021-27 CUP

The National City Planning Commission will hold a public hearing at their regular online meeting after the hour of 6:00 p.m. **Monday, March 7, 2022**, on the proposed request. The meeting will be LIVE WEBCAST from the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Amar Harrag)

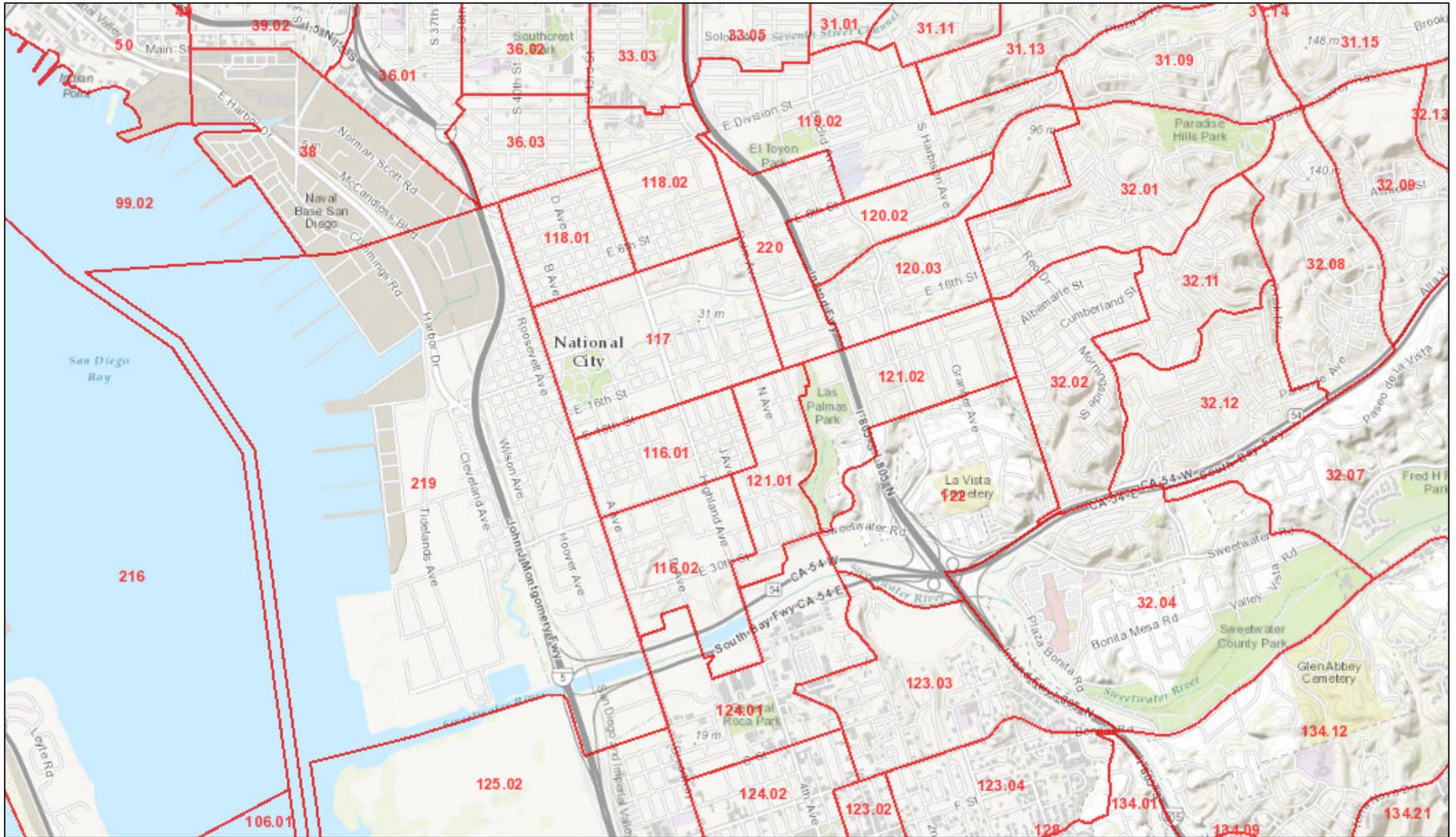
Due to the precautions taken to combat the continued spread of coronavirus (COVID-19), City Council Chambers are closed to the public. Anyone interested in this public hearing may observe it on the City's website at <http://nationalcityca.new.swagit.com/views/33>.

The applicant is requesting a Conditional Use Permit for a high-end craft liquor store that will sell small batch and artisanal Mexican liquor. The 600 square-foot suite is within the new Parco development at East 8th Street and 'B' Avenue. Proposed operating hours are 11:00 a.m. to 9:00 p.m. Monday through Friday and 10:00 a.m. to 10:00 p.m. Saturday and Sunday.

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **March 7, 2022**, by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

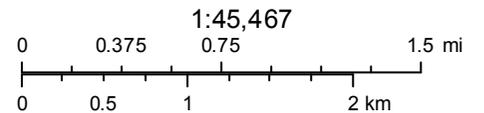
NATIONAL CITY PLANNING DIVISION



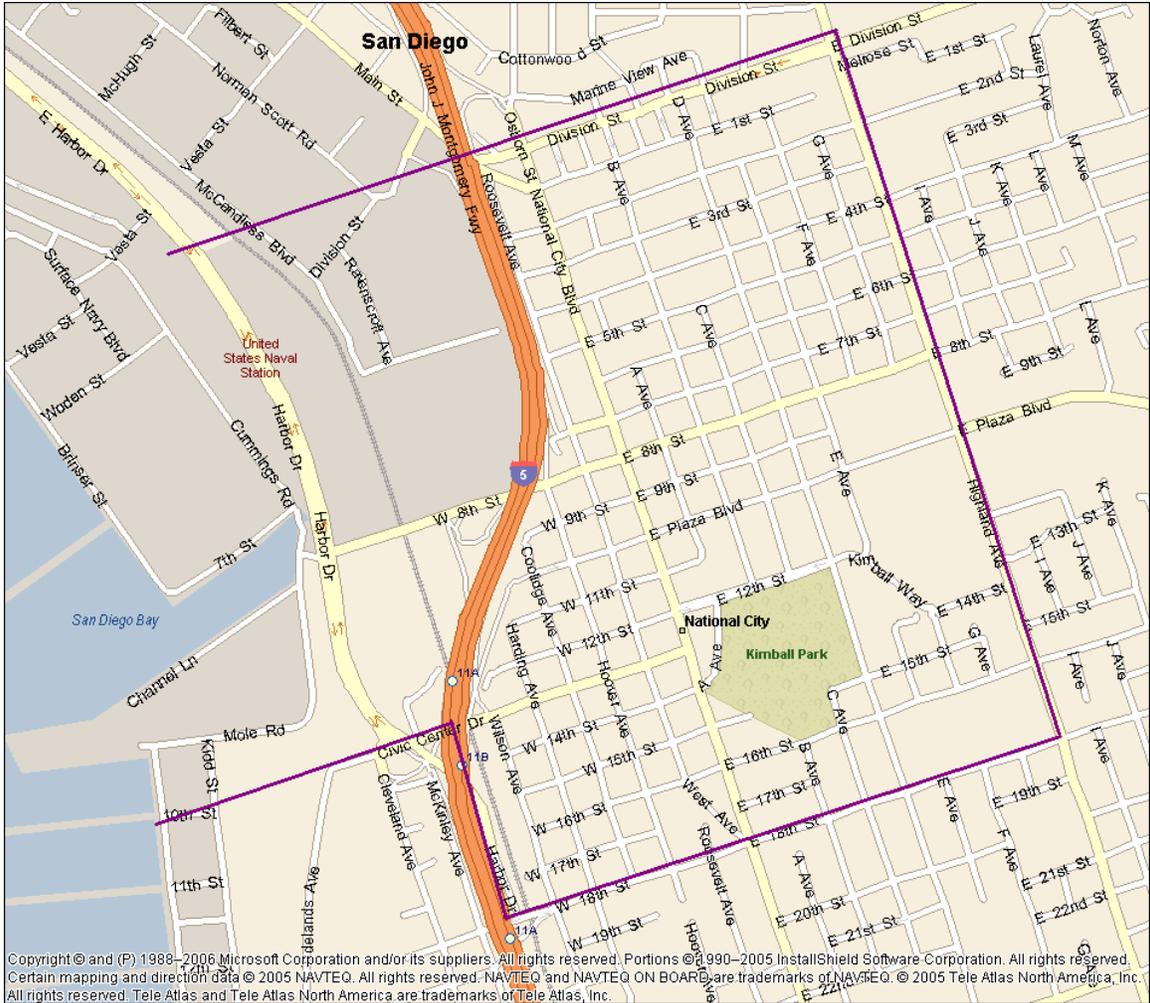
August 25, 2014

CensusTracts 2010

ATTACHMENT 6



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



City of National City Beat 20

VI. Calls for Service at Location (for previous 6 months)

- Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk (12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts) Total Points _____
--

VIII. Owner(s) records check

- No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

Recommendation:

Completed by: _____ Badge ID: _____

You are invited to attend a:
COMMUNITY MEETING
Date: Monday, November 29, 2021
Time: 4:30 PM – 5:30 PM
Address: 802 B Avenue, National City, CA 91950

This meeting is to inform citizens of a use permit application to open a craft liquor store specialized in high end agave spirits located in the side of the new building located in the corner of B Ave & 8th St. The proposed hours of operation are Monday – Sunday from 10 am to 9 pm. Our store will only carry limited edition bottles as well as craft products locally produced and also imported from small villages in Oaxaca.

We are looking forward to meeting you and discussing any concerns or questions you may have regarding this proposed store operations. If you can't attend the meeting, or if you have any questions before then, please feel free to contact Amar Harrag, the Applicant's representative, at 619.573.0289 or via email at amarharrag@gmail.com.

This notice is being sent to you in fulfillment of the City of National City requirements. This outreach effort to our neighbors is necessary because an application for development or use has been filed with the City of National City Planning Department.

Minutes from Community meeting held on 11/26/2021 at 802 B Avenue, National City, CA 91950:

- Meeting time was held from 4:30 pm to 6:00 pm.
- 3 attendees: Joel J. Tubao, Mr Tubao's father & Chris Meints
- All 3 attendees came in support of the project and shared their excitement for it. They agreed to be listed as references if needed.
- No other attendees or anything else to report.

RESOLUTION NO. 2022-07

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR
DISTILLED SPIRITS SALES (TYPE 21) AT A
PROPOSED RETAIL OUTLET (TAHONA MERCADO)
TO BE LOCATED AT 802 'B' AVENUE.
CASE FILE NO. 2021-27 CUP
APN: 556-472-26

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for distilled spirits sales (Type 21) at a proposed retail outlet (Tahona Mercado) to be located at 802 'B' Avenue at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2021-27 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 March 7, 2022, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within DZ 9 pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A retail alcohol use is consistent with the Downtown Specific Plan land use designation contained in the Land Use and Community Character element of the General Plan.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity,

because no expansion of the building is proposed. The proposal involves an existing commercial vacant suite, which was previously analyzed for traffic impacts when the building was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed alcohol sales outlet would be consistent with other commercial businesses in the area accessory to the mixed-use commercial and residential building.
5. Granting the permit would not 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, the proposed use would be subject to conditions that limit the hours and manner in which alcohol is sold.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in DZ 9.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the sale of distilled spirits sales will contribute to the diversity of local commercial offerings in the area, an allowed use in the DZ 9 zone.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale distilled spirits for off-site consumption at a proposed market (Tahona Mercado) to be located at 802 'B' Avenue. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2021-27 CUP, dated 2/25/2022.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the

approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

6. The sale of alcoholic beverages shall be limited to between the hours of 11:00 am to 9:00 pm Monday through Friday and 10:00 am to 10:00 pm Saturday and Sunday.
7. The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
8. No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
9. Wine shall not be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
10. Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.
11. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the Permittee.
12. All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.
13. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.

14. The Permittee shall post signs in compliance with the requirements and specifications of subsection B of section 10.30.070 on each exterior wall of the licensed premises that faces a vehicle parking lot, to read as follows:

“WARNING

It is unlawful to drink an alcoholic beverage or to possess an open alcoholic beverage container in public or in a public parking lot. NCMC 10.30.050 and 10.30.060.”

15. Containers of alcoholic beverages may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.

16. Every employee of the Permittee, including ownership and management, shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to commencing alcohol sales. As part of the RBSS training, the Permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

17. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

18. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.

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 March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2022-07

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
DENYING A CONDITIONAL USE PERMIT FOR
DISTILLED SPIRITS SALES (TYPE 21) AT A
PROPOSED RETAIL OUTLET (TAHONA MERCADO)
TO BE LOCATED AT 802 'B' AVENUE.
CASE FILE NO. 2021-27 CUP
APN: 556-472-26

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for distilled spirits sales (Type 21) at a proposed retail outlet (Tahona Mercado) to be located at 802 'B' Avenue at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2021-27 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 March 7, 2022, support the following findings:

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, because there are two other Type 21-license outlets within a half-mile of the site.
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 the area has a high crime rate, which may be exacerbated by the addition of distilled spirits.
3. Based on findings 1 and 2 above, public convenience and necessity will not be served by adding distilled spirits sales to the existing alcohol license pursuant to law.

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 March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE OPERATION OF A VETERINARY CLINIC AT AN EXISTING PETCO PET STORE LOCATED AT 3426 HIGHLAND AVENUE, SUITE B

Case File No.: 2021-29 CUP

Location: 3426 Highland Avenue, Suite B

Assessor's Parcel Nos.: 562-323-32

Staff report by: David Welch – Associate Planner

Applicant: Pierre Cabral

Zoning designation: MXD-2 (Major Mixed-Use District)

Adjacent use and zoning:

North: Commercial across State Highway 54 / MXD-2 (Major Mixed-Use District)

East: U-Haul and building material supply across Highland Ave. / City of Chula Vista

South: Retail and light industrial / City of Chula Vista

West: Wal-Mart and other retail / City of Chula Vista

Environmental review: Categorical Exemption Class 1, Section 15301 Existing Facilities

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request for the operation of a veterinary clinic, subject to the attached recommended conditions. A veterinary clinic is a conditionally-allowed use in the Major Mixed-Use District zone and would be accessory to the existing retail pet store (Petco).

Executive Summary

The applicant has applied for a Conditional Use Permit (CUP) to operate a veterinary clinic in an existing pet store. In addition to the CUP, the use must operate in conformance Section 18.30.205 of the Land Use Code (LUC), which requires both distance requirements to other uses and certain operational requirements. Conditions are proposed to ensure that the proposed use operates in accordance with the LUC and during normal business hours for the pet store.

Site Characteristics

The project site is Petco, a 14,116 square foot retail pet store within the South Bay Marketplace shopping center. The shopping center is located on the south side of National City, south of State Highway 54 on a 14-acre site in the Major Mixed-Use District (MXD-2) zone. The site is bordered by the City of Chula Vista to the east, south, and west. No residences or residential zones are in the vicinity of the site. The nearest restaurant is located approximately 300 feet from the pet store.

Proposed Use

The applicant is proposing to operate a veterinary clinic in the existing Petco store. The clinic will provide a full range of services including medical and surgical care. Services will primarily be for dogs and cats. Interior work is proposed to create a new waiting room, exam rooms, treatment room, surgery room, and an indoor kennel room. The area of the improvement includes 1,553 square feet of the 13,116 square-foot pet store. Proposed operating hours are during normal Petco business hours, which range from 8:00 a.m. to 9:00 p.m. daily.

Analysis

Section 18.30.250 of the LUC allows for veterinary clinics with an approved CUP. Additional requirements for veterinary clinics include distance requirements, demonstrating that adequate measures and controls have been taken to prevent offensive noise and order, no incineration of refuse or animal carcasses on the premises, and that the clinic is not to operate as a kennel. Conditions will ensure the proposed use meets the requirements of the code.

Mailing – All property owners and occupants within a distance of 300 feet are required to be notified of a public hearing for a CUP. Notice of this public hearing was sent to 36 occupants and owners.

Distance Requirements - Section 18.030.250(B) of the LUC requires a 100-foot distance from any residential zone, restaurant, hotel, or motel; there are no zones within 100 feet of the site. No hotels or motels exist within the vicinity. The nearest restaurant is McDonald's, which is approximately 300 feet from the Petco store where the veterinary clinic will be location. Both the existing and proposed uses sit on separate parcels within the shopping center, which are more than 100 feet apart.

Public Comment

No public comment was received as part of the public hearing notice.

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the MXD-2 zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for a veterinary clinic, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

A veterinary clinic is permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A pet store with accessory veterinary clinic is

consistent with the MXD-2 land use designation contained in the Land Use and Community Character element of the General Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

Only interior improvement of the building are proposed. The proposal involves an existing pet store, which is part of larger, existing shopping center. Operations are only proposed to take place within the normal business hours of the pet store.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed veterinary clinic would be accessory to the primary use of a pet store. No expansion of the building is proposed.

5. Granting the permit would not 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.

The proposed use would not be injurious or detrimental to the public, as it is located in a commercial zone and surrounded by uses that primarily operate during the day. All operations will be conducted indoors and conditions will be in place to prevent offensive noise and odors.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Staff has determined that the proposed use is categorically exempt from a CEQA environmental review as defined in Categorical Exemption Class 1, Section 15301 Existing Facilities.

Department Comments

The application was routed to the Fire Department. No comments were received.

Conditions of Approval

Conditions have been added to mitigate any potential issues including: limiting hours of operation, limiting the types of animals receiving treatment and services, requiring all activities to take place within the building, limitations on both odor and noise consistent with the National City Municipal code, limitations on the handling of animal refuse or carcasses, and limitations on kenneling and boarding of animals.

Summary

The proposed use is consistent with the General Plan due to veterinary clinics being conditionally-allowed uses in the MXD-2 zone. The veterinary clinic use would continue to be accessory to the existing pet store use in an established commercial area. The inclusion of conditions related to odor and noise standards is intended to alleviate concerns related to area impacts.

Options

1. Approve 2021-29 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2021-29 CUP based on the findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2021-29 CUP, dated 12/13/2021)
5. Public Hearing Notice (Sent to 36 property owners & occupants)
6. Resolution

David Welch

DAVID WELCH
Associate Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2021-29 CUP – 3426 Highland Avenue, Suite B

1. The proposed use is allowable within the applicable zoning district pursuant to a CUP and complies with all other applicable provisions of the LUC because a veterinary clinic is permitted in the MXD-2 zone, subject to a CUP, and the clinic complies with all provisions of the LUC as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan because a veterinary clinic is permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A pet store with accessory veterinary clinic is consistent with the MXD-2 land use designation contained in the Land Use and Community Character element of the General Plan.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity because the proposed veterinary clinic is located in a commercial zone that allows for such a use. Only interior improvement of the building are proposed. The proposal involves an existing pet store, which is part of larger, existing shopping center. Operations are only proposed to take place within the normal business hours of the pet store.
4. The site is physically suitable for the type, density, and intensity in use being proposed, including access, utilities, and the absence of physical constraints because the proposed veterinary clinic would be accessory to the primary use of a pet store. No expansion of the building is proposed.
5. Granting the permit would not constitute a nuisance, 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 the proposed use would not be injurious or detrimental to the public, as it is located in a commercial zone and surrounded by uses that primarily operate during the day. All operations will be conducted indoors and conditions will be in place to prevent offensive noise and odors.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) because staff has determined that the proposed use is categorically exempt from a CEQA environmental review as defined in Categorical Exemption Class 1, Section 15301 Existing Facilities.

RECOMMENDED CONDITIONS OF APPROVAL

2021-29 CUP – 3426 Highland Avenue, Suite B

General

1. This *Conditional Use Permit* authorizes a veterinary clinic at 3426 Highland Avenue, Suite B. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2021-29 CUP, dated 12/13/2021).
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form **within 30 days** of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assignee prior to recordation.
3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Division.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Planning

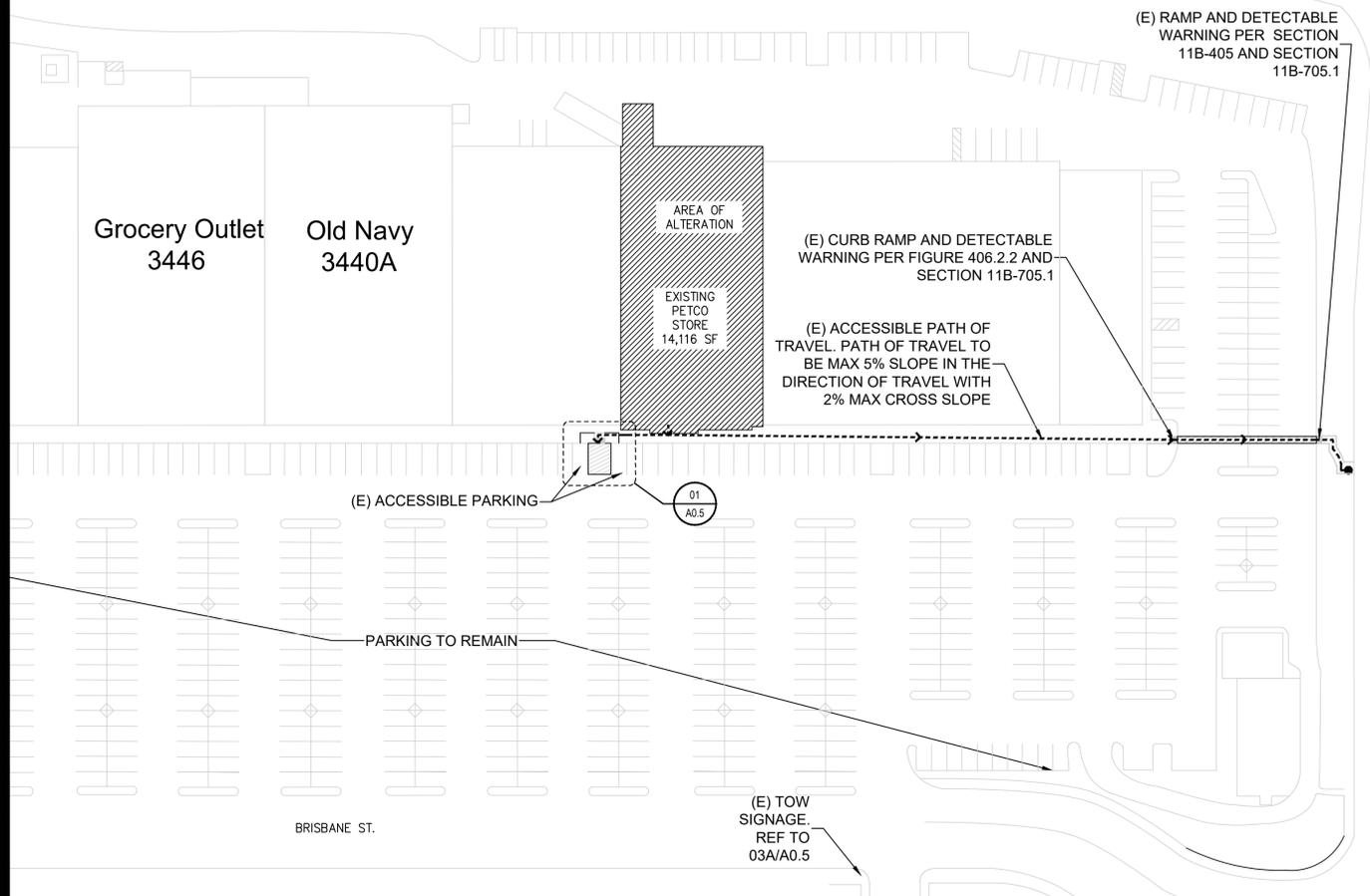
5. The veterinary clinic operations shall be conducted in a manner that does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City of National City.
6. The veterinary clinic shall be permitted only between the hours of 8:00 a.m. and 9:00 p.m. daily.
7. Veterinary treatment and services shall be limited to small domesticated animals or household pets commonly maintained in a residence.

