



Planning Commission Agenda

Meeting of August 3, 2015
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

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 July 20, 2015

Approval of Agenda

2. Approval of Agenda for the Meeting on August 3, 2015.

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.



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.

PRESENTATIONS

PUBLIC HEARINGS

3. Conditional Use Permit for a drive-through fast food restaurant to be located at the intersection of Plaza Blvd. and Grove Street. (Case File No: 2015-13 CUP)
4. Resolution 2015-16 taking action on a Conditional Use Permit for a drive-through fast food restaurant to be located at the intersection of Plaza Blvd. and Grove Street. (Case File No: 2015-13 CUP)

OTHER BUSINESS

STAFF REPORTS

Deputy City Attorney

Executive Director

Principal Planners

Commissioners

Chairperson

ADJOURNMENT

Adjournment to next regularly scheduled meeting on August 17, 2015



Planning Commission Minutes

Meeting of July 20, 2015

Planning Commission Meeting
City Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

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

Agenda Items

The meeting was called to order by Chair Bush at 6:01 p.m.

Roll Call

Commissioners Present: Alvarado, Baca, Bush, Flores, Yamane. Absent: DelaPaz, Garcia.

Staff Also Present: Jennifer Knight, Deputy City Attorney; Brad Raulston, Executive Director; Martin Reeder, Principal Planner; Raymond Pe, Principal Planner; Mike Dalla, City Clerk; Mike Fellows, Planning Technician.

Pledge of Allegiance Presented by Commissioner Baca

Approval of Minutes

1. Approval of Minutes of the Meeting held on June 1, 2015.

Motion by Baca, 2nd by Alvarado to approve the Minutes for the Regular Meeting held on June 1, 2015.

Motion carried by the following vote:

Ayes: Alvarado, Baca, Bush, Flores, Yamane

Absent: DelaPaz, Garcia

Approval of Agenda

2. Approval of Agenda for the Meeting on July 20, 2015.

Motion by Alvarado, 2nd by Yamane to approve the Agenda for the meeting of June 1, 2015.

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, Flores, Yamane
Absent: DelaPaz, Garcia

ORAL COMMUNICATION

None

PRESENTATIONS

Note: Commissioner DelaPaz arrived at 6:04 p.m. and Commissioner Garcia at 6:07 p.m.

PUBLIC HEARINGS

3. Zone Variance to allow a parking space in the front yard setback for a single-family home located at 1926 "E" Avenue (Case File No: 2015-05 Z)

Commissioners asked questions regarding fencing, street parking, and conditions of approval.

Motion by Yamane to continue the public hearing for the applicant to be present.

Motion died for lack of a second

Motion by DelaPaz, 2nd by Alvarado to close the public hearing.

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, DelaPaz, Flores, Garcia.
Nays: Yamane

4. Resolution 2015-12 taking action on a Zone Variance to allow a parking space in the front yard setback for a single-family home located at 1926 "E" Avenue (Case File No: 2015-05 Z)

Motion by Alvarado, 2nd by DelaPaz to approve Resolution 2015-12 taking action on a Zone Variance to allow a parking space in the front yard setback for a single-family home located at 1926 "E" Avenue (Case File No: 2015-05 Z)

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, DelaPaz, Flores, Garcia.
Nays: Yamane

5. Conditional Use Permit for the expansion of the existing area approved for beer and wine sales at Royal Mandarin Restaurant located at 1132 East Plaza Blvd., Suite 205-208 (Case File No.: 2015-09 CUP)

Commissioners asked if applicant was present (no), if live entertainment was proposed (no), public notice, community meeting, ABC noticing.

Motion by DelaPaz, 2nd by Flores to close the public hearing.

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, DelaPaz, Flores, Garcia, Yamane

6. Resolution 2015-13 taking action on a Conditional Use Permit for the expansion of the existing area approved for beer and wine sales at Royal Mandarin Restaurant located at 1132 East Plaza Blvd., Suite 205-208 (Case File No.: 2015-09 CUP)

Motion by DelaPaz, 2nd by Flores to approve Resolution 2015-13 taking action on a Conditional Use Permit for the expansion of the existing area approved for beer and wine sales at Royal Mandarin Restaurant located at 1132 East Plaza Blvd., Suite 205-208 (Case File No.: 2015-09 CUP)

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, DelaPaz, Flores, Garcia, Yamane

7. Tentative Parcel Map for the subdivision of one lot into two at 1305 East 17th Street (Case File No.: 2015-12 LS)

Commissioners asked questions regarding future construction (build soon), conditions of approval, ownership, rental vs. own, and Sweetwater Authority comments.

Speakers: Jose Alverde (applicant representative) – answered questions from the Commission.

Motion by Baca, 2nd by Alvarado to close the public hearing.

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, DelaPaz, Flores, Garcia, Yamane

8. Resolution 2015-14 taking action on a Tentative Parcel Map for the subdivision of one lot into two at 1305 East 17th Street (Case File No.: 2015-12 LS)

Motion by Baca, 2nd by Alvarado to approve Resolution 2015-12 taking action on a Tentative Parcel Map for the subdivision of one lot into two at 1305 East 17th Street (Case File No.: 2015-12 LS)

Motion carried by the following vote:

Ayes: Alvarado, Baca, Bush, DelaPaz, Flores, Garcia, Yamane

Note: Chair Bush called for a five-minute recess. Meeting was reconvened at 6:50 p.m. All members present.

OTHER BUSINESS

9. Appeal of a Code Enforcement Violation for a property located at 105 East 8th Street. (Case File No. 2015-14 APPEAL)

Presentation by staff, PD, Mitch Dean (attorney representing City).

Chair Bush stated what evidence could be taken into account.

Speakers:

Don Beaudry (attorney for appellant) – comments regarding live entertainment definition/code references, staff presentation (PD statements), can't stop people dancing. Requested continuance.

Ben Adler (appellant) – comments regarding presentation, business operations.

Janice Martinelli – (Brick Row) representing 25 area residents – McDini's bad for the neighborhood/community.

Commissioners asked questions regarding presentation, process, business operations, code definitions, history of licensing at McDini's, and findings.

10. Resolution 2015-15 taking action on an Appeal of a Code Enforcement Violation for a property located at 105 East 8th Street. (Case File No. 2015-14 APPEAL)

Commissioners asked procedural questions regarding findings, auditing food/alcohol sales, Council process, findings. Chief Rodriguez stated that responding to businesses in violation was a waste of PD time, reduced ability of PD to respond to emergencies, affected quality of life, advertisement insinuate that live entertainment/dancing was to occur.

Motion by Baca, 2nd by Alvarado to approve Resolution 2015-15 taking action on an Appeal of a Code Enforcement Violation for a property located at 105 East 8th Street (Case File No. 2015-14 APPEAL)

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, Flores, Garcia, Yamane
Nays: DelaPaz

STAFF REPORTS

Commissioners:

Yamane: National City Health & Wellness 5K – August 22, 2015 at Westfield Plaza Bonita.

Alvarado – On vacation August 3, 2015.

Garcia – Will be out August 3, 2015.

Bush: Diabetes in National City.

Adjournment at 8:27 p.m. to next meeting scheduled for August 3, 2015 at 6:00 pm.

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 FOR A DRIVE-THROUGH FAST FOOD RESTAURANT TO BE LOCATED AT THE INTERSECTION OF PLAZA BLVD. AND GROVE STREET.

Case File No.: 2015-13 CUP

Property Location: Grove St. between East 12th St. and Plaza Blvd.

Assessor's Parcel No.: 557-380-50

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: MPA Architects

Owner: West Bernardo LP

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

Adjacent land use/zoning:

- North: Single-family homes / RS-2 (Small Lot Residential)
- East: Vacant land across Gove Street / MXD-2
- South: Grove Plaza across Plaza Blvd. / MXD-2
- West: Interstate 805 / OS (Open Space)

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

Staff Recommendation: Approve subject to Conditions of Approval

BACKGROUND

Site Characteristics

The approximately half-acre site is located on Grove Street between East 12th Street and Plaza Blvd. The lot is undeveloped and slopes down to the southeast from 93 feet to approximately 80 feet. The property has just over 80 feet of frontage on Grove Street, but is separated from Plaza Blvd. by a vegetated embankment. This area is part of the right-of-way but not developed with curb, gutter, or sidewalk.

There are three single-family homes adjacent to the property on the north side, which are above the subject property. These homes are part of a single-family neighborhood that resides north of Plaza Blvd. in this location. Nearby commercial land uses are similar in scope, with MXD-2 zoning located east and west along Plaza Blvd.

Proposal

The applicant proposes to construct a 2,056 square-foot fast food restaurant (Dunkin' Donuts) with a drive-through lane and window. 18 parking spaces would be provided on the property. The restaurant would employ seven people over each 12-hour period and would be open 24 hours a day, seven days a week. As part of the construction of the restaurant, the site would be graded, which would involve 2,900 cubic yards of cut and 800 cubic yards of fill. Access to the property would be from Grove Street, which would have a driveway approximately 80 feet north of Plaza Blvd. The intersection of Grove Street and Plaza Blvd. is signalized.

Analysis

General Plan

A restaurant is a commercial use, which is consistent with the mixed-use land use designation established for this area of the City, and is permitted by right. However, a drive-through restaurant requires a CUP and also contributes to the restaurant being considered a "fast food" restaurant. A fast food eating place is defined as follows:

"Fast food eating place" means any retail food establishment that primarily provides short order food services for on-site dining or take-out service, where such food and beverage is served on paper, plastic, or other disposable containers, and including drive in and drive-through restaurants where ready-to-eat foods are served primarily to be consumed off the premises. This definition includes all self-service restaurants, except cafeterias, sit-down pizza parlors, and donut shops.

There are two General Plan policies that reference fast food restaurants:

Policy HEJ-4.2: Encourage the development of healthy food establishments in areas with a high concentration of fast food establishments, convenience stores, and liquor stores.

Policy HEJ-5.4: Discourage unhealthy fast food outlets from locating near schools.

This segment of Plaza Blvd. is generally not heavily concentrated with the type of businesses mentioned in HEJ-4.2 (between Interstate 805 and Euclid Avenue). However, out of the four blocks in this segment there are three other drive-through businesses, all of which are across Plaza Blvd. from the project site. These are McDonald's, Popeye's Louisiana Kitchen, and Starbucks Coffee. Dunkin' Donuts has a varied menu of food items for sale. Although the main focus is on doughnuts and coffee, the chain has a large selection of bakery and sandwich items. Dunkin' Donuts has a varied menu that includes the "DDSMART" menu, which offers "better-for-you choices", including several items that contain fewer than 400 calories. Therefore, although not necessarily a "healthy food establishment", the fact that healthier options are available would be generally consistent with HEJ-4.2.

With regard to HEJ-5.4, the nearest school is Palmer Way Elementary, which is almost a half-mile away to the east. Therefore, with the "healthier" menu options, the restaurant is not necessarily unhealthy and is not near a school.

Land Use Code

Eating Places with a drive-through or that primarily serve take-out food are permitted in the MXD-2 zone with the issuance of a Conditional Use Permit. Chapter 18.41 – Site Planning Standards – also has specific design requirements for drive-through restaurants, including:

- Minimum queuing distances (established by CUP).
- Minimum 25-foot interior turning radius for drive-through aisles.
- Location of drive-through window and landscaping requirements.

The site plan shows approximately 100 feet of vehicle queuing distance (five cars) prior to the ordering/menu board, with another 80 feet (four cars) to the pick-up window. The drive-through aisle starts on the west side of the property and exits on the east end near the entrance driveway from Grove Street. The proposed pick-up window is on the south side of the building facing Plaza Blvd.

The overall queuing distance of approximately 180 feet will provide for efficient vehicle queuing during peak periods of traffic, reducing the likelihood of overflow into the parking lot and/or Grove Street. Peak operating times for this type of use are generally in the morning, although the expanded menu would potentially generate lunchtime traffic also. This queuing distance would be consistent with recent approvals for drive-through businesses.

The Land Use Code states that a drive-through window may not be located between the right-of-way and the building without a minimum 10-foot wide landscape buffer. The buffer shall have a minimum three-foot high hedge with trees spaced at least every 20 feet. The only place where the property is located adjacent to a street right-of-way is

along Grove Street. The southern frontage is separated from Plaza Blvd. by a vegetated embankment. A landscape plan has been required in conditions to ensure that the project is consistent with Code requirements.

Section 18.30.360 requires that fast food eating places shall be located a minimum of three hundred feet from any residential zoned properties, except for those located within the MXC 2 or MXD 2 zone. In the case of the latter, additional notice is required. In addition to the normal three hundred foot property owner notification required, occupants within three hundred feet must also be notified. Both groups were notified of this public hearing.

Parking/Circulation

The proposed design shows 18 parking spaces. Restaurant parking is based on floor area and requires 10 parking spaces per 1,000 square feet. For purposes of this project, only the seating area is analyzed, which is approximately 600 square feet. Per the 18-space design, the maximum size of the seating area would not be able to exceed 1,800 square feet. 600 square feet of seating area would require six parking spaces. A Condition of Approval limits the maximum seating area permitted.

According to SANDAG data, a 2,056 square-foot fast food restaurant with a drive-through would generate approximately 1,337 average daily trips (ADT). Access to and from the site is provided by Grove Street, which intersects immediately with Plaza Blvd., an arterial street operating at a Level of Service (LOS) of C. According to the General Plan, the addition of 1,337 ADT would not increase capacities so as to decrease the current LOS. The current ADT capacity of Plaza Blvd. is 40,000 with a current ADT of 29,800. Therefore, the existing street network can accommodate the additional traffic generated by the new restaurant.

The Engineering Department reviewed the project design to ensure that internal circulation does not impact adjacent City streets. There is generally very little traffic traveling south on Grove Street from East 12th Street, except for at the a.m. peak time. There is approximately 150 feet of driveway between Grove Street and the start of the drive-through. With the 180 feet of aisle prior to the pick-up window, the internal circulation is acceptable. However, in order to prevent back up of northbound Grove Street and possibly westbound Plaza Blvd., Engineering is requiring that Grove Street be marked "Keep Clear" in this location. This marking would be adjacent to the driveway on the southbound side of Grove Street. This would ensure that traffic coming into the site from Plaza and Grove would be able to turn left into the lot unimpeded during peak traffic hours, when Grove would be busier, and avoid back up onto Plaza Blvd.

Noise

Noise issues related to drive-through businesses are usually related to vehicle queuing and ordering windows/speakers. Noise is not likely to be an issue given that the area is mostly commercial and located close to Interstate 805, which is significantly louder than slow-moving parking lot traffic. However, there are three homes adjacent to the

property. The proposal involves grading, which would separate the residential properties from the subject property vertically by approximately ten feet (the subject property being lower).

Recent approvals for drive-through businesses have required noise-attenuating speakers at the ordering location. This type of speaker automatically adjusts its volume to compensate for ambient noise (streets, vehicles, etc.). Therefore, the volume is lower during quieter periods, such as at night. In this case, the ordering/menu board and speaker are located on the opposite side of the property from the residences. Given the proximity to I-805, location of the ordering/menu board, and the vertical separation of the project site from nearby residences, no major noise impacts are expected.

There is a condition requiring the noise-attenuating speakers, as well as compliance with limits stated in Title 12 (Noise) of the Municipal Code for all activities associated with the business.

CEQA

The project is Categorical Exempt under the California Environmental Quality Act (CEQA) pursuant to Class 3 Section 15303. This section allows for new construction or conversion of small structures. Specifically, subsection (c) of 15303 allows structures not involving the use of significant amounts of hazardous substances (including restaurants), provided they are less than 2,500 square feet in floor area. The proposed restaurant is 2,056 square feet in size, therefore consistent with this exemption.

Future Use

The San Diego Association of Governments (SANDAG) Smart Growth Concept Map (published in 2014 as an amendment to the 2004 Regional Comprehensive Plan) designates the project area as a Mixed Use Transit Corridor and Town Center. These land use designations are intended to promote transit-oriented development, which correlates with an in-line bus rapid transit (BRT) station proposed adjacent to this location. The subject property is slated to be part of the BRT station development (e.g. parking lot), although not until approximately 20 years from now. The property owner is aware of the proposed development and intending for the drive-through business to have a useful life of 20 years, at which time the property could be used by SANDAG as part of the proposed BRT station.

Department Comments

Comments were received from the Building, Engineering, and Fire Departments, as well as Sweetwater Authority. Comments are related to code requirements (Fire & Building), and grading and development requirements (Engineering). Sweetwater comments are related to new water service, backflow prevention, and agreements with the Authority. All comments are included as Conditions of Approval, along with design and performance regulations for the drive-through from the Planning Department.

Summary

The proposed drive-through restaurant is consistent with the Land Use Code with the approval of a Conditional Use Permit. Conditions of Approval will ensure that the business operates in harmony with existing uses in the area. The potential impacts are minimal since design guidelines ensure an appropriately-designed project. The new restaurant will contribute to the viability of the property and the area.

OPTIONS

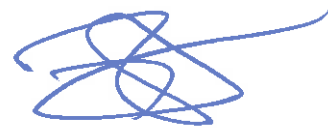
1. Approve 2015-13 CUP subject to the conditions listed below, based on attached findings; or
2. Deny 2015-13 CUP based on findings to be determined by the Planning Commission; or
3. Continue the item in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings for Approval
2. Recommended Conditions of Approval
3. Location Map
4. Notice of Exemption
5. Public Hearing Notice (Sent to 47 property owners and occupants)
6. Site Photos
7. Applicant's Plans (Exhibit A, Case File No. 2015-13 CUP dated 6/4/2015)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT
2015-13 CUP – APN: 557-380-50

1. That 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, since drive-through restaurants are a permitted use in the Major Mixed-Use District (MXD-2) zone with a Conditional Use Permit.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since the restaurant offers some healthier menu options – consistent with Policy HEJ-4.2, since the restaurant is not is not near a school – consistent with HEJ-5.4, since drive-through restaurants are conditionally-allowed by the Land Use Code, which is consistent with the General Plan, in the MXD-2 zone; and since there are no specific plans in this area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since the proposed design meets all design requirements for drive-through businesses, and since the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is large enough to accommodate a building, driveway, parking lot, and drive-through aisle that comply with Land Use Code standards.
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, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that require compliance with the National City Municipal Code.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

RECOMMENDED CONDITIONS OF APPROVAL

2015-13 CUP – APN: 557-380-50

General

1. This Conditional Use Permit authorizes a drive-through aisle related to a pending 2,056 square-foot drive-through restaurant on a vacant commercial property located at the intersection of Grove Street and Plaza Blvd. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2015-13 CUP dated 6/4/2015.
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 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 the permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate said 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 Executive Director prior to recordation.

Building

5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Fire, Plumbing, and Mechanical Codes.

Engineering

6. 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.

7. 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.
8. 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.
9. 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.
10. 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.
11. 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 checklist for preparation of the grading plan/drainage plan is available at the Engineering Department.
12. The existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
13. 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.
14. Separate street and sewer plans prepared by Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.

15. 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.
16. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically, all missing sidewalk along Plaza Boulevard (approximately 61 linear feet) and all missing sidewalk along Grove Street (approximately 120 linear feet).
17. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
18. 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 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. The southbound side of Grove Street adjacent to the property driveway shall be marked "Keep Clear" to ensure continued access into the property during peak traffic times.

Fire

25. Plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
26. Hood suppression plans shall be submitted directly to the National City Fire Department through permit.
27. Signs used for utilities shall follow National City Fire Department "Handout" requirements.
28. A fire sprinkler system shall be required if the fire area exceeds an occupant load of 100 or more. This would be described as the total area available, not area used.

Planning

29. A landscape and underground irrigation plan shall be submitted as part of the building permit process. Installation and continued maintenance of minimum landscaping items required by the Land Use Code, including a minimum three-foot hedge and trees spaces 20 feet on center along the Grove Street shall be provided.
30. Plans shall conform to minimum turning radius requirements for drive-through businesses unless the City Engineer approves a lesser radius.
31. Business operations shall comply with Municipal Code Title 12 (Noise) at all times. Plans submitted for construction shall reflect the use of sound-attenuating speakers that automatically reduce the volume of ordering speakers during periods of low ambient noise.
32. Plans submitted for construction permits shall show that a cover for the new trash enclosure shall be provided. Construction plans shall show the details of the enclosure to the satisfaction of the Fire and Engineering Departments.
33. Plans submitted for construction shall conform to Land Use Code Section 18.46 (Outdoor Lighting).
34. No more than 1,800 square feet of the building may be dedicated to seating area without additional parking at a rate of 10 parking spaces per 1,000 square feet of seating area being provided.

Sweetwater Authority

35. A water main extension will be required to service the property, which may result in the upgrade of existing utilities and/or a new fire hydrant. Water infrastructure shall be provided per Sweetwater Authority standards. The applicant shall enter into any necessary agreements with Sweetwater Authority for water facility improvements.

O PLAZA BLVD



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey or zoning verification.

1 inch = 176 feet
7/22/2015



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

NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2015-13 CUP

Project Location: Intersection of Grove St. and Plaza Blvd., National City, CA 91950

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional use permit for a new drive-through aisle related to a pending 2,056 square-foot drive-through restaurant on a vacant commercial property.

Applicant:

MPA Architects
3578 30th Street
San Diego CA 92104

Telephone Number:

(619) 256-0595 ext. 337

Exempt Status:

- Categorical Exemption. Class 3 Section 15303 (New Construction or Conversion of Small Structures)

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since construction of the restaurant will not involve the use of significant amounts of hazardous substances and since the restaurant will be less than 2,500 square feet in floor area.

Date:

MARTIN REEDER, AICP
Principal Planner



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

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR A
DRIVE-THROUGH FAST FOOD RESTAURANT TO BE LOCATED
AT THE INTERSECTION OF PLAZA BLVD. AND GROVE STREET.
CASE FILE NO: 2015-13 CUP
APN: 557-380-50

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, August 3, 2015**, in the City Council Chambers, 1243 National City Blvd., National City, California on a proposed request (MPA Architects).

The applicant proposes to construct a 2,056 square-foot fast food restaurant (Dunkin' Donuts) with a drive-through lane and window. 18 parking spaces would be provided on the property.

Members of the public are invited to comment. Any person interested in this matter may appear at the above time and place and be heard. Written comments should be received by the Planning Department on or before 12 p.m., **August 3, 2015**. Planning Department staff may 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 public hearing entity conducting the hearing at, or prior to, the public hearing.

PLANNING DEPARTMENT

For BRAD RAULSTON
Executive Director



NORTH-EAST



EAST



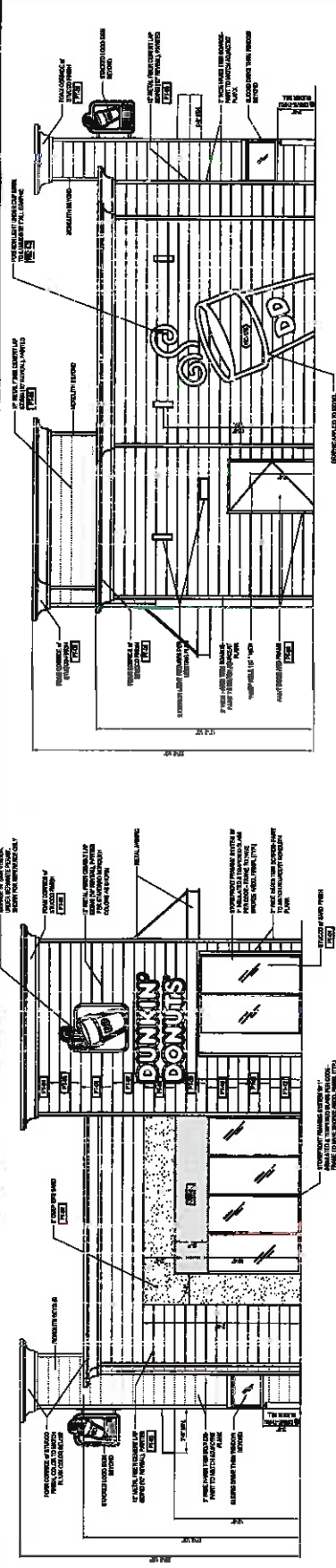
SOUTH-EAST



SOUTH-WEST

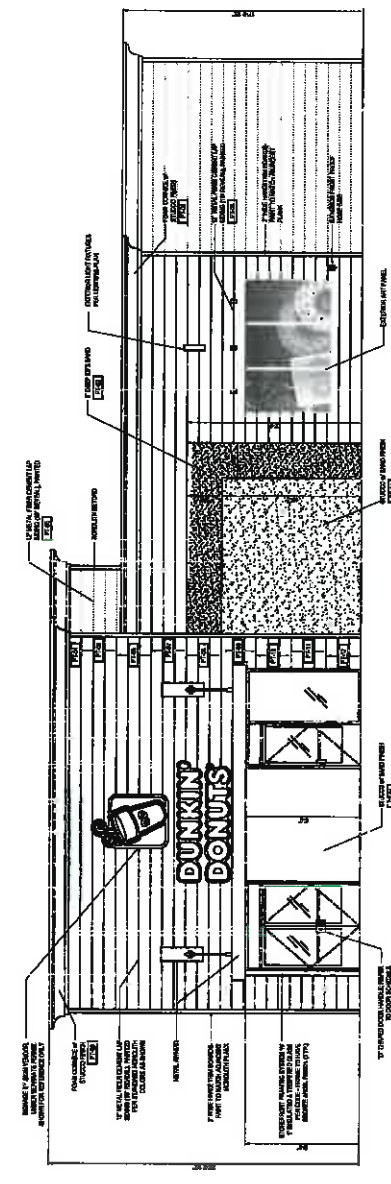


NORTH-WEST

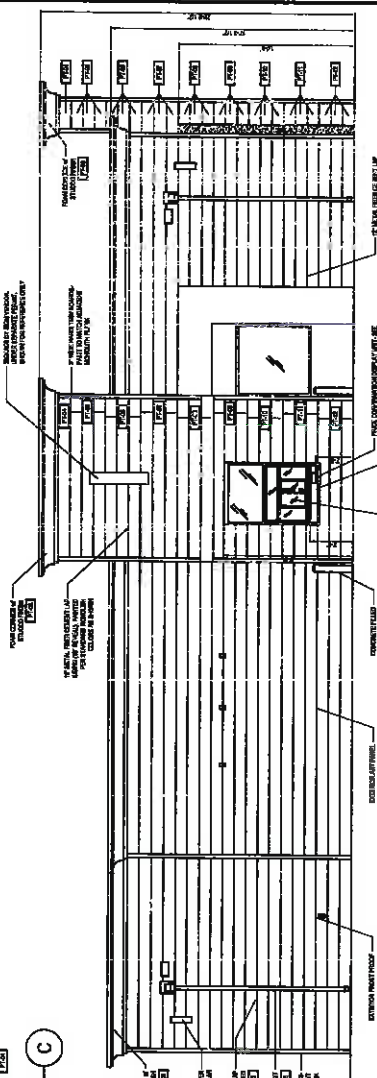


WEST ELEVATION B

EAST ELEVATION A



NORTH ELEVATION C



SOUTH ELEVATION D

QUALITY ASSURANCE
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.

EXTERIOR FINISH MATERIAL SCHEDULE			
CODE	MATERIAL	MANUFACTURER	REMARKS
100-01	PAINTING	PRIMAVERA	PRIMAVERA EXTERIOR PAINT FOR CO. TO BE USED ON ALL EXTERIOR SURFACES.
100-02	PAINTING	PRIMAVERA	PRIMAVERA INTERIOR PAINT FOR CO. TO BE USED ON ALL INTERIOR SURFACES.
100-03	BRICK	BRICK	BRICK TO BE USED ON ALL EXTERIOR WALLS.
100-04	STONE	STONE	STONE TO BE USED ON ALL EXTERIOR WALLS.
100-05	METAL	METAL	METAL TO BE USED ON ALL EXTERIOR WALLS.
100-06	GLASS	GLASS	GLASS TO BE USED ON ALL EXTERIOR WALLS.
100-07	WOOD	WOOD	WOOD TO BE USED ON ALL EXTERIOR WALLS.
100-08	PLASTER	PLASTER	PLASTER TO BE USED ON ALL EXTERIOR WALLS.
100-09	CEILING	CEILING	CEILING TO BE USED ON ALL EXTERIOR WALLS.
100-10	FLOORING	FLOORING	FLOORING TO BE USED ON ALL EXTERIOR WALLS.
100-11	ROOFING	ROOFING	ROOFING TO BE USED ON ALL EXTERIOR WALLS.
100-12	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-13	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-14	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-15	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-16	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-17	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-18	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-19	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-20	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
100-21	PAVING	PAVING	PAVING TO BE USED ON ALL EXTERIOR WALLS.
100-22	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-23	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-24	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-25	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-26	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-27	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-28	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-29	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-30	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
100-31	PAVING	PAVING	PAVING TO BE USED ON ALL EXTERIOR WALLS.
100-32	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-33	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-34	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-35	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-36	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-37	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-38	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-39	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-40	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
100-41	PAVING	PAVING	PAVING TO BE USED ON ALL EXTERIOR WALLS.
100-42	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-43	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-44	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-45	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-46	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-47	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-48	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-49	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-50	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
100-51	PAVING	PAVING	PAVING TO BE USED ON ALL EXTERIOR WALLS.
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100-53	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-54	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-55	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-56	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-57	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-58	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-59	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-60	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
100-61	PAVING	PAVING	PAVING TO BE USED ON ALL EXTERIOR WALLS.
100-62	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-63	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-64	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-65	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-66	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-67	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-68	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-69	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-70	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
100-71	PAVING	PAVING	PAVING TO BE USED ON ALL EXTERIOR WALLS.
100-72	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-73	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-74	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-75	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-76	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-77	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-78	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-79	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-80	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
100-81	PAVING	PAVING	PAVING TO BE USED ON ALL EXTERIOR WALLS.
100-82	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-83	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-84	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-85	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-86	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
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100-88	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
100-89	CONCRETE	CONCRETE	CONCRETE TO BE USED ON ALL EXTERIOR WALLS.
100-90	ASPHALT	ASPHALT	ASPHALT TO BE USED ON ALL EXTERIOR WALLS.
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100-92	LANDSCAPING	LANDSCAPING	LANDSCAPING TO BE USED ON ALL EXTERIOR WALLS.
100-93	MECHANICAL	MECHANICAL	MECHANICAL TO BE USED ON ALL EXTERIOR WALLS.
100-94	ELECTRICAL	ELECTRICAL	ELECTRICAL TO BE USED ON ALL EXTERIOR WALLS.
100-95	PLUMBING	PLUMBING	PLUMBING TO BE USED ON ALL EXTERIOR WALLS.
100-96	HVAC	HVAC	HVAC TO BE USED ON ALL EXTERIOR WALLS.
100-97	INSULATION	INSULATION	INSULATION TO BE USED ON ALL EXTERIOR WALLS.
100-98	FOUNDATION	FOUNDATION	FOUNDATION TO BE USED ON ALL EXTERIOR WALLS.
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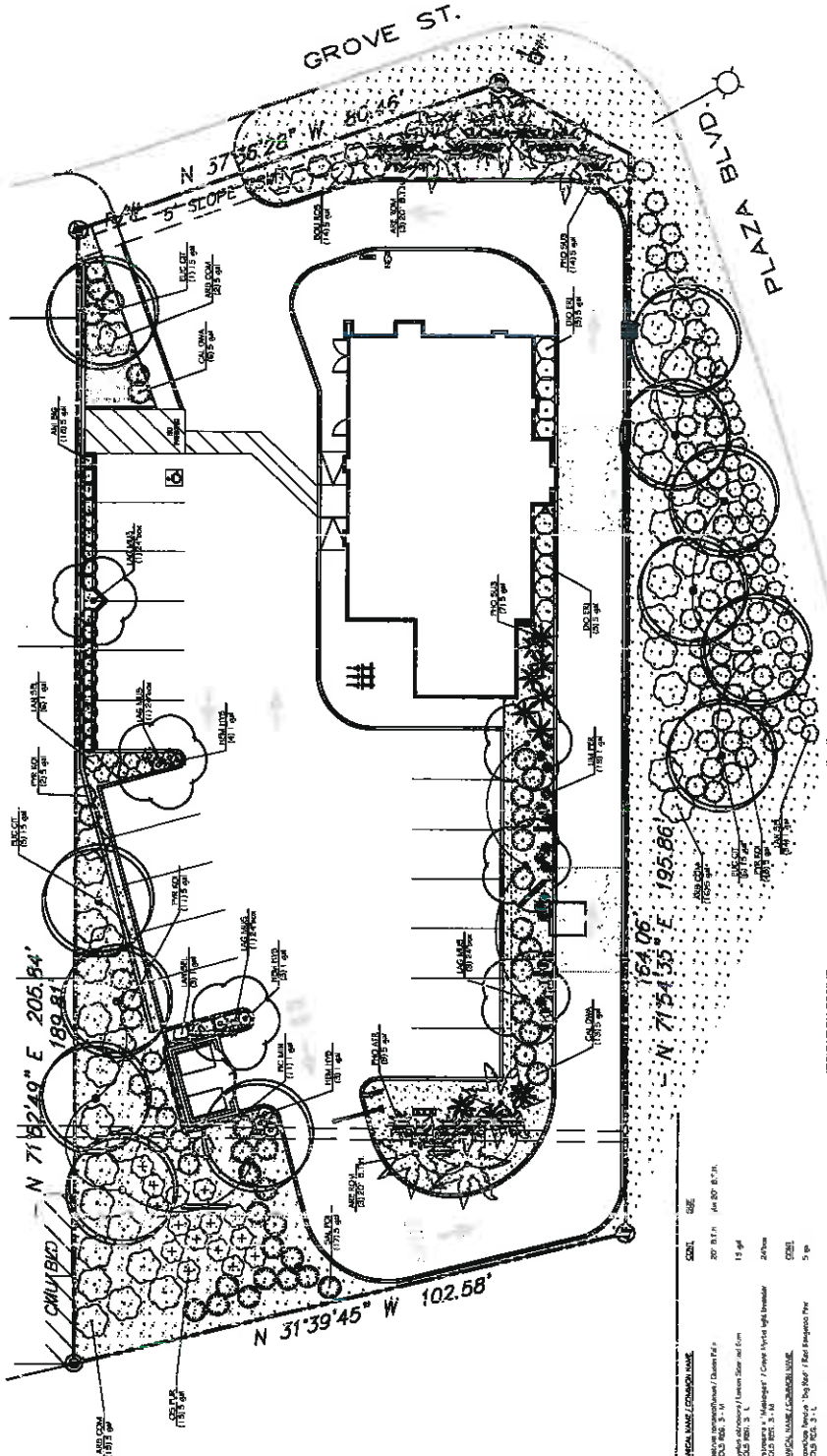
EDWARDS
 10/29/15
 1" = 10'
 SHEET NUMBER



NOT FOR CONSTRUCTION

CLIENT AND PROJECT
 APPROVED COMMERCIAL DEVELOPMENT FOR
BUNKIN DONUTS
 PLAZA BLVD. & GROVE ST.
 NATIONAL CITY, CA 91960
 Conceptual Landscape Plan

DATE: 10/29/15
 SCALE: 1" = 10'
 SHEET NUMBER: PRL-1
 of 1



IRRIGATION REGIME
 DESIGN FOR 100% EVAPORATION LOSS. USE THE FOLLOWING SCHEDULE FOR THE IRRIGATION SCHEDULE. THE IRRIGATION SCHEDULE IS BASED ON THE FOLLOWING ASSUMPTIONS:
 1. IRRIGATION SYSTEM IS A DROPPED SYSTEM WITH 1/2" EMITTERS.
 2. IRRIGATION SYSTEM IS OPERATED ON A 5-DAY PERIOD.
 3. IRRIGATION SYSTEM IS OPERATED ON A 5-DAY PERIOD.
 4. IRRIGATION SYSTEM IS OPERATED ON A 5-DAY PERIOD.
 5. IRRIGATION SYSTEM IS OPERATED ON A 5-DAY PERIOD.

PLANT SCHEDULE

SYMBOL	PLANT NAME / COMMON NAME	QTY	SIZE
(Symbol)	ARB BUN	207	8" x 11" (4" x 20" @ 5")
(Symbol)	ELC CIT	15	6"
(Symbol)	LAG MBS	240	24"
(Symbol)	COSE	5	5"
(Symbol)	ARB BUN	5	5"
(Symbol)	ARB CAM	5	5"
(Symbol)	BOU BRS	5	5"
(Symbol)	Cal Oak	5	5"
(Symbol)	COE POK	5	5"
(Symbol)	DOE BR	5	5"
(Symbol)	TE MA	1	1"
(Symbol)	HEM VEB	1	1"
(Symbol)	LAG BEL	1	1"
(Symbol)	LAG PFR	1	1"
(Symbol)	PHY AXZ	3	3"
(Symbol)	PHY SMO	5	5"
(Symbol)	PHY CO	5	5"
(Symbol)	SIN PFD	5	5"
(Symbol)	GROUND COVER	5	5"
(Symbol)	BANK	5	5"

RESOLUTION NO. 2015-16

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR
A DRIVE-THROUGH FAST FOOD RESTAURANT TO BE LOCATED
AT THE INTERSECTION OF PLAZA BLVD. AND GROVE STREET.
CASE FILE NO. 2015-13 CUP
APN: 557-380-50**

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a drive-through fast food restaurant to be located at the intersection of Plaza Blvd. and Grove Street at a duly advertised public hearing held on August 3, 2015, 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. 2015-13 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 August 3, 2015, support the following findings:

1. That 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, since drive-through restaurants are a permitted use in the Major Mixed-Use District (MXD-2) zone with a Conditional Use Permit.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since the restaurant offers some healthier menu options – consistent with Policy HEJ-4.2, since the restaurant is not is not near a school – consistent with HEJ-5.4, since drive-through restaurants are conditionally-allowed by the Land Use Code, which is consistent with the General Plan, in the MXD-2 zone; and since there are no specific plans in this area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since the proposed design meets all design requirements for drive-through

businesses, and since the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.

4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is large enough to accommodate a building, driveway, parking lot, and drive-through aisle that comply with Land Use Code standards.
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, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that require compliance with the National City Municipal Code.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

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 a drive-through aisle related to a pending 2,056 square-foot drive-through restaurant on a vacant commercial property located at the intersection of Grove Street and Plaza Blvd. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2015-13 CUP dated 6/4/2015.
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 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 the permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate said 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 Executive Director prior to recordation.

Building

5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Fire, Plumbing, and Mechanical Codes.

Engineering

6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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 checklist for preparation of the grading plan/drainage plan is available at the Engineering Department.

12. The existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
13. 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.
14. Separate street and sewer plans prepared by Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
15. 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.
16. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically, all missing sidewalk along Plaza Boulevard (approximately 61 linear feet) and all missing sidewalk along Grove Street (approximately 120 linear feet).
17. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
18. 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 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.
19. 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.
20. 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.
21. 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.
22. 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.

23. 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.
24. The southbound side of Grove Street adjacent to the property driveway shall be marked "Keep Clear" to ensure continued access into the property during peak traffic times.

Fire

25. Plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
26. Hood suppression plans shall be submitted directly to the National City Fire Department through permit.
27. Signs used for utilities shall follow National City Fire Department "Handout" requirements.
28. A fire sprinkler system shall be required if the fire area exceeds an occupant load of 100 or more. This would be described as the total area available, not area used.

Planning

29. A landscape and underground irrigation plan shall be submitted as part of the building permit process. Installation and continued maintenance of minimum landscaping items required by the Land Use Code, including a minimum three-foot hedge and trees spaces 20 feet on center along the Grove Street shall be provided.
30. Plans shall conform to minimum turning radius requirements for drive-through businesses unless the City Engineer approves a lesser radius.
31. Business operations shall comply with Municipal Code Title 12 (Noise) at all times. Plans submitted for construction shall reflect the use of sound-attenuating speakers that automatically reduce the volume of ordering speakers during periods of low ambient noise.
32. Plans submitted for construction permits shall show that a cover for the new trash enclosure shall be provided. Construction plans shall show the details of the enclosure to the satisfaction of the Fire and Engineering Departments.
33. Plans submitted for construction shall conform to Land Use Code Section 18.46 (Outdoor Lighting).
34. No more than 1,800 square feet of the building may be dedicated to seating area without additional parking at a rate of 10 parking spaces per 1,000 square feet of seating area being provided.

Sweetwater Authority

35. A water main extension will be required to service the property, which may result in the upgrade of existing utilities and/or a new fire hydrant. Water infrastructure shall be provided per Sweetwater Authority standards. The applicant shall enter into any necessary agreements with Sweetwater Authority for water facility improvements.

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

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

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 3, 2015, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON