



Planning Commission Agenda

Meeting of November 5, 2018 – 6:00 p.m.
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950



The Planning Commission requests that all cellphones, pagers, and/or smart devices be turned off during the meeting.

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

Roll Call

Pledge of Allegiance by Commissioner Baca

Approval of Minutes

1. Approval of Minutes from the Meeting of October 15, 2018

Approval of Agenda

2. Approval of Agenda for the Meeting on November 5, 2018

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring 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 modification to extend the days of operation for an existing head start program located at 1805 East 17th Street. (Case File No. 2018-24 CUP)
4. Resolution taking action on a Conditional Use Permit and Coastal Development Permit for a gas station, convenience store with off-sale beer and wine, and bike shop to be located at 724 Civic Center Drive in the Coastal Zone. (Case File No. 2018-19 CUP, CDP)

OTHER BUSINESS

STAFF REPORTS

Senior Assistant City Attorney

Deputy City Manager

Acting Planning Director

Principal Planner

Commissioners

Chairperson

ADJOURNMENT

Adjournment to the next regularly scheduled meeting on November 19, 2018.



Planning Commission Minutes

Planning Commission
Meeting of October 15, 2018
City Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Due to renovations occurring in Council Chambers, these proceedings were not recorded.

Agenda Items

The meeting was called to order by Chair Yamane at 6:02 p.m.

Roll Call

Commissioners Present: Quintero, Baca, Yamane, Garcia, Flores, Dela Paz

Commissioners Absent: Sendt

Staff Also Present: Acting Planning Director Ray Pe, Senior Assistant City Attorney Nicole Pedone, Principal Planner Martin Reeder

Pledge of Allegiance Presented by Commissioner Flores.

1. Approval of Minutes from the Meeting of September 17, 2018.

Motion by Baca, second by Garcia to approve the Minutes for the Meeting of September 17, 2018.

Motion carried by the following vote:

Ayes: Quintero, Baca, Yamane, Garcia, Flores, Dela Paz

Abstain: None.

Noes: None.

Absent: Sendt

2. Approval of the Agenda for the Meeting of October 15, 2018.

Motion by Baca, second by Garcia to approve the Agenda for the Meeting of October 15, 2018.

Ayes: Quintero, Baca, Yamane, Garcia, Flores, Dela Paz

Abstain: None.

Noes: None.

Absent: Sendt

ORAL COMMUNICATION: None.

PRESENTATIONS:

3. Intra-Connect Presentation by Mike Singleton, KTU+A and Catherine Thibault, Circulate San Diego.

CONTINUED PUBLIC HEARINGS: None.

PUBLIC HEARINGS:

4. Resolution taking action on a Code Amendment amending Sections 18.24.050 (Allowed land uses and permit requirements), 18.30.230 (Tobacco specialty shops), and 18.50 (Glossary) of Title 18 (Zoning) of the National City Municipal Code related to electronic smoking devices. (Case File No. 2018-23 A)

Presented by Principal Planner Martin Reeder.

Commissioners asked questions regarding hookah lounges, other city's regulations, and state food and beverage regulations.

Deborah Kelley of the American Lung Association provided information related to other cities, state regulation, and current programs intended to limit access to electronic smoking devices to minors.

Motion by Garcia, second by Baca to approve a Code Amendment amending Sections 18.24.050 (Allowed land uses and permit requirements), 18.30.230 (Tobacco specialty shops), and 18.50 (Glossary) of Title 18 (Zoning) of the National City Municipal Code related to electronic smoking devices. (Case File No. 2018-23 A)

Ayes: Quintero, Baca, Yamane, Garcia, Flores, Dela Paz

Abstain: None.

Noes: None.
Absent: Sendt

OTHER BUSINESS: None.

STAFF REPORTS: None.

COMMISSIONER REPORTS: None.

ADJOURNMENT by Chair Yamane at 7:05 p.m. to the meeting of November 5, 2018
at 6:00 pm.

CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of November 5, 2018.



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

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT
MODIFICATION TO EXTEND THE DAYS OF OPERATION
FOR AN EXISTING HEAD START PROGRAM LOCATED
AT 1805 EAST 17TH STREET.

Case File No.: 2018-24 CUP

Location: 1800 Block of East 17th Street, east of Palm Avenue

Assessor's Parcel Nos.: 561-131-21

Staff report by: Martin Reeder, Principal Planner

Applicant: Tim Captain for First Christian Church of National City

Zoning designation: High-Density Multi-Unit Residential (RM-2)

Adjacent zoning:

- North: Single-family residence and mixed residential use / RM-2
- East: Sunny View Apartments / RM-2
- South: First Christian Church across East 17th Street / RM-2
- West: First Samoan Congregational Church / RM-2

Environmental review: Categorically Exempt pursuant to Class 1 Section 15301
(Existing Facilities)

Staff recommendation: Approve

BACKGROUND

Staff Recommendation

Staff recommends approval of the proposed Conditional Use Permit (CUP) modification to extend the times that the head start program operated and increase the number of children. The use is conditionally-allowed in the High-Density Multi-Unit Residential (RM-2) zone and is consistent with the General Plan and Land Use Code.

Executive Summary

The applicant has applied for the modification of CUP-1982-14, which authorized a head start program for 30 children that operated from 8:00 a.m. to 4:00 p.m. Monday to Thursday at the subject location. The proposal is for up to 100 children Monday through Friday from 7:00 a.m. to 7:00 p.m.

Site Characteristics

The project location is a 7,881 square-foot building owned by the First Christian Church of National City, which is located across East 17th Street to the south. The subject building has historically been used by the church, including for the head start program licensed in 1982. The applicant is currently processing building permits to construct nine classrooms and office space within the building. No outward expansion of the building is proposed.

The property is in a generally residential neighborhood. Apartments are located to the east and southeast on 17th Street and another church is adjacent to the west. The property traverses the block between East 16th and East 17th Streets. There is a 64-space parking lot on the site, which has access to both streets and is used both for church parking and the head start building. There are single-family residences to the north/northeast and to the southwest of the property. With the exception of the single-family home to the southwest (RS-2 or Small Lot Residential), the area is zoned RM-2.

Proposed Use

The applicant proposes to extend the days of operation permitted by CUP-1982-14 to include Fridays, with new operating hours of 7:00 a.m. to 7:00 p.m. (Monday to Friday). With the increase in classrooms the total number of children would be increased from 30 to 100, ranging in age from newborn to five years old. While the previous use was under the federally-funded Head Start program administered by the Community Care Licensing Division of the Department of

Social Services, the applicant is planning to bring the program under the direction of the First Christian Church as the "FCC Early Learning Center". The center would continue to cater to families of all income, race, or cultural background, as it has since 1982.

The request also includes the expansion of a 2,340 square-foot play area in the back of the building, adding an additional 1,120 square feet within the parking lot. The expansion would remove four parking spaces. Use of the playground would be limited to two classes at a time (up to 30 children) for 30 minutes each morning and afternoon. Classes would be rotated between the hours of 9:00 a.m. and 12:00 p.m. and again from 2:00 p.m. to 5:00 p.m. The playground expansion would not be implemented right away, but later when the attendance warrants the additional space.

Analysis

General Plan

There are three General Plan Policies that relate to the proposal:

Land Use

LU-4.2: *Promote the design of complete neighborhoods that are structured to be family-friendly, encourage walking, biking, and the use of mass transit, foster community pride, enhance neighborhood identity, ensure public safety, improve public health, and address the needs of all ages and abilities.*

Education and Community Participation

E-1.5: *Work with school districts to promote education programs such as tutoring, occupational training, mentoring, and school readiness for pre-school aged children.*

E-6.4: *Encourage the use of public facilities for child care services; including collaboration between schools and parks, faith based institutions, community centers, and senior centers.*

The use has provided early learning services to the nearby high-density residential area for more than 35 years. The expansion of the facility will provide

for more children within walking distance and of a wider range of ages. Therefore, the use is consistent with the General Plan. In addition, the facility provides school readiness programs for pre-school aged children and is provided by a faith-based institution.

Land Use Code

The head start facility is associated with the First Christian Church, which is conditionally-allowed as a public assembly use in the RM-2 zone. Therefore, the use is consistent with the Land Use Code (LUC).

Issues to be considered with large-scale child care/educational facilities include traffic circulation, parking, and noise. The increase in capacity from 30 to 100 children will increase the probability of related impacts.

Circulation – The closest street segment that is identified in the General Plan is East 16th Street between Palm Avenue and Euclid Avenue. Appendix “F” of the General Plan shows this segment having a current Average Daily Trip (ADT) count of 6,600, with a capacity of 10,000 ADT. The segment currently operates at a Level of Service (LOS) of C. According to the San Diego Association of Governments (SANDAG) “*Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*” a child care facility (closest related use) can be expected to generate 80 ADT per 1,000 square feet of floor, which would be approximately 630 ADT in the case of the proposed expansion. This is an increase in 580 ADT from the current condition, which will not change the current LOS.

Parking – Child day care centers, preschools, or nursery schools require parking in the ratio of one space per 1,000 square feet of floor area, or eight spaces in this case. As mentioned above there are 64 parking spaces on site. While the spaces are primarily for the church on worship days, the hours of operation of the school are on weekdays, whereas the existing church currently operates only on Sundays; therefore, there would be no parking impact caused by the project.

As mentioned in the proposed use section, future plans for an expanded play area would remove four of the existing parking spaces. In addition, restriping of the parking lot and the addition of handicapped-accessible parking and loading areas reduces the number of spaces by one. Plans now show a total of 59 parking spaces. The existing parking lot can handle the current church attendance and is consistent with Code requirements at the time that it was constructed. Removal of

five parking spaces is not expected to cause any significant parking impact to the surrounding neighborhood.