8. All operations and activities related to the veterinary clinic must be conducted within the building.
9. Doors to the suite must be closed at all times to mitigate any potential odor or noise impacts.
10. All activities shall abide by the limitations contained in Section 18.40.030.J (Odor) of the Land Use Code and Title 7.08 (Environmental Conditions) of the National City Municipal Code.
11. All activities shall abide by the limitations contained in Table III of Title 12 (Noise) of the National City Municipal Code.
12. No incineration of refuse or animal carcasses is permitted on the premises.
13. No drop off of animal carcasses is permitted on the premises.
14. Animals may only be kenneled if undergoing treatment or procedures at the veterinary clinic. No pet day care is permitted with this use.
15. No overnight boarding of animals is permitted with this use.
16. A business license shall be obtained before the business can operate and maintained for the duration of the operation of the use.
17. Any future intensification of this use will require an amendment to the approved Conditional Use permit.
18. Any necessary building permits for construction or demolition work in the suite shall be obtained from the Building Division prior to the work.

2021-29 CUP – 3426 Highland Avenue, Suite B – Overhead



CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND CORRELATE DIMENSIONS PRIOR TO PROVIDING DIMENSIONS TO THE ARCHITECT OF ANY DISCREPANCIES, COPYRIGHT OR OTHER UNAUTHORIZED REPRODUCTION OR OTHER USE OF THIS DRAWING IS PROHIBITED.



(E) ACCESSIBLE PARKING

BRISBANE ST.

(E) TOW SIGNAGE REF TO 03A/A0.5

ATTACHMENT 4

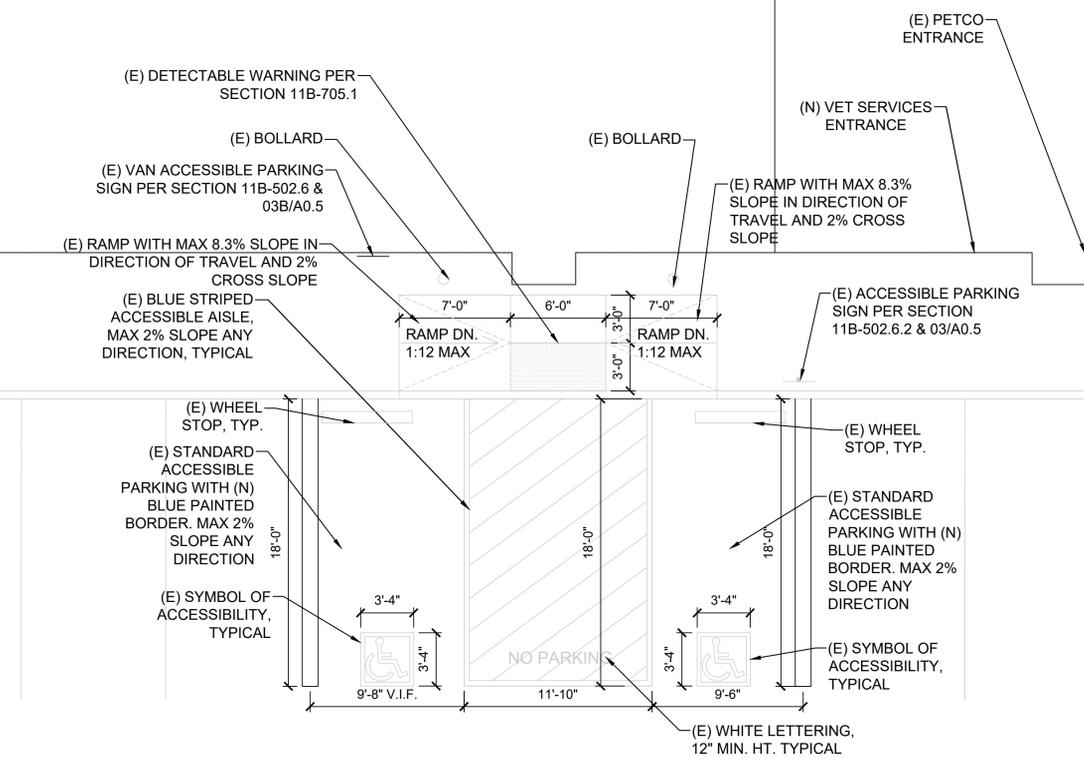
SITE PLAN SHOWN FOR COMPLIANCE REFERENCE ONLY

----- ACCESSIBLE PATH OF TRAVEL

02 SITE PLAN

SCALE: 1"=50'-0" REF.:

HIGHLAND AVE

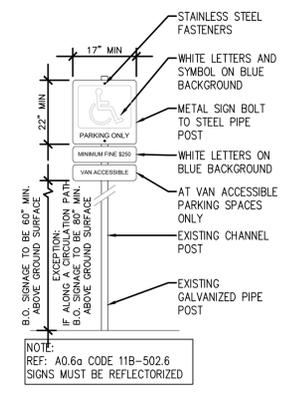


NOTE: WARNING SIGNAGE REGARDING UNAUTHORIZED USE OF DISABLED PARKING IS POSTED CONSPICUOUSLY AT EACH ENTRANCE TO OFF-STREET PARKING FACILITIES OR ADJACENT TO AND VISIBLE FROM EACH STALL.

LETTERING ON SIGN MUST BE A MINIMUM OF 1" IN HEIGHT

UNAUTHORIZED VEHICLES PARKING IN DESIGNATED ACCESSIBLE SPACES NOT DISPLAYING DISTINGUISHED PLACARDS OR SPECIAL LICENSE PLATES ISSUED FOR PERSONS WITH DISABILITIES WILL BE TOWED AWAY AT OWNER'S EXPENSE. TOWED VEHICLES MAY BE RECLAIMED AT [REDACTED] BY TELEPHONING [REDACTED]

GENERAL CONTRACTOR NOTE: APPROPRIATE INFORMATION MUST BE INCLUDED ON SIGN (MINIMUM OF 1" IN HEIGHT)



03 ADA PARKING SIGN DETAIL

SCALE: 3/8"=1'-0" REF.:

01 ENLARGED SITE PLAN - ADA

SCALE: 3/16"=1'-0" REF.:

SITE PLAN SHOWN FOR COMPLIANCE REFERENCE ONLY

Owner
Petco Animal Supplies Stores, Inc.
 654 Richland Hills Drive
 SAN ANTONIO, TX 78245
 M: 858.877.1285
 CONTACT: PIERRE CABRAL,
 CONSTRUCTION MANAGER
 PIERRE.CABRAL@PETCO.COM



Architect
MG2 CORPORATION
 3333 MICHELSON DR, STE 100
 IRVINE, CA 92612
 T: 949.705.0747
 Contact: MATTHEW MCCLELLAN,
 PROJECT MANAGER
 MATTHEW.MCCLELLAN@MG2.COM



MEP ENGINEER
AYRES ASSOCIATES INC.
 26415 CARL BOYER DR
 SANTA CLARITA, CA 91350
 T: 661.291.4265
 Contact: ANDY WILKINSON,
 PROJECT ENGINEER
 WILKINSONA@AYRESASSOCIATES.COM



Distribution:	Date:
1st CD Submission	09-16-21
Comprehensive Review Set	10-07-21
Final Review CD set	10-21-21
Bid Set/Permit Set	11-04-21

Seal & Signature

TERRY W. ODLE
 CA LICENSE C21913

Project
"NEXUS TIER B - NATIONAL CITY, CA"
 3426 HIGHLAND AVE STE B
 NATIONAL CITY, CA 91950

Petco Job No. 1196 Project No. 18-5191-01A
 Drawn By: Checked By: MM

Drawing Title

SITE PLAN

Drawing Number

A0.5



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR THE OPERATION OF A
VETERINARY CLINIC AT AN EXISTING PETCO PET STORE
LOCATED AT 3426 HIGHLAND AVENUE, SUITE B
CASE FILE NO.: 2021-29 CUP
APN: 562-323-32

The National City Planning Commission will hold a public hearing at their regular online meeting after the hour of 6:00 p.m. **Monday, March 7, 2022**, on the proposed request. The meeting will be LIVE WEBCAST from the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Pierre Cabral)

Due to the precautions taken to combat the continued spread of coronavirus (COVID-19), City Council Chambers are closed to the public. Anyone interested in this public hearing may observe it on the City's website at <http://nationalcityca.new.swagit.com/views/33>.

The applicant is proposing to operate a new veterinary clinic within an existing 14,116 square-foot Petco store. The clinic will be comprised of a 1,553 square-foot remodeled space. Services will include both medical and surgical care, primarily for dogs and cats, provided by a state-licensed veterinarian. Veterinary care services will only be available during normal Petco business hours, which are from 8:00 am to 9:00 pm daily.

Plans are available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **March 7, 2022** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff who can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION

ATTACHMENT 5

RESOLUTION NO. 2022-08

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A
VETERINARY CLINIC AT AN EXISTING PETCO PET STORE LOCATED AT
3426 HIGHLAND AVENUE, SUITE B
CASE FILE NO. 2021-29 CUP
APN: 562-323-32

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a veterinary clinic for the property located at 3426 Highland Avenue, Suite B at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2021-29 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 March 7, 2022, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a CUP and complies with all other applicable provisions of the LUC because a veterinary clinic is permitted in the MXD-2 zone, subject to a CUP, and the clinic complies with all provisions of the LUC as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan because a veterinary clinic is permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A pet store with accessory veterinary clinic is consistent with the MXD-2 land use designation contained in the Land Use and Community Character element of the General Plan.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity because

the proposed veterinary clinic is located in a commercial zone that allows for such a use. Only interior improvement of the building are proposed. The proposal involves an existing pet store, which is part of larger, existing shopping center. Operations are only proposed to take place within the normal business hours of the pet store.

4. The site is physically suitable for the type, density, and intensity in use being proposed, including access, utilities, and the absence of physical constraints because the proposed veterinary clinic would be accessory to the primary use of a pet store. No expansion of the building is proposed.
5. Granting the permit would not constitute a nuisance, 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 the proposed use would not be injurious or detrimental to the public, as it is located in a commercial zone and surrounded by uses that primarily operate during the day. All operations will be conducted indoors and conditions will be in place to prevent offensive noise and odors.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) because staff has determined that the proposed use is categorically exempt from a CEQA environmental review as defined in Categorical Exemption Class 1, Section 15301 Existing Facilities.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This *Conditional Use Permit* authorizes a veterinary clinic at 3426 Highland Avenue, Suite B. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2021-29 CUP, dated 12/13/2021).
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form **within 30 days** of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The

Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assignee prior to recordation.

3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Division.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Planning

5. The veterinary clinic operations shall be conducted in a manner that does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City of National City.
6. The veterinary clinic shall be permitted only between the hours of 8:00 a.m. and 9:00 p.m. daily.
7. Veterinary treatment and services shall be limited to small domesticated animals or household pets commonly maintained in a residence.
8. All operations and activities related to the veterinary clinic must be conducted within the building.
9. Doors to the suite must be closed at all times to mitigate any potential odor or noise impacts.
10. All activities shall abide by the limitations contained in Section 18.40.030.J (Odor) of the Land Use Code and Title 7.08 (Environmental Conditions) of the National City Municipal Code.
11. All activities shall abide by the limitations contained in Table III of Title 12 (Noise) of the National City Municipal Code.
12. No incineration of refuse or animal carcasses is permitted on the premises.
13. No drop off of animal carcasses is permitted on the premises.
14. Animals may only be kenneled if undergoing treatment or procedures at the veterinary clinic. No pet day care is permitted with this use.

15. No overnight boarding of animals is permitted with this use.
16. A business license shall be obtained before the business can operate and maintained for the duration of the operation of the use.
17. Any future intensification of this use will require an amendment to the approved Conditional Use permit.
18. Any necessary building permits for construction or demolition work in the suite shall be obtained from the Building Division prior to the work.

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 March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE MODIFICATION OF AN EXISTING WIRELESS COMMUNICATIONS FACILITY LOCATED AT 700 NATIONAL CITY BLVD.

Case File No.: 2021-30 CUP

Location: Northwest corner of National City Blvd. and Plaza Blvd. (Ramada Hotel)

Assessor's Parcel No.: 555-053-17

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Carie Flores, J5 for Dish

Zoning designation: Downtown Specific Plan Development Zone 7 (DZ 7)

Adjacent land use/zoning:

- North: Esqina Vintage Coffee across W. 7th St. / DZ 1B
- East: Integrity Charter School across National City Blvd. / DZ 5B
- South: South County Regional Education Center / DZ 6
- West: Arco and Jack in the Box across Roosevelt Ave. / DZ 7

Environmental review: Categorically Exempt pursuant to Class 3 Section 15303 (New Construction or Conversion of small structures)

Staff recommendation: Approve

Staff Recommendation

Staff is recommending approval of the Conditional Use Permit (CUP) modification request. The proposal will increase the effectiveness of the facility and will increase the effectiveness of the Dish communications network.

Executive Summary

Dish has applied for a Conditional Use Permit (CUP) to modify an existing approved wireless telecommunications facility and install associated equipment. Dish has no equipment on the building currently. Modifications include additional antennas and associated equipment.

Site Characteristics

The project site is the 12-story Ramada Hotel, which has an existing wireless communications facility on the roof of the building. The building has existing panel antennas façade-mounted on the north, south, and east sides of the building, two panel antennas on the north and south facades of the elevator penthouse, and three dish antennas on the roof. The equipment for the facilities area also located on the roof of the building and are screened by a parapet wall. Two CUPs have been approved for the facility, both in 2000 (Metrocom and Skytel). A substantial conformance review was also approved in approximately 2009 for Cricket Wireless.

Proposal

The applicant is proposing to add three sectors of panel antennas facing north, east, and west. The north sector antennas would be installed within a screen cover on the north end of the building; the east and west sector antennas would be façade-mounted to the elevator penthouse and painted to match the building, the same as the existing Cricket Wireless antennas. The screen cover on the north sector would be textured and painted to match the [red] façade of the building. A CUP is required for expansion of existing facilities that do not meet current wireless facility standards (i.e. screening). The new facility is designed to address an area of weak service in the Dish network.

Analysis

The proposal is consistent with General Plan policy E-3.3 (Education and Public Participation) that aims to increase access to wireless internet connections, computers, and other forms of communication technology. The proposal is also consistent with the Land Use Code, because wireless communications facilities are a conditionally-allowed use in DZ 7.

The Land Use Code requires that telecommunication facilities be sensitively designed to be compatible with, and minimize visual impacts to, surrounding areas. It also requires that telecommunication facilities and appurtenances be screened by existing or proposed landscaping, to the extent possible, without compromising reception and/or transmission.

The Land Use Code also requires telecommunication facilities to be located at least 75 feet from any habitable structure on a separate property. The proposed facility meets this requirement, as the closest habitable building is located approximately 150 feet away to the southeast (Harbor View Suites).

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). Staff has determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of the Exemption will be filed subsequent to approval of this CUP. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed use would be consistent with this description as a new, small facility on an existing structure developed with similar uses.

Conditions of Approval

No department comments were received for the proposal. However, conditions requiring building and fire code compliance are attached, as well as standard Conditions of Approval.

Required findings

The Municipal Code contains required findings for CUPs. There are six required findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a CUP and complies with all other applicable provisions of the Land Use Code.

The use is allowable within DZ 7 pursuant to a CUP, and the proposed facility meets the required telecommunication facility design guidelines that include providing the minimum distance requirements from habitable space and screening the facility.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

General Plan Policy E-3.3 encourages access to wireless internet connections, computers, and other forms of communication technology: the proposed facility modifications provide added internet/cellular data as well as standard cellphone service capability. In addition, the proposed facility is a conditionally-permitted use in DZ 7.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

The facility is existing and is being modified to match the same locational and architectural components of the current facility design. The added screening will bring the facility into compliance with current codes.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The site is suitable for the proposed telecommunication facility because the facility is existing and the modifications meet all development standards and distance requirements.

5. Granting the permit would not 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.

The proposed facility is existing and the modified version will not be highly visible due to the added screening walls around the antennas on the north side, and the antennas on the elevator housing are out of sight and painted to match the building.

6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act.

The proposed project has been reviewed in compliance with the CEQA. Staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this CUP.

The 1996 Telecommunications Act states that, “no State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.” It should also be pointed out that if approved by a local jurisdiction, all wireless communications facilities must obtain all required state and federal permits in order to operate. A Condition of Approval is included requiring these permits.

Summary

The proposed project is consistent with the General Plan and Land Use Code in that it meets all applicable design requirements for wireless communication facilities. The project is considered ‘stealth’ in that it would screen the most obvious antennas (north side) from adjacent uses. The antennas mounted on the elevator penthouse would be painted to match the structure and are located adjacent to other antennas installed in the same fashion. The additions to the facility will improve coverage in an area with limited service and provide additional reception for Dish customers.

Options

1. Approve 2021-30 CUP subject to the attached conditions, and based on attached findings or other findings as determined by the Planning Commission; or
2. Deny Approve 2021-30 CUP based on findings as determined by the Planning Commission; or,
3. Continue the item for additional information

Attachments

1. Recommended Findings
2. Recommended Conditions
3. Overhead
4. Existing Wireless Facilities Map & List
5. Public Hearing Notice (Sent to 259 property owners and occupants)
6. Notice of Exemption
7. Photo Survey
8. Applicant's Plans (Exhibit A, Case File No. 2021-30 CUP, dated 11/8/2021)
9. Resolution



MARTIN REEDER, AICP
Principal Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2021-30 CUP – 700 National City Blvd.

1. That the proposed use is allowable within the applicable zoning district pursuant to a CUP and complies with all other applicable provisions of the Land Use Code, because the use is allowable within DZ 7 pursuant to a CUP and the proposed facility meets the required telecommunication facility design guidelines that include providing the minimum distance requirements from habitable space and screening the facility.
2. That the proposed use is consistent with the General Plan and any applicable specific plan, because General Plan Policy E-3.3 encourages access to wireless internet connections, computers, and other forms of communication technology: the proposed facility modifications provide added internet/cellular data as well as standard cellphone service capability. In addition, the proposed facility is a conditionally-permitted use in DZ 7.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the facility is existing and is being modified to match the same locational and architectural components of the current facility design, plus add screening to bring the facility into compliance with current codes.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the facility is existing and the modifications meet all development standards and distance requirements of the Land Use Code.
5. That granting the permit would not 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 the proposed facility is existing and the modified version will not be highly visible due to the added screening walls around the antennas on the north side, and the antennas on the elevator housing are out of sight and painted to match the building.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act and has been determined to be categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or

Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this CUP.

RECOMMENDED CONDITIONS OF APPROVAL

2021-30 CUP – 700 National City Blvd.

General

1. This *Conditional Use Permit* authorizes the modification of an existing wireless communications facility at 700 National City Blvd. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2021-30 CUP, dated 11/8/2021. Any additional antennas or facilities must be in substantial conformance with the design for installation shown on these plans.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

5. Plans submitted for demolition or construction improvements shall comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Fire

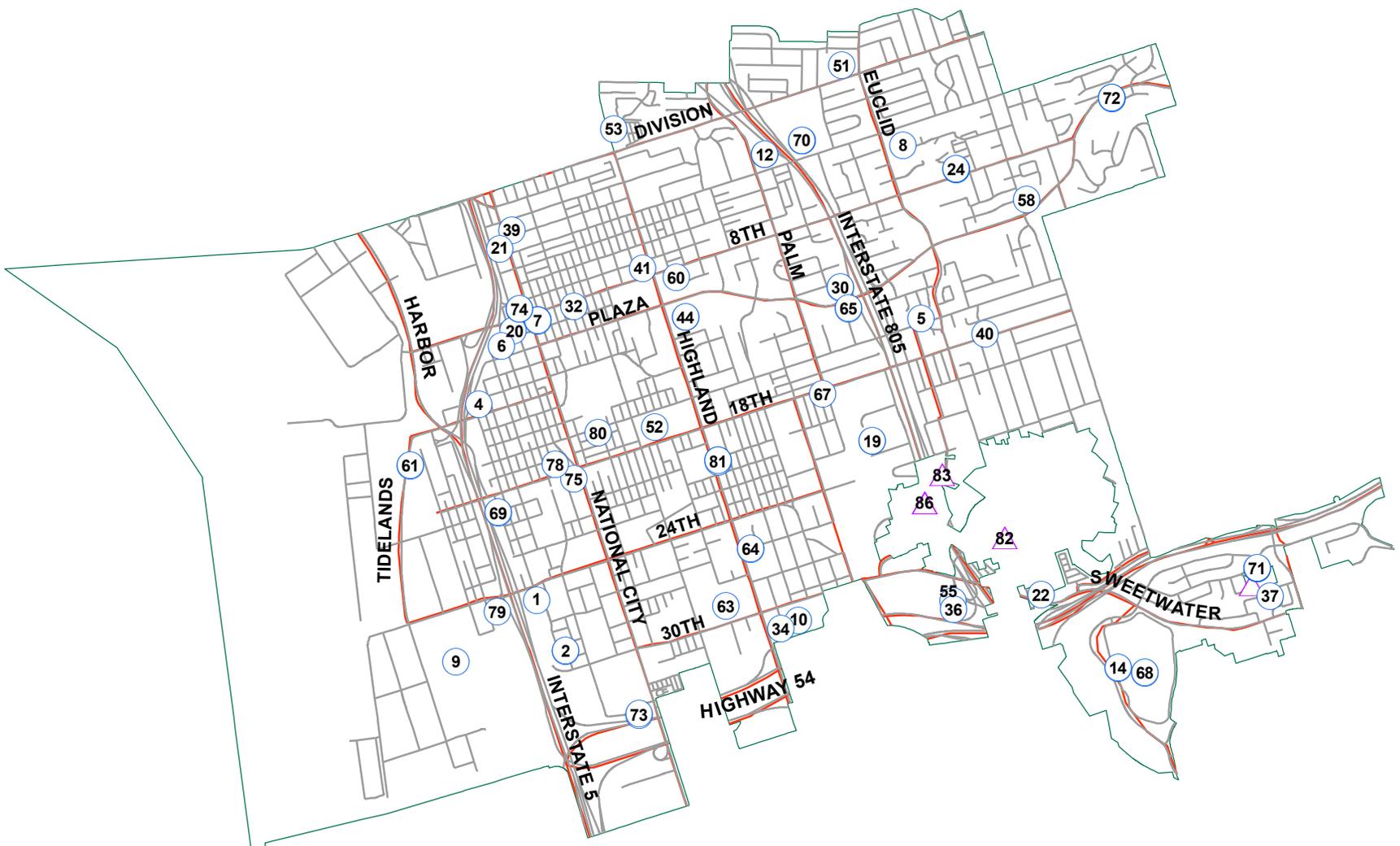
6. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC), National Fire Protection Association (NFPA), and California Code of Regulations (CCR).
7. All required signage for telecommunications facilities, as specified by the CFC, if not already on site, shall be designed and installed.
8. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

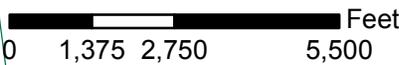
9. All appropriate and required local, state and/or federal permits must be obtained and/or modified prior to operation of the wireless communications facility.
10. Screening walls shall be textured and painted to match the architectural style and color of the existing building. Façade-mounted antennas (i.e. elevator penthouse) shall be painted to match the color of the wall to which they are attached. At such time as the building changes color significantly (e.g. rebranding, repainting), antennas and screening installations on the north elevation shall be repainted to match.
11. All roof-mounted equipment shall be painted to match the nearest building wall to where it is located. Other equipment must be screened from view. Any apparatus visible to the exterior of the facility, including cable chases/trays, shall be painted to match the surface on which it is mounted.
12. The permittee shall not object to co-locating additional facilities of other communication companies and sharing the project site, provided such shared use does not result in substantial technical or quality-of-service impairment for the permitted use. In the event a dispute arises with regard to co-locating with other existing or potential users, the City may require a third party technical study at the expense of either or both the applicant and the complaining user. This condition in no way obligates the City to approve any co-location proposal if it is determined by the City not to be desirable in a specific case.
13. The applicant or operator shall be responsible for the removal and disposal of any antennas, equipment or facilities that are abandoned, decommissioned, or become obsolete within six (6) months of discontinuance.

2021-30CUP – 700 National City Blvd. – Overhead





- Wireless facilities in National City
- △ Wireless facilities in unincorporated area



Wireless Communication Facilities

National City Planning Department 2012



FACILITY	APN	LOCATION	PROVIDER	FILE_NO_
1	562-340-44	2434 Southport	Urban Comm Rad	CUP-1992-11 Radio communication facility (microwave transmitter)- 80-foot tall tower and 8-foot in diameter dish antenna
2	562 340 26	300 W 28th	AirTouch	CDC Reso 94-28 75-foot monopole with three sector antennas and 450-sa foot equipment building.
	562-340-26	300 W 28th	Nextel	CUP-2003-30 12 antennae on existing communications tower and a 270 square foot equipment enclosure adjacent to existing equipment
4	559-032-02	1215 Wilson	Pac Bell	CUP-1995-11 Located on roof of existina building. PCS facility- six roof-mounted antennas and two ground-mounted equipment boxes.
5	557-410-03	1645 E Plaza	Pac Bell	CUP--1995-13 Located on roof of Quality Inn. PCS facility- six panel antennas and equipment cabinet.
6	555-086-11	910 Hoover	AirTouch	CUP-1995-18 Located on existing building. Cellular facility- three support structures with five panel antennas each, two dish antennas and equipment cabinet
7	556-471-24	801 National City Blvd	AT&T	CUP-1996-2 Located on roof of Red Lion Hotel. Paging facility- four whip antennas, one global positioning satellite antenna and equipment cabinet.
	556-471-24	801 National City Blvd	Nextel	CUP-1994-8 Located on roof of Red Lion Hotel. ESMR facility- three whip antennas and equipment cabinet.
	556-471-24	801 National City Blvd	Pagenet	CUP-1996-12 Located on roof of hotel. Paging facility- four antennas and equipment cabinet one floor down from roof.
	556-471-24	801 National City Blvd	AT&T	CUP-1999-5 Located atop Red Lion Hotel. Wireless communication facility- four antennas and radio base svstem.
8	554-120-30	2400 E 4th	AT&T	CUP-1996-4 Located on roof of Paradise Valley Hospital. Paaina facility- four whip antennas, one alobal POsitioninasatellite antenna and equipment cabinet.
9	559-160-13	1022 W Bay Marin	GTE	CUP-1996-5 Located on a 360-sa foot building. Cellular facility- 60-foot monopole with twelve panel antennas.
10	563-370-36	3007 Highland	Pac Bell	CUP-1996-6 Located on existing Super Saver building. PCS facility- six panel antennas and two equipment cabinets.
12	554-050-12	303 Palm	AirTouch	CUP-1996-8 60-foot hiah monopole with six whip antennas, thirty directional cellular antennas, and three dishes with an eauidmentcabinet at base.
	554-050-12	303 Palm	Sprint PCS	CUP-2001-10 Located on National Guard Armory property. PCS facility six antennas in three 40-foot flag poles, one GPS antenna and a new equipment building.

14	564-471-01	3030 Plaza Bonita Rd	Nextel	CUP-1997-8	Located atop Plaza Bonita sign. ESMR facility- nine antennas and equipment cabinet.
	564-471-01	3030 Plaza Bonita Rd	Pac Bell	CUP-1996-7	Located atop the existing Plaza Bonita sign. PCS facility- three antennas and two equipment cabinets at base of sign.
16	557-420-36	1840 E 12th	Nextel	CUP-1999-4	60-foot monopole on vacant commercial lot.
20	555-082-11	111 W 9th	Sprint	CUP-2000-9	Located atop 2-story Sid's Camet Barn warehouse. Wireless communication facility- twelve wireless panel antennas and 4-inch GPS antenna.
21	555-030-21	330 National City Blvd	GTE	CUP-2000-11	Located atop Bay Theatre. Wireless communication facility- twelve panel antennas and four equipment cabinets.
22	564-250-50	2435 Sweetwater	Sprint	CUP-2000-14	Located at Sweetwater Inn. Global Positioning System with nine panel antennas.
30	557-420-36	1905 E Plaza	Sprint PCS	CUP-2001-3	53 foot tall monopole with nine panel antennas. PCS Facility with one equipment enclosure and a GPS antenna.
32	556-473-18	242 E 8th	AT&T	CUP-2001-6	Located atop an existing church.
34	563-370-35	3007 Highland	Nextel	CUP-2001-12	Located atop Sweetwater Square. New equipment building over trash enclosure, nine panel antennas and one GPS antenna.
36	563-231-38	1914 Sweetwater	Cingular	CUP-2002-3	Located on an existing 75 foot tall pole sign for the Sweetwater Town and Country Shopping Center.
37	564-310-37	3737 Sweetwater	Cingular	CUP-2002-4	72 foot tall monopole with standard equipment enclosure
39	556-101-15	241 National City Blvd	Cingular	CUP-2002-6	12 panel antennas behind four new partial parapet walls atop an existing furniture store; four equipment cabinets outside
40	558-200-24	2415 E 18th	Cingular	CUP-2002-13	Panel antennas located inside new light standards; equipment located inside existing commercial building
41	556-354-13	716 Highland	AT&T	CUP-2002-14	Six facade mounted panel antennas with equipment on roof of PacBell switching station. Equipment screened to match existing.
44	556-590-61	1019 Highland	Sprint PCS	CUP-2002-24	6 panel antennas in a new monument sign in the South Bay Plaza shopping center
	556-590-61	1019 Highland	Cingular	CUP-2002-2	Located atop South Bay Plaza on an existing mechanical equipment screen.
51	552-283-11	2323 E Division	Sprint	CUP-2004-6	3 panel antennas in a 9x10x16 roof-mounted cupola

52	560-191-30	1701 D Ave	Nextel	CUP-2004-12	12 panel antennas on a 57' faux broadleaf tree with 230 square foot equipment enclosure
53	551-570-20	51 N Highland	Sprint	CUP-2004-15	2 panel antennas in a 45' flagpole with 4 wall-mounted equipment cabinets
55	563-231-39	1914 Sweetwater	Nextel	PC Reso 20-2002	2 panel antennas in a 45' flagpole with 4 wall-mounted equipment cabinets
57	554-120-24	2701 E 8th	Cingular	PC Reso 02-2001	Co-location in church spire-3 antennas within existing architectural feature
	554-120-24	2701 E 8th	T-Mobile	CUP-2000-19	Located at existing church. Antennas located in a 60-foot monument.
	554-120-24	2701 E 8th	Sprint	CUP-2000-27	12 panel antennas mounted on exterior of self-storage building and painted to match; all equipment located inside of the buildings
	554-120-24	2701 E 8th	AT&T	CUP-2000-19	Located at existing church. Antennas located in a 60-foot monument
58	558-030-30	1035 Harbison	Nextel	CUP-2005-3	12 panel antennas on a monopalm with 299 SQ.ft. equipment enclosure.
60	556-510-12	914 E 8th	Cingular	CUP-2005-10	12 panel antennas on 39-ft monopine with 280 sq. ft. equipment shelter
61	559-040-53	1439 Tidelands	Cingular	CUP-2005-9	12 panel antennas on monopalm with associated equipment shelter
	559-040-53	1445 Tidelands	Nextel	CUP-2000-31	40-foot monopalm with three sectors of four antennas each and equipment shelter
63	562-200-02	2900 Highland	Cingular	CUP-2005-12	3 antennas on replacement light standard with associated equipment shelter
64	563-010-47	2605 Highland	Cricket	CUP-2006-11	3 antennas in new architectural feature of church with associated equipment
	563-010-47	2605 Highland	Sprint	CUP-2002-18	Six panel antennas and equipment inside a new 54 foot tall monument/cross/sign.
65	557-420-31	1900 E Plaza	Cricket	CUP-2006-6	3 antennas on new faux palm tree with associated equipment
	557-420-31	1900 E Plaza	Cingular	CUP-2004-4	5 panel antennas in a new pole sign at Jimmy's Restaurant
67	561-222-23	1526-40 E 18th	T-Mobile	CUP-2006-10	12 panel antennas on a new 45-foot tall faux pine tree with associated equipment shelter
68	564-471-07	3030 Plaza Bonita Rd	Cingular	CUP-2005-24	12 antennas facade mounted to new rooftop enclosure that will house equipment

68	564-471-07	3030 Plaza Bonita Rd	Verizon	CUP-2003-13	12 panel antennas on the roof of the Plaza Bonita Mall behind a screen wall
69	559-106-17	525 W 20th	Cricket	CUP-2005-25	3 antennas on existing self storage building painted to match with associated equipment
	559-106-17	525 W 20th	Sprint	CUP-2001-4	Located on existina storaae building. Wireless communication facility- 9 antennas and equipment building.
70	554-050-15	2005 E 4th	Cricket	PC Reso 09-2003	3 antennas on existing light standard with associated equipment shelter
	554-050-15	2005 E 4th	Cingular	CUP-2003-5	12 panel antennas on a replacement 100 foot light standard in EITovon park and a 160 square foot equipment enclosure.
	554-050-15	2005 E 4th	GTE	CUP-1998-4	Located in EITovon Park. Cellular facility- 97'8" monopole with twelve panel antennas, three omni antennas, and 192-sqfoot equipment building.
	554-050-15	2005 E 4th	Nextel	CUP-2005-15	12 panel antennas on a 47-foot tall faux-broadleaf awith 230 sq. ft.equipment shelter
71	564-290-06	3820 Cagle St	Cricket	PC RESO 10-2004	3 antennas on existing faux pine tree with vaulted equipment shelter
	564-290-06	3820 Cagle St	Sprint	CUP-2001-2	Located at Sweetwater Heights Centennial Park. Wireless communication facility- 35-foot pole with six antennas, equipment building and adjacent liahting for the park.
	564-290-06	3820 Cagle St	T-Mobile	CUP-2004-3	Located at Sweetwater Heights Centennial Park. Wireless communication facilitv- 55-foot monopine with twelve panel antennas and equipment building
	564-290-06	3820 Cagle St	Cingular	PC Reso 11-2002	Co-location on 55-foot monopine - additional 12 panel antennas and new 275 SQ.ft. equipment vault
72	669-060-26	5800 Boxer Rd	Cricket	PC RESO 32-2003	3 antennas on existing water tower with associated equipment shelter
	669-060-26	5800 Boxer Rd	T-Mobile	CUP-2003-16	12 panel antennas on the outside of the 0.0. Arnold water tank and a 150 square foot equipment enclosure adiacent to the tank
	669-060-26	5800 Boxer Rd	Sprint	PC Reso 32-2003	6 panel antennas on the outside of the 0.0. Arnold water tank and a 360 square foot equipment enclosure adjacent
	669-060-26	5800 Boxer Rd	Cingular	CUP-2005-21	12 panel antennas on the outside of the 0.0. Arnold water tank and a 520 square foot equipment enclosure adjacent
73	562-330-43	152 W 33rd	Cricket	PC Reso 21-2002	3 antennas on existing self storage within matching architectural projection with associated equipment
	562-330-43	152 W 33rd	Sprint	CUP-2002-8	12 panel antenas mounted on exterior of self-storage building and painted to match; all equipment located inside of the

74	555-053-17	700 NCB	Cricket	PC Reso 05-2000	3 antennas facade mounted to existina hotel with associated equipmen
	555-053-17	700 NCB	Metricom	CUP-2000-4	Located atop Holiday Inn. Wireless communication facility with equipment cabinet.
	555-053-17	700 NCB	Skytel	CUP-2000-30	Located atop Holiday Inn Hotel. - 8-foot whip antenna, two 4x2-foot panel antennas, and one GPS antenna with two indoor equipment cabinets.
75	560-203-03	1800 National City Blvd	Nextel	CUP-2006-15	15 panel antennas behindscreen wall atop existing car dealership with associated equipment
76	561-360-35	1810 E 22nd	Cricket	2007-14 CUP	3 antennas on recreation building at Las Palmas Park
	561-360-35	1820 E 22nd	Sprint-Nextel	CUP-2000-8	Located in Las Palmas Park. Monopalm and equipment along with live palms.
78	560-143-36	1703 Hoover	Cleawire	2009-22 CUP	9 antennas located on 3 different locations on industrial/ warehouse building. Each location will have 2 pannel antennas. Associated equipment will be located in building
79	559-160-33	700 Bay Marina Dr	Cleawire	2009-23 CUP	9 antennas on tower of Marina Gateway Plaza commercial building hidden behind parapet wall. 6-foot tall equiptmant cabinent on roof below tower will be mostly covered
80	560-151-20	142 E 16th	AT&T	2010-11 CUP	6 panel antennas and RF transparent cupola atop National City Ministry Church, as well as a 330 sq ft equipment/storage/trash enclosure on the ground. The 8-foot tall Cupola will have a cross afixed to it in order to appea as part of the church
81	561-271-01	2005 Highland Ave	Plancom	2010-31 CUP	12 antenas on a 43-foot mono-palm on eastern property line
	561-271-01	2005 Highland	T-Mobile	CUP-2003-4	12 antennas on the roof of a Highland Avenue office building
	561-271-01	2005 Highland	Cingular	CUP-2006-2	12 antennas on the roof of a Highland Avenue office building with new cupola to match existing
82	563-184-47	2909 Shelby Dr		P95-025	75-foot monopole and equipment building.
83	563-062-17	2524 Prospect St	AT&T	ZAP99-028	35-foot monopalm with three sector directional antenna system and equipment cabinets.
85	564-310-32	3312 Bonita Heights Lane	AT&T	ZAP00-133	
86	563-063-29	2563 Grove St	AT&T	MUP91-026W2	

86	563-063-29 2563 Grove St P91-026W Monopole located aside live palm trees.
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CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR THE MODIFICATION OF
AN EXISTING WIRELESS COMMUNICATIONS FACILITY
LOCATED AT 700 NATIONAL CITY BLVD.
CASE FILE NO.: 2021-30 CUP
APN: 555-053-17

The National City Planning Commission will hold a public hearing at their regular online meeting after the hour of 6:00 p.m. **Monday, March 7, 2022** on the proposed request. The meeting will be LIVE WEBCAST from the City Council Chamber, 1243 National City Boulevard, National City, California. (Applicant: Carie Flores, J5 for Dish)

Due to the precautions taken to combat the spread of coronavirus (COVID-19), City Hall, including the City Council Chambers, are closed to the public. Anyone interested in this public hearing may observe it on the City's website at <http://nationalcityca.new.swagit.com/views/33>.

The project site is the 12-story Ramada Hotel, which has an existing wireless communications facility on the roof of the building. The applicant wishes to install another facility on the roof for Dish Network. Antennas will be wall-mounted and textured/painted to match the building exterior.

Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **March 7, 2022** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION



COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

Lead Agency: City of National City

Project Title: 2021-30 CUP

Project Location: 700 National City Blvd., National City, CA.

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for modification of an existing wireless communications facility on a commercial hotel building. The project would add antennas and equipment for the applicant in order to increase signal strength and service area for Dish customers.

Applicant:

Carie Flores, J5 Infrastructure Partners.
23 Mauchly, #110
Irvine, CA 92618

Telephone Number:

(858) 805-5502

Exempt Status:

Categorical Exemption. Class 3 Section 15303 (New Construction or Conversion of small structures)

Reasons why project is exempt:

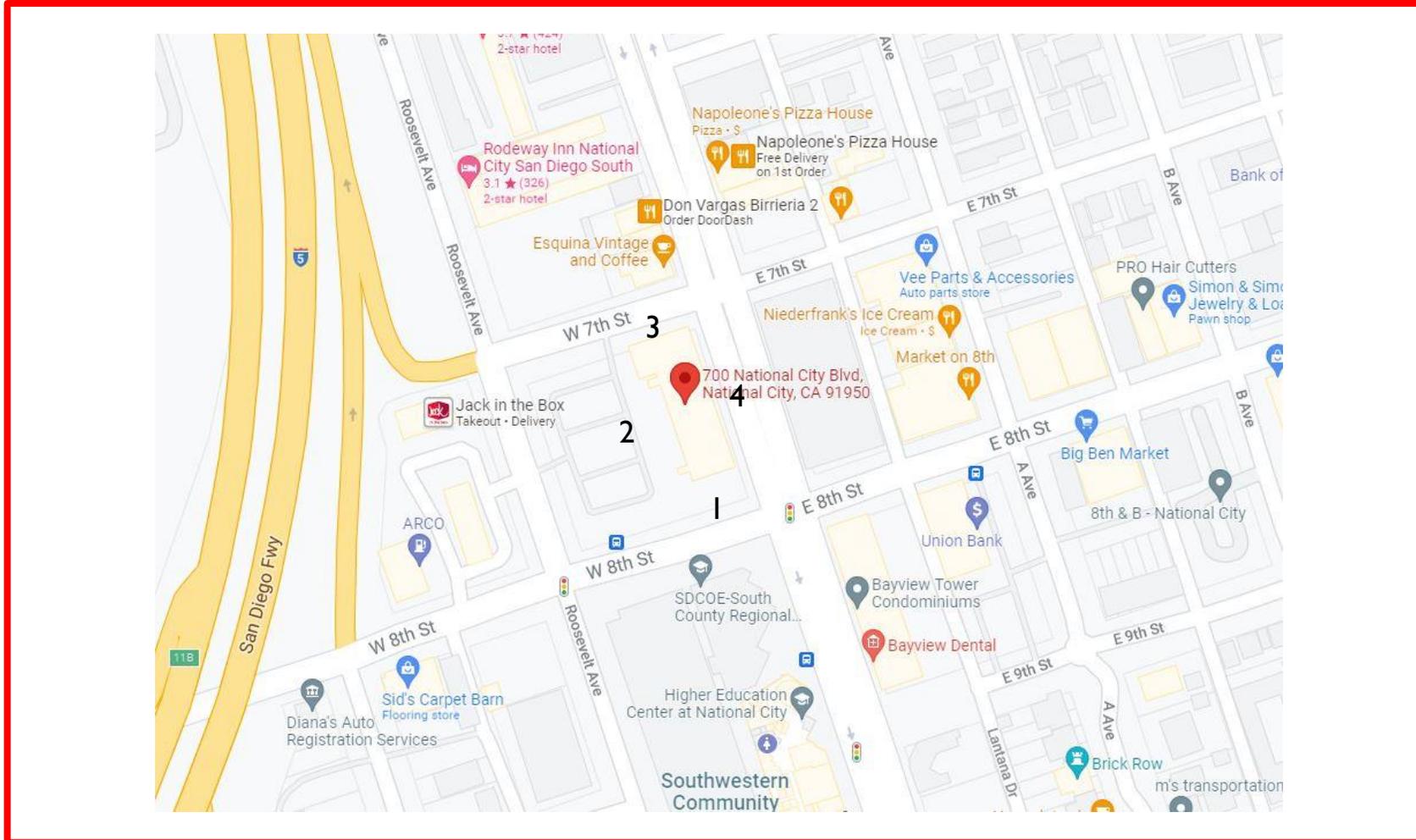
There is no possibility that the proposed use will have a significant impact on the environment because the facility is existing and located on an existing hotel building, the antennas will not affect use of the property.

Date:

MARTIN REEDER, AICP
Principal Planner

PHOTOSURVEY - SDSAN0030IB

700 National City Boulevard, National City, CA 91950



PHOTOSURVEY - SDSAN00301B

700 National City Boulevard, National City, CA 91950



VIEW 1

PHOTOSURVEY - SDSAN00301B

700 National City Boulevard, National City, CA 91950



VIEW 2

PHOTOSURVEY - SDSAN0030IB

700 National City Boulevard, National City, CA 91950



VIEW 3

PHOTOSURVEY - SDSAN00301B

700 National City Boulevard, National City, CA 91950



VIEW 4

NOTES:

APN: 555-053-17-00

OWNER: NVA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE TITLE REPORT BY: FIRST TITLE NATIONAL TITLE & CLOSING SERVICES, FILE NO. SDSAN00301B, DATED JULY 16, 2021. WITHIN SAID TITLE REPORT THERE ARE FOUR (4) EXCEPTIONS LISTED, ONE (1) OF WHICH IS AN EASEMENT AND NONE (0) OF WHICH CAN NOT BE PLOTTED.

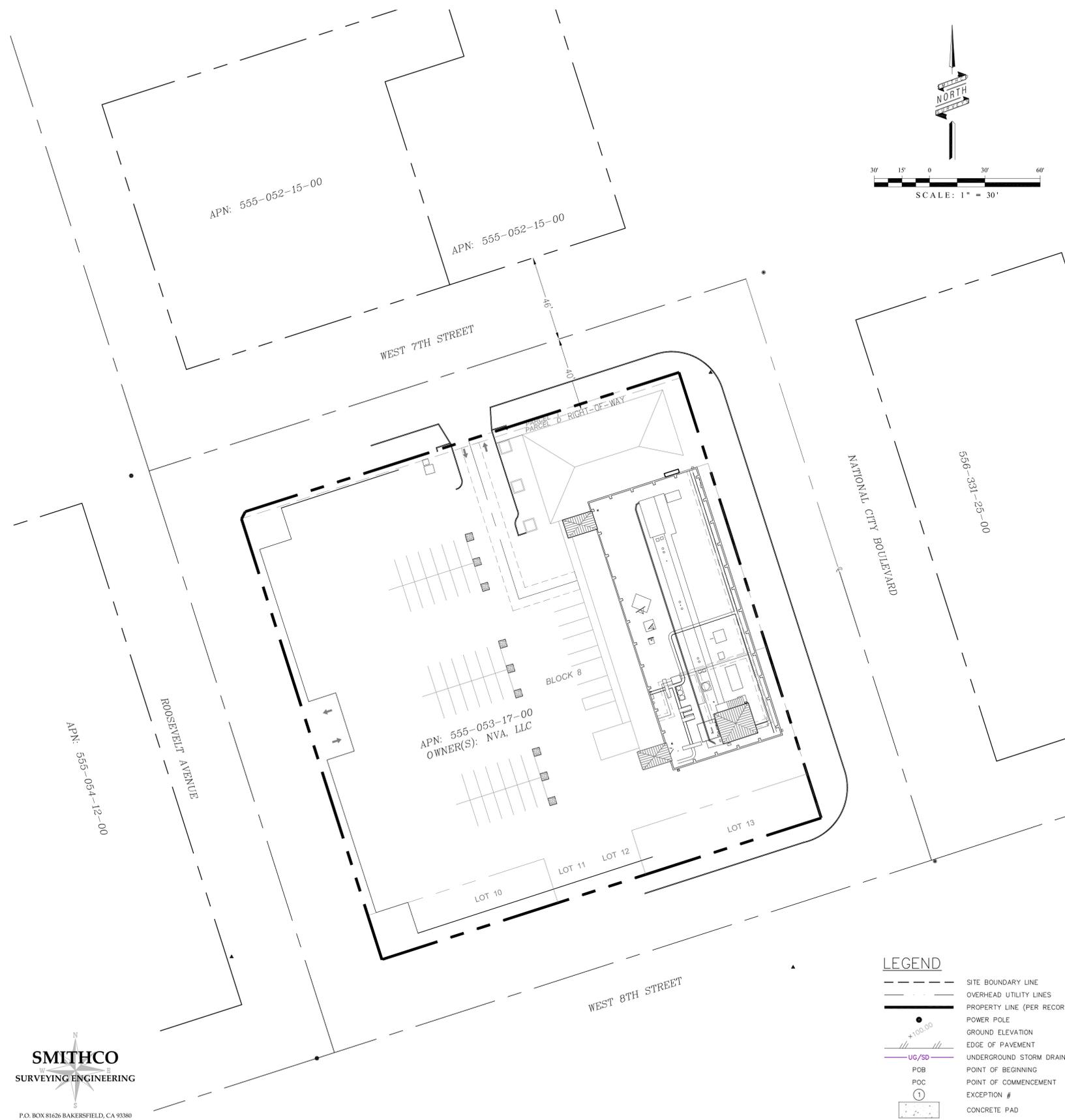
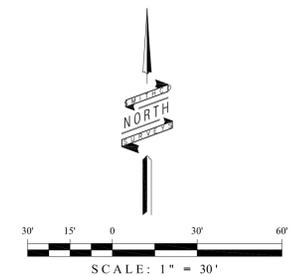
THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060293, PANEL NO. 1911H, DATED DECEMBER 20, 2019 SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 32° 40' 34.52" N. NAD 83 (32.676256°)
 LONG. 117° 06' 26.56" W. NAD 83 (-117.107378°)
 ELEV. 40.5' NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1-A accuracy (± 20' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.



SMITHCO
 SURVEYING ENGINEERING
 P.O. BOX 81626 BAKERSFIELD, CA 93380
 PHONE: (661) 393-1217 FAX: (661) 393-1218

LEGEND

	SITE BOUNDARY LINE
	OVERHEAD UTILITY LINES
	PROPERTY LINE (PER RECORD)
	POWER POLE
	GROUND ELEVATION
	EDGE OF PAVEMENT
	UNDERGROUND STORM DRAIN
	POINT OF BEGINNING
	POINT OF COMMENCEMENT
	EXCEPTION #
	CONCRETE PAD



5701 SOUTH SANTA FE DRIVE
 LITTLETON, CO 80120



23 MAUCHLY #110,
 IRVINE, CA 92618



ALL DRAWINGS AND WRITTEN MATERIAL CONTAINED HEREIN ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE DUPLICATED, USED, OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

DRAWN BY:	CHECKED BY:	APPROVED BY:
LA	DA	---
SMITHCO JOB NO. 56-1270		

SUBMITTALS			
REV	DATE	DESCRIPTION	BY
0	09/15/2021	PRELIMINARY ISSUE	LA
1	10/07/2021	REVISION	EJ
2	11/04/2021	LEASE & EASEMENTS	DL

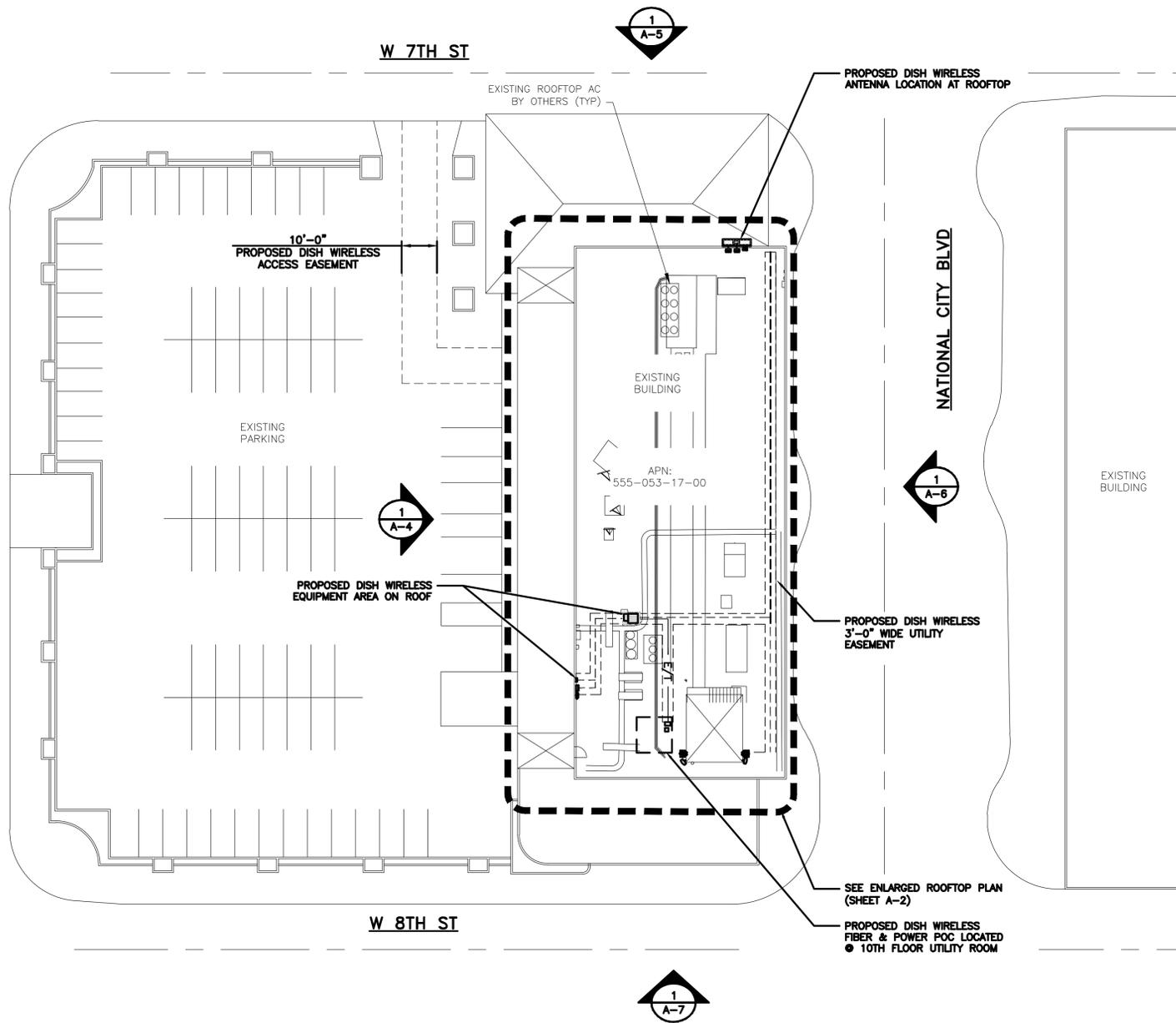
J5 PROJECT NUMBER
 P-054329

DISH WIRELESS L.L.C.
 PROJECT INFORMATION
 SDSAN00301B
 700 NATIONAL CITY BLVD
 NATIONAL CITY, CA 91950

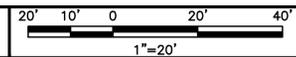
SHEET TITLE
 SITE SURVEY

SHEET NUMBER
C-1

DISCLAIMER NOTE:
 J5 INFRASTRUCTURE PARTNERS HAS GENERATED A SITE PLAN WITHOUT USING A TOPOGRAPHIC SURVEY. PROPERTY LINES, POWER/TELCO UTILITY POINT OF CONNECTION/ROUTES AND EASEMENT SHOWN ON THIS PLAN IS ESTIMATED. J5 INFRASTRUCTURE HIGHLY RECOMMENDS A SURVEY TO REFLECT ACCURACY OF MEASUREMENT.



OVERALL SITE PLAN



1



5701 SOUTH SANTA FE DRIVE
 LITTLETON, CO 80120



23 MAUCHLY #110,
 IRVINE, CA 92618

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DRAWN BY: JM CHECKED BY: --- APPROVED BY: ---

RFDS REV #: ---

ZONING DOCUMENTS

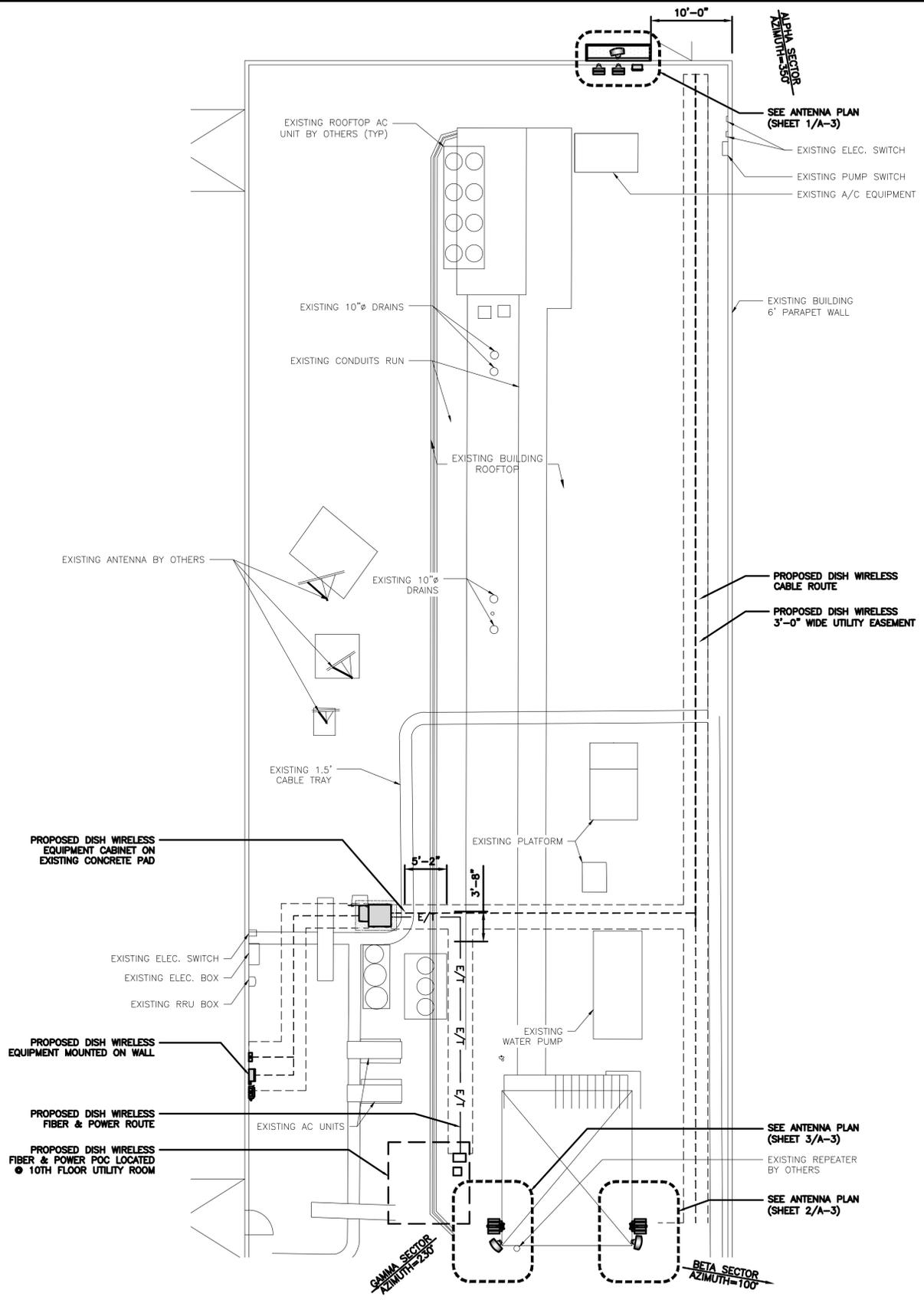
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REV	DATE	DESCRIPTION
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B	10/01/2021	90% ZD - DISH COMMENTS
C	10/24/2021	90% ZD - DISH COMMENTS
D	10/29/2021	90% ZD - DISH COMMENTS

J5 PROJECT NUMBER
 P-054329

DISH WIRELESS L.L.C.
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 SDSAN00301B
 700 NATIONAL CITY BLVD
 NATIONAL CITY, CA 91950

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
A-1



5701 SOUTH SANTA FE DRIVE
LITTLETON, CO 80120



23 MAUCHLY #110,
IRVINE, CA 92618

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CHECKED BY: ---
APPROVED BY: ---

RFDS REV #: ---

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D	10/29/2021	90% ZD - DISH COMMENTS

J5 PROJECT NUMBER
P-054329

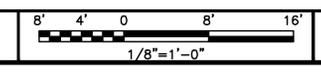
DISH WIRELESS L.L.C.
PROJECT INFORMATION
SDSAN00301B
700 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950

SHEET TITLE
ENLARGED ROOFTOP
PLAN

SHEET NUMBER
A-2



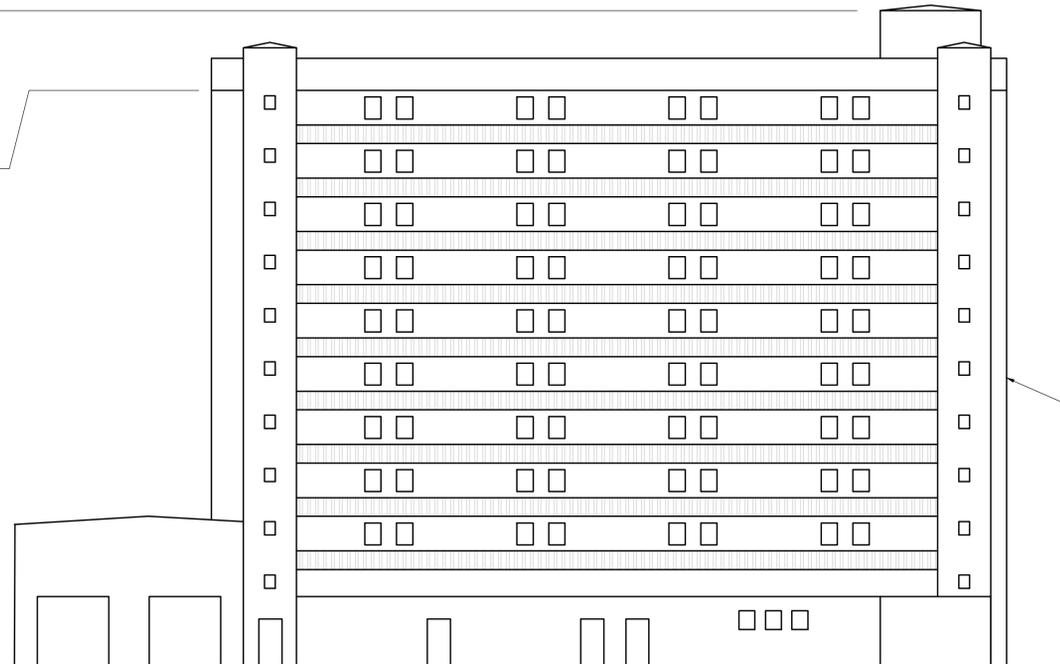
ENLARGED ROOFTOP PLAN



T.O. EXISTING PENTHOUSE
123'-0" AGL

T.O. EXISTING ROOF LINE
108'-0" AGL

GROUND LEVEL
0'-0" AGL



EXISTING BUILDING WEST ELEVATION

16' 12' 8' 4' 0 16' 32'
1/16"=1'-0"

1

T.O. EXISTING PENTHOUSE
123'-0" AGL

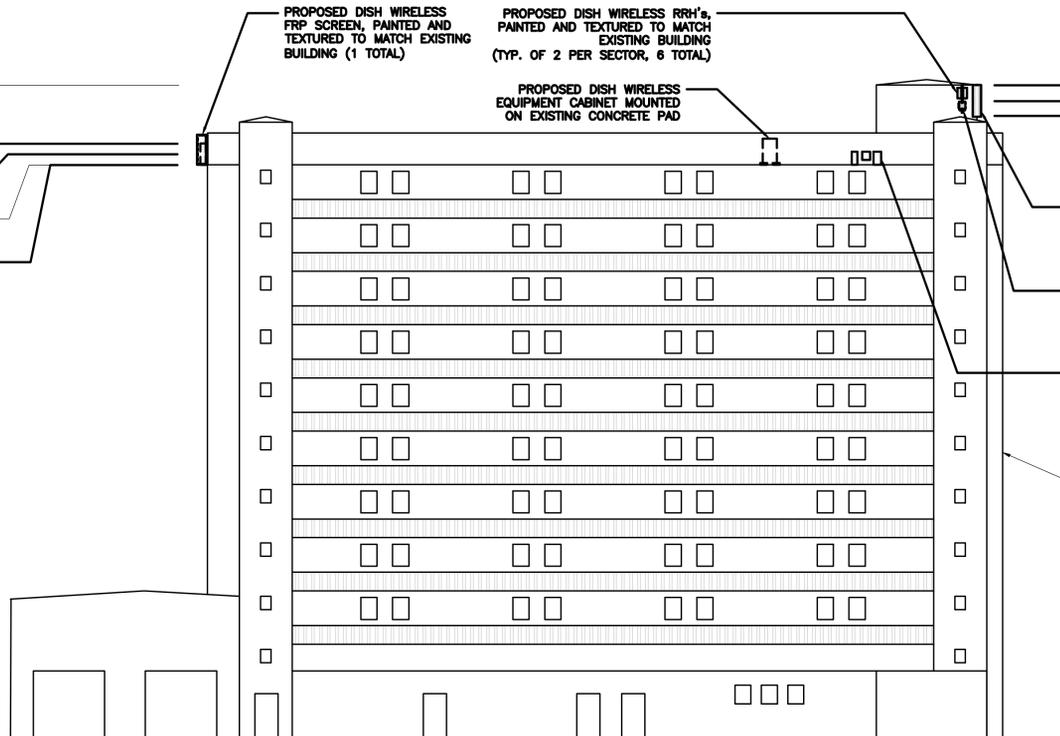
T.O. PROPOSED DISH WIRELESS ANTENNA (ALPHA)
112'-0" AGL

R.C.O. PROPOSED DISH WIRELESS ANTENNA (ALPHA)
110'-0" AGL

T.O. EXISTING ROOF LINE
108'-0" AGL

B.O. PROPOSED DISH WIRELESS ANTENNA (ALPHA)
108'-0" AGL

GROUND LEVEL
0'-0" AGL



PROPOSED BUILDING WEST ELEVATION

16' 12' 8' 4' 0 16' 32'
1/16"=1'-0"

2

dish
wireless.

5701 SOUTH SANTA FE DRIVE
LITTLETON, CO 80120

J5 INFRASTRUCTURE
PARTNERS

23 MAUCHLY #110,
IRVINE, CA 92618

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JM --- ---

RFDS REV #: ---

**ZONING
DOCUMENTS**

SUBMITTALS

REV	DATE	DESCRIPTION
A	08/12/2021	90% ZD
B	10/01/2021	90% ZD - DISH COMMENTS
C	10/24/2021	90% ZD - DISH COMMENTS
D	10/29/2021	90% ZD - DISH COMMENTS

J5 PROJECT NUMBER
P-054329

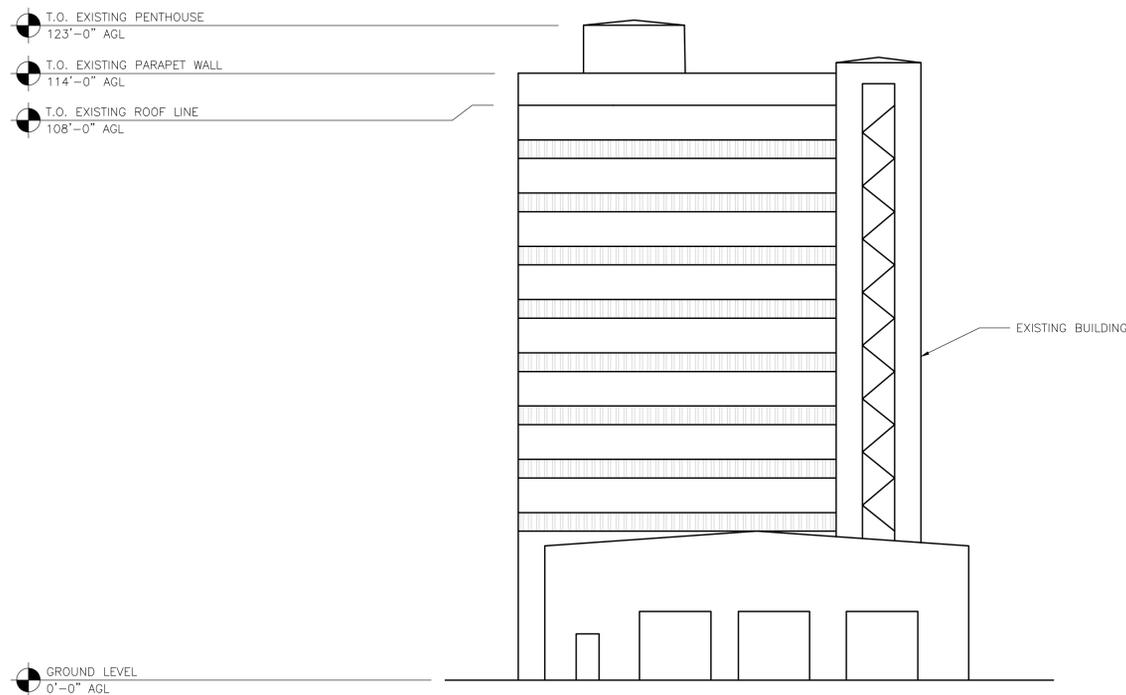
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PROJECT INFORMATION

SDSAN00301B
700 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950

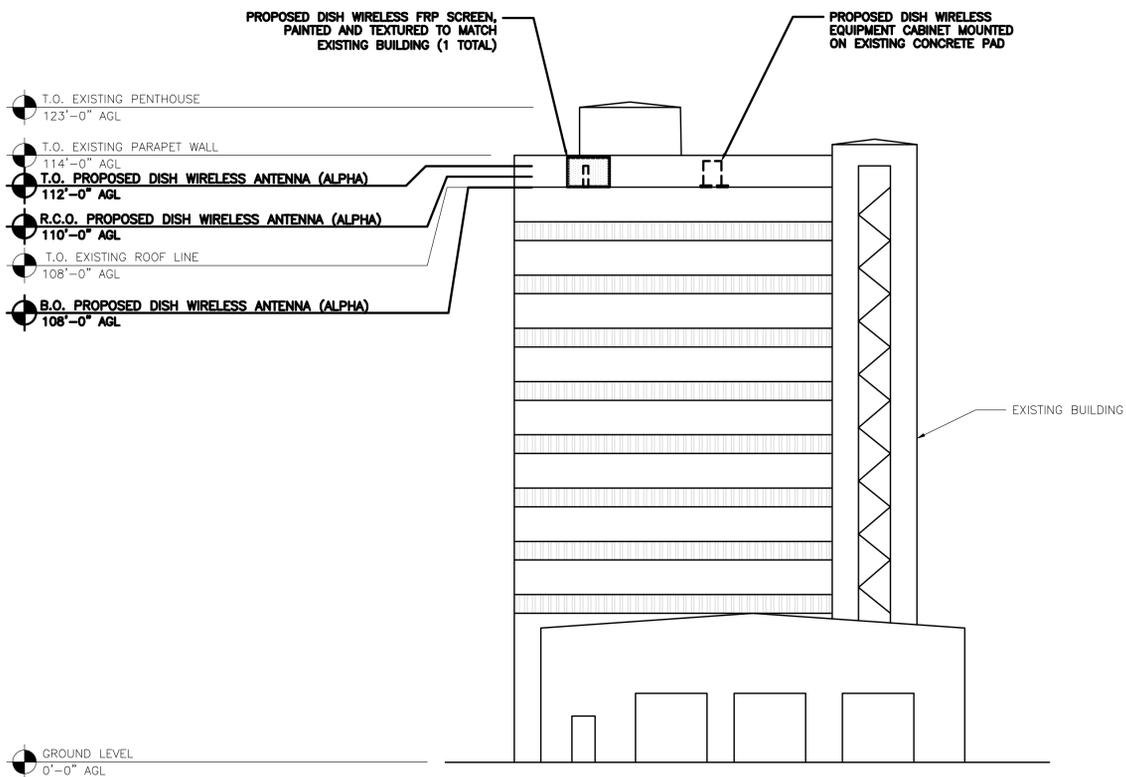
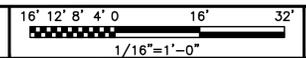
SHEET TITLE
WEST
ELEVATION

SHEET NUMBER

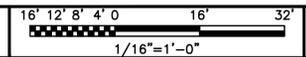
A-4



EXISTING BUILDING NORTH ELEVATION



PROPOSED BUILDING NORTH ELEVATION



5701 SOUTH SANTA FE DRIVE
LITTLETON, CO 80120



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RFDS REV #: ---

ZONING DOCUMENTS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	08/12/2021	90% ZD
B	10/01/2021	90% ZD - DISH COMMENTS
C	10/24/2021	90% ZD - DISH COMMENTS
D	10/29/2021	90% ZD - DISH COMMENTS

J5 PROJECT NUMBER
P-054329

DISH WIRELESS L.L.C.
PROJECT INFORMATION
SDSAN00301B
700 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950

SHEET TITLE
NORTH
ELEVATION

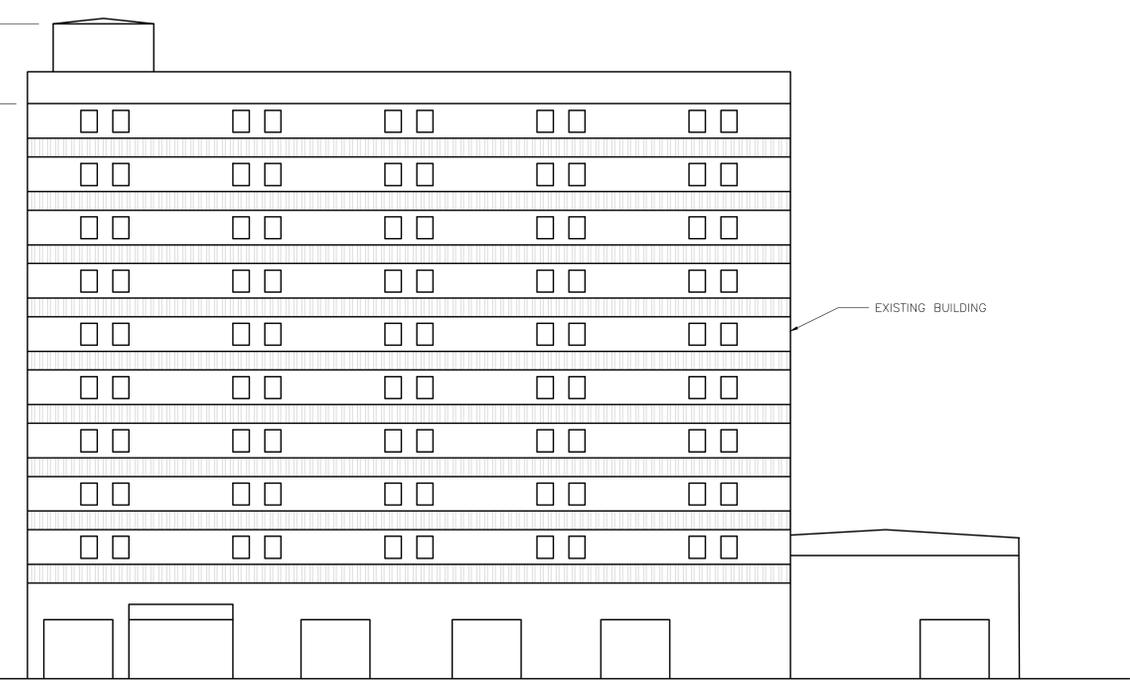
SHEET NUMBER

A-5

T.O. EXISTING PENTHOUSE
123'-0" AGL

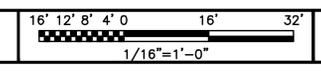
T.O. EXISTING ROOF LINE
108'-0" AGL

GROUND LEVEL
0'-0" AGL



EXISTING BUILDING

EXISTING BUILDING EAST ELEVATION



PROPOSED DISH WIRELESS ANTENNA,
PAINTED AND TEXTURED TO MATCH
EXISTING BUILDING
(TYP. OF 1 PER SECTOR, 3 TOTAL)

T.O. PROPOSED DISH WIRELESS ANTENNA (BETA AND GAMMA)
123'-0" AGL

R.C.O. PROPOSED DISH WIRELESS ANTENNA (BETA AND GAMMA)
120'-0" AGL

B.O. PROPOSED DISH WIRELESS ANTENNA (BETA AND GAMMA)
117'-0" AGL

T.O. EXISTING ROOF LINE
108'-0" AGL

PROPOSED DISH WIRELESS RRH's,
PAINTED AND TEXTURED TO MATCH
EXISTING BUILDING
(TYP. OF 2 PER SECTOR, 6 TOTAL)

PROPOSED DISH WIRELESS OVP DEVICE,
PAINTED AND TEXTURED TO MATCH
EXISTING BUILDING
(TYP. OF 1 PER SECTOR, 3 TOTAL)

PROPOSED DISH WIRELESS
EQUIPMENT CABINET MOUNTED
ON EXISTING CONCRETE PAD

T.O. EXISTING PENTHOUSE
123'-0" AGL

T.O. PROPOSED DISH WIRELESS ANTENNA (ALPHA)
112'-0" AGL

R.C.O. PROPOSED DISH WIRELESS ANTENNA (ALPHA)
110'-0" AGL

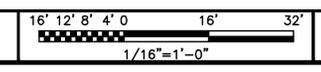
B.O. PROPOSED DISH WIRELESS ANTENNA (ALPHA)
108'-0" AGL

PROPOSED DISH WIRELESS FRP SCREEN,
PAINTED AND TEXTURED TO MATCH
EXISTING BUILDING (1 TOTAL)

EXISTING BUILDING

GROUND LEVEL
0'-0" AGL

PROPOSED BUILDING EAST ELEVATION



5701 SOUTH SANTA FE DRIVE
LITTLETON, CO 80120



23 MAUCHLY #110,
IRVINE, CA 92618

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TO ALTER THIS DOCUMENT.

DRAWN BY: CHECKED BY: APPROVED BY:
JM - - - - -

RFDS REV #: - - -

ZONING DOCUMENTS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	08/12/2021	90% ZD
B	10/01/2021	90% ZD - DISH COMMENTS
C	10/24/2021	90% ZD - DISH COMMENTS
D	10/29/2021	90% ZD - DISH COMMENTS

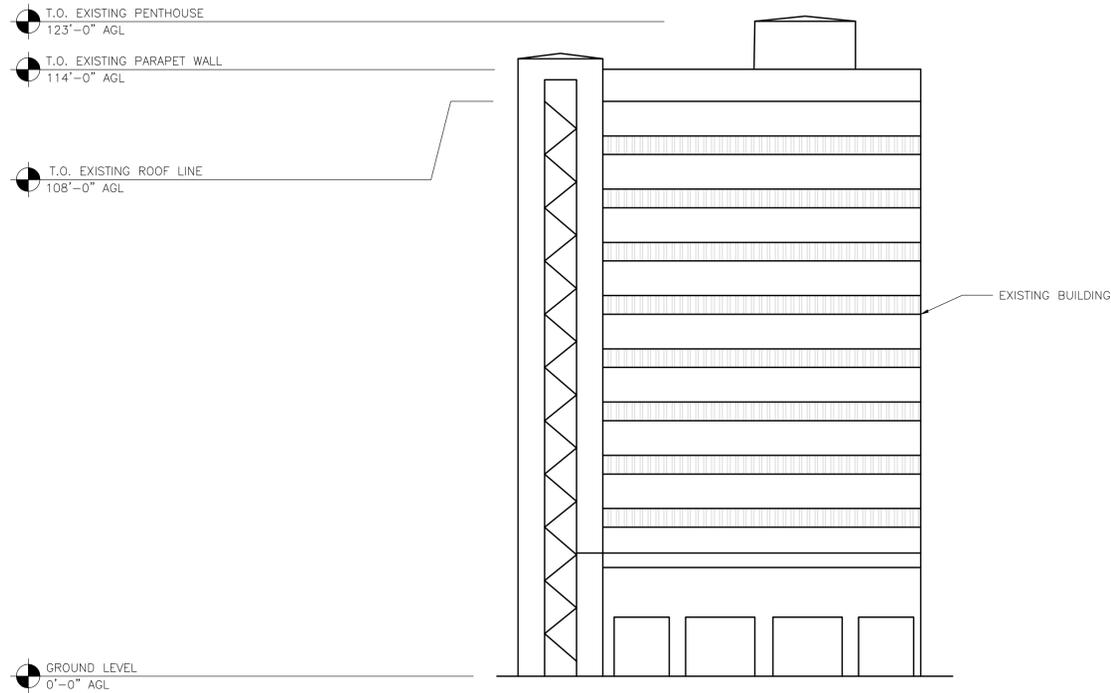
J5 PROJECT NUMBER
P-054329

DISH WIRELESS L.L.C.
PROJECT INFORMATION

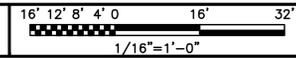
SDSAN00301B
700 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950

SHEET TITLE
EAST
ELEVATION

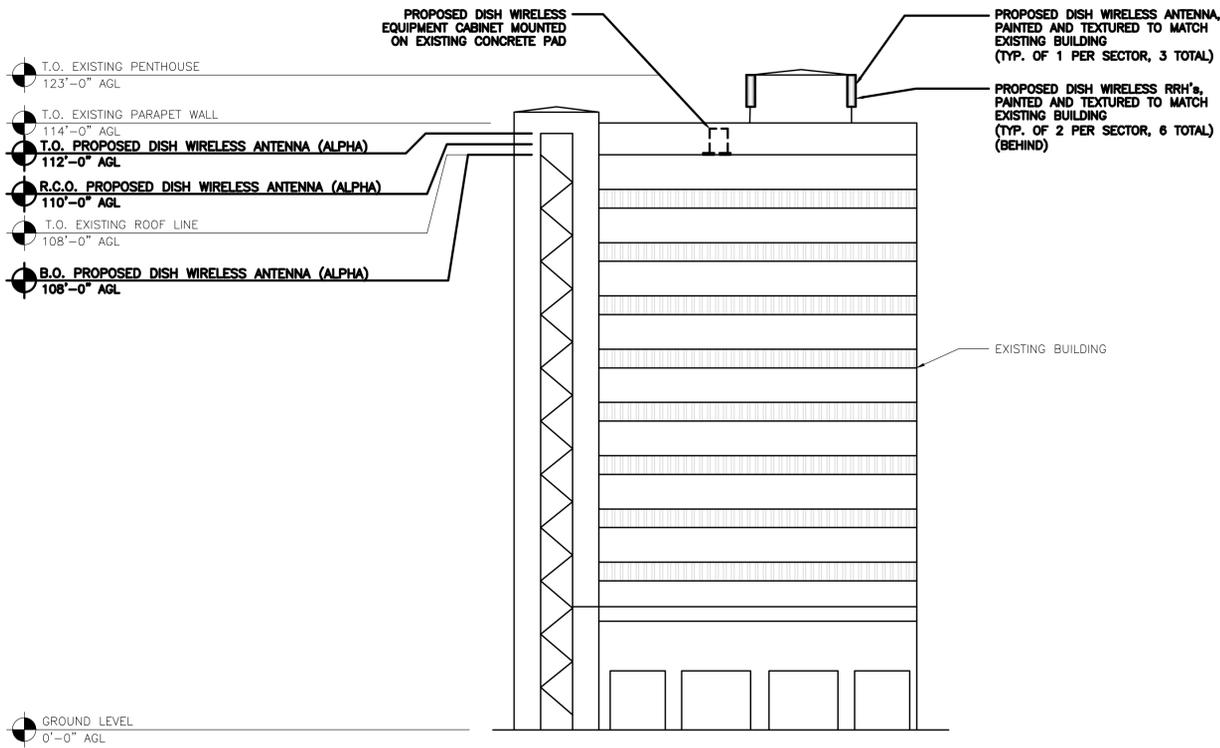
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A-6



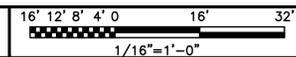
EXISTING BUILDING SOUTH ELEVATION



1



PROPOSED BUILDING SOUTH ELEVATION



2



5701 SOUTH SANTA FE DRIVE
LITTLETON, CO 80120



23 MAUCHLY #110,
IRVINE, CA 92618

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

DRAWN BY: JM CHECKED BY: --- APPROVED BY: ---

RFDS REV #: ---

ZONING DOCUMENTS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	08/12/2021	90% ZD
B	10/01/2021	90% ZD - DISH COMMENTS
C	10/24/2021	90% ZD - DISH COMMENTS
D	10/29/2021	90% ZD - DISH COMMENTS

J5 PROJECT NUMBER
P-054329

DISH WIRELESS L.L.C.
PROJECT INFORMATION
SDSAN00301B
700 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950

SHEET TITLE
SOUTH
ELEVATION

SHEET NUMBER

A-7

RESOLUTION NO. 2022-09

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR
THE MODIFICATION OF AN EXISTING WIRELESS
COMMUNICATIONS FACILITY LOCATED AT
700 NATIONAL CITY BLVD.
CASE FILE NO. 2021-30 CUP
APN: 555-053-17

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the modification of an existing wireless communications facility located at 700 National City Blvd. at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2021-30 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 March 7, 2022, support the following findings:

1. That the proposed use is allowable within the applicable zoning district pursuant to a CUP and complies with all other applicable provisions of the Land Use Code, because the use is allowable within DZ 7 pursuant to a CUP and the proposed facility meets the required telecommunication facility design guidelines that include providing the minimum distance requirements from habitable space and screening the facility.
2. That the proposed use is consistent with the General Plan and any applicable specific plan, because General Plan Policy E-3.3 encourages access to wireless internet connections, computers, and other forms of communication technology: the

proposed facility modifications provide added internet/cellular data as well as standard cellphone service capability. In addition, the proposed facility is a conditionally-permitted use in DZ 7.

3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the facility is existing and is being modified to match the same locational and architectural components of the current facility design, plus add screening to bring the facility into compliance with current codes.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the facility is existing and the modifications meet all development standards and distance requirements of the Land Use Code.
5. That granting the permit would not 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 the proposed facility is existing and the modified version will not be highly visible due to the added screening walls around the antennas on the north side, and the antennas on the elevator housing are out of sight and painted to match the building.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act and has been determined to be categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this CUP.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This *Conditional Use Permit* authorizes the modification of an existing wireless communications facility at 700 National City Blvd. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2021-30 CUP, dated 11/8/2021. Any additional antennas or facilities must be in substantial conformance with the design for installation shown on these plans.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by

the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.

3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

5. Plans submitted for demolition or construction improvements shall comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Fire

6. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC), National Fire Protection Association (NFPA), and California Code of Regulations (CCR).
7. All required signage for telecommunications facilities, as specified by the CFC, if not already on site, shall be designed and installed.
8. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

9. All appropriate and required local, state and/or federal permits must be obtained and/or modified prior to operation of the wireless communications facility.
10. Screening walls shall be textured and painted to match the architectural style and color of the existing building. Façade-mounted antennas (i.e. elevator penthouse) shall be painted to match the color of the wall to which they are attached. At such time as the

building changes color significantly (e.g. rebranding, repainting), antennas and screening installations on the north elevation shall be repainted to match.

11. All roof-mounted equipment shall be painted to match the nearest building wall to where it is located. Other equipment must be screened from view. Any apparatus visible to the exterior of the facility, including cable chases/trays, shall be painted to match the surface on which it is mounted.
12. The permittee shall not object to co-locating additional facilities of other communication companies and sharing the project site, provided such shared use does not result in substantial technical or quality-of-service impairment for the permitted use. In the event a dispute arises with regard to co-locating with other existing or potential users, the City may require a third party technical study at the expense of either or both the applicant and the complaining user. This condition in no way obligates the City to approve any co-location proposal if it is determined by the City not to be desirable in a specific case.
13. The applicant or operator shall be responsible for the removal and disposal of any antennas, equipment or facilities that are abandoned, decommissioned, or become obsolete within six (6) months of discontinuance.

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 March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES FOR A PROPOSED 30-UNIT RESIDENTIAL BUILDING TO BE LOCATED AT WEST 15TH STREET AND ROOSEVELT AVENUE.

Case File No.: 2022-01 SPR

Location: Southwest corner of West 15th Street and Roosevelt Avenue

Assessor's Parcel No.: 560-064-01 and 02

Staff report by: Martin Reeder, AICP –Principal Planner

Applicant: Jaime Ralph

Zoning designation: Downtown Specific Plan / Development Zone 12B

Adjacent land use/zoning:

North: Industrial use across W. 15th St. / DZ 12B

East: National City Motorcycles // DZ 12A

South: Industrial use / DZ 12B

West: Residential use across Roosevelt Ave. / Multi-Use Commercial-Residential (Westside Specific Plan)

Environmental review: Comprehensive Land Use Update Environmental Impact Report, May 2011, SCH #2010051009

Staff recommendation: Approve reduction in off-street parking spaces

BACKGROUND

Staff Recommendation

Staff recommends approval of the reduction in required off-site residential guest parking spaces in conjunction with the new development. There is ample street frontage in this location to accommodate the offsite spaces.

Executive Summary

The applicant has applied for a Site Plan Review to reduce the required amount of on-site parking by six spaces. The residential use in question requires 33 parking spaces.

Site Characteristics

The project site is comprised of two parcels. One is vacant and other is a 2,577 square-foot industrial building on a 5,750 square-foot site. Both are located in Development Zone 12B (DZ 12B) of the Downtown Specific Plan area. Six angled parking spaces are located on the east side of Roosevelt Avenue in this location.

Proposal

The applicant already received approval of a Downtown Specific Plan Consistency Review for the project, but is looking to make some minor modifications which improve the function and livability of the project. These changes would remove on-site parking spaces, which would then need to be replaced. The modifications do not affect the exterior design, but do remove six parking spaces from the approved plan.

The proposed residential development is comprised of 11 two-bedroom units and 19 one-bedroom units. Parking in the Downtown Specific Plan is required in the ratio of 1.2 spaces per two-bedroom unit and one space per one-bedroom or studio unit. This results in the need for 32.2 parking spaces, which rounds up to 33.

Analysis

As mentioned above, there are six angled parking spaces on Roosevelt Avenue immediately adjacent to the site. This would allow a replacement of the now missing six on-site spaces.

Land Use Code authorization of the parking reduction

The Land Use Code allows for reductions in required parking for six separate scenarios:

1. Transportation Demand Management Program – not applicable.
2. Proximity to Transit (transit center within a ¼ mile) – not applicable.
3. Shared parking – not applicable.
4. Adjacent on-street parking – on a one-for-one basis.
5. Car sharing – not applicable.
6. Motorcycle parking Spaces – not applicable.

With the exception of motorcycle parking spaces, all the stated scenarios require approval of the Planning Commission. The project qualifies for one of the six reductions (adjacent on-street parking), due to the space available for on-street angled parking adjacent to the project.

Authority of the Planning Commission to approve the parking reduction

The Planning Commission, appealable to the City Council, may approve a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions it deems appropriate, when the applicant has demonstrated to the City's satisfaction that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. A reduction in parking spaces will only be allowed for adjacent on-street parking when said spaces are located along the public street frontage shared with the building's façade. For example, if a building fronting a public street measures 100 linear feet and four parking spaces are located adjacent to the 100 linear feet of frontage, the parking reduction may be four spaces. Fractions of spaces will not be permitted to count towards the reduction allowance. There are six additional spaces adjacent to the property. Therefore, the project would qualify for a reduction of six on-site parking spaces.

Additional justification for parking reduction

As well as the adjacent street parking availability analyzed above, the following justification is proffered based on proximity to transit and to goods and services. The justification points are as follows:

1. Proximity to Transit – the project is within one block of the MTS Route 932 bus stop (National City Library) and within five blocks of the 13 and 967 bus stop (18th Street and 'C' Avenue). These stops provide service between 8th Street Trolley station and Iris Avenue Transit Center (932); Kaiser Hospital/Grantville Trolley and 24th Street Trolley station (13), and between 24th Street Trolley station and Paradise Hills. With these nearby transit opportunities, the need for a personal vehicle is less.
2. Proximity to Goods and Services – The property is in close proximity to several businesses in the Westside area and along National City Blvd., which provide a host of goods and service opportunities, including, restaurants, banks, and shopping. With the ability to walk to goods and services, a personal vehicle is not as necessary.

General Plan Conformance

There are two General Plan policies that reference parking reductions:

Policy C-5.7: Allow for shared parking and parking requirement reductions for mixed-use and transit-oriented development.

The project is a transit-oriented development within a block of transit.

Policy C-5.10: Require new development and redevelopment to provide sufficient parking. In determining what constitutes sufficient parking, the City may take into consideration: 1) the overall effectiveness of the circulation system as a whole (i.e., pedestrians, bicyclists, motorized vehicles, etc.); 2) the particular needs of a specific location and/or project; and, 3) the need for increased densities and mixed-use development intended to aid in the reduction of personal vehicle use and the corresponding reduction in air pollution, energy consumption, greenhouse gas emissions, and other environmental effects.

Again, the project is a transit-oriented development, in compliance with General Plan Policy. Combined with the proximity to transit, proximity to goods and services, the design of the project is intended to reduce personal vehicle use, consistent with Policy C-5.10. To this end, a condition is included to require opportunities in the design to incorporate active transportation goals related to alternative modes of transportation (e.g. bicycle, walk, etc.).

California Environmental Quality Act

The potential impacts associated with this type of development, including those related to parking reductions, were analyzed in the Environmental Impact Report for the Comprehensive Land Use Update in May 2011. The finding is based on qualitative information provided in Appendix F of the General Plan (Circulation Element), which took into account available street parking and the likelihood of the reduction in vehicle use due to high density development (among other types of development). The street in this location did not exceed parking capacity during peak times, as noted in Appendix F.

Summary

With all factors taken into account, staff is satisfied that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. In addition, six extra angled parking spaces are provided immediately adjacent to the site. A residential building with this mix of units requires 33 parking spaces. The proposal provides 33 parking spaces, 27 on site and six angled spaces on Roosevelt Avenue. Therefore, the six-space on-site parking deficit can be accommodated on the adjacent right-of-way.

OPTIONS

1. Approve reduction of off-street parking spaces subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny reduction in off-street parking spaces, based on attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item for additional information.

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Site photos
5. Applicant's Plans (Exhibit A, Case File No. 2022-01 SPR, dated 1/5/2022)
6. Resolutions



MARTIN REEDER, AICP
Principal Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL
OF THE PARKING REDUCTION REQUEST
2022-01 SPR – W. 15th St. & Roosevelt Avenue

1. That the on-site spaces proposed to be eliminated for the subject development are unnecessary, because the spaces are provided adjacent to the property on an adjacent street.

2. That the reduction will not adversely affect the site or the adjacent area, because there is adequate on-street parking area available adjacent to the property and because there is no established parking district in this area.

RECOMMENDED FINDING FOR DENIAL
OF THE PARKING REDUCTION REQUEST
2022-01 SPR – W. 15th St. & Roosevelt Avenue

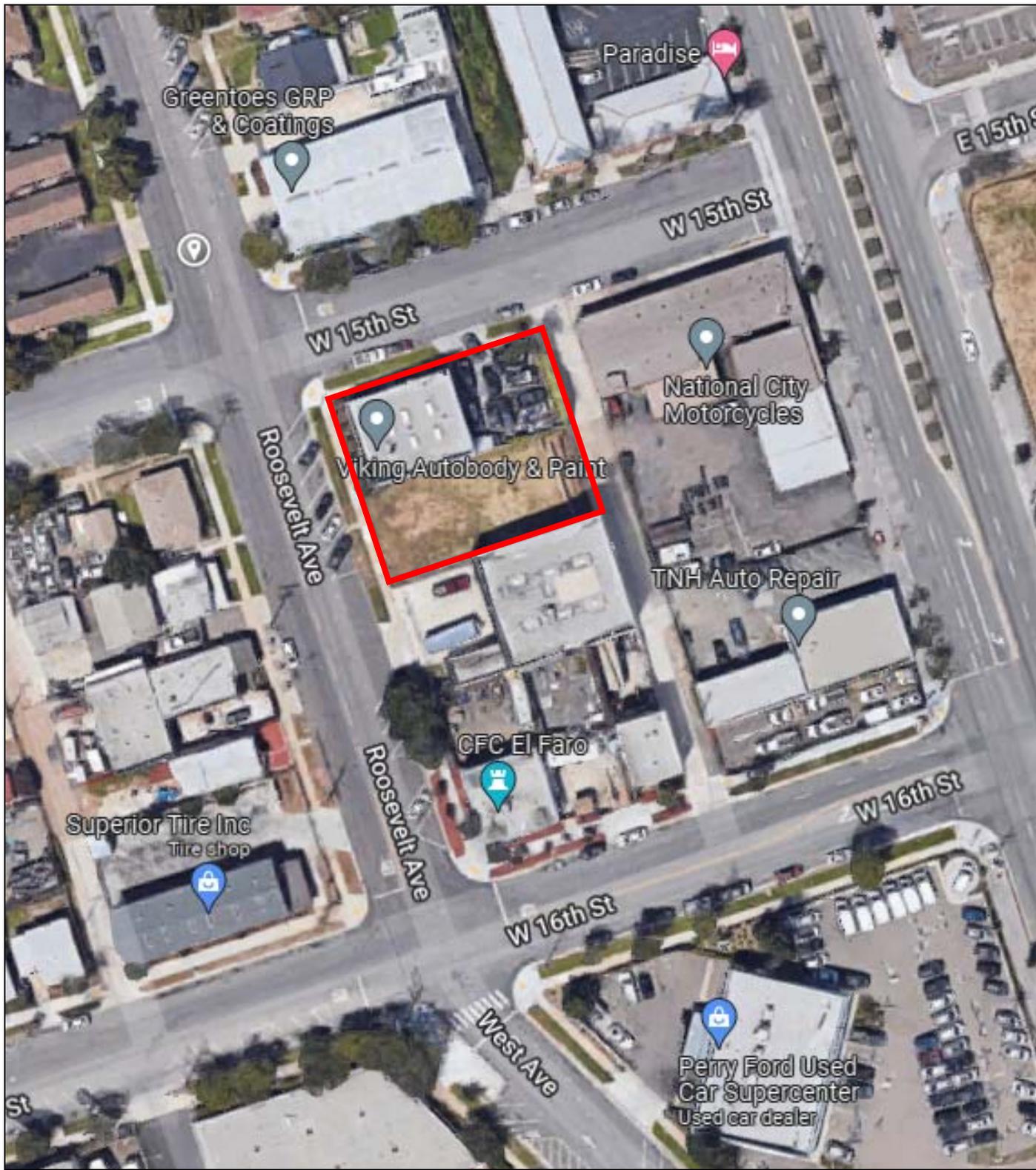
1. That the spaces proposed to be eliminated for the subject development are necessary, because there is a general shortage of on-street parking in the City.

RECOMMENDED CONDITIONS OF APPROVAL
OF THE PARKING REDUCTION REQUEST

2022-01 SPR – W. 15th St. & Roosevelt Avenue

1. This Parking Reduction Request allows for the reduction of on-site parking by six parking spaces in relation to a 30-unit residential project to be located at W. 15th Street and Roosevelt Avenue. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2022-01 SPR, dated 1/5/2022.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. Plans submitted for building permits shall include opportunities to incorporate active transportation infrastructure related to alternative modes transportation (e.g. bicycle, car-share, walk, etc.).

2022-01 SPR – W. 15th St. & Roosevelt Avenue – Overhead



2022-01 SPR – W. 15th St. & Roosevelt Ave. – Site Photos



West 15th St. looking south



Roosevelt Avenue looking northeast



Roosevelt Avenue looking southeast towards angled street parking

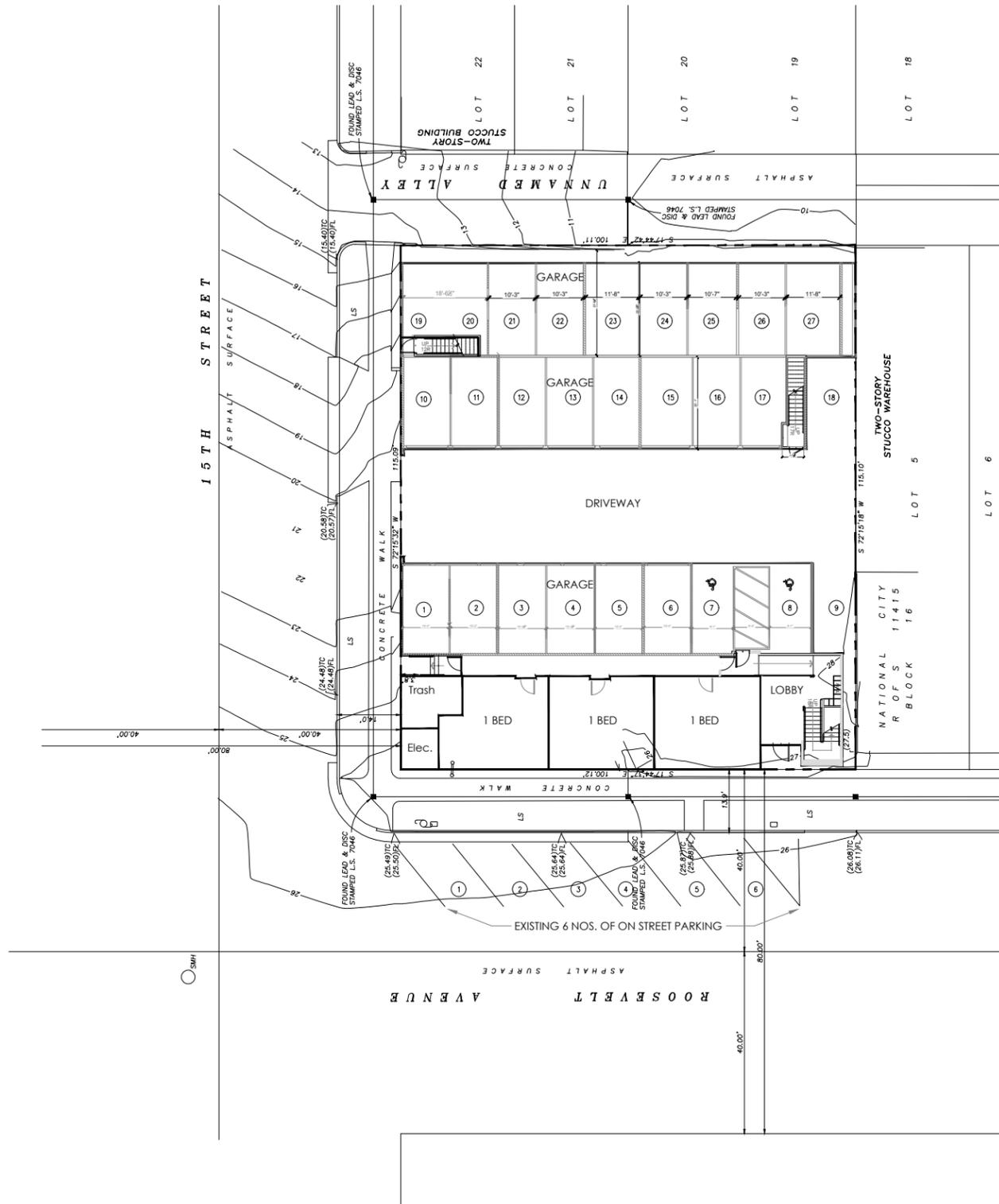


Exhibit A
 Case File No.: 2022-01 SPR
 Date: 1/5/2022

1F-6 units
 2F-12 units
 3F-12 units

 TOTAL-30 units
 27 parking stalls

1F-1 unit
 2F-5 units
 3F-5 units

 TOTAL(2BR)-11 units X 1.2=13.2
 TOTAL(1BR)-19 units X 1.0=19

PARKING NEEDED=32.2
 PARKING SHORT =5.2

GARAGE PARKING=27
 ON STREET PARKING= 6

 TOTAL PARKING =33

Site Plan

Scale 1/32"=1'-0"



15th Street And Roosevelt National City, California

ATTACHMENT 5



ROOSEVELT AVENUE ELEVATION



15th STREET ELEVATION

15th STREET & ROOSEVELT AVENUE

National City, CA

August 11, 2021

PROPOSED ELEVATIONS

LCRA



ALLEY ELEVATION



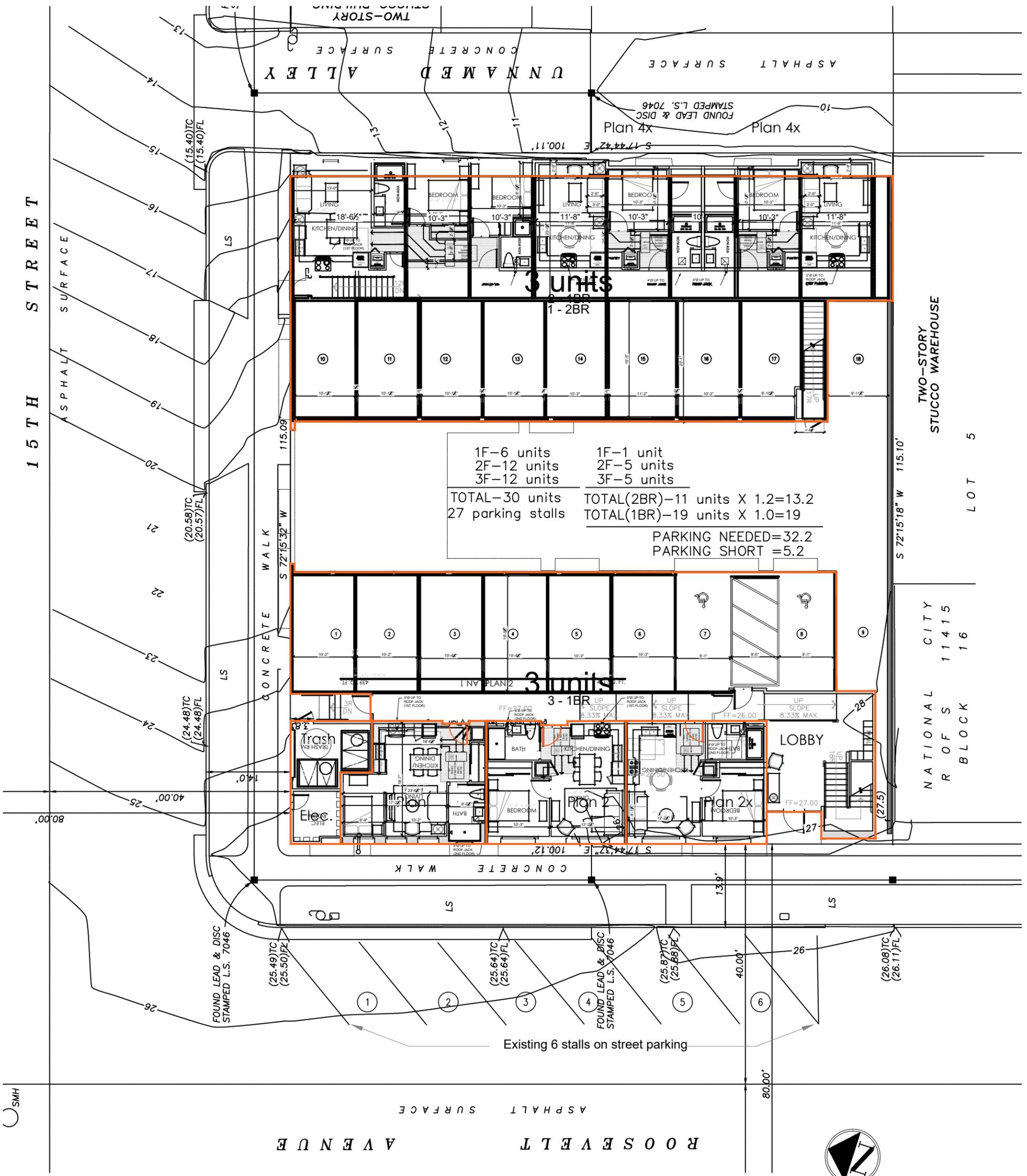
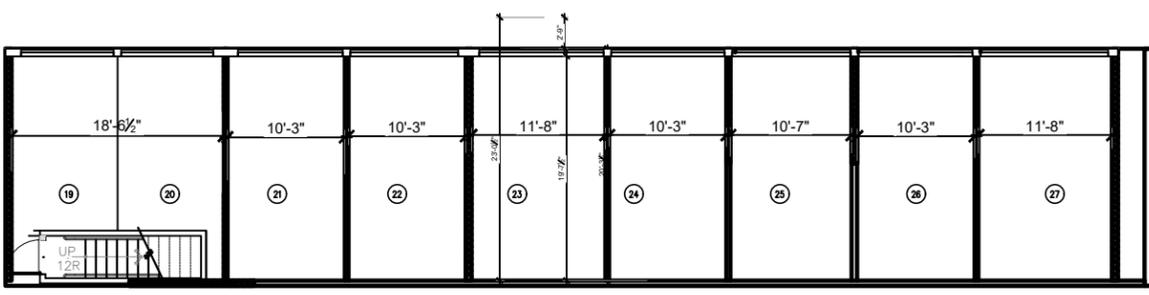
RIGHT ELEVATION



SECTION ELEVATION D-D



SECTION / ELEVATION



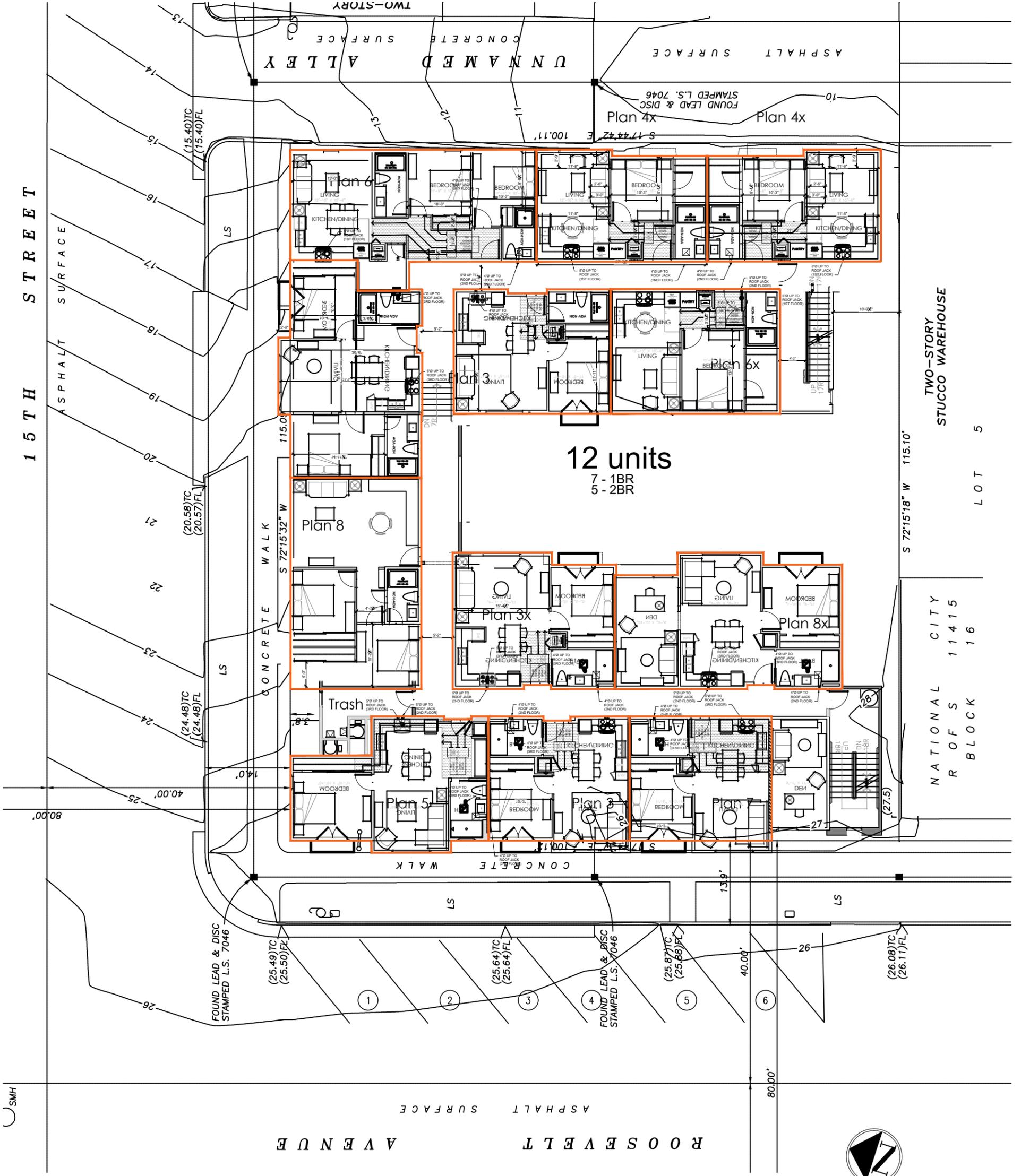
Level 1 Floor Plan

Scale 1/16"=1'-0"

15th Street And Roosevelt National City, California

NATIONAL CITY
 R OF S 11415
 BLOCK 16
 LOT 5
 TWO-STORY STUCCO WAREHOUSE





12 units
7 - 1BR
5 - 2BR

Level 2 & 3 Floor Plan

Scale 1/16" = 1'-0"

15th Street And Roosevelt National City, California

NATIONAL CITY
R OF S 11415
BLOCK 16

TWO-STORY
STUCCO WAREHOUSE

LOT 5

15TH STREET

ROOSEVELT AVENUE

UNNAMED ALLEY

SMH

RESOLUTION NO. 2022-10

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES
FOR A PROPOSED 30-UNIT RESIDENTIAL BUILDING
TO BE LOCATED AT WEST 15TH STREET AND ROOSEVELT AVENUE.
CASE FILE NO. 2022-01 SPR
APN: 556-064-01 and 02

WHEREAS, the Planning Commission of the City of National City considered a request for a reduction in off-street residential parking spaces for a proposed 30-unit residential building to be located at West 15th Street and Roosevelt Avenue at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-01 SPR 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 March 7, 2022, support the following findings:

1. That the on-site spaces proposed to be eliminated for the subject development are unnecessary, because the spaces are provided adjacent to the property on an adjacent street.
2. That the reduction will not adversely affect the site or the adjacent area, because there is adequate on-street parking area available adjacent to the property and because there is no established parking district in this area.

BE IT FURTHER RESOLVED that the application for Site Plan Review is approved subject to the following conditions:

General

1. This Parking Reduction Request allows for the reduction of on-site parking by six parking spaces in relation to a 30-unit residential project to be located at W. 15th Street and Roosevelt Avenue. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2022-01 SPR, dated 1/5/2022.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. Plans submitted for building permits shall include opportunities to incorporate active transportation infrastructure related to alternative modes transportation (e.g. bicycle, car-share, walk, etc.).

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2022-10

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
DENYING A REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES
FOR A PROPOSED 30-UNIT RESIDENTIAL BUILDING
TO BE LOCATED AT WEST 15TH STREET AND ROOSEVELT AVENUE.
CASE FILE NO. 2022-01 SPR
APN: 556-064-01 and 02

WHEREAS, the Planning Commission of the City of National City considered a request for a reduction in off-street residential parking spaces for a proposed 30-unit residential building to be located at West 15th Street and Roosevelt Avenue at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-01 SPR 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 March 7, 2022, support the following findings:

1. That the spaces proposed to be eliminated for the subject development are necessary, because there is a general shortage of on-street parking in the City

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES FOR A PROPOSED 29-UNIT RESIDENTIAL BUILDING TO BE LOCATED AT WEST 16TH STREET AND ROOSEVELT AVENUE.

Case File No.: 2022-03 SPR

Location: Northeast corner of West 16th Street and Roosevelt Avenue

Assessor's Parcel No.: 560-064-04 and 05

Staff report by: Martin Reeder, AICP –Principal Planner

Applicant: Jaime Ralph

Zoning designation: Downtown Specific Plan / Development Zone 12B

Adjacent land use/zoning:

North: Industrial use / DZ 12B

East: Auto repair use / DZ 12A

South: Perry Ford across W. 16th St. / Multi-Use Commercial-Residential (Westside Specific Plan)

West: Residential use across Roosevelt Ave. / Multi-Use Commercial-Residential (Westside Specific Plan)

Environmental review: Comprehensive Land Use Update Environmental Impact Report, May 2011, SCH #2010051009

Staff recommendation: Approve reduction in off-street parking spaces

BACKGROUND

Staff Recommendation

Staff recommends approval of the reduction in required off-street residential guest parking spaces in conjunction with the new development. There is ample street frontage in this location to accommodate the offsite spaces.

Executive Summary

The applicant has applied for a Site Plan Review to reduce the required amount of on-site parking by six spaces. The residential use in question requires 29 parking spaces.

Site Characteristics

The project site is comprised of two parcels. One is a 4,255 square-foot building materials storage yard and other a 5,662 square-foot property developed with 5,130 square feet of industrial buildings. Both are located in Development Zone 12B (DZ-12B) of the Downtown Specific Plan area. Three angled parking spaces are located on the east side of Roosevelt Avenue in this location and one parallel space is located on West 16th Street, all adjacent to the property. One of the angled spaces splits the northern property boundary with the neighboring property to the north. The angled spaces are not together, but in groups of two and one. There is exactly enough room for two more spaces between the two groups, for a total of five.

Proposal

The applicant already received approval of a Downtown Specific Plan Consistency Review for the project, but is looking to make some minor modifications which improve the function and livability of the project. These changes would remove on-site parking spaces, which would then need to be replaced. The modifications do not affect the exterior design, but do remove six parking spaces from the approved plan. As part of this request, the applicant is proposing to install two more angled spaces by striping the area in between the existing spaces.

The proposed residential development is comprised of 29 one-bedroom units. Parking in the Downtown Specific Plan is required in the ratio of one space per one-bedroom or studio unit. This results in the need for 29 spaces in this case.

Analysis

As mentioned above, there are five angled parking spaces (with the addition of two more between the existing spaces) on Roosevelt Avenue and one parallel space on West 16th Street immediately adjacent to the site. This would allow a replacement of the now missing six on-site spaces.

Land Use Code authorization of the parking reduction

The Land Use Code allows for reductions in required parking for six separate scenarios:

1. Transportation Demand Management Program – not applicable.
2. Proximity to Transit (transit center within a ¼ mile) – not applicable.
3. Shared parking – not applicable.
4. Adjacent on-street parking – on a one-for-one basis.
5. Car sharing – not applicable.
6. Motorcycle parking Spaces – not applicable.

With the exception of motorcycle parking spaces, all the stated scenarios require approval of the Planning Commission. The project qualifies for one of the six reductions (adjacent on-street parking), due to the space available for on-street angled parking and the parallel space adjacent to the project.

Authority of the Planning Commission to approve the parking reduction

The Planning Commission, appealable to the City Council, may approve a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions it deems appropriate, when the applicant has demonstrated to the City's satisfaction that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. A reduction in parking spaces will only be allowed for adjacent on-street parking when said spaces are located along the public street frontage shared with the building's façade. For example, if a building fronting a public street measures 100 linear feet and four parking spaces are located adjacent to the 100 linear feet of frontage, the parking reduction may be four spaces. Fractions of spaces will not be permitted to count towards the reduction allowance. There are six additional spaces adjacent to the property. Therefore, the project would qualify for a reduction of six on-site parking spaces.

Additional justification for parking reduction

As well as the adjacent street parking availability analyzed above, the following justification is proffered based on proximity to transit and to goods and services. The justification points are as follows:

1. Proximity to Transit – the project is within one block of the MTS Route 932 bus stop (National City Library) and within five blocks of the 13 and 967 bus stop (18th Street and ‘C’ Avenue). These stops provide service between 8th Street Trolley station and Iris Avenue Transit Center (932); Kaiser Hospital/Grantville Trolley and 24th Street Trolley station (13), and between 24th Street Trolley station and Paradise Hills. With these nearby transit opportunities, the need for a personal vehicle is less.
2. Proximity to Goods and Services – The property is in close proximity to several businesses in the Westside area and along National City Blvd., which provide a host of goods and service opportunities, including, restaurants, banks, and shopping. With the ability to walk to goods and services, a personal vehicle is not as necessary.

General Plan Conformance

There are two General Plan policies that reference parking reductions:

Policy C-5.7: Allow for shared parking and parking requirement reductions for mixed-use and transit-oriented development.

The project is a transit-oriented development within a block of transit.

Policy C-5.10: Require new development and redevelopment to provide sufficient parking. In determining what constitutes sufficient parking, the City may take into consideration: 1) the overall effectiveness of the circulation system as a whole (i.e., pedestrians, bicyclists, motorized vehicles, etc.); 2) the particular needs of a specific location and/or project; and, 3) the need for increased densities and mixed-use development intended to aid in the reduction of personal vehicle use and the corresponding reduction in air pollution, energy consumption, greenhouse gas emissions, and other environmental effects.

Again, the project is a transit-oriented development, in compliance with General Plan Policy. Combined with the proximity to transit, proximity to goods and services, the design of the project is intended to reduce personal vehicle use, consistent with Policy C-5.10. To this end, a condition is included to require opportunities in the design to incorporate active transportation goals related to alternative modes of transportation (e.g. bicycle, walk, etc.).

California Environmental Quality Act

The potential impacts associated with this type of development, including those related to parking reductions, were analyzed in the Environmental Impact Report for the Comprehensive Land Use Update in May 2011. The finding is based on qualitative information provided in Appendix F of the General Plan (Circulation Element), which took into account available street parking and the likelihood of the reduction in vehicle use due to high density development (among other types of development). The street in this location did not exceed parking capacity during peak times, as noted in Appendix F.

Summary

With all factors taken into account, staff is satisfied that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. In addition, five extra angled parking spaces are provided immediately adjacent to the site, as well as one parallel space. Although one of the angled spaces is located at the boundary of two properties, the property to the north is a warehouse with ample on-site parking for the use. A residential building with this mix of units requires 29 parking spaces. The proposal provides 29 parking spaces, 23 on site and six spaces between Roosevelt Avenue and West 16th Street. Therefore, the six-space on-site parking deficit can be accommodated on the adjacent right-of-way.

OPTIONS

1. Approve reduction of off-street parking spaces subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny reduction in off-street parking spaces, based on attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item for additional information.

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Site photos
5. Applicant's Plans (Exhibit A, Case File No. 2022-03 SPR, dated 1/5/2022)
6. Resolutions



MARTIN REEDER, AICP
Principal Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL
OF THE PARKING REDUCTION REQUEST
2022-03 SPR – W. 16th St. & Roosevelt Avenue

1. That the on-site spaces proposed to be eliminated for the subject development are unnecessary, because the spaces are provided adjacent to the property on an adjacent street.

2. That the reduction will not adversely affect the site or the adjacent area, because there is adequate on-street parking area available adjacent to the property and because there is no established parking district in this area.

RECOMMENDED FINDING FOR DENIAL
OF THE PARKING REDUCTION REQUEST
2022-03 SPR – W. 16th St. & Roosevelt Avenue

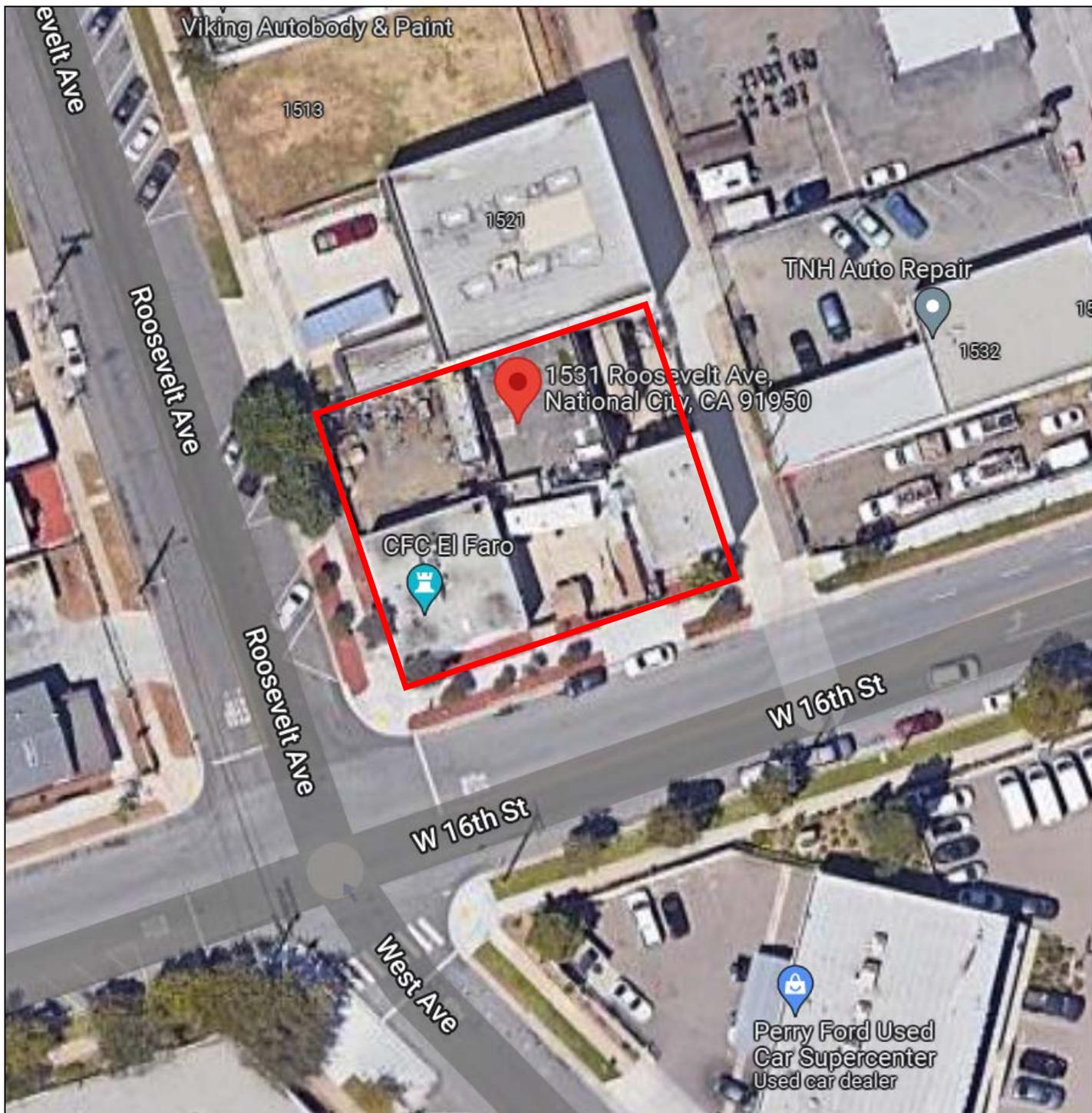
1. That the spaces proposed to be eliminated for the subject development are necessary, because there is a general shortage of on-street parking in the City

RECOMMENDED CONDITIONS OF APPROVAL
OF THE PARKING REDUCTION REQUEST

2022-03 SPR – W. 16th St. & Roosevelt Avenue

1. This Parking Reduction Request allows for the reduction of on-site parking by six parking spaces in relation to a 29-unit residential project to be located at W. 16th Street and Roosevelt Avenue. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2022-03 SPR, dated 1/5/2022.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. Plans submitted for building permits shall include opportunities to incorporate active transportation infrastructure related to alternative modes transportation (e.g. bicycle, car-share, walk, etc.).

2022-03 SPR – W. 16th St. & Roosevelt Avenue – Overhead



2022-03 SPR – W. 16th St. & Roosevelt Ave. – Site Photos



West 16th St. and Roosevelt Ave. looking northeast

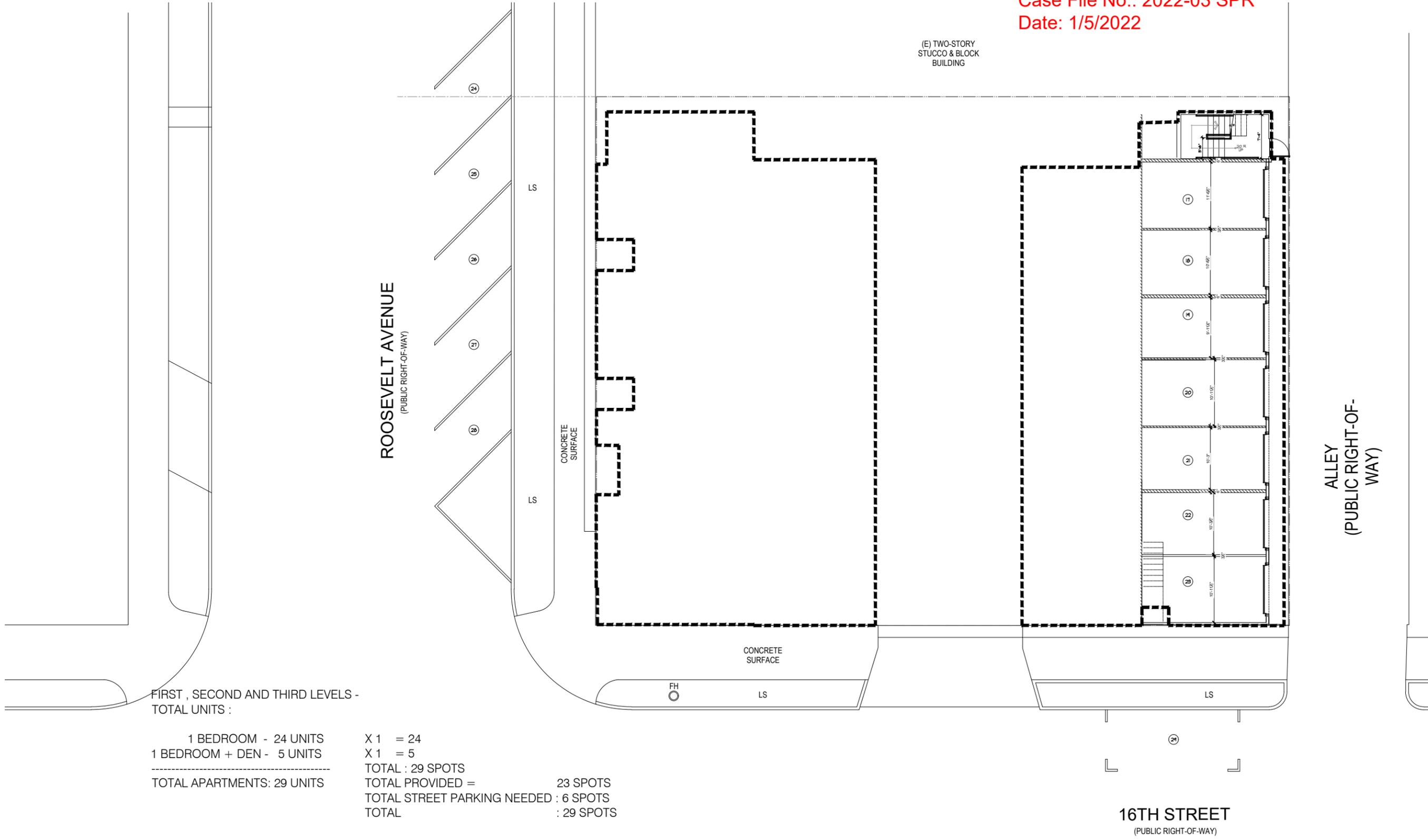


West 16th St. looking north towards parallel space



Roosevelt Avenue looking southeast towards angled street parking

Exhibit A
 Case File No.: 2022-03 SPR
 Date: 1/5/2022



FIRST, SECOND AND THIRD LEVELS -
 TOTAL UNITS :

1 BEDROOM - 24 UNITS
 1 BEDROOM + DEN - 5 UNITS

 TOTAL APARTMENTS: 29 UNITS

X 1 = 24
 X 1 = 5
 TOTAL : 29 SPOTS
 TOTAL PROVIDED = 23 SPOTS
 TOTAL STREET PARKING NEEDED : 6 SPOTS
 TOTAL : 29 SPOTS

ATTACHMENT 5

ALLEY BUILDING PLAN

SCALE: 1/16" = 1'-0"



16TH STREET ELEVATION



NATIONAL CITY ELEVATION



REAR ELEVATION



LEFT ELEVATION

16th STREET AND NATIONAL CITY BLVD.
National City, CA

August 11, 2021

PROPOSED ELEVATIONS





FIRST, SECOND AND THIRD LEVELS -
TOTAL UNITS :

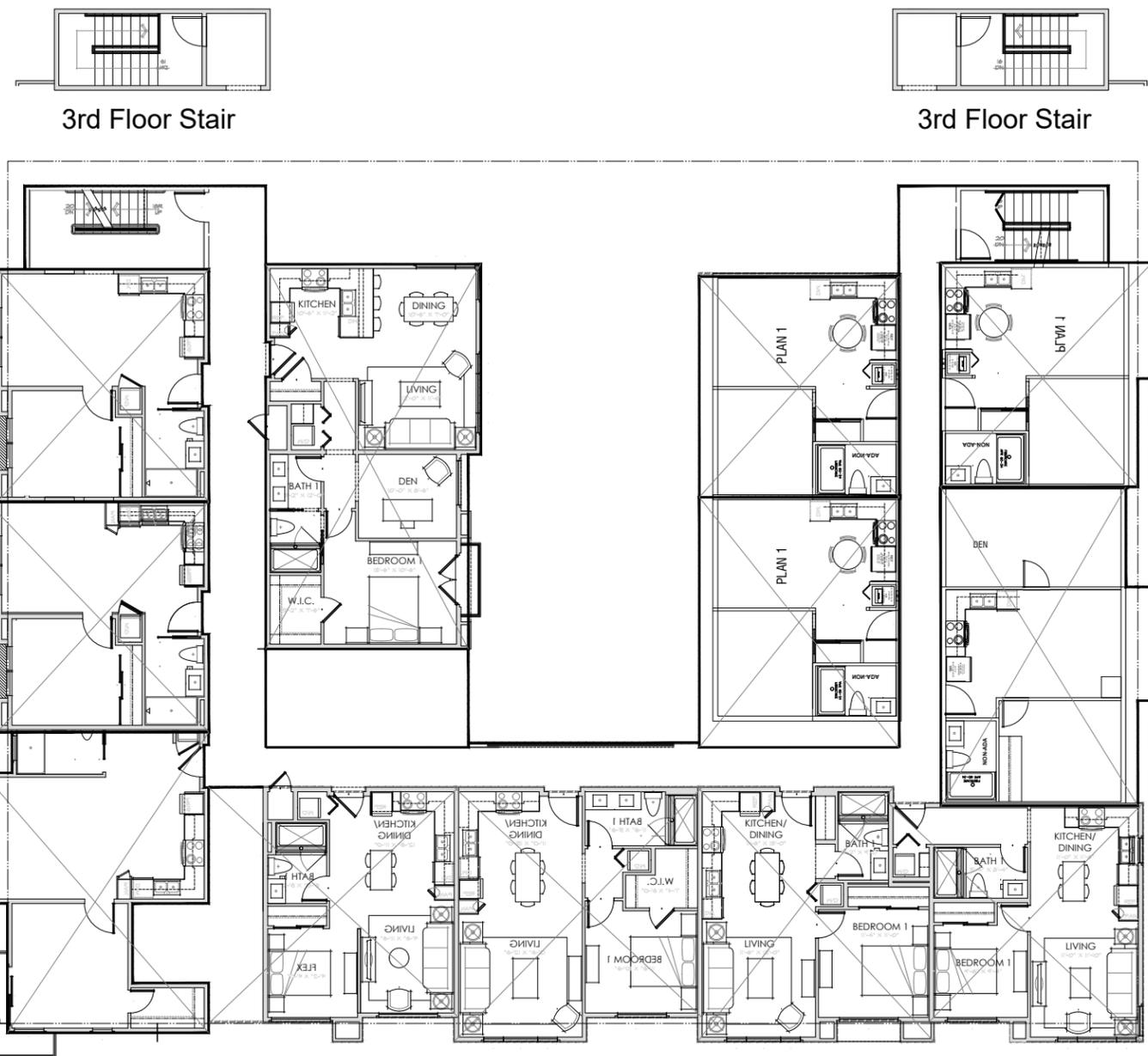
1 BEDROOM - 24 UNITS
1 BEDROOM + DEN - 5 UNITS

TOTAL APARTMENTS: 29 UNITS

X 1 = 24
X 1 = 5
TOTAL : 29 SPOTS
TOTAL PROVIDED = 23 SPOTS
TOTAL STREET PARKING NEEDED : 6 SPOTS
TOTAL : 29 SPOTS

FIRST FLOOR BUILDING PLAN

SCALE: 1/16" = 1'-0"



ROOSEVELT AVENUE
(PUBLIC RIGHT-OF-WAY)

16TH STREET
(PUBLIC RIGHT-OF-WAY)

FIRST, SECOND AND THIRD LEVELS - PARKING
TOTAL UNITS :

1 BEDROOM - 24 UNITS	X 1 = 24	
1 BEDROOM + DEN - 5 UNITS	X 1 = 5	

TOTAL APARTMENTS: 29 UNITS	TOTAL : 29 SPOTS	
	TOTAL PROVIDED =	23 SPOTS
	TOTAL STREET PARKING NEEDED :	6 SPOTS
	TOTAL	: 29 SPOTS

THIRD FLOOR (SIMILAR)
SECOND FLOOR BUILDING PLAN

SCALE: 1/16" = 1'-0"

RESOLUTION NO. 2022-11

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES
FOR A PROPOSED 29-UNIT RESIDENTIAL BUILDING
TO BE LOCATED AT WEST 16TH STREET AND ROOSEVELT AVENUE.
CASE FILE NO. 2022-03 SPR
APN: 560-064-04 and 05

WHEREAS, the Planning Commission of the City of National City considered a request for a reduction in off-street residential parking spaces for a proposed 29-unit residential building to be located at West 15th Street and Roosevelt Avenue at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-03 SPR 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 March 7, 2022, support the following findings:

1. That the on-site spaces proposed to be eliminated for the subject development are unnecessary, because the spaces are provided adjacent to the property on an adjacent street.
2. That the reduction will not adversely affect the site or the adjacent area, because there is adequate on-street parking area available adjacent to the property and because there is no established parking district in this area.

BE IT FURTHER RESOLVED that the application for Site Plan Review is approved subject to the following conditions:

General

1. This Parking Reduction Request allows for the reduction of on-site parking by six parking spaces in relation to a 29-unit residential project to be located at W. 16th Street and Roosevelt Avenue. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2022-03 SPR, dated 1/5/2022.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. Plans submitted for building permits shall include opportunities to incorporate active transportation infrastructure related to alternative modes transportation (e.g. bicycle, car-share, walk, etc.).

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2022-10

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
DENYING A REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES
FOR A PROPOSED 30-UNIT RESIDENTIAL BUILDING
TO BE LOCATED AT WEST 15TH STREET AND ROOSEVELT AVENUE.
CASE FILE NO. 2022-01 SPR
APN: 556-064-01 and 02

WHEREAS, the Planning Commission of the City of National City considered a request for a reduction in off-street residential parking spaces for a proposed 30-unit residential building to be located at West 15th Street and Roosevelt Avenue at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-01 SPR 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 March 7, 2022, support the following findings:

1. That the spaces proposed to be eliminated for the subject development are necessary, because there is a general shortage of on-street parking in the City.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES FOR A PROPOSED 29-UNIT RESIDENTIAL BUILDING TO BE LOCATED AT WEST 14TH STREET AND NATIONAL CITY BLVD.

Case File No.: 2022-04 SPR

Location: Northwest corner of West 14th Street and National City Blvd.

Assessor's Parcel No.: 560-014-06 and 07

Staff report by: Martin Reeder, AICP –Principal Planner

Applicant: Jaime Ralph

Zoning designation: Downtown Specific Plan / Development Zone 12A

Adjacent land use/zoning:

North: Auto repair / DZ 12A

East: City Hall/ City Library / DZ 16

South: Vacant property across W. 14th St. / DZ 12A

West: Industrial use / DZ 12A

Environmental review: Comprehensive Land Use Update Environmental Impact Report, May 2011, SCH #2010051009

Staff recommendation: Approve reduction in off-street parking spaces

BACKGROUND

Staff Recommendation

Staff recommends approval of the reduction in required off-site residential guest parking spaces in conjunction with the new development. There is ample street frontage in this location to accommodate the off-site spaces.

Executive Summary

The applicant has applied for a Site Plan Review to reduce the required amount of on-site parking by five spaces. The residential use in question requires 29 parking spaces.

Site Characteristics

The project site is comprised of two 5,662 square-foot vacant properties in Development Zone 12A (DZ 12A) of the Downtown Specific Plan area. The 11,324 square-foot project site has 115 feet of street frontage on West 14th Street and 100 feet of street frontage on National City Blvd. The property was most recently developed with three residential units with garage parking, which has since been demolished.

Proposal

The applicant already received approval of a Downtown Specific Plan Consistency Review for the project, but is looking to make some minor modifications which improve the function and livability of the project. These changes would remove on-site parking spaces, which would then need to be replaced. The modifications do not affect the exterior design, but do remove five parking spaces from the approved plan.

The proposed residential development is comprised of 28 one-bedroom units and one studio unit. Parking in the Downtown Specific Plan is required in the ratio of one space per one-bedroom or studio unit. This results in the need for 29 parking spaces.

Analysis

As mentioned above, there is approximately 215 feet of street frontage adjacent to the property. This would allow a replacement of the now missing five on-site spaces. This would be through the installation of two angled parking spaces on the north side of West 14th Street and three parallel parking spaces on National City Blvd. This configuration allows for the two proposed driveways on West 14th Street.

Land Use Code authorization of the parking reduction

The Land Use Code allows for reductions in required parking for six separate scenarios:

1. Transportation Demand Management Program – not applicable.
2. Proximity to Transit (transit center within a ¼ mile) – not applicable.
3. Shared parking – not applicable.
4. Adjacent on-street parking – on a one-for-one basis.
5. Car sharing – not applicable.
6. Motorcycle parking Spaces – not applicable.

With the exception of motorcycle parking spaces, all the stated scenarios require approval of the Planning Commission. The project qualifies for one of the six reductions (adjacent on-street parking), due to the space available for on-street angled and parallel parking adjacent to the project.

Authority of the Planning Commission to approve the parking reduction

The Planning Commission, appealable to the City Council, may approve a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions it deems appropriate, when the applicant has demonstrated to the City's satisfaction that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. A reduction in parking spaces will only be allowed for adjacent on-street parking when said spaces are located along the public street frontage shared with the building's façade. For example, if a building fronting a public street measures 100 linear feet and four parking spaces are located adjacent to the 100 linear feet of frontage, the parking reduction may be four spaces. Fractions of spaces will not be permitted to count towards the reduction allowance. There is space for five additional spaces adjacent to the property. Therefore, the project would qualify for a reduction of five on-site parking spaces.

Additional justification for parking reduction

As well as the adjacent street parking availability analyzed above, the following justification is proffered based on proximity to transit and to goods and services. The justification points are as follows:

1. Proximity to Transit – the project is within one block of the MTS Route 932 bus stop (National City Library) and within six blocks of the 13 and 967 bus stop (18th Street and 'C' Avenue). These stops provide service between 8th Street Trolley station and Iris Avenue Transit Center (932); Kaiser Hospital/Grantville Trolley and 24th Street Trolley station (13), and between 24th Street Trolley station and Paradise Hills. With these nearby transit opportunities, the need for a personal vehicle is less.
2. Proximity to Goods and Services – The property is in close proximity to several businesses in the Westside area and along National City Blvd., which provide a host of goods and service opportunities, including, restaurants, banks, and shopping. With the ability to walk to goods and services, a personal vehicle is not as necessary.

General Plan Conformance

There are two General Plan policies that reference parking reductions:

Policy C-5.7: Allow for shared parking and parking requirement reductions for mixed-use and transit-oriented development.

The project is a transit-oriented development within a block of transit.

Policy C-5.10: Require new development and redevelopment to provide sufficient parking. In determining what constitutes sufficient parking, the City may take into consideration: 1) the overall effectiveness of the circulation system as a whole (i.e., pedestrians, bicyclists, motorized vehicles, etc.); 2) the particular needs of a specific location and/or project; and, 3) the need for increased densities and mixed-use development intended to aid in the reduction of personal vehicle use and the corresponding reduction in air pollution, energy consumption, greenhouse gas emissions, and other environmental effects.

Again, the project is a transit-oriented development, in compliance with General Plan Policy. Combined with the proximity to transit, proximity to goods and services, the design of the project is intended to reduce personal vehicle use, consistent with Policy C-5.10. To this end, a condition is included to require opportunities in the design to

incorporate active transportation goals related to alternative modes of transportation (e.g. bicycle, walk, etc.).

California Environmental Quality Act

The potential impacts associated with this type of development, including those related to parking reductions, were analyzed in the Environmental Impact Report for the Comprehensive Land Use Update in May 2011. The finding is based on qualitative information provided in Appendix F of the General Plan (Circulation Element), which took into account available street parking and the likelihood of the reduction in vehicle use due to high density development (among other types of development). The street in this location did not exceed parking capacity during peak times, as noted in Appendix F.

Summary

With all factors taken into account, staff is satisfied that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. In addition, there is space along the street frontage adjacent to the site to accommodate the needed off-site parking spaces. A residential building with this mix of units requires 29 parking spaces. The proposal provides 29 parking spaces, 24 on site, two angled spaces on West 14th Street, and three parallel spaces on National City Blvd. Therefore, the five-space on-site parking deficit can be accommodated on the adjacent right-of-way.

OPTIONS

1. Approve reduction of off-street parking spaces subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny reduction in off-street parking spaces, based on attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item for additional information.

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Site photos
5. Applicant's Plans (Exhibit A, Case File No. 2022-04 SPR, dated 3/1/2022)
6. Resolutions



MARTIN REEDER, AICP
Principal Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL
OF THE PARKING REDUCTION REQUEST
2022-04 SPR – W. 14th St. & National City Blvd.

1. That the on-site spaces proposed to be eliminated for the subject development are unnecessary, because the spaces are provided adjacent to the property on an adjacent street.

2. That the reduction will not adversely affect the site or the adjacent area, because there is adequate on-street parking area available adjacent to the property and because there is no established parking district in this area.

RECOMMENDED FINDING FOR DENIAL
OF THE PARKING REDUCTION REQUEST
2022-04 SPR – W. 14th St. & National City Blvd.

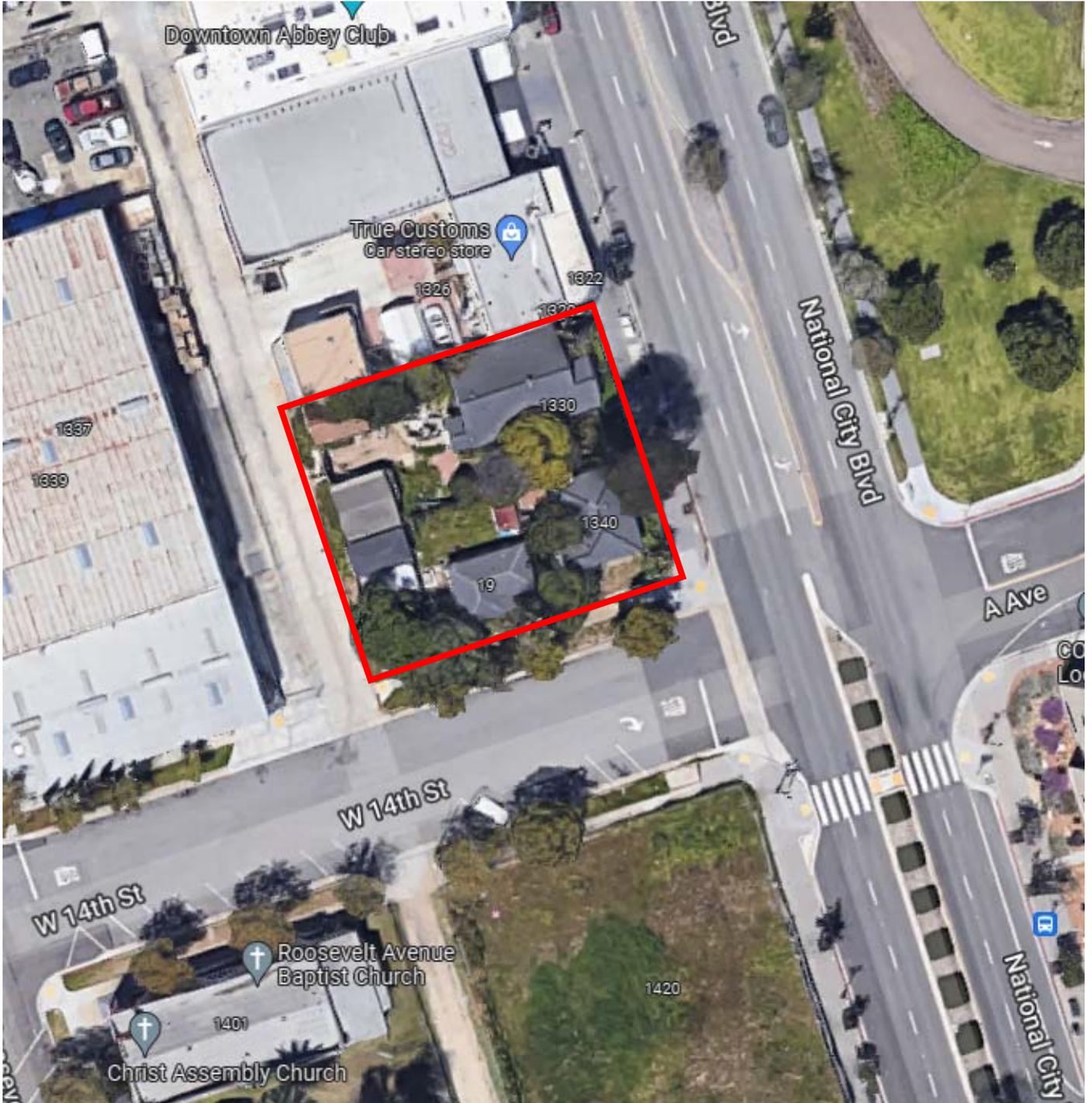
1. That the spaces proposed to be eliminated for the subject development are necessary, because there is a general shortage of on-street parking in the City.

RECOMMENDED CONDITIONS OF APPROVAL
OF THE PARKING REDUCTION REQUEST

2022-04 SPR – W. 14th St. & National City Blvd.

1. This Parking Reduction Request allows for the reduction of on-site parking by five parking spaces in relation to a 29-unit residential project to be located at W. 14th Street and National City Blvd. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2022-04 SPR, dated 3/1/2022.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. Plans submitted for building permits shall include opportunities to incorporate active transportation infrastructure related to alternative modes transportation (e.g. bicycle, car-share, walk, etc.).

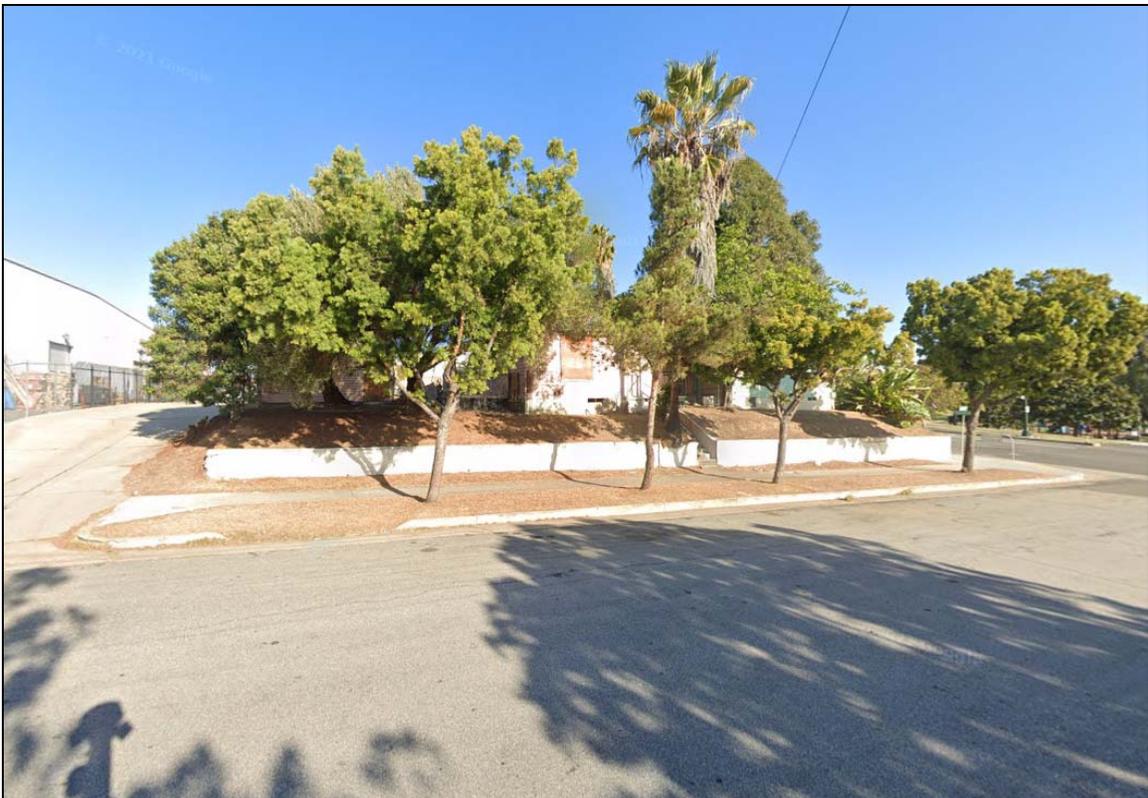
2022-04 SPR – W. 14th St. & National City Blvd. – Overhead



2022-04 SPR – W. 14th St. & National City Blvd. – Site Photos



National City Blvd. looking west



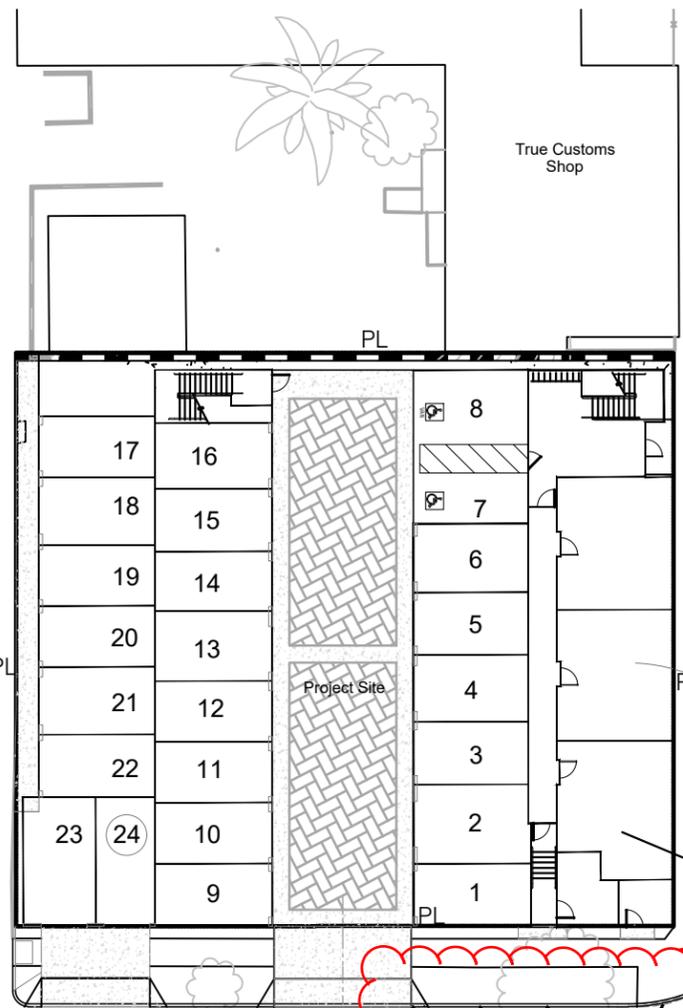
West 14th Street looking north

ROOSEVELT AVENUE

Exhibit A
Case File No.: 2022-04 SPR
Date: 3/1/2022

Warehouse Bldg.

ALLEY



True Customs Shop

PL

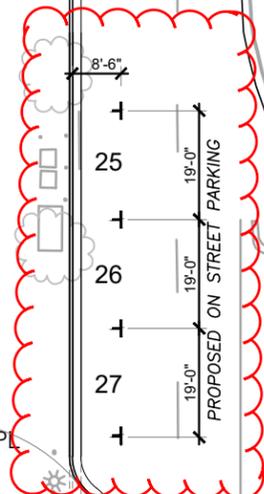
Project Site

GATE

19'-0" NEW DWY

24'-0" NEW DWY

PROPOSED ON STREET PARKING



DEMO EXT'G. CURB CUT

PROPOSED CURB CUT PER NC STD.

R30'-0"

NATIONAL CITY BLVD

14TH STREET

Roosevelt Avenue Baptist Church

Vacant Lot

ALLEY

Dwelling Unit Summary

Studio :	1 du
1 BR :	22 du
1 BR + Den :	6 du
Total :	29

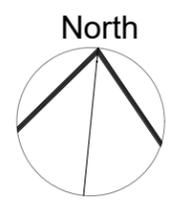
Parking Summary

STUDIO : 1 x 1.0 =	1
1BR : 24 x 1.0 =	22
1BR+Den : 6 x 1.0 =	6

Total Required :	= 29.0 spaces
Total Provided :	= 24 spaces (Off Street Parking)
Total Provided :	= 5 spaces (On Street Parking)

Breakdown :

Parallel Parking : 3 (@ National City Blvd.)
Angled Parking : 2 (@ 14th Street)



SITE PLAN

14th Street/ National City Blvd.
National City, California

SCALE: 1/32"=1'-0"



9948 S. 210th Street, Suite 210
San Diego, CA 92131
T: 619.527.7500
W: urbanwestcorp.com



14TH STREET ELEVATION



NATIONAL CITY BLVD ELEVATION



REAR ELEVATION



RIGHT ELEVATION

NATIONAL CITY BLVD & 14TH STREET

National City, CA

February 17, 2022

PROPOSED COLORED ELEVATIONS

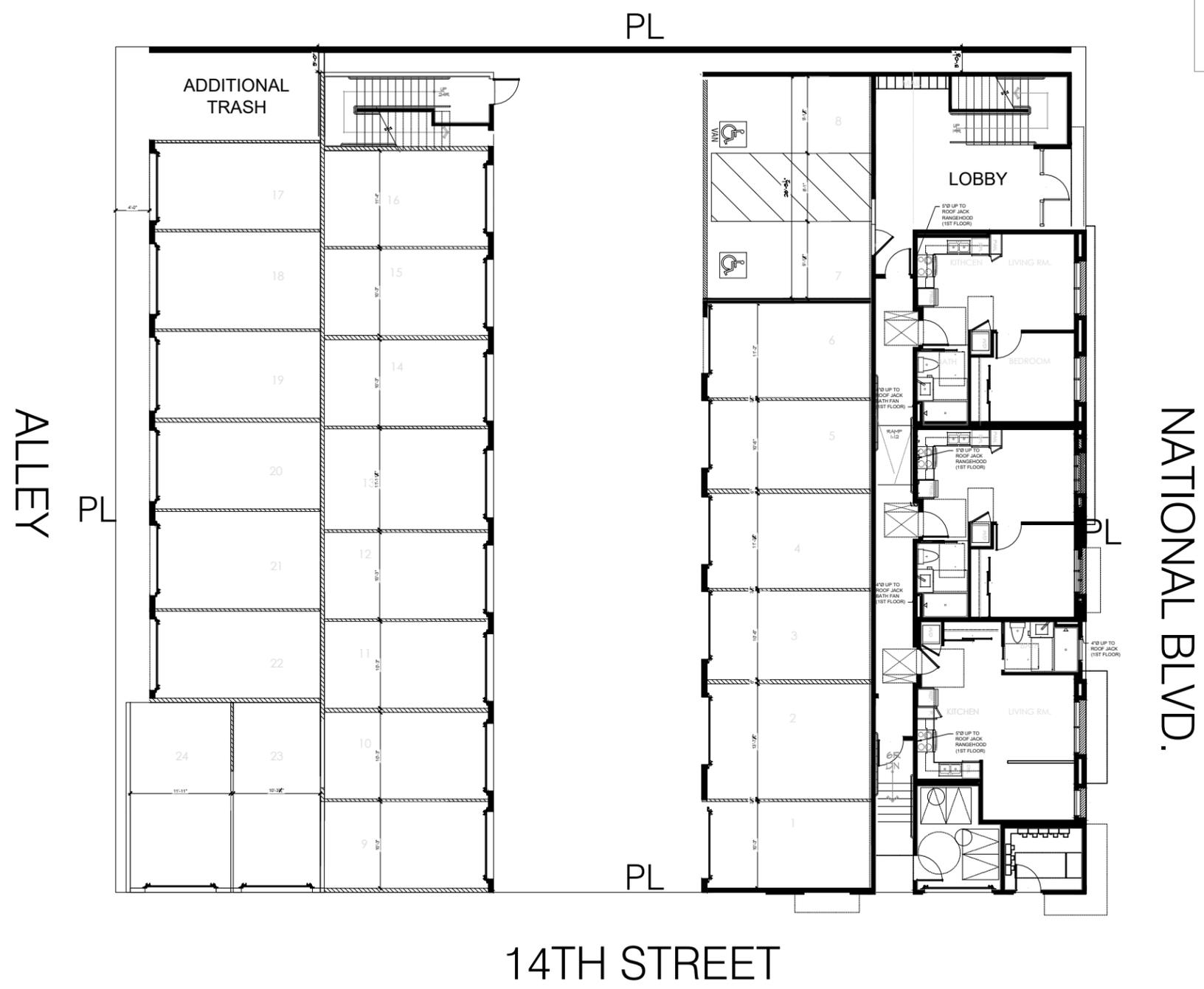
LCRA



WEST ELEVATION



EAST ELEVATION



STUDIO - 1 UNIT
 1 BEDROOM - 2 UNITS
 TOTAL UNITS - 3 - FIRST LEVEL

FIRST, SECOND AND THIRD LEVELS - PARKING
 TOTAL UNITS :
 STUDIO - 1 UNIT
 1 BEDROOM - 24 UNITS
 1 BEDROOM + DEN - 6 UNITS

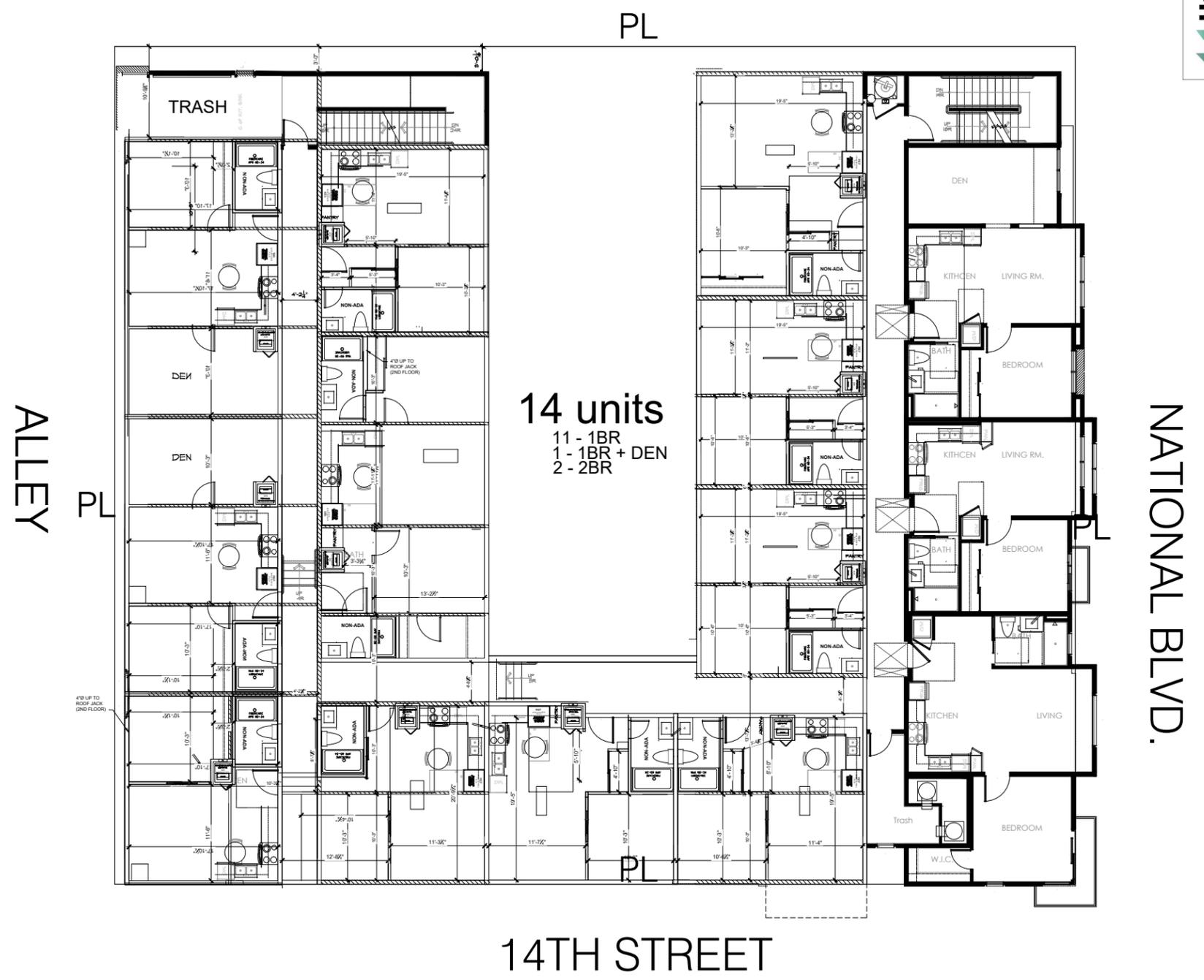
 TOTAL APARTMENTS: 31 UNITS

X 1 = 1
 X 1 = 24
 X 1 = 6
 TOTAL : 31 SPOTS
 TOTAL PROVIDED = 24 SPOTS
 TOTAL STREET PARKING NEEDED : 7 SPOTS
 TOTAL : 31 SPOTS

Level 1 Floor Plan

14TH STREET AND NATIONAL CITY BLVD

Scale: 1/16" = 1'-0"



2 BEDROOM - 2 UNITS
1 BEDROOM - 11 UNITS
1 BEDROOM w/ DEN- 1 UNIT
TOTAL UNITS - 14 - SECOND LEVEL

Level 2 Floor Plan

14TH STREET AND NATIONAL CITY BLVD

Scale: 1/16" = 1'-0"

RESOLUTION NO. 2022-12

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES
FOR A PROPOSED 29-UNIT RESIDENTIAL BUILDING
TO BE LOCATED AT WEST 14TH STREET AND NATIONAL CITY BLVD.
CASE FILE NO. 2022-04 SPR
APN: 560-014-06 and 07

WHEREAS, the Planning Commission of the City of National City considered a request for a reduction in off-street residential parking spaces for a proposed 29-unit residential building to be located at West 14th Street and National City Blvd. at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-04 SPR 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 March 7, 2022, support the following findings:

1. That the on-site spaces proposed to be eliminated for the subject development are unnecessary, because the spaces are provided adjacent to the property on an adjacent street.
2. That the reduction will not adversely affect the site or the adjacent area, because there is adequate on-street parking area available adjacent to the property and because there is no established parking district in this area.

BE IT FURTHER RESOLVED that the application for Site Plan Review is approved subject to the following conditions:

General

1. This Parking Reduction Request allows for the reduction of on-site parking by six parking spaces in relation to a 29-unit residential project to be located at West 14th Street and National City Blvd. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2022-04 SPR, dated 3/12022.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. Plans submitted for building permits shall include opportunities to incorporate active transportation infrastructure related to alternative modes transportation (e.g. bicycle, car-share, walk, etc.).

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
DENYING A REDUCTION IN OFF-STREET RESIDENTIAL PARKING SPACES
FOR A PROPOSED 29-UNIT RESIDENTIAL BUILDING
TO BE LOCATED AT WEST 14TH STREET AND NATIONAL CITY BLVD.
CASE FILE NO. 2022-04 SPR
APN: 560-014-06 and 07

WHEREAS, the Planning Commission of the City of National City considered a request for a reduction in off-street residential parking spaces for a proposed 29-unit residential building to be located at West 14th Street and National City Blvd. at a duly advertised public hearing held on March 7, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-04 SPR 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 March 7, 2022, support the following findings:

1. That the spaces proposed to be eliminated for the subject development are necessary, because there is a general shortage of on-street parking in the City.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 7, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON