



# Planning Commission Agenda

Meeting of January 22, 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 Flores**

## **Approval of Minutes**

1. Approval of Minutes from the Meeting of December 4, 2017

## **Approval of Agenda**

2. Approval of Agenda for the Meeting on January 22, 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**

3. Resolution taking action on a Zone Variance to allow conversion of an office building to an apartment building located at 2530 East Plaza Boulevard (Case File No. 2017-14 Z).

**PUBLIC HEARINGS**

4. Adoption of 2018 Planning Commission Meeting Dates
5. Election of Officers for 2018

**OTHER BUSINESS**

**STAFF REPORTS**

Senior Assistant City Attorney

Deputy City Manager

Principal Planners

Commissioners

Chairperson

**ADJOURNMENT**

Adjournment to the next regularly scheduled meeting on February 5, 2018.



## Planning Commission Minutes

Planning Commission  
Meeting of December 4, 2017  
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 Garcia at 6:02 p.m.

### **Roll Call**

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

Commissioners Absent: None.

Staff Also Present: Deputy City Manager Brad Raulston, Senior Assistant City Attorney Nicole Pedone, Principal Planner Martin Reeder, Principal Planner Ray Pe, Assistant Planner Mike Fellows.

**Pledge of Allegiance** Presented by Commissioner Yamane

1. Approval of Minutes from the Meeting of November 20, 2017.

Motion by Baca, second by Yamane to approve the Minutes for the Meeting of November 20, 2017.

### **Motion carried by the following vote:**

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

**Abstain:** None.

**Noes:** None.  
**Absent:** None.

2. Approval of the Agenda for the Meeting of December 4, 2017.

Motion by Yamane, second by Baca to approve the Agenda for the Meeting of December 4, 2017.

**Motion carried by the following vote:**

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

**Abstain:** None.

**Noes:** None.

**Absent:** None.

**ORAL COMMUNICATION:** None.

**PRESENTATIONS:** None.

**CONTINUED PUBLIC HEARINGS:**

3. Resolution taking action on a Zone Variance to allow conversion of an office building to an apartment building located at 2530 East Plaza Boulevard (Case File No. 2017-14 Z).

Presented by Assistant Planner Mike Fellows.

Applicants answered questions posed by the Commissioners.

Motion by Dela Paz, second by Sendt to continue the item to the meeting of January 22, 2018 to allow staff time to work with the applicant to address issues related to safety, traffic circulation, and apartment access for potential residents.

Speaker Greg Boes spoke in support of the item.

**Motion carried by the following vote:**

**Ayes:** Baca, Garcia, Sendt, Quintero, Flores, Dela Paz

**Abstain:** None.

**Noes:** Yamane

**Absent:** None.

**PUBLIC HEARINGS:** None.

**OTHER BUSINESS:** None.

**STAFF REPORTS:**

**Senior Assistant City Attorney:** None.

**Brad Raulston, Deputy City Manager:** Absent.

**Principal Planners:** Informed the Commissioners that the regular meeting scheduled for December 18, 2017 would be canceled due to a lack of agenda items.

**COMMISSIONER REPORTS:**

**Dela Paz:** Inquired about the meeting dates for 2018. In response staff advised that they would be brought forward at the upcoming meeting in January.

**Quintero:** None.

**Flores:** Advised that she would be absent for the January 22, 2018 meeting and inquired about the election of officers. In response staff advised that it would be placed on January's agenda.

**Yamane:** Wished everyone a happy holiday.

**Sendt:** None.

**Baca:** None.

**Garcia:** Advised that he would forward to staff for distribution to the Commissioners a report written by the San Diego Housing Commission titled "Addressing the Housing Affordability Crisis" and encouraged all to read it. He suggested the creation of more housing by reusing or readapting houses in National City and encouraging mixed use projects. He thanked the Commissioners and staff for their hard work over the past year.

**ADJOURNMENT** by Chair Garcia at 7:42 p.m. to the next meeting scheduled for January 22, 2018 at 6:00 pm.

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CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of January 22, 2018.



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

**PLANNING COMMISSION STAFF REPORT**

Title: CONTINUED PUBLIC HEARING – ZONE VARIANCE TO ALLOW CONVERSION OF AN OFFICE BUILDING TO AN APARTMENT BUILDING LOCATED AT 2530 EAST PLAZA BOULEVARD

Case File No.: 2017-14 Z

Location: 2530 East Plaza Boulevard

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Joseph Wong

Zoning designation: Minor Mixed-Use Corridor (MXC-1)

Staff recommendation: Approve

**BACKGROUND**

**Staff Recommendation**

The Planning Department is recommending approval of the Variance. Although there is no traditional special circumstance applicable to the property (size, shape, topography, location, or surroundings) to approve of the Variance, there is a hardship due to the location of existing buildings on the property and cost associated with redeveloping the site to current standards. In addition, the project would provide additional housing options in the City. Findings for both denial and approval are included and analyzed in this report.

**Executive Summary**

The applicant is proposing to convert an existing office building (previously a Social Security Administration office) into a 13-unit apartment complex. Construction would include the remodel of, and an addition to, the existing office building.

A Zone Variance ("Variance") is necessary because the property does not conform to current development standards, including a street wall requirement and parking setbacks from the street. Furthermore, the Variance would serve to modify a Planned Development (PD) permit (PD-1991-6) and its Conditions of Approval because this type of PD permit no longer exists, but the Conditions of Approval are still applicable.

#### Previous Action

This item was originally scheduled to be heard at the August 21<sup>st</sup>, 2017 Planning Commission hearing; however, the applicant requested the item be continued in order to redesign the project to address staff concerns regarding compatibility of the proposed apartment complex with the existing car wash. A re-noticed public hearing was held on December 4, 2017, at which time the Commission continued the item in order to explore site design options related to access and circulation. Specifically, the Planning Commission suggested exploring the option of accessing the site from the Galleria shopping center located to the east, and accessing the residential building from a dedicated driveway off of Euclid Avenue.

#### New Information

The applicant explored both options suggested by the Planning Commission, but found that neither would work. Access from the Galleria would not allow vehicles to access the car wash efficiently and would result in vehicles stacking on the adjacent property. In addition, the area immediately adjacent to the car wash is occupied by storage, parking, and landscape area, as well as being at a higher grade. The separate residential driveway is likewise untenable due to the grade differential between Euclid Avenue and the basement parking garage. A new driveway would end up being a 20% grade, which is the maximum accessible grade for fire apparatus. The driveway would also remove the five parking spaces currently outside of the garage, as well as existing landscaping. Another issue would be that there would be no area in which to turn around if a non-resident vehicle were to take the wrong driveway and need to exit.

In order to address circulation issues, the applicant has worked with the car wash to increase stacking of vehicles prior to the automatic car wash. This is accomplished by moving the vacuum area further to the south and by creating an additional intake lane. The proposed stacking capacity would be 20 vehicles, more than double the previous capacity of eight vehicles. A "Keep Clear" box will also be striped at the entrance to the residential vehicle access point. This would allow free access for building residents without getting

caught in peak car wash queueing. In addition, the new double-stack design would result in vehicles needing to queue off of the Euclid Avenue driveway. The previously-planned speedbump located adjacent to the AutoZone building is still proposed.

#### Analysis

The proposed conversion of the office building to 13 units would result in drastically reduced traffic from the previously-approved condition. According to the *Brief Guide of Traffic Generation Rates for the San Diego Region*, which is published by SANDAG (San Diego Association of Governments), a 7,724 square-foot office building would generate approximately 1,300 average daily trips (ADT); whereas, a 13-unit apartment building is projected to generate 78 ADT. The site functioned for many years with the Social Security Office without any reported issues other than anecdotal peak traffic circulation issues. Therefore, no traffic or circulation impacts are expected with the building being converted to residences.

The project would increase housing stock in the City and put a long-standing vacant building to use. Previous issues related to separation of residential and commercial uses have been remedied. Potential issues are further reduced by the difference in active hours of the two uses, with the car wash being active during the day and the residents mostly active in the evening/early morning hours. Therefore, staff is in support of the proposed use.

#### Summary

The proposed mixed-use development is permitted by the Land Use Code and Minor Mixed-Use Corridor (MXC-1) zone; however, the proposal is inconsistent with development standards in this zone that require developments be constructed to the property line (75% street wall) and that parking lots be setback from property lines generally behind structures.

Furthermore, the project was approved by a PD permit that authorized an auto parts store, car wash, and an office building. The Planning Department believes the original approval should remain in place until the applicant decides to redevelop the property to be consistent with current development standards.

#### Recommendation

The Planning Department anticipates that approval of the project would have a mostly positive effect on the community, particularly due to the proposed use being significantly

less intense than the previous use. However, there are no special circumstances applicable to the property (size, shape, topography, location, or surroundings) to approve the Variance, other than the location of existing buildings on the property and cost associated with redeveloping the site to current standards.

The conversion would provide additional housing stock, removal of a long-standing (five years) commercial vacancy, and provide a mix of land uses. It may be possible to consider the location of existing buildings and the strict application of Title 18 as a special circumstance applicable to the property because the entire site would need to be redeveloped in order to construct a mixed-use development that meets current standards.

### OPTIONS

1. Approve 2017-14 Z subject to the conditions listed below, based on attached findings and/or findings to be determined by the Planning Commission; or
2. Deny 2017-14 Z based on attached findings and/or to be determined by the Planning Commission; or,
3. Continue the item in order to obtain additional information.

### ATTACHMENTS

1. Recommended Findings
2. Revised recommended Conditions of Approval
3. Overhead
4. Site photos
5. Applicant's Plans (Exhibit B, case file no. 2017-14 Z, dated 1/4/2018)
6. December 4, 2017 Planning Commission staff report
7. Resolutions



MARTIN REEDER, AICP  
Principal Planner



BRAD RAULSTON  
Deputy City Manager

**RECOMMENDED FINDINGS FOR APPROVAL**

Case File No. 2017-14 Z – 2530 East Plaza Boulevard

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, because the location of existing buildings and the strict application of Title 18 would require the entire site to be redeveloped to construct an apartment complex that may be constructed on similar sites in the same zoning district without redeveloping the entire site.
  
2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because the variance is being granted based on the development pattern of the property and since the request is for the conversion of an existing building to a use that is permitted upon other properties in the vicinity and zone.
  
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, because a multiple-family residential use is an allowed use in the underlying Minor Mixed-Use Corridor (MXC-1) zone.

### **RECOMMENDED FINDINGS FOR DENIAL**

Case File No. 2017-14 Z – 2530 East Plaza Boulevard

1. There is no special circumstance applicable to the property, including size, shape, topography, location or surroundings where the strict application of Title 18 of the Municipal Code (Zoning) deprives impacts the projects ability to meet the minimum street-wall percentage or parking lot setbacks, because the property has more than 200 feet of frontage on both Plaza Blvd. and Euclid Avenue.
2. The requested Variance would constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because there are no physical hardships associated with the property.
3. The proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design; because the car wash and apartment building are incompatible uses, the conversion would reduce potential business and employment opportunities, and would not be an example of high, quality design.
4. The proposed residential use is inconsistent with the approved Planned Development permits (PD-8-89 and PD-1991-6) and the Conditions of Approval that limited the property to a car wash, auto parts (retail) store, and office. Furthermore, the proposed apartment complex is incompatible with the nearby car wash for reasons detailed in the report including the car wash view, noise, and parking lot circulation.
5. The existing commercial center and office building do not conform to current development standards for the zone. The proposed conversion would reduce the likelihood that the building would be redeveloped with a project that meets current development standards because there would be 13 tenants that would require re-location instead of one tenant with the current building configuration.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **2017-14 Z – 2530 East Plaza Boulevard**

#### **General**

1. This *Zone Variance* authorizes the conversion of an office building to a 13-unit apartment complex. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit B, case file no. 2017-14 Z, dated 1/4/2018.
2. Before this *Zone Variance* 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 *Zone Variance*. 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 *Zone Variance* 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.
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 Section 18.12.040 of the Municipal Code.

#### **Building**

4. Plans submitted for demolition or improvements must comply with the most current (2016) edition of the California Building, Electrical, Plumbing, Mechanical, Green, Energy, and Fire Codes.

#### **Engineering**

5. The property owner, or its successors and assignees 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 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.
6. 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.

7. All existing and proposed curb inlets on the property shall be provided with "No Dumping" signage in accordance with the NPDES program.
8. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced as marked in the field.
9. The existing pedestrian ramp(s) at the driveway located on Euclid Avenue shall be removed and replaced with standard ramp complying with the ADA requirements and the Regional Standard Drawings G-31.
10. 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.
11. 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.
12. 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.
13. All new dwellings are subject to a Transportation Development Impact Fee of \$2,405.00.
14. 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.
15. 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.

#### Fire

16. Plans submitted for construction shall comply with the 2016 editions of NFPA, CFC and the current edition of the CCR.
17. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
18. Fire apparatus access roads shall comply with the requirements of this section (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 first story 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.
19. 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 weathered 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.
20. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
  21. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
  22. Fire hydrants that may be located throughout the project and not have a separation distance greater than 400 feet. Fire hydrants to be located within 400 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
  23. The following items pertain to fire hydrants:
    - Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
    - Fire hydrant to be of three outlet design
    - Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch)
    - Fire hydrants to be marked by use of blue reflective marker in the roadway
  24. Upon submittal for an underground permit, the following shall be included:
    - Data sheet for Back-Flows
    - Data sheets for Private and Commercial Hydrants
    - Data sheets for Post Indicator Valves
  25. Information on required fire hydrants back-flow devices, etc. can be acquired from Sweetwater Authority. All pipe and their appliances, shall meet industry/code standards for underground use
  26. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.
  27. Fire sprinkler plan has been documented as deferred submittal with the National City Planning Department.
  28. All fire related plans shall be directly submitted to the National City Fire Department through permit.

## Planning

29. The landscape planters separating the car wash parking lot from the apartment building and the retail store must be re-constructed to be consistent with Planned Development Permit PD-1991-6 prior to building permit Final Approval.
30. Landscape plans and improvements must include the entire property. Also landscape improvements shown in the original approval must be re-planted to substantially conform to the original approval, including interior parking lot trees. Open space area shall substantially conform to the landscape plan. Hardscape in this area be of decorative pavement or pavers; asphalt in common open space area must be removed. All landscape elements, including the faux planting elements, shall be maintained for the useful life of the project.
31. The applicant must provide the minimum common and private open space on building permit plans prior to building permit issuance.
32. The applicant must provide pedestrian access from the apartment complex's primary entrance to the Euclid Avenue public right-of-way. Pedestrian passage through the parking lot must be minimized as determined by Planning Department.
33. The applicant must provide enclosures for both trash and recyclable materials. The enclosures must be covered and be constructed of non-combustible materials (per Fire Department).
34. The applicant must provide storage space consistent with Code Section 18.42.070 (A)(7) that requires 150 cubic feet per unit plus 50 cubic feet for every bedroom more than one.

## Sweetwater Authority

35. The owner must submit a letter to the Sweetwater Authority from the National City Fire Department stating fire flow requirements. Based on this requirement, this project may result in the need for new water systems or substantial alteration to the existing water system. It is recommended that the owner work with the Authority to determine if the existing water facilities are adequate to meet the added demands prior to issuing a building permit.
36. Residential fire sprinklers and fire services require an approved backflow prevention assembly.
37. Water facilities shall be designed and installed in accordance with the current Sweet Water Authority Design Standards and the Standard Specifications for Construction of Water Facilities.
38. Once the building permit is obtained by the owner, the owner shall submit National City Building Department approved plans to the Sweetwater Authority. The submittal must include a site plan, floor plan, and plumbing plan showing total fixture count, water demands in gallons per day, and a fire sprinkler plan so that water facilities can be verified.

2017- 14 Z – 2530 East Plaza Boulevard – Overhead



**2017-14 Z Site Photos – Existing Building**



**Main Entrance – North Side**



**Parking Garage Entrance – West Side**



North View from Proposed



North View from Proposed Apartment Complex



**Parking Lot – Removed Landscape Planter**



**Parking Lot – Removed Planter and Workstation**

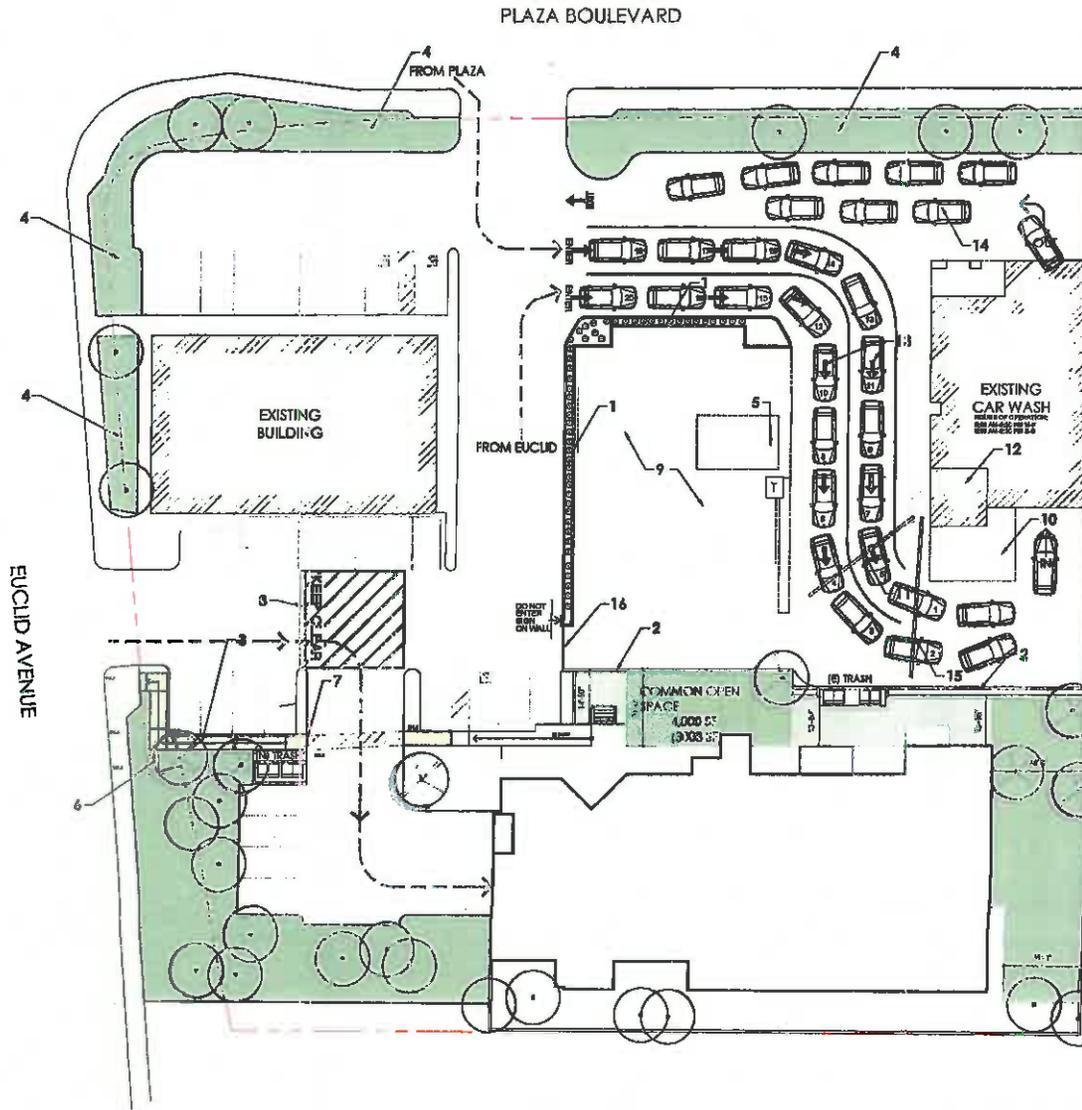


**Parking Lot – Landscape Maintenance**



**Parking Lot – Landscape Maintenance**

EXHIBIT: B  
CASE FILE NO.: 2017-14 Z  
DATE: 1/4/2018



**LEGEND**

- 1 NEW 5'-0" HEIGHT WALL & PLANTING AREA
- 2 NEW PRIVACY WALL
- 3 NEW PEDESTRIAN WALKWAY
- 4 PROPOSED LANDSCAPE IMPROVEMENTS
- 5 EXISTING COVERED WAITING AREA
- 6 RESIDENTIAL SIGN MONUMENT
- 7 RESIDENT TRASH AREA
- 8 PROPOSED SPEED BUMP & PAVEMENT MARKINGS
- 9 PROPOSED CAR WASH WORKING AREA (washing, detailing)
- 10 EXISTING AWNING
- 11 EXISTING OVERHEAD VACUUM CLEANERS AND PRICING SIGNAGE
- 12 EXISTING STORAGE AREA IN CAR WASH BUILDING
- 13 PAVEMENT MARKINGS
- 14 HAND DRYING AND CAR PICK UP
- 15 RELOCATED OVERHEAD VACUUM CLEANERS AND PRICING SIGNAGE
- 16 DETAILING AND RE-WASH ENTRANCE ONLY

**PARKING**

EXISTING	69 SPACES
REQUIRED	27 SPACES
PROPOSED	49 SPACES

**TREE LEGEND**

CANOPY TREES	199AL
WESTERN REDBUD	24" BOX
ALBIBALM WILLOW	24" BOX
CHINESE PLANE TREE	24" BOX
CRAPE MYRTLE	24" BOX

**COMMON OPEN SPACE**

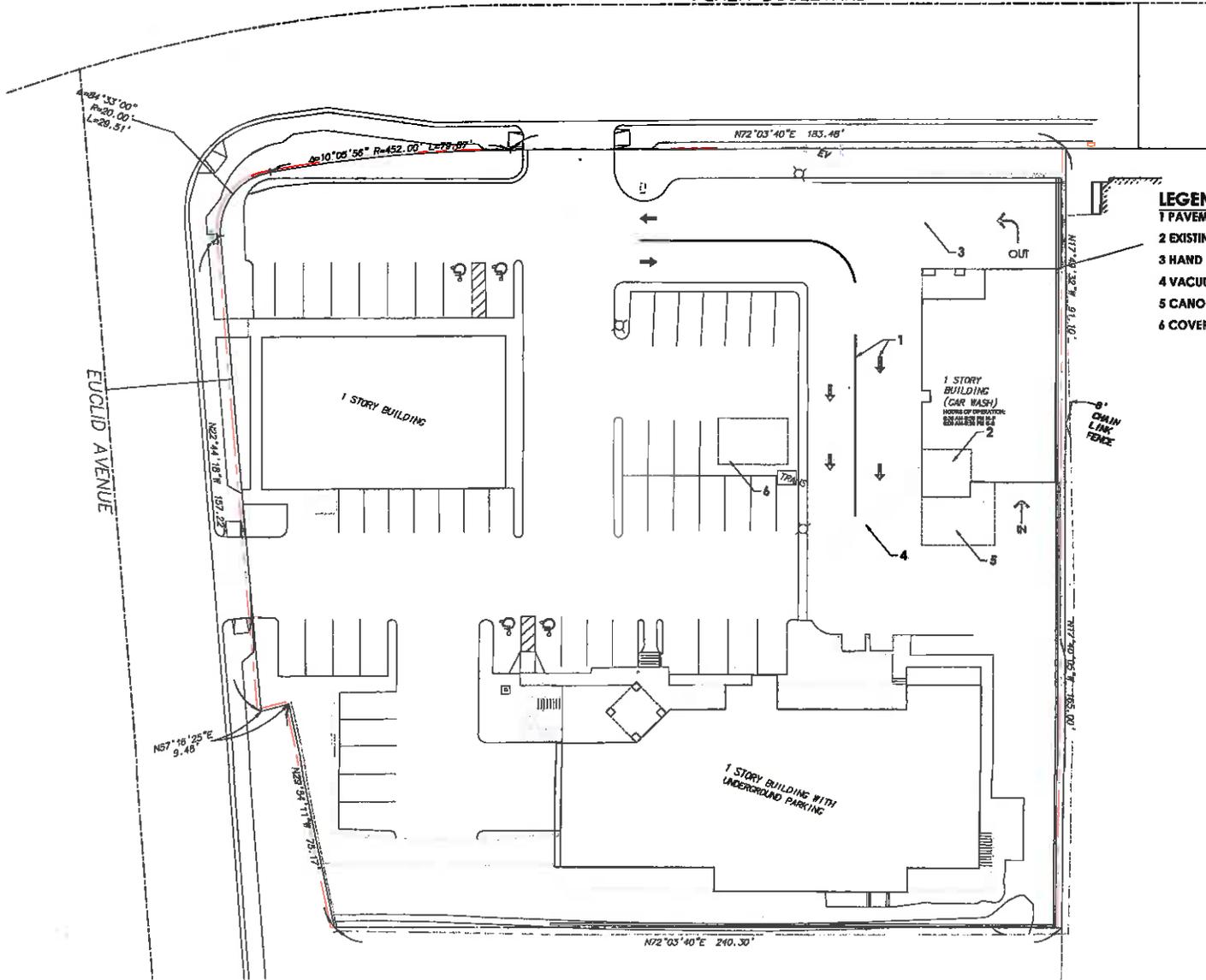
REQUIRED	300 S.F. PER UNIT = 3900 S.F.
PROPOSED	3008 S.F. <small>(COMMON AREA OVER 28 FT)  1034 S.F.  <small>(PROPOSED BY/AREA 04/25/18/24)  4042 S.F. TOTAL</small></small>

UNIT NUM BER	UNIT TYPE	BALCONY SIZE REQUIRED	BALCONY SIZE PROPOSED	BALCONY SIZE PROPOSED
UNIT 1	2 BEDROOM 1 BATH	80 SQ. FT.	115 SQ. FT.	80 SQ. FT.
UNIT 2	STUDIO 1 BATH	80 SQ. FT.	120 SQ. FT.	80 SQ. FT.
UNIT 3	STUDIO 1 BATH	80 SQ. FT.	120 SQ. FT.	80 SQ. FT.
UNIT 4	STUDIO 1 BATH	80 SQ. FT.	120 SQ. FT.	80 SQ. FT.
UNIT 5	1 BEDROOM 1 BATH	80 SQ. FT.	75 SQ. FT.	53 SQ. FT.
UNIT 6	2 BEDROOM 1 BATH	80 SQ. FT.	80 SQ. FT.	20 SQ. FT.
UNIT 7	2 BEDROOM 1 BATH	80 SQ. FT.	101 SQ. FT.	41 SQ. FT.
UNIT 8	STUDIO 1 BATH	80 SQ. FT.	101 SQ. FT.	41 SQ. FT.
UNIT 9	STUDIO 1 BATH	80 SQ. FT.	123 SQ. FT.	83 SQ. FT.
UNIT 10	STUDIO 1 BATH	80 SQ. FT.	100 SQ. FT.	40 SQ. FT.
UNIT 11	1 BEDROOM 1 BATH	80 SQ. FT.	105 SQ. FT.	45 SQ. FT.
UNIT 12	1 BEDROOM 1 BATH	80 SQ. FT.	130 SQ. FT.	70 SQ. FT.
UNIT 13	2 BEDROOM 2 BATH	80 SQ. FT.	-	-
		78 SQ. FT.	1287 SQ. FT.	577 SQ. FT. TOTAL

JWDA

Attachment 5

PLAZA BOULEVARD

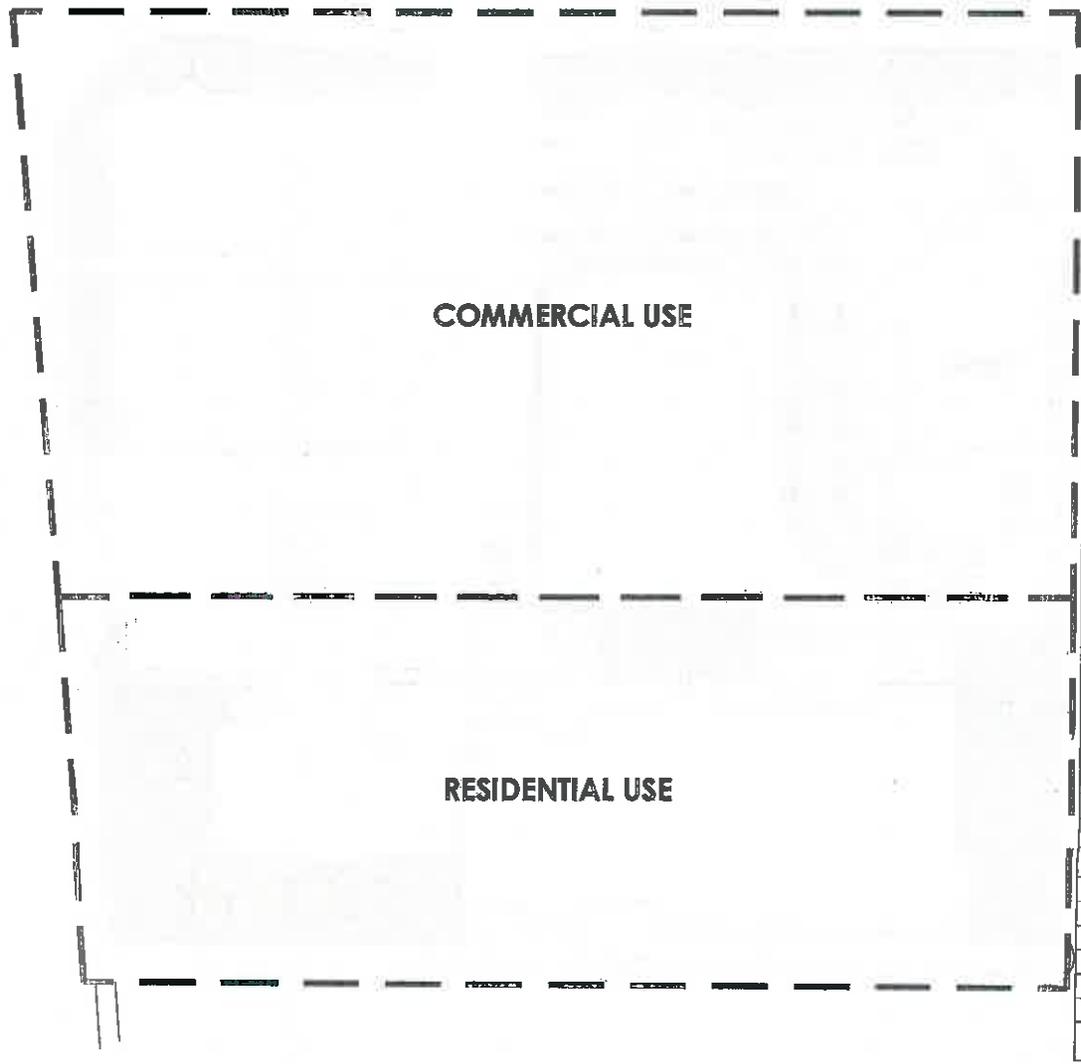


**LEGEND**

- 1 PAVEMENT MARKINGS
- 2 EXISTING STORAGE IN AREA IN CAR WASH
- 3 HAND DRYING AND CAR PICK UP
- 4 VACUUM AREA
- 5 CANOPY
- 6 COVERED CUSTOMER WAITING AREA

EUCLID AVENUE

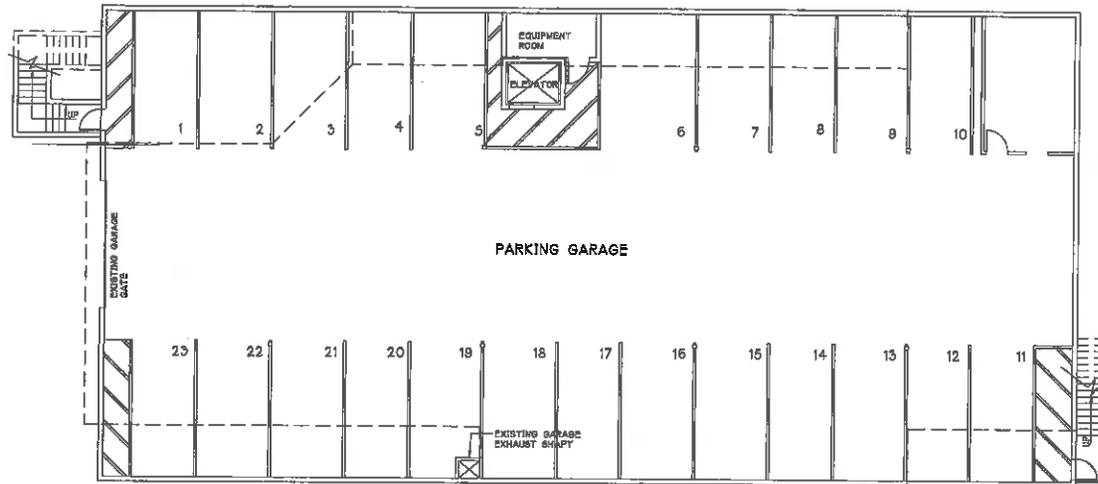


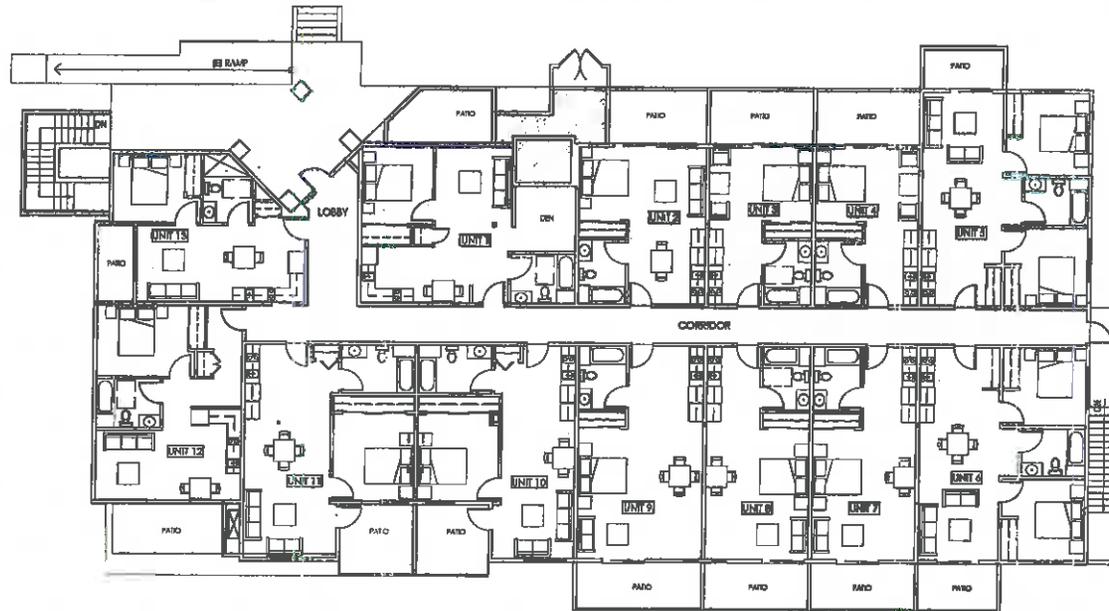


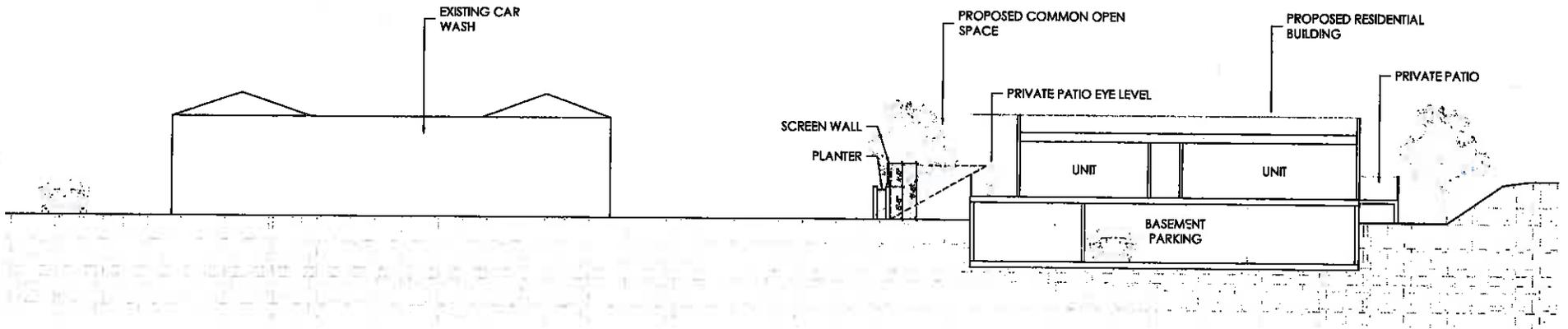
**COMMERCIAL USE**

**RESIDENTIAL USE**

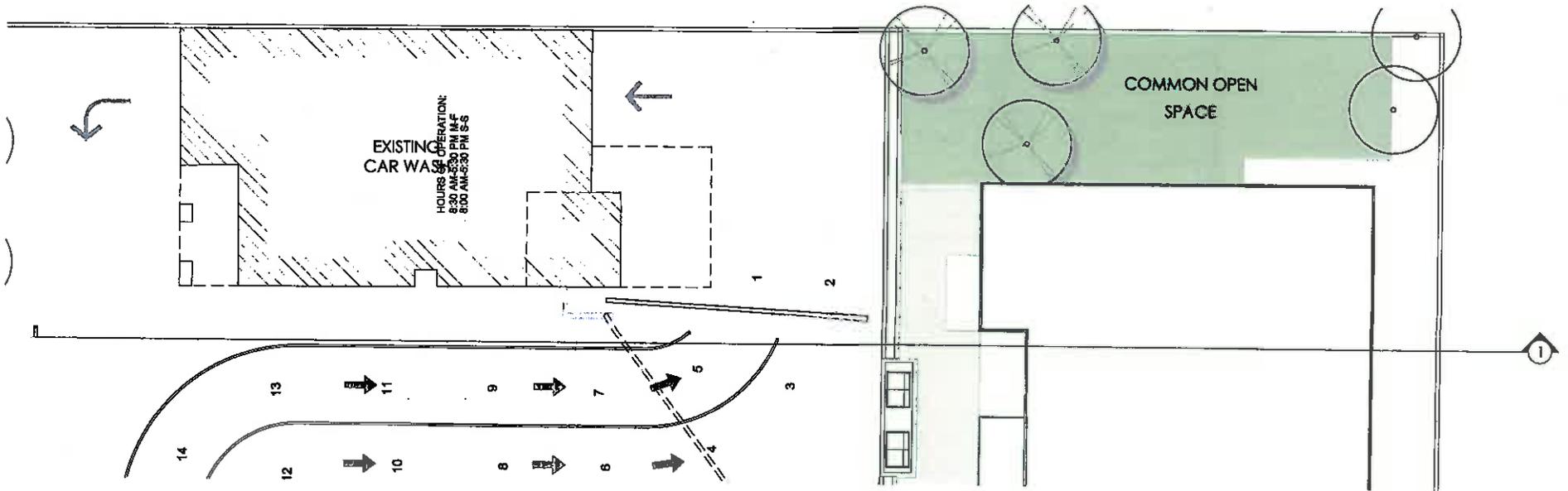


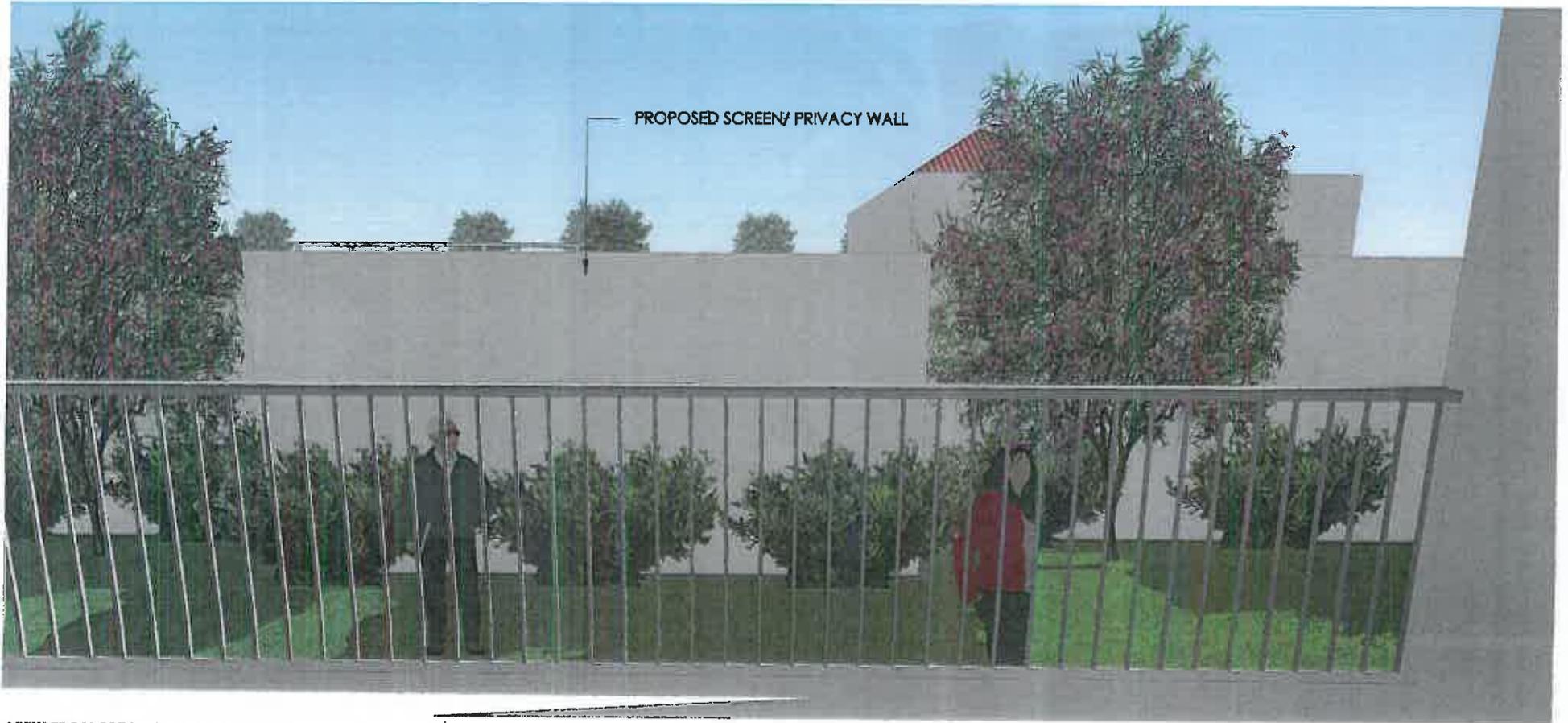






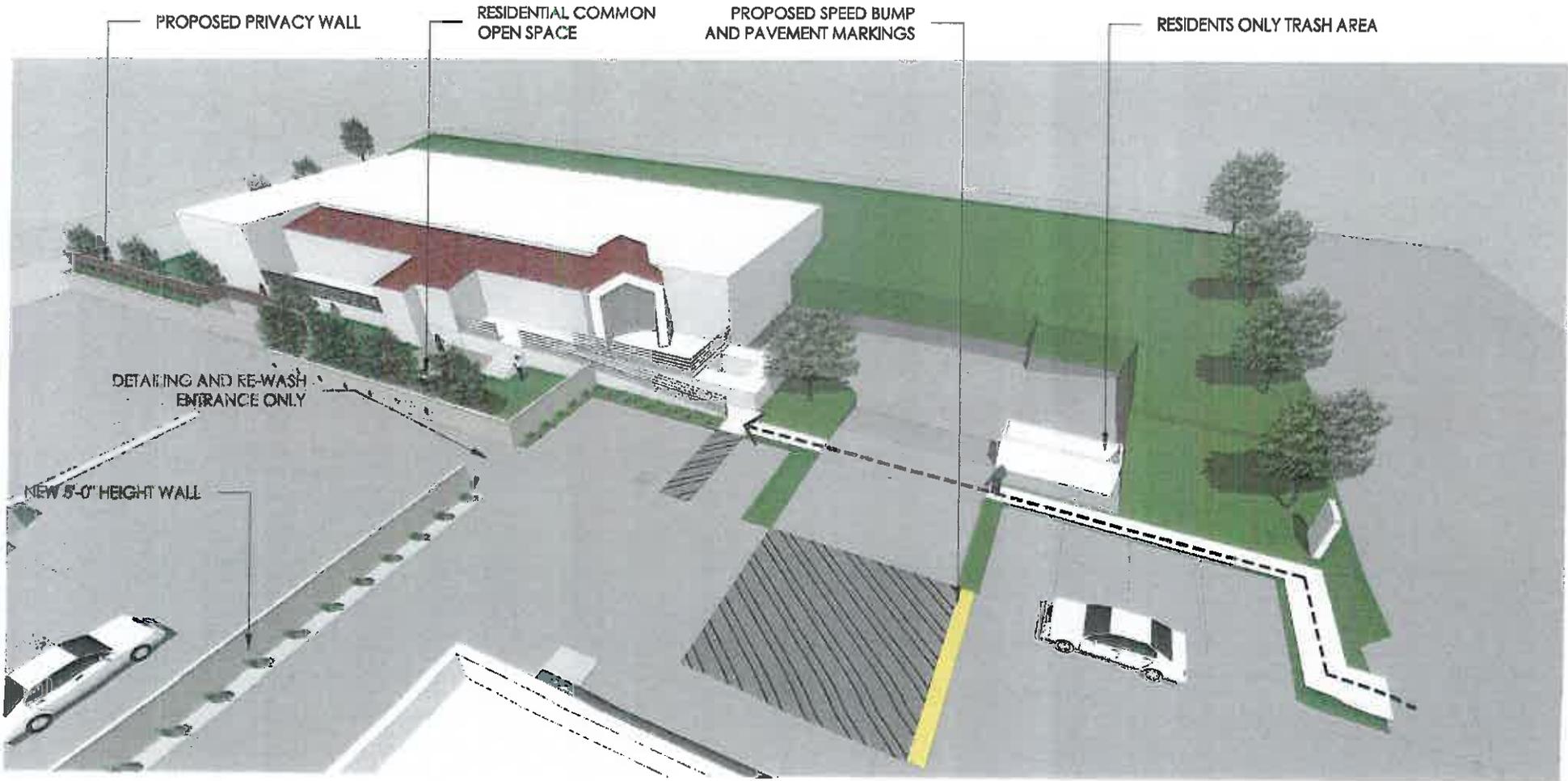
① SITE SECTION





**VIEW FROM PRIVATE PATIO TOWARDS  
EXISTING CAR WASH**









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

**PLANNING COMMISSION STAFF REPORT**

Title: CONTINUED PUBLIC HEARING – ZONE VARIANCE TO ALLOW CONVERSION OF AN OFFICE BUILDING TO AN APARTMENT BUILDING LOCATED AT 2530 EAST PLAZA BOULEVARD

Case File No.: 2017-14 Z

Location: 2530 East Plaza Boulevard

Assessor's Parcel Nos.: 558-091-27

Staff report by: Michael Fellows, Assistant Planner

Applicant: Joseph Wong

Zoning designation: Minor Mixed-Use Corridor (MXC-1)

Adjacent land use / zoning:

- North: Single Family Residential / Small Lot Residential (RS-2)
- East: Shopping Center / MXC-1
- South: Commercial / Minor Mixed-Use District (MXD-1)
- West: Drainage Channel across Euclid Avenue / Major Mixed-Use District (MXD-2)

Environmental review: Not a project per California Environmental Quality Act (CEQA)

Staff recommendation: Deny

## **BACKGROUND**

### **Staff Recommendation**

The Planning Department is recommending denial of the Variance primarily because there is no special circumstance applicable to the property (size, shape, topography, location, or surroundings) to approve of the Variance. The hardship is the location of existing buildings on the property and cost associated with redeveloping the site to current standards. Findings for both denial and approval are included and analyzed in this report.

### **Executive Summary**

The applicant is proposing to convert an existing office building (previously a Social Security Administration office) into a 13-unit apartment complex. Construction would include the remodel of, and an addition to, the existing office building.

A Zone Variance ("Variance") is necessary because the property does not conform to current development standards, including a street wall requirement and parking setbacks from the street. Furthermore, the Variance would serve to modify a Planned Development (PD) permit (PD-1991-6) and its Conditions of Approval, because this type of PD permit no longer exists but the Conditions of Approval are still applicable.

### **History**

This item was scheduled to be heard at the August 21<sup>st</sup>, 2017 Planning Commission hearing; however, the applicant requested the item be continued to an unspecified date to redesign the project to address staff concerns regarding compatibility of the proposed apartment complex with the existing car wash.

### **Site characteristics**

The subject property is 1.64 acres in size and is located at the southeast corner of East Plaza Boulevard and Euclid Avenue. The property is rectangular and has approximately 270 feet of frontage on East Plaza Boulevard and 80 feet of frontage on Euclid Avenue. The property is developed with three buildings that include a retail automotive parts store (AutoZone), National City Car Wash, and a vacant Social Security office building. The parking lot provides 69 total parking spaces.

The property is zoned Minor Mixed-Use Corridor (MXC-1). The surrounding area is developed with single-family houses to the south, shopping centers (The Galleria & Euclid

Plaza) to the east and north across Plaza Boulevard, and a drainage channel west across Euclid Avenue.

#### Proposed use

The applicant is proposing to convert the former Social Security Administration office building into a 13-unit apartment complex. Construction would include a 7,724 square-foot remodel of the building and construction of an 830 square-foot addition to the front (northwest corner) and rear (south) sides of the building. The building has two levels that include an upper level, where the units are proposed, and a lower level that is a parking garage providing 22 parking spaces for the exclusive use of apartment tenants. The existing outdoor surface parking area is proposed to be shared by the existing commercial uses and the apartment complex.

The applicant is also proposing to modify operation of the existing car wash, as the car wash is currently operating in a manner that is inconsistent with the approved Planned Development permit. This modification proposes to approve an outdoor work area that would be screened by proposed walls and modify car wash vehicle circulation via rearranging planter areas.

#### Analysis

##### General Plan

The General Plan (GP) Land Use Element designates the property as Minor Mixed-Use. This designation is characterized by high-quality, compact, smart growth design that promotes a quaint, small-town, village-like feel. Buildings are to be placed close to the street, parking lots are de-emphasized, and driveway aprons are limited. A comfortable and attractive pedestrian environment is promoted through the use of street trees; awnings, canopies, or arcades; outdoor seating; clearly-marked crosswalks; and, small courtyards or plazas.

The Minor Mixed-Use designation permits a variety of uses including low-rise attached single-family or multi-family residential development, retail, restaurants, offices, and similar compatible uses. It is intended to facilitate redevelopment and transit-oriented design opportunities in developed areas in a manner that is compatible with surrounding residential areas.

The proposed conversion of the office building to an apartment complex and car wash redesign is both consistent and inconsistent with Goals and Policies in the GP for reasons described below:

*Consistencies with the General Plan*

The proposal is consistent with the minor mixed-use land designation, as it would provide a low-rise, attached, multi-family residential development. It is also consistent with the surrounding residential areas, as it would expand the variety of uses that currently exist on the site. Furthermore the proposal is consistent with the City-wide goals and implementing policies of the GP, which include:

**Land Use (LU) Element Goal LU-1:** Smart growth that is consistent with statewide and regional transportation and planning goals and policies.

**Policy LU-1.2:** Concentrate commercial, mixed-use, and medium to high-density residential development along transit corridors, at major intersections, and near activity centers that can be served efficiently by public transit and alternative transportation modes.

The proposal is consistent with Policy LU-1.2, as the proposal would change the site from a single use (commercial) to a mixed-use development that is located at a major intersection near activity centers (multiple shopping centers and a school) that have access to nearby public transit (bus stop).

**Goal LU-2:** Provide for a mix of land uses including residential, commercial, employment, service, agricultural, open space, and recreational uses that accommodate the needs of persons from all income groups and age levels. Policies implementing this goal include:

**Policy LU-2.1:** Provide for housing near jobs, transit routes, schools, shopping areas, and recreation to discourage long commutes; promote public transit, walking, and biking; and lessen traffic congestion.

The proposal is consistent with this policy, as the applicant would be adding 13 residential units near multiple employers, bus routes, a school (Palmer Way Elementary School), and shopping areas (The Galleria & Euclid Plaza shopping centers). Living near these services promotes use of public transit, walking, biking, and lessens traffic congestion.

**Policy LU-2.3:** Provide for a variety of housing types including, but not limited to, single-family attached, multiple-family apartments, condominiums, and mobile homes.

The proposed apartment complex would provide additional multiple-family apartments in the area consistent with LU-2.3.

**Goal LU-4:** Complete neighborhoods that meet the community's needs for sustainable and high-quality living environments.

**Policy LU-4.3:** Promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively to existing neighborhoods and surrounding areas.

The conversion of use would be consistent with this policy, as the project would be the adaptive reuse of the existing office building. The conversion will require substantial refurbishment of the building.

**Goal LU-7:** The efficient use of land and infrastructure.

**Policy LU-7.2:** Support historic preservation, adaptive re-use, and refurbishing of existing buildings and structures.

The conversion of use is consistent with this policy, as it is the adaptive reuse of the office building that will require refurbishment of the existing building.

*Inconsistencies with General Plan*

The proposal is inconsistent with the mixed-use land designation as it does not provide high-quality, compact, smart growth design that promotes a quaint, small-town, village-like feel. The proposal does not include buildings that are placed close to the street, which emphasizes the parking lots. The proposal does not facilitate redevelopment and transit-oriented design or contribute to a comfortable and attractive pedestrian environment. Furthermore the proposal is inconsistent with the GP's City-wide goals and implementing policies, some that include:

**Goal LU-2:** Calls for a mix of land uses including residential, commercial, employment, service, agricultural, open space, and recreational uses that accommodate the needs of persons from all income groups and age levels.

**Policy LU-2.6:** Support development and redevelopment that creates jobs for all income levels.

The proposal is inconsistent with this policy, as conversion of the commercial office building to a residential apartment complex would eliminate future use of the building by a potential employer.

**Goal LU-3:** Promote a land use pattern that avoids the creation and continuance of incompatible land uses.

**Policy LU-3.2:** Prevent the intrusion of new incompatible land uses and environmental hazards into existing residential areas and phase out existing non-conforming uses.

In this case, the intrusion would be the office conversion to a residential use adjacent to a car wash. The apartment building and car wash are incompatible for reasons detailed later in the report.

**Policy LU-3.6:** Prohibit the establishment of new residential and other sensitive land uses near industrial land uses and buffer existing residential and other sensitive land uses from industrial uses, while protecting and enhancing visitor-serving, commercial, retail, industrial, working-waterfront, and maritime related job-producing industries.

The proposal is inconsistent with this policy, as the proposal seeks to establish a residential use near a car wash that is a quasi-industrial/commercial land use.

Furthermore, the proposal would eliminate the commercial use, failing to protect and enhance the commercial use as stated in the policy.

**Policy LU-3.7:** Limit impacts from industrial or mixed-uses by establishing performance standards to regulate noise, glare, vibrations, odor, lighting, air pollution, and other potential disturbances.

In this case, limiting the impacts of the car wash on the proposed apartment complex may not be feasible, because of the close proximity of the two uses to each other. Noise, visibility, traffic circulation, and parking all have impacts that could cause the two uses to conflict with each other.

**Goal LU-4:** Promote complete neighborhoods that meet the community's needs for sustainable and high-quality living environments.

**Policy 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.

The proposed conversion is inconsistent with this policy, as the apartment complex would be located at the rear of the lot. This proposal would not be developed with characteristics that promote walking or biking. Community pride and neighborhood identity may prove difficult to establish given the location of the building on the property, a neighboring incompatible car wash, and the shared parking lot access and surface parking spaces.

**Land Use Element Goal LU-5:** Promote enhanced business districts and a strong local economy.

**Policy LU-5.11:** Support efforts to reduce unemployment rates for City residents.

The proposed conversion would eliminate a vacant commercial building, essentially eliminating the potential for a future employer at the location.

Land Use Code

The Land Use Code (LUC) determines the permitted land uses in the MXC-1 zone; apartment complexes are allowed by right in this zone. However, LUC Section 18.24.040 (A) determines building form and placement via development standards. The development standards for this zone require that 75% of the property frontage has a building constructed to the property line (street wall) and that parking lots provide a 40-foot street-side setback from street side property lines. The existing development does not meet either of these standards, because the property was developed when standards were different and designed for commercial only uses.

Staff has determined that the proposed office-to-apartment conversion requires a Variance because the property would be changing from a single-commercial use development to a mixed-use development where the property does not comply with mixed-use development standards.

Also contributing to the requirement for a Variance is that the previous LUC required the existing development to obtain a discretionary PD permit that no longer exists in its current form, yet the conditions from that PD permit that limited use of the property to a car wash, auto parts store, and office building are still applicable to the property. Therefore, the Planning Department determined that a Variance would be the most appropriate process to modify the PD permit's Conditions of Approval.

#### Traffic

The San Diego Association of Governments' (SANDAG) Guide of Vehicular Traffic Generation Rates does not provide guidelines specifically for a social security office. The most similar use to a social security office identified in the guide is a Department of Motor Vehicles (DMV) office. A 7,724 square-foot DMV office building would generate approximately 1,300 average daily trips (ADT); whereas, a 13-unit apartment building is projected to generate 78 ADT.

Access to and from the site is provided from intersecting arterial streets, East Plaza Boulevard and Euclid Avenue, that operate at a Level of Service (LOS) of at least B. If approved, the project would reduce ADT by 1,200 over the previous use. Therefore, the street would have sufficient capacity to continue to service the existing development. Conversely, the street network would still service the development at a passing LOS in the case of a CUP denial.

#### Parking Lot Circulation

The surface parking lot would continue to be shared by the proposed apartment building, AutoZone, and the National City Car Wash. There are two driveways leading to the property, one from East Plaza Boulevard and another from Euclid Avenue.

Circulation within the parking lot is confusing, primarily due to balancing customer parking spaces with the car wash business circulation pattern. A site inspection found that vehicles were queued for car wash service in front of both the main car wash entrance and the proposed apartment building. The queued vehicles blocked parking spaces and would be located directly in front of the proposed apartment building.

An outdoor work area for finishing vehicles has been established without City approval in required parking spaces. Access to the unapproved work area contributes to the parking lot confusion, as vehicles entering this area from the car wash have to circulate around the landscape islands and enter near the AutoZone building.

The approved PD Permit (PD-8-89) and the subsequent modification (PD-1991-6) intended that access to the car wash be from Plaza Boulevard. The Planning Commission required that a landscape planter be constructed to help separate car wash traffic circulation from the retail store and the office building parking lot.

A portion of the landscape planter has been removed without City approval, despite Planning Commission specifically denying its removal in 1991. A previous applicant requested that the Planning Commission approve a gate in lieu of a portion of the landscape planter for vehicles that needed to be re-washed. The Planning Commission denied the request, finding that the gated access way in lieu of a continuous landscape may confuse drivers who attempted to use the gated access to enter the car wash. Furthermore, the Planning Commission found that the gate would reduce landscaping on the site.

The applicant is proposing to construct a five-foot wall to the west that would block access to this area. The parking spaces and drive aisle in this area would be removed to become a work station for the car wash. In addition, six parking spaces would be removed to provide a landscape buffer and open space between the car wash and the apartment building. Another wall would be constructed between the work area and apartment building to help mitigate car wash noise impacts on the proposed apartment building.

#### Car wash operation reconfiguration

The proposed reconfiguration of the car wash would include expansion of the currently unpermitted work area into the parking lot resulting in the removal of 20 parking spaces from the site. This work area would be used to dry vehicles, clean glass, and other finish work associated with the car wash. The applicant proposes to construct approximately 110 feet of wall that would be constructed at five feet tall and include faux plants to visually screen the work area from Plaza Boulevard and Euclid Avenue. The applicant would also provide landscape planters in front of the walls.

#### Parking

The proposed project would meet current parking standards, as mixed-use developments require substantially less parking than single-use developments. In this case, if the project is approved, the on-site parking space requirement would drop from 72 parking spaces to 27 spaces. The applicant is proposing to reduce the on-site parking to 49 parking spaces from 69 parking spaces that currently exist.

The existing site is under-parked for a commercial only development. The shortage appears to be due to changes made to the parking lot without City approval. The site was last approved with 77 parking spaces (PD-1991-6) in 1991. The LUC today would require the commercial-only use to provide 72 parking spaces; however, only 69 spaces are currently provided on the site. The 69 spaces does not include spaces lost due to the work and customer waiting areas, further reducing parking on the site.

The parking requirements above are found in LUC Section 18.45.050, which prescribes the required number of off-street parking spaces by land use. Mixed-use development in mixed-use zones are required to provide two parking spaces for each 1,000 square feet of commercial floor area and one parking space per residential unit that provides two bedrooms or less. By comparison, the LUC requires that the existing development (single use) provide one parking space per 200 square feet of gross floor area.

#### Site planning standards

The applicant has redesigned the project to provide pedestrian access to the adjacent streets. This access must be well drained, have no slope steeper than a one-to-twelve ratio, and be a minimum of three feet wide.

#### Common and Private Useable Open Space

The project requires modification to meet the common usable open space required by the LUC. The LUC requires 3,900 square feet of common open space for the 13 units. The applicant is proposing approximately 4,042 square feet. While the plan provides the required common open space square footage, there are areas shown as common useable open space that are not a useable because of a slope and lack of access. The required amount of common open space can be provided by conversion to useable area or by providing additional private open space. A condition of approval has been added requiring that the applicant provide additional useable open space to meet minimum standards prior to building permit issuance.

The project proposes more private usable open space than required by the LUC. The 13 units would require a minimum of 780 square feet of private open space; whereas, the project proposes 1,297 square feet. The private open space would be provided on balconies ranging in size from 60 to 130 square feet. Excess private open space (517 square feet) is counted at a 2 to 1 ratio (1,034 square feet) towards the common open space requirement and is included in the common open space calculations above.

Landscaping

Existing landscaping is primarily planted around the perimeter of the property, along the street frontages. The approved landscape plan shows eight queen palms located in landscape planters in the interior of the parking; whereas only one palm tree exists. This may be partially due to removal of the landscape areas without permits. The current LUC would require eight interior trees for the 49 parking spaces, as one shade canopy tree is required for every seven parking spaces in the parking lot.

Existing landscaping throughout the entire property is in need of maintenance. The property includes a mixture of palm trees, eucalyptus, hedges, and ground cover including grassy planters and wood chips. The trees and shrubs are mature; however, there are dead trees and shrubs that should be removed and replaced. There are areas where no ground cover remains and only dirt is visible. Trash was observed strewn in many of the planters and should be removed. The trees behind the office building provide shade and visual screening from the single-family houses located at a higher elevation south of the property.

The landscape plan shows improvements to landscape areas surrounding the proposed apartment complex. This includes improvements to the street-side landscape planters visible from Euclid Avenue.

A condition of approval has been added requiring that the applicant submit landscape plans that include improved landscaping on the entire property with building permit plans. In addition, another condition has been added requiring that seven additional palm trees be planted.

Building Design Standards

Residential building design standards are found in LUC chapter 18.42.070 and require that:

- The exterior design, height, and bulk of multi-unit projects should not negatively impact adjacent lower density residential areas. In this case, the proposed conversion would have little impact on the neighboring single-family houses located south of the project area. The reason is that the houses are located approximately 100 feet away from the project, at a higher elevation, and are visually screened by landscaping that includes eucalyptus and other trees.

- Façade and roof articulation is required for residential structures with three or more units. Balconies are also required, as they can help break up changes in wall planes. The integration of elements such as balconies, porches, arcades, dormers, and cross gables can help avoid a barracks-like quality. In this case, the project would provide all the required elements and integrates architectural elements sufficiently to avoid a barracks like feel.
- Trash and recycling enclosures are required and must have a non-combustible cover. In this case the enclosures already exist and are located between and shared with the car wash. The existing enclosures are not covered, and the applicant would have to construct a cover as part of the project. A condition has been added reflecting this requirement.
- Laundry facilities are required for projects containing nine or more units. The requirement is one washer and one dryer for each 20 units. In this case, the applicant is proposing to provide two washers and two dryers in a laundry room located in the parking garage. The Planning Department encourages applicants to provide in-unit washers and dryers, as they are generally more desirable.
- Storage space is required for all multi-unit residential developments at a minimum of 150 cubic feet for each unit, plus 50 cubic feet for each additional bedroom in excess of one bedroom. Mechanical equipment spaces are not counted towards this total. A condition of approval has been added requiring the proposal to meet the minimum storage area requirement above.

#### Planned Development Permit

As previously mentioned, the project was approved by two PD permits PD-8-89 and PD-1991-6 (modification). The Conditions of Approval authorized an auto parts store, car wash, and office building. The Planning Department recommends that this condition remain and not be modified since the development is designed for commercial uses and residential uses are incompatible with the neighboring car wash.

#### Car wash – apartment complex conflicts

The proposed apartment building is located 60 feet from the car wash on the same property. The 60-foot separation includes the driveway for cars entering the car wash and a trash enclosure. The apartment building would have units and balconies that face the

entrance to the car wash building. This view would be unappealing and the area is noisy due to operation of the car wash equipment. The applicant proposes to install an eight-foot tall screen wall and an approximate 15-foot landscape buffer to mitigate impacts. Circulation in the parking lot is another area of potential conflict between the car wash and the apartment tenants and guests, as the car wash uses areas within the parking lot as work areas. Changes to the parking lot configuration would help reduce car wash traffic circulating near the proposed apartment building.

**Mailing** – All property owners and occupants within a distance of 300 feet are required to be notified of a public hearing for Variance applications. There were 464 people notified by mail of this public hearing, which met this requirement. Furthermore, the public hearing was advertised in the Union Tribune newspaper.

**Required findings**

The Municipal Code contains three required findings for a Variance to be approved. In this case, The Planning Department has included both findings for approval and denial:

**Findings for Denial**

1. There is no special circumstance applicable to the property, including size, shape, topography, location or surroundings where the strict application of Title 18 of the Municipal Code (Zoning) deprives impacts the projects ability to meet the minimum street-wall percentage or parking lot setbacks, because the property has more than 200 feet of frontage on both Plaza Blvd. and Euclid Avenue.
2. The requested Variance would constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because there are no physical hardships associated with the property.
3. The proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design; because the car wash and apartment building are incompatible uses, the conversion would reduce potential business and employment opportunities, and would not be an example of high, quality design.
4. The proposed residential use is inconsistent with the approved Planned Development permits (PD-8-89 and PD-1991-6) and the Conditions of Approval

that limited the property to a car wash, auto parts (retail) store, and office. Furthermore, the proposed apartment complex is incompatible with the nearby car wash for reasons detailed in the report including the car wash view, noise, and parking lot circulation.

5. The existing commercial center and office building do not conform to current development standards for the zone. The proposed conversion would reduce the likelihood that the building would be redeveloped with a project that meets current development standards because there would be 13 tenants that would require re-location instead of one tenant with the current building configuration.

#### ***Findings for Approval***

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, because the location of existing buildings and the strict application of Title 18 would require the entire site to be redeveloped to construct an apartment complex that may be constructed on similar sites in the same zoning district without redeveloping the entire site.
2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because the variance is being granted based on the development pattern of the property and because the request is for the conversion of an existing building to a use that is permitted upon other properties in the vicinity and zone.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, because a multiple-family residential use is an allowed use in the underlying Minor Mixed-Use Corridor (MXC-1) zone.

#### **Conditions of Approval**

Conditions of Approval have been included reflecting comments that were received from the Sweetwater Authority and the City's Building, Engineering, and Fire departments. The

Planning Department provided the Conditions of Approval as described throughout the report.

**Summary**

The proposed project is both consistent and inconsistent with the Goals and Policies of the General Plan. The proposal is consistent with goals that promote mixed-use development, housing and the adaptive re-use of buildings. However, the proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design.

The proposed mixed-use development is permitted by the LUC and MXC-1 zone; however, the proposal is inconsistent with development standards in this zone that require developments be constructed to the property line (75% street wall) and that parking lots be setback from property lines generally behind structures.

Furthermore, the project was approved by a PD permit that authorized an auto parts store, car wash, and an office building. The Planning Department believes the original approval should remain in place until the applicant decides to redevelop the property to be consistent with current development standards.

**Recommendation**

The Planning Department anticipates that approval of the project would have both positive and negative impacts on the community, but is recommending denial of the Variance primarily because there is no special circumstance applicable to the property (size, shape, topography, location, or surroundings) to approve of the Variance. The only hardship is the location of existing buildings on the property and cost associated with redeveloping the site to current standards.

Furthermore the proposed apartment building would likely be of lower quality than if the site the project was developed to current standards, especially given the building proximity to the car wash. Approval of the residential development would likely reduce the likelihood that the site would be redeveloped to current development standards.

Conversely the conversion would provide additional housing stock, eliminate a commercial vacancy that has been unoccupied for five years, and provide a mix of land uses. It may be possible to consider the location of existing buildings and the strict application of Title

18 as a special circumstance applicable to the property because the entire site would require to be redeveloped to construct an apartment complex and to current standards.

### OPTIONS

1. Deny 2017-14 Z based on attached findings and/or to be determined by the Planning Commission; or
2. Approve 2017-14 Z subject to the conditions listed below, based on attached findings and/or findings to be determined by the Planning Commission; or,
3. Continue the item in order to obtain additional information.

### ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Site photos
5. Applicant's Plans (Exhibit A, case file no. 2017-14 Z, dated 10/31/2017)
6. Public Hearing Notice (Sent to 464 property owners and occupants)
7. Planned Commission Resolution No. 40-91 for PD-1991-6
8. Resolutions



MICHAEL FELLOWS  
Assistant Planner



BRAD RAULSTON  
Deputy City Manager

**RESOLUTION NO. 2017-27 a**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF NATIONAL CITY, CALIFORNIA,  
APPROVING A ZONE VARIANCE TO ALLOW COVERSION OF AN OFFICE  
BUILDING TO AN APARTMENT BUILDING  
LOCATED AT 2530 EAST PLAZA BOULEVARD,  
CASE FILE NO. 2017-14 Z  
APN: 558-091-27**

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for the conversion of an office building to an apartment building located at 2530 East Plaza Boulevard at duly advertised public hearings held on August 21 and December 4, 2017, and January 22, 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. 2017-14 Z 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 hearings held on August 21 and December 4, 2017, and January 22, 2018 support the following findings:

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, because the location of existing buildings and the strict application of Title 18 would require the entire site to be redeveloped to construct an apartment complex that may be

constructed on similar sites in the same zoning district without redeveloping the entire site.

2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because the variance is being granted based on the development pattern of the property and since the request is for the conversion of an existing building to a use that is permitted upon other properties in the vicinity and zone.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, because a multiple-family residential use is an allowed use in the underlying Minor Mixed-Use Corridor (MXC-1) zone.

BE IT FURTHER RESOLVED that the application for a Zone Variance is approved subject to the following conditions:

#### General

1. This *Zone Variance* authorizes the conversion of an office building to a 13-unit apartment complex. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit B, case file no. 2017-14 Z, dated 1/4/2018.
2. Before this *Zone Variance* 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 *Zone Variance*. 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 *Zone Variance* 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.
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 Section 18.12.040 of the Municipal Code.

## Building

4. Plans submitted for demolition or improvements must comply with the most current (2016) edition of the California Building, Electrical, Plumbing, Mechanical, Green, Energy, and Fire Codes.

## Engineering

5. The property owner, or its successors and assignees 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 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.
6. 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.
7. All existing and proposed curb inlets on the property shall be provided with "No Dumping" signage in accordance with the NPDES program.
8. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced as marked in the field.
9. The existing pedestrian ramp(s) at the driveway located on Euclid Avenue shall be removed and replaced with standard ramp complying with the ADA requirements and the Regional Standard Drawings G-31.
10. 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.
11. 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.
12. 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.
13. All new dwellings are subject to a Transportation Development Impact Fee of \$2,405.00.
14. 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.

15. 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.

### Fire

16. Plans submitted for construction shall comply with the 2016 editions of NFPA, CFC and the current edition of the CCR.
17. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
18. Fire apparatus access roads shall comply with the requirements of this section (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 first story 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.
19. 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 weathered 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.
20. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
21. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
22. Fire hydrants that may be located throughout the project and not have a separation distance greater than 400 feet. Fire hydrants to be located within 400 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
23. The following items pertain to fire hydrants:
- Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
  - Fire hydrant to be of three outlet design
  - Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch)
  - Fire hydrants to be marked by use of blue reflective marker in the roadway
24. Upon submittal for an underground permit, the following shall be included:

- Data sheet for Back-Flows
  - Data sheets for Private and Commercial Hydrants
  - Data sheets for Post Indicator Valves
25. Information on required fire hydrants back-flow devices, etc. can be acquired from Sweetwater Authority. All pipe and their appliances, shall meet industry/code standards for underground use
  26. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.
  27. Fire sprinkler plan has been documented as deferred submittal with the National City Planning Department.
  28. All fire related plans shall be directly submitted to the National City Fire Department through permit.

### Planning

29. The landscape planters separating the car wash parking lot from the apartment building and the retail store must be re-constructed to be consistent with Planned Development Permit PD-1991-6 prior to building permit Final Approval.
30. Landscape plans and improvements must include the entire property. Also landscape improvements shown in the original approval must be re-planted to substantially conform to the original approval, including interior parking lot trees. Open space area shall substantially conform to the landscape plan. Hardscape in this area be of decorative pavement or pavers; asphalt in common open space area must be removed. All landscape elements, including the faux planting elements, shall be maintained for the useful life of the project.
31. The applicant must provide the minimum common and private open space on building permit plans prior to building permit issuance.
32. The applicant must provide pedestrian access from the apartment complex's primary entrance to the Euclid Avenue public right-of-way. Pedestrian passage through the parking lot must be minimized as determined by Planning Department.
33. The applicant must provide enclosures for both trash and recyclable materials. The enclosures must be covered and be constructed of non-combustible materials (per Fire Department).
34. The applicant must provide storage space consistent with Code Section 18.42.070 (A)(7) that requires 150 cubic feet per unit plus 50 cubic feet for every bedroom more than one.

### Sweetwater Authority

35. The owner must submit a letter to the Sweetwater Authority from the National City Fire Department stating fire flow requirements. Based on this requirement, this project may result in the need for new water systems or substantial alteration to the existing water system. It is recommended that the owner work with the Authority to determine

if the existing water facilities are adequate to meet the added demands prior to issuing a building permit.

36. Residential fire sprinklers and fire services require an approved backflow prevention assembly.
37. Water facilities shall be designed and installed in accordance with the current Sweet Water Authority Design Standards and the Standard Specifications for Construction of Water Facilities.
38. Once the building permit is obtained by the owner, the owner shall submit National City Building Department approved plans to the Sweetwater Authority. The submittal must include a site plan, floor plan, and plumbing plan showing total fixture count, water demands in gallons per day, and a fire sprinkler plan 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 January 22, 2018 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

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**CHAIRPERSON**

**RESOLUTION NO. 2017-27 b**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF NATIONAL CITY, CALIFORNIA,  
DENYING A ZONE VARIANCE TO ALLOW COVERSON OF AN OFFICE BUILDING  
TO AN APARTMENT BUILDING  
LOCATED AT 2530 EAST PLAZA BOULEVARD.  
CASE FILE NO. 2017-14 Z  
APN: 558-091-27**

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for the conversion of an office building to an apartment building located at 2530 East Plaza Boulevard at duly advertised public hearings held on August 21 and December 4, 2017, and January 22, 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. 2017-14 Z 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 hearings held on August 21 and December 4, 2017, and January 22, 2018 support the following findings:

1. There is no special circumstance applicable to the property, including size, shape, topography, location or surroundings where the strict application of Title 18 of the Municipal Code (Zoning) deprives impacts the projects ability to meet the minimum street-wall percentage or parking lot setbacks, because the property has more than 200 feet of frontage on both Plaza Blvd. and Euclid Avenue.
2. The requested Variance would constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because there are no physical hardships associated with the property.

3. The proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design; because the car wash and apartment building are incompatible uses, the conversion would reduce potential business and employment opportunities, and would not be an example of high, quality design.
4. The proposed residential use is inconsistent with the approved Planned Development permits (PD-8-89 and PD-1991-6) and the Conditions of Approval that limited the property to a car wash, auto parts (retail) store, and office. Furthermore, the proposed apartment complex is incompatible with the nearby car wash for reasons detailed in the report including the car wash view, noise, and parking lot circulation.
5. The existing commercial center and office building do not conform to current development standards for the zone. The proposed conversion would reduce the likelihood that the building would be redeveloped with a project that meets current development standards because there would be 13 tenants that would require relocation instead of one tenant with the current building configuration.

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 January 22, 2018 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

---

**CHAIRPERSON**



Item no. **4**  
January 22, 2018

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

**PLANNING COMMISSION STAFF REPORT**

**Title: ADOPTION OF 2018 PLANNING COMMISSION MEETING DATES**

**PROPOSED SCHEDULE**

The dates listed below are proposed for regularly scheduled Planning Commission meetings.

January 22	July 16
February 5	August 6, 20
March 5, 19	September 17
April 2, 16	October 1, 15
May 7, 21	November 5, 19
June 4	December 3, 17

Planning Commission meetings are typically held on the first and third Mondays of each month. There was no meeting on the first Monday of January 2018 due to the necessary time required for noticing for that date (1/1/18); the City returned to work on January 3, 2018 from a two-week furlough.

There was no meeting on the third Monday of January 2018 due to the Martin Luther King Jr. Holiday (January 15, 2018). February has one meeting (February 5, 2018) because of President's Day (February 19, 2018) falling on the third Monday in February.

Due to the expected City Council legislative recess in July only one meeting occurring on the first Monday in June is proposed. The meeting in July is proposed to occur on the third Wednesday since any action taken by the Commission on either of those dates would not be heard by the City Council until August. Due to the Labor Day holiday (September 3, 2018), September 17, 2018 is proposed.

If needed, additional meetings can be scheduled as caseload demands or meetings canceled if there are no agenda items to be considered.

**RECOMMENDATION**

It is recommended that the Planning Commission adopt the proposed 2018 meeting schedule.

**BRAD RAULSTON**  
Deputy City Manager



Item no. **5**  
January 22, 2018

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

PLANNING COMMISSION STAFF REPORT

Title: ELECTION OF OFFICERS FOR 2018

This is the appropriate meeting to elect new Planning Commission officers for 2018 to succeed Chair Roberto Garcia and Vice Chair Ditas Yamane. It is suggested that nominations and elections occur as in previous years.