Noise – While most activities would occur inside the building, up to 30 children at a time would spend 30 minutes each morning and afternoon in the outside play area. As mentioned above, classes would be rotated between the hours of 9:00 a.m. and 12:00 p.m. and again from 2:00 p.m. to 5:00 p.m. In order to address potential noise impacts, two conditions have been added. Condition **7** requires compliance with Table III of Title 12 (Noise) of the Municipal Code, which states maximum decibel levels for receiving land uses. Condition **9** limits activities to the number of children and timeframes stated above.

Findings for Approval

The Municipal Code contains six required findings for CUPs:

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 existing and allowable within the RM-2 zone pursuant to a CUP, and complies with design regulations for such uses.

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

The use is consistent with General Plan Policies LU-4.2, E-1.5, and E-6.4, as discussed above. In addition, there are no applicable specific plans.

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 site is an existing building that is able to accommodate the proposed used without the need for exterior expansion.

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

The site provides in excess of the required parking and would be used on days that the primary user of the parking lot (First Christian Church) does not convene. No conflicts are anticipated.

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.

Potential noise from the playground area is mitigated through conditions of approval limiting the times of use and number of children that may use the space.

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

The proposed project has been reviewed in compliance with CEQA. Staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this CUP.

Findings for Denial

1. 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.

The vicinity of the playground to residential uses may constitute a nuisance due to the possibility of noise pollution that could have a negative impact on nearby residents.

Conditions of Approval

As well as standard conditions of approval for CUPs, conditions are included that limit the number of children and the timeframe for use of the playground area (discussed above), that all child/student loading and unloading shall occur onsite and not on City streets, and finally that all activities comply with noise limits contained in the Municipal Code. There are also conditions requiring compliance with the 2016 editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Summary

The proposed project is consistent with the General Plan in that it provides school readiness for pre-school aged children. The use is also consistent with the Land Use Code, in that the use is permitted with a CUP and is only an internal expansion of an existing building. No impacts are expected due to traffic or parking, and potential noise impacts are addressed by conditions of approval.

OPTIONS

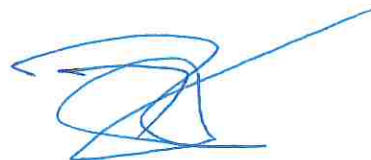
1. Approve 2018-24 CUP subject to the conditions listed below, based on the attached findings or findings to be determined by the Planning Commission; or
2. Deny 2018-24 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a later date in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. City Council Resolution 13,913
5. Applicant's Plans (Exhibit A, Case File No. 2018-24 CUP, dated 9/20/2018)
6. Public Hearing Notice (Sent to 263 property owners & occupants)
7. CEQA Notice of Exemption
8. Resolutions



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT
2018-24 CUP – 1805 East 17th Street

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 existing and allowable within the RM-2 zone pursuant to a CUP, and complies with design regulations for such uses.
2. The use is consistent with General Plan Policies LU-4.2, E-1.5, and E-6.4, as discussed in the staff report. In addition, there are no applicable specific plans.
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 site is an existing building that is able to accommodate the proposed used without the need for exterior expansion.
4. The site is physically suitable for the type, density, and intensity of the use being proposed; including access, utilities, and the absence of physical constraints, because the site provides in excess of the required parking and would be used on days that the primary user of the parking lot (First Christian Church) does not convene. No conflicts are anticipated.
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 potential noise from the playground area is mitigated through conditions of approval limiting the times of use and number of children that may use the space.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and determined to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this CUP.

RECOMMENDED FINDING FOR DENIAL
OF THE CONDITIONAL USE PERMIT
2018-24 CUP – 1805 East 17th Street

1. Granting of 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 vicinity of the playground to residential uses may constitute a nuisance due to the possibility of noise pollution that could have a negative impact on nearby residents.

RECOMMENDED CONDITIONS OF APPROVAL

2018-24 CUP – 1805 East 17th Street

General

1. This Conditional Use Permit authorizes the operation of a preschool facility for up to 100 children at 1805 East 17th Street. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, case file no. 2018-24 CUP, dated 9/20/2018.
2. Unless specifically modified by this Resolution, all conditions of approval contained in City Council Resolution 13,913 shall continue to apply.
3. 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 Department, 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 Department 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 Deputy City Manager prior to recordation.
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. All activities shall comply with the limits set forth in Table III of Title 12 (Noise) of the National City Municipal Code.
8. Operation of the preschool facility shall be limited to the timeframe of Monday through Friday between the hours of 7:00 a.m. to 7:00 p.m.

9. Use of the outdoor play area shall be limited to the hours of 9:00 a.m. to 12:00 p.m. and from 2:00 p.m. to 5:00 p.m. Monday through Friday. No more than 30 children shall be permitted in the play area at a time.

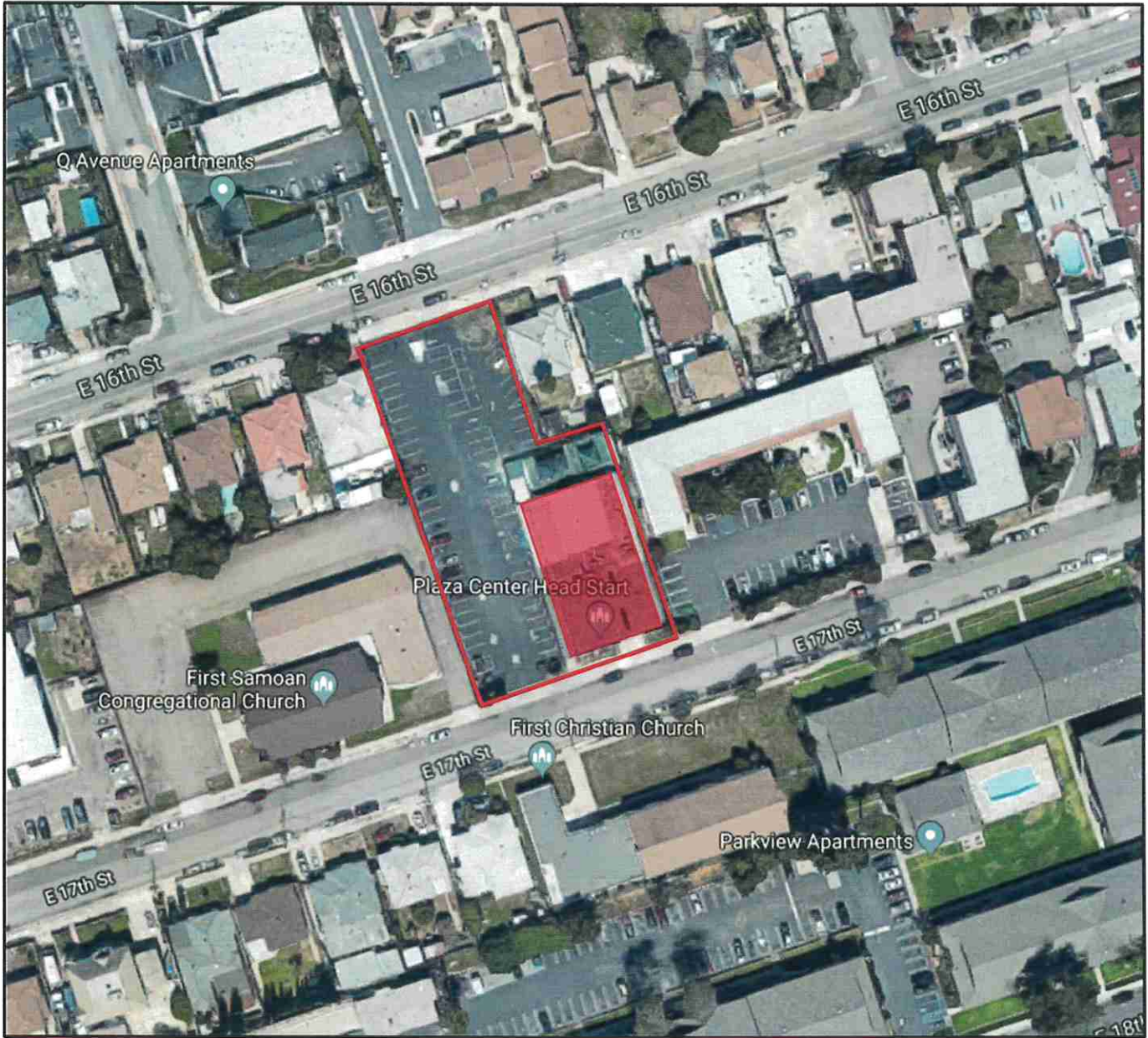
Building

10. Plans submitted for demolition or construction improvements must comply with the 2016 editions of the California Building, Electrical, Plumbing, and Mechanical Codes.

Fire

11. 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).
-

2018-24 CUP – 1805 East 17th Street – Overhead



RESOLUTION NO. 13,913

RESOLUTION APPROVING CONDITIONAL USE PERMIT 1982-14
TO ALLOW A FEDERALLY FUNDED HEAD START PROGRAM
(EDUCATIONAL INSTITUTION) FOR THIRTY (30) CHILDREN
ON PROPERTY LOCATED AT 1805 EAST 17TH STREET

(Applicant South Bay Head Start Program
of Episcopal Community Services -
Case File No. CUP-1982-14)

WHEREAS, at a regular meeting of the City Council held
October 12, 1982, said Council made a finding that the evidence
and testimony presented support the following findings:

1. The site for the proposed use is adequate in size
and shape;
2. That the site has sufficient access to streets;
3. That the proposed use will not have an adverse
effect upon adjacent or abutting properties;
4. That the proposed use is deemed essential and
desirable to the public convenience and welfare, and subject to
conditions as hereinbelow set forth; and

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

WHEREAS, the entire contents of Case File No.
CUP-1982-14, maintained by the City are attached to and made
part hereof by reference;

NOW, THEREFORE, the City Council of the City of National
City, California, does hereby find, determine, order and resolve
that the application for conditional use permit is approved
subject to the following conditions:

1. Hours of operation shall be limited to 8:00 a.m. to
4:00 p.m., Monday through Thursday.
2. A minimum of two exits from the classroom are
required when the number of occupants is over six (6).
3. Padlocks must be removed from security gates when
this facility is in use.

4. Upon occupancy, one type 2A:10BC fire extinguisher shall be provided.

5. Parking lot shall be striped and marked in accordance with Section 18.58.700 N.C.M.C. prior to occupancy.

6. Receiving land use noise levels shall not exceed 55 dba to the north, and 60 dba to the east.

7. Within a period not to exceed thirty (30) days from the effective date of Resolution approving this Conditional Use Permit, or occupancy of these premises, the applicant shall file a written statement with the Planning Department acknowledging and accepting all conditions imposed upon the approval of this permit.

8. Existing chain link fence located adjacent to the east property line shall be relocated and maintained at a distance of at least 25 feet from said east property line.

9. Landscape consisting of spreading shrubs or climbing vines, approved as to type, size and space by the Planning Department shall be planted adjacent to said relocated fence.

FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant.

PASSED AND ADOPTED this 26th day of October, 1982.



MAYOR

ATTEST:



CITY CLERK

Passed and adopted by the Council of the City of National City, California,
on October 26, 1982 by the following vote, to-wit:

Ayes: Councilmen Camacho, Dalla, Van Deventer, Morgan
Nays: Councilmen Waters
Absent: Councilmen None
Abstain: Councilmen

AUTHENTICATED BY: KILE MORGAN
Mayor of the City of National City, California

IONE CAMPBELL
City Clerk of the City of National City, California

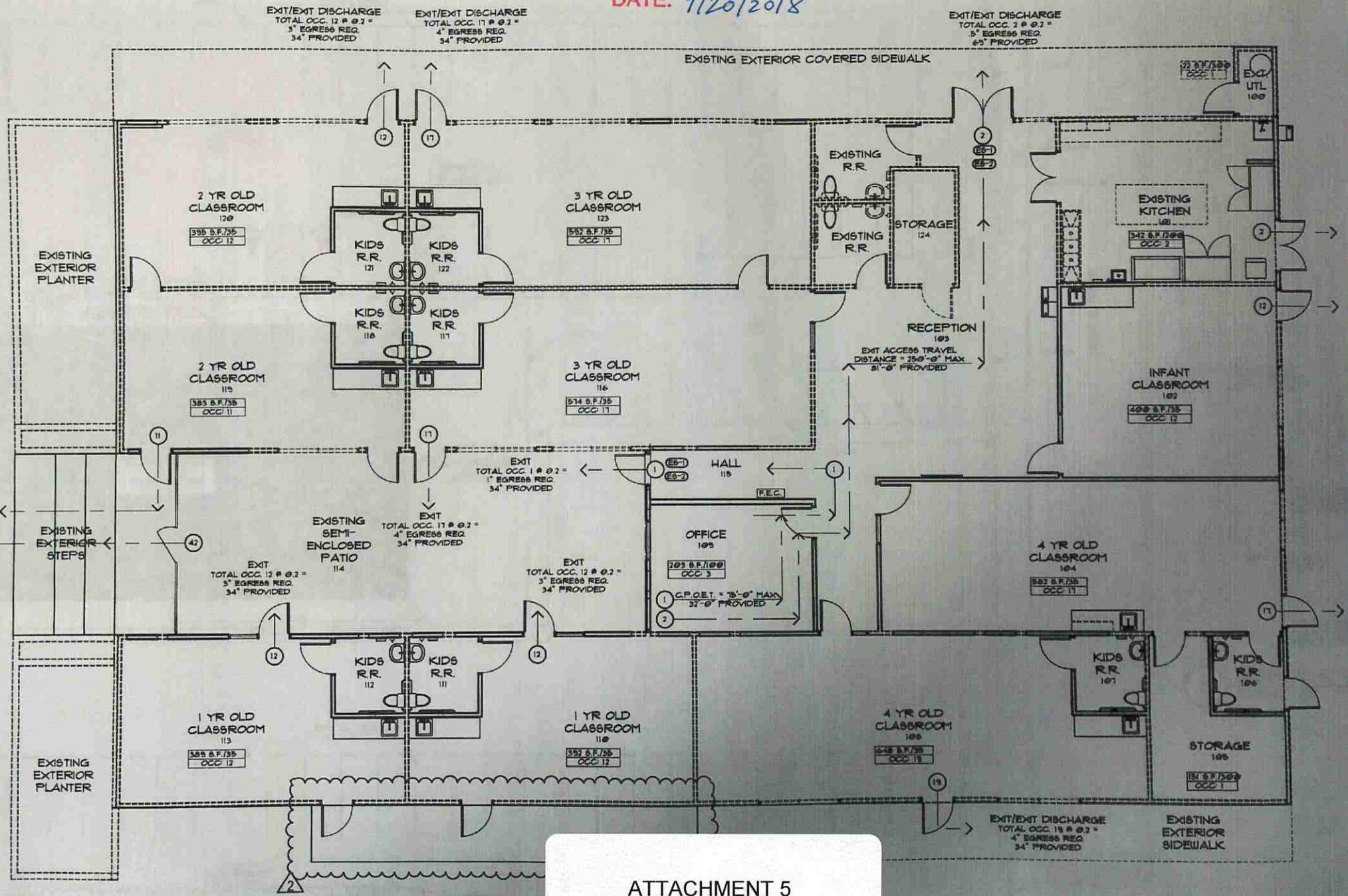
(Seal) By:
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 13,913 of the City of National City, Calif., passed and adopted by the Council of said City on October 26, 1982

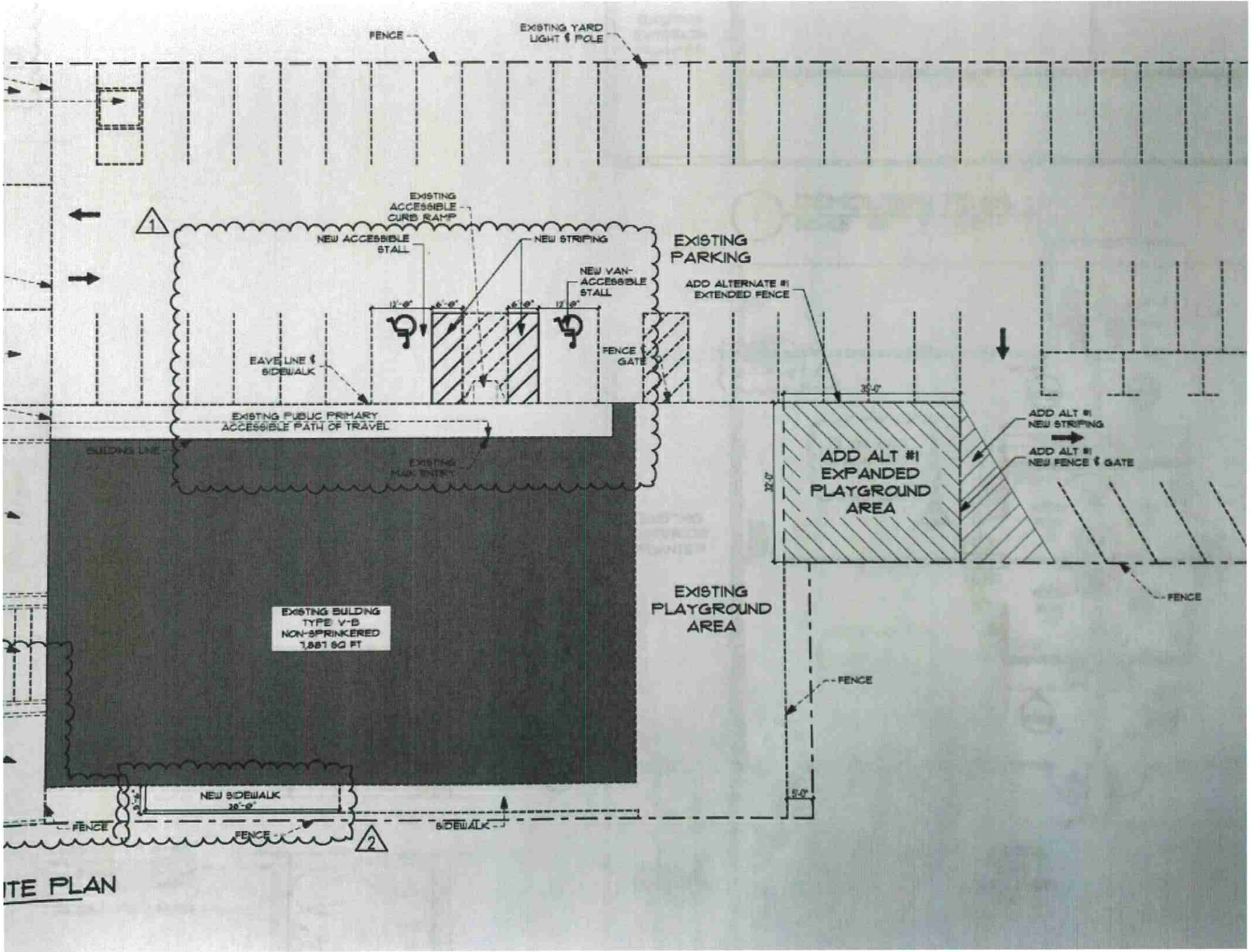
(Seal) Ione Campbell
City Clerk of the City of National City, California

By:
Deputy

EXHIBIT: *A*
CASE FILE NO.: 2018-24 cur
DATE: 9/20/2018



ATTACHMENT 5



ITE PLAN



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

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT MODIFICATION TO EXTEND THE
DAYS OF OPERATION FOR AN EXISTING HEAD START PROGRAM
LOCATED AT 1805 EAST 17TH STREET.
CASE FILE NO.: 2018-24 CUP
APN: 561-131-21

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, November 5, 2018**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Timothy Captain for First Christian Church of National City)

The applicant proposes to extend the days of operation permitted by Conditional Use Permit CUP-1982-14 to include Fridays. The new days and hours of operation would be Monday through Friday from 7:00 a.m. to 7:00 p.m.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received on or before 12:00 p.m., **November 5, 2017** by the Planning Department, 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 DEPARTMENT

BRAD RAULSTON
Deputy City Manager



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

NOTICE OF EXEMPTION

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

Project Title: 2018-24 CUP

Project Location: 1805 East 17th Street, National City, CA 91950

Lead Agency: City of National City

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for the internal expansion and extension of hours of operation for a head start/childcare facility.

Applicant Name and Address:

Tim Captain for First Christian Church
1800 East 17th Street
National City, CA 91950

Telephone Number:

(619) 474-2254

Email Address:

tim@nationalcitychurch.com

Exempt Status:

Categorical Exemption. Class 31, Section 15301 (Existing Facilities)

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since no external expansion of the building is proposed.

Date:

MARTIN REEDER, AICP
Principal Planner

RESOLUTION NO. 2018-17

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT MODIFICATION
TO EXTEND THE DAYS OF OPERATION FOR
AN EXISTING HEAD START PROGRAM
LOCATED AT 1805 EAST 17TH STREET.
CASE FILE NO. 2018-24 CUP
APN: 561-131-21

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit modification to extend the days of operation for an existing head start program located at 1805 East 17th Street at a duly advertised public hearing held on November 5, 2018, 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. 2018-24 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; 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 November 5, 2018, 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 existing and allowable within the RM-2 zone pursuant to a CUP, and complies with design regulations for such uses.

2. The use is consistent with General Plan Policies LU-4.2, E-1.5, and E-6.4, as discussed in the staff report. In addition, there are no applicable specific plans.
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 site is an existing building that is able to accommodate the proposed use without the need for exterior expansion.
4. The site is physically suitable for the type, density, and intensity of the use being proposed; including access, utilities, and the absence of physical constraints, because the site provides in excess of the required parking and would be used on days that the primary user of the parking lot (First Christian Church) does not convene. No conflicts are anticipated.
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 potential noise from the playground area is mitigated through conditions of approval limiting the times of use and number of children that may use the space.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and determined to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), 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 operation of a preschool facility for up to 100 children at 1805 East 17th Street. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, case file no. 2018-24 CUP, dated 9/20/2018.
2. Unless specifically modified by this Resolution, all conditions of approval contained in City Council Resolution 13,913 shall continue to apply.
3. 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 Department, 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 Department 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 Deputy City Manager prior to recordation.

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. All activities shall comply with the limits set forth in Table III of Title 12 (Noise) of the National City Municipal Code.
8. Operation of the preschool facility shall be limited to the timeframe of Monday through Friday between the hours of 7:00 a.m. to 7:00 p.m.
9. Use of the outdoor play area shall be limited to the hours of 9:00 a.m. to 12:00 p.m. and from 2:00 p.m. to 5:00 p.m. Monday through Friday. No more than 30 children shall be permitted in the play area at a time.

Building

10. Plans submitted for demolition or construction improvements must comply with the 2016 editions of the California Building, Electrical, Plumbing, and Mechanical Codes.

Fire

11. 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).

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 November 5, 2018, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2018-17

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
DENYING A CONDITIONAL USE PERMIT MODIFICATION
TO EXTEND THE DAYS OF OPERATION FOR
AN EXISTING HEAD START PROGRAM
LOCATED AT 1805 EAST 17TH STREET.
CASE FILE NO. 2018-24 CUP
APN: 561-131-21

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit modification to extend the days of operation for an existing head start program located at 1805 East 17th Street at a duly advertised public hearing held on November 5, 2018, 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. 2018-24 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; 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 November 5, 2018, support the following finding:

1. Granting of 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 vicinity of the playground to residential uses may constitute a nuisance due to the possibility of noise pollution that could have a negative impact on nearby residents.

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 November 5, 2018, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



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

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT FOR A GAS STATION, CONVENIENCE STORE WITH OFF-SALE BEER AND WINE, AND BIKE SHOP TO BE LOCATED AT 724 CIVIC CENTER DRIVE IN THE COASTAL ZONE.

Case File No.: 2018-19 CUP, CDP

Location: Southwest corner of Civic Center Drive and Harbor Drive

Assessor's Parcel No.: 559-024-06

Staff report by: Martin Reeder, Principal Planner

Applicant: Stosh Podeswik

Property owner: Golden Sunrise Properties LLC

Combined General Plan/
Zoning designation: MM-CZ (Medium Manufacturing – Coastal Zone)

Adjacent land use/zoning:

North: Harbor Drive & Civic Center Drive interchange / MM-CZ

East: Interstate 5 freeway / OS-CZ (Open Space – Coastal Zone)

South: Interstate 5 off-ramp with industrial beyond / MM-CZ

West: Industrial use across Cleveland Avenue / MM- CZ

Environmental review: Categorical Exemption – Class 32, Section 15332 (In-Fill Development Projects)

Staff Recommendation: Approve

Staff Recommendation

Staff recommends approval of a Conditional Use Permit (CUP) and Coastal Development Permit (CDP) for a gas station, convenience store with off-sale beer and wine, and bike shop. The property has languished and remained vacant for several years. Redevelopment of the property would be a benefit to the surrounding area.

BACKGROUND

Executive Summary

The project applicant has applied for a CUP and CDP to construct a gas station, convenience store, and bike shop. The project site is an existing 25,466 square-foot gas station property – most recently operated as a metal recycling center – located at 724 Civic Center Drive. The new gas station would have eight fueling stations. The convenience store proposes to sell beer and wine for off-site consumption.

History

The applicant applied for a similar project on this site last year. While it was also a gas station, the previous iteration did not include the bike shop portion of the project. The Planning Commission conducted a public hearing on March 5, 2018 on the project. The Commissioners asked questions regarding facility design, conditions of approval, and the future Bayshore Bikeway in this location. The Commission voted to recommend approval of the proposal, with alcohol sales hours of 8:00 a.m. to 12 midnight daily.

The City Council considered a Notice of Decision of the Planning Commission's approval of the CUP at their meeting of March 20, 2018, and after hearing public comment, voted to set the item for public hearing. The public hearing was held on April 17, 2018, at which time several community members spoke against the project. The Council ultimately voted to deny the project, citing overconcentration of alcohol licenses in the census tract and lack of public convenience or necessity.

The applicant has resubmitted the application with significant changes in order to be reconsidered. These changes include reducing the size of the convenience store, adding a 750 square-foot retail bike store, and removing and relocating the driveways along Civic Center Drive (one driveway is now proposed instead of the two existing).

Site Characteristics

The project site is at the southwest corner of Civic Center Drive and Harbor Drive in the Coastal Zone. The property is generally an island surrounded by roadways. It is at the junction of Harbor Drive and the southbound Interstate 5 on-ramp. The last use of the property was A-1 Alloys Recycling Center. The business is now closed. There are currently three driveways accessing the property, one on Cleveland Avenue and two on Civic Center Drive.

The lot is shown on the current zoning map as being in the Medium Industrial (IM) zone, and also within the Coastal Zone. The most recent Land Use Code Update is not active in the Coastal Zone. This is due to the fact that the necessary changes in the City's Local Coastal Plan have not been completed. Therefore, the City's previous zoning would generally apply. In this case the zone would have been MM-CZ (Medium Manufacturing – Coastal Zone) – essentially the same zone.

Proposed Use

The applicant is proposing to demolish the existing building and construct a new gas station, 2,400 square-foot convenience store, and 750 square-foot retail bike store. The 25,466 square-foot property would have 14 parking spaces and four double-sided fuel pumps. The two driveways on Civic Center Drive will be consolidated into one 30-foot wide driveway, which has been moved west to avoid conflict with the future Bayshore Bikeway. The proposal also includes the sale of beer and wine, which will be displayed in seven of the 22 coolers (see Exhibit "B" of the applicant's plans). The applicant is requesting alcohol sales between the hours of 8:00 a.m. and midnight daily. The new business is expected to create 18 new jobs.

Analysis

General Plan

The project proposal is located in the Medium Manufacturing (MM) zone, which is designated within the larger industrial district west of Interstate 5. The MM zone establishes intermediate industrial uses in areas in which production and processing activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and fire and explosive hazards. The proposed gas station and convenience store are consistent with this definition (provided by the previous General Plan).

Land Use Code

Under the applicable Land Use Code (LUC), both the gas station and sale of nonautomotive products in excess of 216 cubic feet require issuance of a CUP. In addition, the sale of alcohol also requires a CUP.

Chapter 18.98 (Service Stations) includes design guidelines and site development standards for new gas stations. These standards include minimum lot size (15,000 square feet), minimum landscape amount (5% of the lot), and building design and materials, which are discussed below. The proposal is consistent with all requirements of Chapter 18.98.

Other uses permitted by right (no CUP required) in the MM zone include auto storage, lumber yards, recycling centers, and concrete batch plants.

Coastal Zone

The project area is not within an area of retained Coastal Commission permit jurisdiction or in an area of appeal jurisdiction; the project site is generally in an area that is exempt from Coastal Permit requirements (area zoned Medium Manufacturing north of 24th Street). However, the requirement for a discretionary permit (CUP) triggers the need for a CDP. As part of this discretionary review, the Planning Commission must find that granting of a CDP is consistent with and implements the Certified Local Coastal Program. The project is compliant with this finding in that it involves a service use, which is conditionally-allowed in the MM-CZ zone, and will not prohibit coastal access or obstruct views.

Traffic and circulation

According to traffic generation rates published by SANDAG (San Diego Association of Governments) a gas station and food mart with eight fuel pumps would generate approximately 1,280 average daily trips (ADT). The property is at the junction of Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway. Based on the City's General Plan (2010), Civic Center Drive east of the project (Harbor Drive to Wilson Avenue) is currently operating below capacity and at a Level of Service of C (A being the highest).

The applicant provided a Traffic Impact Analysis (TIA), which found that there would be no calculated traffic impacts; therefore, mitigation measures are not required. The total new and diverted trips would equate to 922 ADT, less than the estimated 1,280 ADT quoted by SANDAG. This is due to 358 trips being pass by trips (those already driving past the site).

Parking

There is no specific parking requirement for a gas station in the LUC. However, a convenience store would need to be parked at a ratio of one space for every 250 square feet of floor area. For a retail floor area of 3,150 square feet (2,400 for the convenience store and 750 for the bike shop), 13 parking spaces would be required, which are provided.

Bicycle Access

The site is adjacent to the probable future portion of the Bayshore Bikeway, which is intended to connect southbound Harbor Drive to McKinley Avenue south of the project site. The bike path segment would pass along the eastern property line of the site and under the southbound off ramp from Interstate 5 to Civic Center Drive. The bikeway will be predominantly within the Caltrans right-of-way adjacent to the property; however, part of the right-of-way from the existing curb going west will be needed for construction of the bike path. This area is shown on the site plan (see Exhibit "A-Revised"). The project has been designed to avoid conflicts with this area.

In order to compliment the bikeway, the applicant has added a 750 square-foot retail bike store. Staff also suggests that the property include an additional bicycle amenity to accommodate passing cyclists, such as bicycle parking. The LUC requires a minimum of one bicycle space per 20 parking spaces for a retail use. A Condition of Approval has been included to include this amenity.

Economic Impact

According to information provided by HdL Companies, the City's tax consultant, a gas station and convenience store of this size could be expected to generate up to \$80,000 in sales tax annually.

California Environmental Quality Act (CEQA)

Impacts related to gas stations usually focus on traffic, hazardous materials, and air quality. In the case of this project, the property has historically been a gas station, although more recent use was not related to gasoline sales, but rather metal recycling. Because of the previous uses, only traffic was analyzed. The applicant provided a TIA, which found that there would be no calculated traffic impacts; therefore, the project is considered categorically exempt from CEQA under Class 32, Section 15332 (In-Fill Development Projects).

Beer and wine sales

Section 18.30.050 of the LUC allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements. Proposed hours of operation are 8:00 a.m. to midnight daily. A condition is included to require that coolers with alcohol be locked outside of approved sales hours.

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 73 people, 37 occupants, and 36 owners.

Community Meeting – The applicant for a CUP involving the sale of alcohol is required to hold a community meeting pursuant to Section 18.30.050 (C) of the LUC. Such a meeting was held Friday, September 7, 2018 at 3:30 p.m. at the subject location. The meeting advertisement, sign-in sheet, and minutes are attached. There were five community members in attendance. Two community members expressed support for the redevelopment, while the other three had concerns related to homelessness, drug use, and prostitution.

Distance Requirements – Chapter 18.030.050 (D) requires a 660-foot distance from sensitive uses such as schools. However, no schools are nearby. The nearest school is Kimball Elementary School, which is approximately a third of a mile away on the other side of Interstate 5.

Alcohol Sales Concentration/Location – Per The California Department of Alcoholic Beverage Control (ABC), there are currently five off-sale permits issued in the subject census tract (219). These permits are:

Name	Address	License Type*	CUP
Arco Gas Station	133 W 8 th St.	20	Yes
Valero Gas Station	10 Osborne St.	20	Yes
One Ten Liquor & Market	110 National City Blvd.	21	No
Big B Market	1540 Coolidge Ave.	20	No
Cozine's Grocery	402 Civic Center Dr.	21	Yes

- * Type 20 - Off-Sale Beer and Wine
- Type 21 - Off-Sale General

Two of the off-sale licenses are gas stations, and the other three are markets. The attached census tract map shows the location of the subject tract. ABC recommends that a total of four off-sale alcohol permits be issued in this census tract, where five exist.

Although the census tract is considered to be over-concentrated, the licenses are spread out over a large geographic area. Census tract 219 is comprised of the whole west side of the City from National City Blvd. to San Diego Bay, which is by far the largest in the City. With a population of 6,816 (as of August 2018) it is also the most populous. However, this census tract is more than three times the size of the next most populous tract (117), which has a population of 6,773. Therefore, because of the large size and low population density, census tract 219 is an anomaly compared to the rest of the City and experiences less of the issues associated with overconcentration of alcohol licenses.

Police Department (PD)

PD provided a Risk Assessment report on the property for the previous application. The assessment assigned 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, the property received 13 points, which would indicate a medium risk (13-18 points). Per a conversation with PD. The same assessment can be used as there have been no substantive changes to the alcohol sales or storage from the original submittal. The Risk Assessment is attached.

Institute for Public Strategies (IPS)

As of the writing of this report, no comments have been received from IPS. However, based on recent comments provided for alcohol CUPs, IPS typically recommends that owners, management, and staff be required to attend the (Responsible Beverage Sales and Service (RBSS) training. This requirement is a standard condition of City Council Policy 707 and is included as a condition of approval.

Findings for Approval

The (previous) Municipal Code contains required findings for CUPs. There are four required findings, five when the project also involves a CDP:

1. That the site for the proposed use is adequate in size and shape.

The 25,466 square-foot property is in excess of the 15,000 square feet required by Section 18.98 of the [previous] Municipal Code. Additionally, all buildings and parking spaces can be installed to meet all setback and site design requirements.

2. That the site has sufficient access.

The site has direct access to Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway, which can accommodate the additional 1,280 ADT (922 ADT after pass by trips are subtracted) that would be generated by the project. The TIA submitted with this application has shown that the existing street network can function at a Level of Service (LOS) of D or better without the need for mitigation.

3. That the proposed use will not have an adverse effect upon adjacent or abutting properties.

The project is a use consistent with the MM zone description in the General Plan and will be subject to conditions of approval that ensure safe operation of the business.

4. That the proposed use is deemed essential and desirable to the public convenience.

The project will provide a service in need for local and regional drivers requiring automobile refueling and associated services. The use is consistent with the MM zone description, which is intended for uses in areas in which activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and/or fire and explosive hazards. In addition, the use will generate sales tax that will contribute to the City's General Fund.

5. That the granting of this CUP is consistent with and implements the Certified Local Coastal Program.

This finding is addressed in the "Coastal Zone" section above.

There are two additional conditions of approval related to CEQA compliance and public convenience and necessity for the alcohol sales:

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

This finding is addressed in the "California Environmental Quality Act (CEQA)" section above.

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

Beer and wine sales will contribute to the viability of the gas station convenience store, an allowed use in the MM zone. Alcohol sales would also add to the convenience of the consumer, in that customers would be able to purchase alcohol at the same outlet that they are purchasing other products and not needing to visit multiple locations for their needs, thus reducing vehicle trips. In addition, the bike shop will provide amenities for cyclists using the future Bayshore Bikeway.

Findings for denial

There are also three findings for denial included with this application:

1. 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.

The census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets. Five off-sale outlets are permitted where four are recommended by the ABC. In addition, the area has a high crime rate.

2. That the proposed use is not deemed essential and desirable to the public convenience and necessity.

There are five other off-sale alcohol outlets located in the same census tract as the subject property where alcohol can be purchased, two of which are also gas stations.

3. That based on findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

It should be noted that the findings for denial are based on the alcohol component only. If the Commission feels that other elements of the project are incompatible with or would result in impacts to the surrounding area, separate findings of denial would need to be made related to those components (e.g. gas station, convenience store).

Conditions of Approval

Comments were originally received from the Building, Engineering, and Fire departments, as well as Sweetwater Authority and continue to apply. Comments focused on Building and Fire Code requirements, and stormwater compliance, drainage, street improvements, and

permits. All comments are included as Conditions of Approval. Sweetwater Authority comments focused on fire flow and plan submittal.

Summary

A gas station and related non-automotive retail space are conditionally-permitted uses in the MM zone. In addition, any discretionary review requires a CDP. The project meets all design guidelines and development standards of the Land Use Code, and is consistent with the General Plan and Local Coastal Plan. The area in which the business would be located is removed from sensitive uses and has ample access to accommodate the proposed uses on site. As a result, the use is not expected to create any significant impacts.

Alcohol sales are consistent with other commercial businesses in the census tract, including two gas stations. The business will also be subject to standard conditions of approval along with those in Council policy 707 related to alcohol sales. Furthermore, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

Finally, the proposed development will result in 18 new jobs, as well as temporary construction jobs, and will contribute a significant amount of sales tax to the City's General Fund.

OPTIONS

1. Approve 2018-19 CUP, CDP subject to the conditions listed below, based on attached findings; or
2. Deny 2018-19 CUP, CDP based on attached findings and findings to be determined by the Planning Commission; or,
3. Continue the item for additional information.

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions
3. Overhead
4. Applicant's Plans (Exhibit A-Revised and B, Case File No. 2018-19 CUP, CDP, dated 10/16/2018 and 2/27/2018 respectively)
5. Community meeting advertisement, sign-in sheet, and minutes
6. PD comments
7. Census Tract and Police Beat maps
8. Public Hearing Notice (Sent to 73 property owners and occupants)
9. CEQA Notice of Exemption
10. Resolutions



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT
AND COASTAL DEVELOPMENT PERMIT
2018-19 CUP, CDP – 724 Civic Center Drive

1. That the site for the proposed use is adequate in size and shape, because the 25,466 square-foot property is in excess of the 15,000 square feet required by Section 18.98 of the Municipal Code. Additionally, all buildings and parking spaces can be installed to meet all setback and site design requirements.
2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use, because the site has direct access to Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway, which can accommodate the additional 1,280 ADT (922 ADT after pass by trips are subtracted) that would be generated by the project. The TIA submitted with this application has shown that the existing street network can function at an LOS of D or better without the need for mitigation.
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, because the project is a use consistent with the Medium Manufacturing (MM) zone description in the General Plan and will be subject to conditions of approval that ensure safe operation of the business
4. That the proposed use is deemed essential and desirable to the public convenience or welfare, because the project will provide a service in need for local and regional drivers requiring automobile refueling and associated services. The use is consistent with the MM zone description, which is intended for uses in areas in which activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and/or fire and explosive hazards. In addition, the use will generate sales tax that will contribute to the City's General Fund
5. That the granting of this Conditional Use Permit is consistent with and implements the Certified Local Coastal Program, because the project is located within an area generally exempt from a Coastal Development Permit; involves a service use, which is conditionally allowed in the MM-CZ zone; and will not prohibit coastal access or obstruct views.

6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use qualifies for a categorical exemption from CEQA under Class 32, Section 15332 (In-Fill Development Projects).
7. That the proposed use is deemed essential and desirable to the public convenience and necessity, because beer and wine sales will contribute to the viability of the gas station convenience store, an allowed use in the MM zone. Alcohol sales would add to the convenience of the consumer, in that customers would be able to purchase alcohol at the same outlet that they are purchasing other products and not needing to visit multiple locations for their needs, thus reducing vehicle trips. In addition, the bike shop will provide amenities for cyclists using the future Bayshore Bikeway.
8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL
OF THE CONDITIONAL USE PERMIT
AND COASTAL DEVELOPMENT PERMIT
2018-19 CUP, CDP – 724 Civic Center Drive

1. 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 census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets – five off-sale outlets are permitted where four are recommended by the California Department of Alcoholic Beverage Control – and the area has a high crime rate.
2. That the proposed use is not deemed essential and desirable to the public convenience and necessity, because five other off-sale alcohol outlets are located in the same census tract as the subject property.
3. That based on findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2018-19 CUP, CDP – 724 Civic Center Drive

General

1. This Conditional Use Permit and Coastal Development Permit authorize a gas station with a convenience store, including the sale of beer and wine, and a bike shop. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A-Revised and B, Case File No. 2018-19 CUP, CDP, dated 10/16/2018 and 2/27/2018 respectively.
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. 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 Land Use Code.
4. Before this *Conditional Use Permit and Coastal Development Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, 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 and Coastal Development Permit*.** The applicant shall also submit evidence to the satisfaction of the City Manager or designee 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 and Coastal Development 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 designee prior to recordation.

Building

5. Plans submitted for demolition or construction improvements must comply with the 2016 editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Engineering

6. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point.

The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.

7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
9. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
10. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
11. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
12. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain

interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.

13. All existing and proposed curb inlet on property shall be provided with a "No Dumping" sign in accordance with the NPDES program.
14. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6-inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
15. Separate street and sewer plans, prepared by a Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
16. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
17. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically all sidewalk and curb and gutter. Sidewalk shall be in accordance with San Diego Regional Standard Drawings (SDRSD) G-7, G-9, G-10 and G-11 curb and gutter shall be 8" and be in accordance with National City Modified SDRSD G-2.
18. The existing pedestrian ramp(s) at the following location(s) shall be removed and replaced with standard ramp complying with the ADA requirements and the SDRSD G-29 (Type C) located on the southeasterly corner of Civic Center Drive and Cleveland Avenue.
19. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed

with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.

20. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
21. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
22. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
23. NO PARKING zone(s) (red curbing) shall be provided and/or replaced after new curb has been installed.
24. The existing non-operational abandoned pay telephone on Civic Center Drive adjacent to the westerly driveway shall be removed.
25. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
26. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.
27. The owner/developer shall submit plans to Cal Trans for their review to ensure that any conflicts with State Right of Ways and Facilities are addressed.

Fire

28. 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).
29. Fire apparatus access roads shall comply with the requirements of Section 5 CFC 2013 and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
30. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than

20 feet wide, no less than 14 feet high and shall have an all-weather road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for Fire Department access through site. All Fire Department access roads shall be painted and signed to prevent parking in these required designated emergency areas

31. Grade of fire apparatus road shall be within the limits established (15% grade) by the fire code official based on fire department's apparatus.
32. The vapor recovery unit (Healy Tank) shall comply with Chapter 23 section 2306.7.9.1 – 2306.7.9.2.4 of the California Fire Code. Additionally, lot lines and proximity to surrounding properties where Healy Tanks are proposed, shall meet CFC, NFPA and all City Department requirements. Please contact the National City Fire Department on required protective enclosure for vapor tank.
33. Underground fuel tank removal and replacement will require permit and inspections from the National City Fire Department.
34. Emergency service access to the trash enclosure shall be maintained at all times for the life of project.
35. Exit signs shall be provided at all required exits. Exit signs shall be green in color per the National City Municipal Code.
36. All fire sprinkler and fire alarm plans shall be submitted directly to the National City Fire Department.
37. Soft drink CO2 dispensing systems require a permit and inspection per the California Fire Code Chapter 53 section 5307 – *Systems used in beverage dispensing applications*.
38. A 48-hour notice is required for all inspection provided by the National City Fire Department.

Planning

39. Plans submitted for construction shall include accommodation for bicycle access along the east property line adjacent to the Interstate 5 southbound on-ramp. In lieu of actual improvements, areas within 20 feet of the curb on the east property line shall be set aside until such time as the Bayshore Bikeway is constructed. This area should be landscaped in the interim period.
40. At minimum, one bicycle parking space shall be installed on the property. Additional spaces to accommodate future bicycle traffic should also be included.

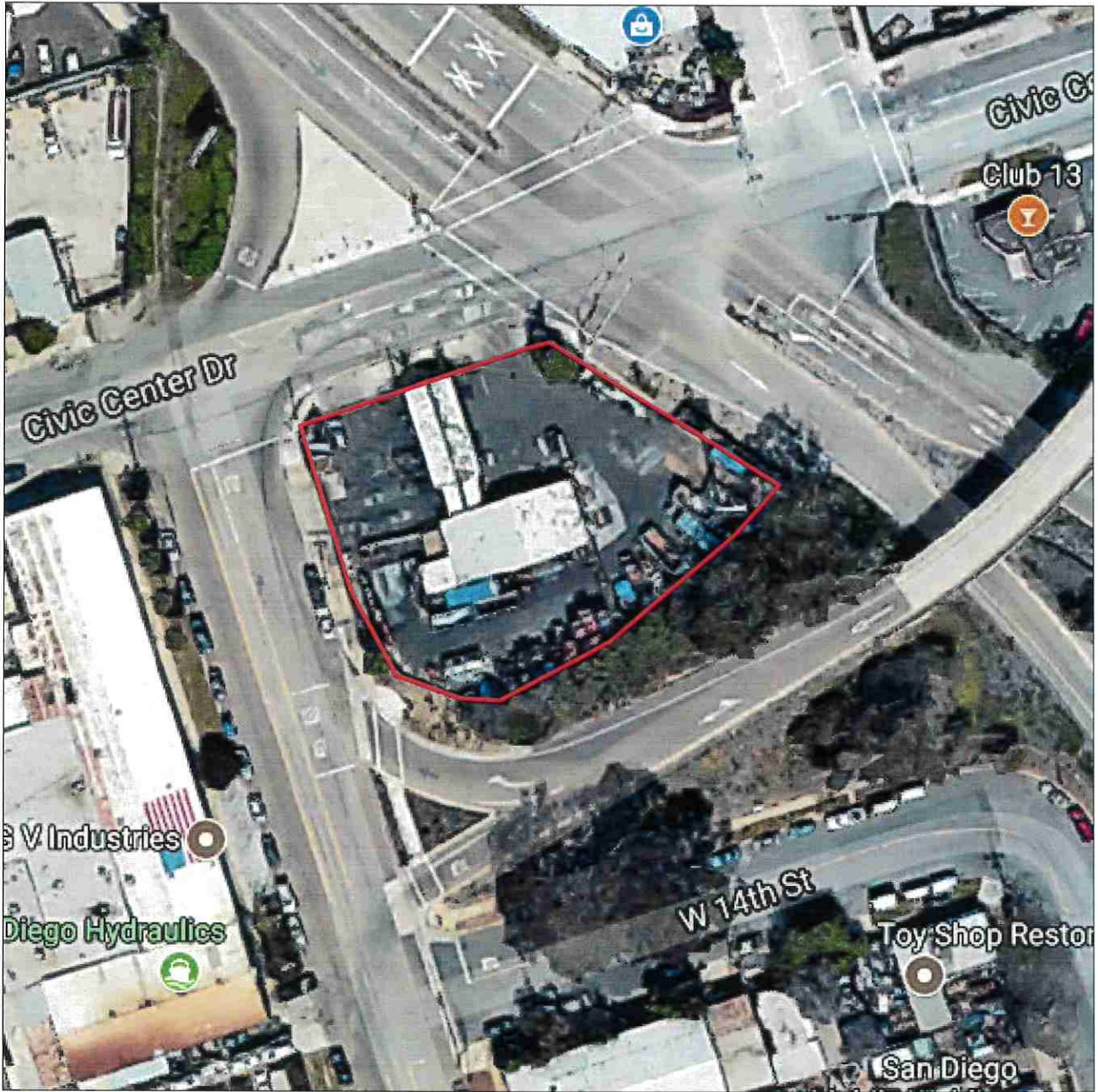
41. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. All landscaping and irrigation improvements shall be maintained for the life of the project.
42. Business operations shall comply with Municipal Code Title 12 (Noise) at all times.
43. Plans submitted for construction shall conform to Land Use Code Section 18.42.040 (Screening mechanical equipment and elevator housing) and 18.46 (Outdoor Lighting), and 18.98 (Service Stations).
44. Plans submitted for construction permits shall show that a cover for all trash enclosures be provided.
45. The project will be required to obtain an operation permit from the San Diego County Air Pollution Control District (APCD), which will be subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) and Air Toxic Control Measures (ATCM).
46. Violation of APCD licensing/permitting or any other state licensing department shall be a violation of this Conditional Use Permit and Coastal Development Permit.
47. Any planned exterior propane tank shall be screened in compliance with Land Use Code Section 18.42.040.
48. All proposed business signage shall be in conformance with Land Use Code requirements.
49. Alcohol sales shall be limited to the hours of 8:00 a.m. to midnight daily.
50. Coolers containing alcohol products shall be locked and made inaccessible to the public between the hours of 12:00 a.m. and 8:00 a.m.
51. The sale of beer or malt beverages in quantities of quarts, 22-ounce, 32-ounce, 40-ounce, or similar size containers is prohibited.
52. 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.
53. No sale of wine or distilled spirits shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
54. 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 prepackaged multi-unit quantities.
55. 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 applicant.

56. 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.
57. 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.
58. Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Department, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
 - a. "No open alcoholic beverage containers are allowed on these premises."
 - b. "No loitering is allowed."
59. Containers of distilled spirits may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
60. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
61. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
62. 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.

Sweetwater Authority

63. The property owner must submit a letter to the Authority from the appropriate fire agency stating fire flow requirements. Based on this requirement, new water systems or substantial alteration to the existing water system may be needed.
64. An approved backflow prevention assembly is required for water services serving all commercial developments. Water facilities shall be designed and installed in accordance with the current Sweetwater Authority Design Standards and the Standard Specifications for Construction of Water Facilities.
65. Once a building permit is obtained by the Owner, the Owner shall submit approved stamped plans from the lead agency where the project is located. The approved submittal must include a site plan, floor plan, plumbing plan showing total fixture count, including daily water demands for domestic and irrigation use in gallons per day, and a fire sprinkler plan (if applicable) so that water facilities can be verified.

2018-19 CUP, CDP – 724 Civic Center Drive – Overhead



NEW CONVENIENCE STORE / BIKE SHOP

724 CIVIC CENTER DRIVE NATIONAL CITY, CA. 91950



ISSUE	DESCRIPTION	DATE
1		07/2017
2		
3		

NEW CONVENIENCE STORE / BIKE SHOP
724 CIVIC CENTER DRIVE
NATIONAL CITY, CA. 91950



STÖSH
THOMAS
ARCHITECTS

DATE: 02/2017
SCALE: 1/32" = 1'-0"
DRAWN: SP
JOB: 103
SHEET

T-0

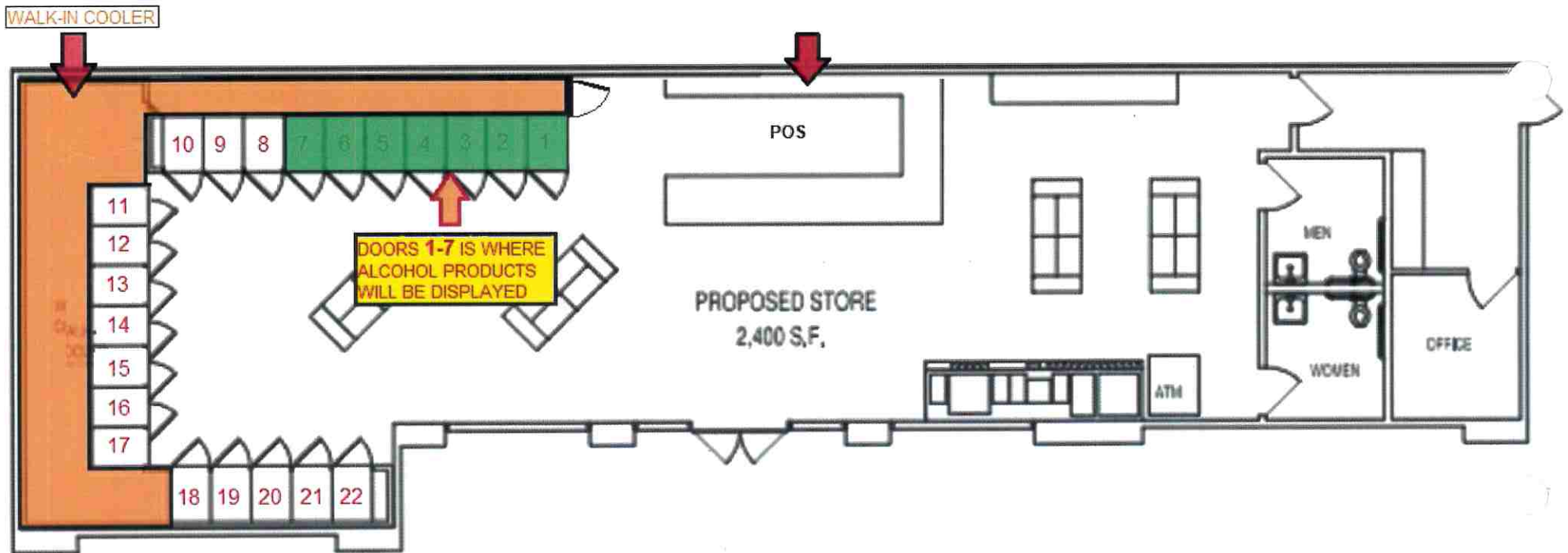


EXHIBIT: B
CASE FILE NO.: 2017-03 CUP, CDP
DATE: 2/27/2018

Civic Center proposed Gas Station/Convenient Store operations Community Meeting

When: 09/07/2018, 03:30-04:30 pm.

Where: 724 Civic Center Dr. National City CA 91950.

Meeting was coordinated and managed by Amad Attisha (the Applicant's representative).

1. Meeting held at the aforementioned date and time as scheduled on the community meeting notice mailed to surrounding occupants.
2. During the meeting time, the total of five community members showed up, and discussed the outcomes and impacts of developing the current status of the site into a new gas station/C store & a Bike Shop.
3. 04:55 pm meeting is over.

-
- Visitor #1 & #2: Mr. Jacques LeFaint and Mr. Mike Young
Contact info: See sign in sheet.
Approve/in favor of project. Happy with positive impact on neighborhood. Happy with development of old property.
 - Visitor #3: Mr. Damian Cruz
Contact info: See sign in sheet.
Concerns: Drug dealers and prostitutes
 - Visitor #4: Monica Casillas.
Contact info: See sign in sheet.
Concerns: Homelessness, especially from previous use of property.
 - Visitor #5: Luis Solis
Contact info: See sign in sheet
Concerns: Homeless, drug dealers/addicts & prostitutes

MARTIN SAMO
P.O. Box 21041
EL CAJON, CA 92021

You are invited to attend a:

COMMUNITY MEETING

Date: Friday, September 7th, 2018

Time: 3:30PM to 4:30PM

Address: 724 Civic Center Drive, National City, CA 91950

We are looking forward to meeting you and have you learn more about our upcoming development and discuss any questions you may have. Our new development consists of a Gas Station, a Convenient Store and a Bike Shop.

This meeting is to inform citizens of a use permit application that has been filed for the service of beer and wine at our new development that, when opened, may be called **7-eleven, Arco, Circle K, Chevron or Shell.**

If you cannot attend the meeting, or if you have any questions before then, please feel free to contact Martin Samo, the Applicant's representative at (619) 579-7337 or via email at martysamo@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.

MEETING SIGN-IN SHEET

Project Gas
Station + C.
Store + Bike
Shop

Friday 09/07/2018,
03:30-04:30 PM

Meeting Date:

Meeting manager:

Address: 724
Civic Center
Drive, National
City, CA 91950

Name	Company	Phone	E-Mail
JACQUES LEFRIANT	SCOTT'S	619-477-7390	JACQUESLEFRIANT@MSN.COM
MIKE YOUNG	SCOTT'S	858-201-7012	ROADSTERMIKE@GMAIL.COM
JAMICAN CRUZ		(619) 997-8446	JAMICANCRUZ82@YAHOO.COM
MONICA CASILLAS		" "	" "
LUIS SOLIS	HENSEL PHELPS	(619) 386-1757	425 CIVIC CENTER NATIONAL CITY 91950



NATIONAL CITY POLICE DEPARTMENT
ALCOHOL BEVERAGE CONTROL
RISK ASSESSMENT

DATE: 03/07/2017

BUSINESS NAME: 7-Eleven

ADDRESS: 724 Civic Center Drive, National City, CA 91950

OWNER NAME: Amad Yelda Attisha DOB: 11/08/1969

OWNER ADDRESS: 1741 Sea Pines Road, El Cajon, CA 92019

(add additional owners on page 2)

I. Type of Business

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

II. Hours of Operation

- Daytime hours (1 pt)
- Close by 11pm (2 pts)
- Close after 11pm (3 pts)

III. Entertainment

- Music (1 pt)
- Live Music (2 pts)
- Dancing/Live Music (3 pts)
- No Entertainment (0 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><u>Alcohol Businesses per Census</u></p> <p><u>Tract / Over saturation.</u></p> <hr/> <p><u>Crime Rate High for Beat 24</u></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <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>13</u>
--

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: Shephard Badge ID: 402



City of National City Beat 24

Source: Microsoft Mappoint
NCPD CAU, 4/18/07



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

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT
FOR A GAS STATION, CONVENIENCE STORE, AND BIKE SHOP TO BE LOCATED
AT 724 CIVIC CENTER DRIVE IN THE COASTAL ZONE.

CASE FILE NO.: 2018-19 CUP, CDP

APN: 559-024-06

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, November 5, 2018**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request (Applicant: Stosh Podeswik).

The applicant is proposing to demolish the existing building and construct a new gas station, 2,400 square-foot convenience store, and 750 square-foot retail space (bike shop). The 25,466 square-foot property would have 14 parking spaces and four double-sided fuel pumps.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **November 5, 2018**, 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 DEPARTMENT

BRAD RAULSTON
Deputy City Manager



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

NOTICE OF EXEMPTION

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

Project Title: 2017-03 CUP, CDP

Project Location: 724 Civic Center Drive, National City, CA 91950

Lead Agency: City of National City

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit and Coastal Development Permit for a gas station, 2,400 square-foot convenience store, and 750 bike shop at a site previously developed with a gasoline service station.

Applicant Name and Address:

Stosh Podeswik
4682 Nebo drive
La Mesa, CA 91941

Telephone Number:

(619) 246-9044

Email Address:

stosh@stoshtomas.com

Exempt Status:

Categorical Exemption. Class 32, Section 15332 (In-Fill Development Projects)

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since construction of the gas station, convenience store, and bike shop will replace an existing gas service station. In addition a Traffic Impact Analysis prepared for the proposal found that there would be no calculated traffic impacts; therefore, mitigation measures are not required.

Date:

MARTIN REEDER, AICP
Principal Planner

RESOLUTION NO. 2018-18

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT
FOR A GAS STATION, CONVENIENCE STORE WITH
OFF-SALE BEER AND WINE, AND BIKE SHOP
TO BE LOCATED AT 724 CIVIC CENTER DRIVE IN THE COASTAL ZONE.

APPLICANT: STOSH PODESWIK.

CASE FILE NO. 2018-19 CUP, CDP

APN: 559-024-06

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit and Coastal Development Permit for a gas station, convenience store with off-sale beer and wine, and bike shop to be located at 724 Civic Center Drive in the Coastal Zone at a duly advertised public hearing held on November 5, 2018, 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. 2018-19 CUP, CDP 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 November 5, 2018, support the following findings:

1. That the site for the proposed use is adequate in size and shape, because the 25,466 square-foot property is in excess of the 15,000 square feet required by Section 18.98 of the Municipal Code. Additionally, all buildings and parking spaces can be installed to meet all setback and site design requirements.

2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use, because the site has direct access to Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway, which can accommodate the additional 1,280 ADT (922 ADT after pass by trips are subtracted) that would be generated by the project. The TIA submitted with this application has shown that the existing street network can function at an LOS of D or better without the need for mitigation.
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, because the project is a use consistent with the Medium Manufacturing (MM) zone description in the General Plan and will be subject to conditions of approval that ensure safe operation of the business
4. That the proposed use is deemed essential and desirable to the public convenience or welfare, because the project will provide a service in need for local and regional drivers requiring automobile refueling and associated services. The use is consistent with the MM zone description, which is intended for uses in areas in which activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and/or fire and explosive hazards. In addition, the use will generate sales tax that will contribute to the City's General Fund
5. That the granting of this Conditional Use Permit is consistent with and implements the Certified Local Coastal Program, because the project is located within an area generally exempt from a Coastal Development Permit; involves a service use, which is conditionally allowed in the MM-CZ zone; and will not prohibit coastal access or obstruct views.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use qualifies for a categorical exemption from CEQA under Class 32, Section 15332 (In-Fill Development Projects).
7. That the proposed use is deemed essential and desirable to the public convenience and necessity, because beer and wine sales will contribute to the viability of the gas station convenience store, an allowed use in the MM zone. Alcohol sales would add to the convenience of the consumer, in that customers would be able to purchase alcohol at the same outlet that they are purchasing other products and not needing to visit multiple locations for their needs, thus reducing vehicle trips. In addition, the bike shop will provide amenities for cyclists using the future Bayshore Bikeway.

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

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

General

1. This Conditional Use Permit and Coastal Development Permit authorize a gas station with a convenience store, including the sale of beer and wine, and a bike shop. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A-Revised and B, Case File No. 2018-19 CUP, CDP, dated 10/16/2018 and 2/27/2018 respectively.
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. 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 Land Use Code.
4. Before this *Conditional Use Permit and Coastal Development Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, 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 and Coastal Development Permit*.** The applicant shall also submit evidence to the satisfaction of the City Manager or designee 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 and Coastal Development 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 designee prior to recordation.

Building

5. Plans submitted for demolition or construction improvements must comply with the 2016 editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Engineering

6. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
9. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
10. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.

11. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
12. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.
13. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
14. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6-inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
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16. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
17. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically all sidewalk and curb and gutter. Sidewalk shall be in accordance with San Diego Regional Standard Drawings

(SDRSD) G-7, G-9, G-10 and G-11 curb and gutter shall be 8" and be in accordance with National City Modified SDRSD G-2.

18. The existing pedestrian ramp(s) at the following location(s) shall be removed and replaced with standard ramp complying with the ADA requirements and the SDRSD G-29 (Type C) located on the southeasterly corner of Civic Center Drive and Cleveland Avenue.
19. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
20. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
21. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
22. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
23. NO PARKING zone(s) (red curbing) shall be provided and/or replaced after new curb has been installed.
24. The existing non-operational abandoned pay telephone on Civic Center Drive adjacent to the westerly driveway shall be removed.
25. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
26. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.
27. The owner/developer shall submit plans to Cal Trans for their review to ensure that any conflicts with State Right of Ways and Facilities are addressed.

Fire

28. 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).
29. Fire apparatus access roads shall comply with the requirements of Section 5 CFC 2013 and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
30. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all-weather road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for Fire Department access through site. All Fire Department access roads shall be painted and signed to prevent parking in these required designated emergency areas
31. Grade of fire apparatus road shall be within the limits established (15% grade) by the fire code official based on fire department's apparatus.
32. The vapor recovery unit (Healy Tank) shall comply with Chapter 23 section 2306.7.9.1 – 2306.7.9.2.4 of the California Fire Code. Additionally, lot lines and proximity to surrounding properties where Healy Tanks are proposed, shall meet CFC, NFPA and all City Department requirements. Please contact the National City Fire Department on required protective enclosure for vapor tank.
33. Underground fuel tank removal and replacement will require permit and inspections from the National City Fire Department.
34. Emergency service access to the trash enclosure shall be maintained at all times for the life of project.
35. Exit signs shall be provided at all required exits. Exit signs shall be green in color per the National City Municipal Code.
36. All fire sprinkler and fire alarm plans shall be submitted directly to the National City Fire Department.
37. Soft drink CO2 dispensing systems require a permit and inspection per the California Fire Code Chapter 53 section 5307 – *Systems used in beverage dispensing applications*.
38. A 48-hour notice is required for all inspection provided by the National City Fire Department.

Planning

39. Plans submitted for construction shall include accommodation for bicycle access along the east property line adjacent to the Interstate 5 southbound on-ramp. In lieu of actual improvements, areas within 20 feet of the curb on the east property line shall be set aside until such time as the Bayshore Bikeway is constructed. This area should be landscaped in the interim period.
40. At minimum, one bicycle parking space shall be installed on the property. Additional spaces to accommodate future bicycle traffic should also be included.
41. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. All landscaping and irrigation improvements shall be maintained for the life of the project.
42. Business operations shall comply with Municipal Code Title 12 (Noise) at all times.
43. Plans submitted for construction shall conform to Land Use Code Section 18.42.040 (Screening mechanical equipment and elevator housing) and 18.46 (Outdoor Lighting), and 18.98 (Service Stations).
44. Plans submitted for construction permits shall show that a cover for all trash enclosures be provided.
45. The project will be required to obtain an operation permit from the San Diego County Air Pollution Control District (APCD), which will be subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) and Air Toxic Control Measures (ATCM).
46. Violation of APCD licensing/permitting or any other state licensing department shall be a violation of this Conditional Use Permit and Coastal Development Permit.
47. Any planned exterior propane tank shall be screened in compliance with Land Use Code Section 18.42.040.
48. All proposed business signage shall be in conformance with Land Use Code requirements.
49. Alcohol sales shall be limited to the hours of 8:00 a.m. to midnight daily.
50. Coolers containing alcohol products shall be locked and made inaccessible to the public between the hours of 12:00 a.m. and 8:00 a.m.
51. The sale of beer or malt beverages in quantities of quarts, 22-ounce, 32-ounce, 40-ounce, or similar size containers is prohibited.
52. 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.

53. No sale of wine or distilled spirits shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
54. 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 prepackaged multi-unit quantities.
55. 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 applicant.
56. 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.
57. 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.
58. Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Department, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
 - a. "No open alcoholic beverage containers are allowed on these premises."
 - b. "No loitering is allowed."
59. Containers of distilled spirits may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
60. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
61. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.

62. 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.

Sweetwater Authority

63. The property owner must submit a letter to the Authority from the appropriate fire agency stating fire flow requirements. Based on this requirement, new water systems or substantial alteration to the existing water system may be needed.

64. An approved backflow prevention assembly is required for water services serving all commercial developments. Water facilities shall be designed and installed in accordance with the current Sweetwater Authority Design Standards and the Standard Specifications for Construction of Water Facilities.

65. Once a building permit is obtained by the Owner, the Owner shall submit approved stamped plans from the lead agency where the project is located. The approved submittal must include a site plan, floor plan, plumbing plan showing total fixture count, including daily water demands for domestic and irrigation use in gallons per day, and a fire sprinkler plan (if applicable) so that water facilities can be verified.

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 November 5, 2018, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2018-18

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA, DENYING A
CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT
FOR A GAS STATION, CONVENIENCE STORE WITH OFF-SALE
BEER AND WINE, AND BIKE SHOP
TO BE LOCATED AT 724 CIVIC CENTER DRIVE IN THE COASTAL ZONE.
APPLICANT: STOSH THOMAS.
CASE FILE NO. 2018-19 CUP, CDP
APN: 559-024-06

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit and Coastal Development Permit for a gas station, convenience store with off-sale beer and wine, and bike shop to be located at 724 Civic Center Drive in the Coastal Zone at a duly advertised public hearing held on November 5, 2018, 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. 2018-19 CUP, CDP 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 November 5, 2018, support the following findings:

1. 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 census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets – five off-sale outlets are permitted where four are recommended by the California Department of Alcoholic Beverage Control – and the area has a high crime rate.

2. That the proposed use is not deemed essential and desirable to the public convenience and necessity, because five other off-sale alcohol outlets are located in the same census tract as the subject property.
3. That based on findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages 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 November 5, 2018, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON