



## Planning Commission Minutes

### Meeting of March 3, 2014

Planning Commission Meeting Immediately following  
HCDC 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 Chairwoman Pruitt at 6:42 p.m. immediately following the HCDC meeting.

### Roll Call

Commissioners Present: Garcia, Baca, Bush, Pruitt, Alvarado, Flores, DeLaPaz

Staff Also Present: Deputy City Attorney Jennifer Knight, Executive Director Brad Raulston, Principal Planner Martin Reeder, City Engineer Stephen Manganiello

**Pledge of Allegiance** previously presented at start of HCDC meeting

### Approval of Minutes

1. Approval of Minutes of the Meeting held on March 3, 2014.

Motioned by Flores, 2<sup>nd</sup> by Baca, to approve the Minutes from the meeting of March 3, 2014.

**Motion carried by the following vote:**

**Ayes: Garcia, Baca, Bush, Pruitt, Flores, Dela Paz**

**Abstain: Alvarado**

## **Approval of Agenda**

### **2. Approval of Agenda for the Meeting on March 17, 2014.**

Motioned by Baca, 2<sup>nd</sup> by Alvarado for approval of the Agenda for the meeting of March 17, 2014.

**Motion carried by the following vote:**

**Ayes: Garcia, Baca, Bush, Pruitt, Alvarado, Flores, Dela Paz**

## **ORAL COMMUNICATION**

None

## **PRESENTATIONS:**

None

## **PUBLIC HEARINGS**

None

## **NON CONSENT RESOLUTIONS**

### **3. Resolution 7-2014 denying a Conditional Use Permit for a wireless communication facility at 3820 Cagle Street. (Case File No.: 2014-01 CUP)**

Motioned by Flores, 2<sup>nd</sup> by Baca, to approve Resolution 7-2014 denying a Conditional Use Permit for a wireless communication facility at 3820 Cagle Street. (Case File No.: 2014-01 CUP)

**Motion carried by the following vote:**

**Ayes: Garcia, Baca, Pruitt, Flores**

**Noes: DelaPaz, Bush**

**Abstain: Alvarado**

## **OTHER BUSINESS**

### **4. Update on CIP Projects**

Presentation by City Engineer Stephen Manganiello

Staff answered questions as presented by Commissioners

## **STAFF REPORTS**

### **5. Report on Wireless Telecommunications Facilities**

Presentation by Principal Planner Martin Reeder

Staff answered questions as presented by Commissioners

Deputy City Attorney: No report

Executive Director: No report

Principal Planner: Follow up to Commissioners inquiry about the banner hanging on the wall next to IGA: There is a business currently located at that site and the matter has been forwarded to Code Enforcement.

**Commissioners:**

Garcia – Recommends everyone participate in the water tour over the delta for education on water usage and sources. Free tours provided by SDCWA.

Baca – No report.

Bush – Also recommends water tour. Reported that the Mariachi Festival held on the previous weekend was very good.

Alvarado: No report

Flores – No Report

Dela Paz – No report

Pruitt – No Report

Adjournment at 8:07 p.m. to next regularly scheduled meeting on April 7, 2014.

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CHAIRPERSON



## Planning Commission Agenda

Meeting of April 7, 2014 6:00 PM.  
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 Led by Commissioner Dela Paz**

### Approval of Minutes

1. Approval of Minutes of the Meeting held on March 17, 2014.

### Approval of Agenda

2. Approval of Agenda for the Meeting on April 7, 2014.

### 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 Cell Phones and Pagers 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 Division 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**

3. Presentation of Rosenberg's Rules of Order.

## **OTHER BUSINESS**

4. Review of a Street Vacation for the vacation of a portion of alleyway bisecting the block between West 16<sup>th</sup> and West 18<sup>th</sup> Streets, and between Cleveland and McKinley Avenues for conformance with the General Plan. (Case File No.: 2013-30 SC).
5. Resolution 8-2014 taking action on a review of a Street Vacation for the vacation of a portion of alleyway bisecting the block between West 16<sup>th</sup> and West 18<sup>th</sup> Streets, and between Cleveland and McKinley Avenues for conformance with the General Plan. (Case File No.: 2013-30 SC).

## **PUBLIC HEARINGS**

6. Public Hearing – Conditional Use Permit for the expansion of an existing auto body shop located at 2013 Haffley Avenue (Case File No.: 2014-03 CUP).
7. Resolution 9-2014 taking action on a Conditional Use Permit for the expansion of an existing auto body shop located at 940 West 19<sup>th</sup> Street (Case File No.: 2014-03 CUP).
8. Public Hearing – Coastal Development Permit for the vacation of a portion of alleyway bisecting the block between West 16<sup>th</sup> and West 18<sup>th</sup> Streets, and between Cleveland and McKinley Avenues (Case File No.: 2013-30 CDP).
9. Resolution 10-2014 taking action on a Coastal Development Permit for the vacation of a portion of alleyway bisecting the block between West 16<sup>th</sup> and West 18<sup>th</sup> Streets, and between Cleveland and McKinley Avenues (Case File No.: 2013-30 CDP).

## **STAFF REPORTS**

City Attorney

Executive Director

Principal Planner

Commissioners

Chairperson

## **ADJOURNMENT**

Adjournment to next regularly scheduled meeting on April 21, 2014



Item no.  
April 7, 2014

4

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

**PLANNING COMMISSION STAFF REPORT**

**Title:** REVIEW OF A STREET VACATION FOR THE VACATION OF A PORTION OF ALLEYWAY BISECTING THE BLOCK BETWEEN WEST 16<sup>TH</sup> AND WEST 18<sup>TH</sup> STREETS, AND BETWEEN CLEVELAND AND MCKINLEY AVENUES FOR CONFORMANCE WITH THE GENERAL PLAN.

**Case File No.:** 2013-30 SC

**Staff report by:** Martin Reeder, AICP – Principal Planner

**Applicant:** Randal Ehm, Architect

**Property Owner:** 726Ms LLC

**Combined General Plan/  
Zoning designation:** Medium Manufacturing (MM-CZ)

**Adjacent land use/zoning:**

North:	Industrial use / MM-CZ
East:	Industrial use / MM-CZ
South:	industrial use / MM-CZ
West:	Industrial use / MM-CZ

**Environmental review:** Exempt pursuant to CEQA, Section 15305 Minor Alterations in Land Use Limitations, Class 5. The right-of-way vacation will not result in any changes in land use.

## **BACKGROUND**

The proposed alley vacation is in conjunction with the potential expansion of YYK Industries, Inc., a multi-disciplined preservation painting firm specializing in marine applications. The company operates on several parcels in the two block area between West 16<sup>th</sup> and West 18<sup>th</sup> Streets, and Cleveland and McKinley Avenues. YYK currently occupies sites either side of the alley and wishes to consolidate operations.

The alley in this area is 580 feet long. YYK owns four parcels west of the alley (on Cleveland Avenue) and two on the east side of the alley (on McKinley Avenue). The length of alley that is bordered exclusively by applicant-owned properties is 205 feet. There is a further 200 feet of alley to the north and 175 feet to the south.

Adopted in January 2006, the City's Street Vacation Procedures require the City Council to initiate a request to vacate any public streets. The Council initiated the street vacation request on January 21, 2013. Pursuant to the Streets and Highways Code, Section 8313 and the Street Vacation Procedures, the Planning Commission must determine whether a proposed vacation is in conformance with the General Plan and forward the recommendation to the City Council.

### **Proposal**

The applicant proposes to vacate approximately 205 feet of the 20-foot wide portion of alleyway abutting four of the properties that they own. The area proposed to be vacated is roughly the middle 205 feet of the 580-foot long alley. The vacation area would be 20 feet wide, which is the total width of the alley. The reason for the vacation is to allow business operations on either side of the alley to be joined or consolidated. All alley access to properties other than those under the control of the applicant will be maintained. The applicant has also worked and will continue to work with the Fire Department to ensure that adequate emergency access is also maintained.

### **General Plan Conformance**

The area to be vacated is generally only used by YYK. In addition, the remaining properties abutting the alley are either already under the control of YYK or retain access to the alley. Other non-YYK properties on the block also have access to West 16<sup>th</sup> Street and Cleveland Avenue, or McKinley Avenue. Therefore, no access will be affected by the vacation. The alley is not identified as critical access in the Circulation Element of the General Plan or as a major road (arterial or collector). Furthermore, there are no policies or goals in the current General Plan that the proposed vacation would conflict with.

The portion of alley to be vacated is generally underutilized in that most use is by the applicant. Use of the vacated alley area would benefit the area in that it allows for the expansion of the business without taking over another property, thus allowing other businesses to stay in or move into the area. Using the alley will also take the focus off of the street, thus reducing traffic movement (property ingress and egress) on City streets. These observations are consistent with General Plan policies related the efficient use of land and infrastructure, "community" design. Specifically, the following policies would apply:

- **Policy LU-7.1:** Establish incentives to promote the use and development of vacant infill parcels and the intensification of land uses on underutilized parcels to realize the greatest benefit to the community.
- **Policy LU-7.6:** Support the strategic conversion of certain sections of streets into developable land only where the conversion positively contributes to the redevelopment and revitalization of the area, improves traffic safety, and does not impede emergency access.
- **Policy LU-9.6:** Encourage the use of alleys and side-loaded garages to de-emphasize the garage as the prominent visual feature of a residence.

### Coastal Zone

A separate Coastal Development Permit is being processed as part of the proposal.

### **Summary**

The General Plan Circulation Element does not identify the area as a major road (arterial or collector), and there are no plans to improve the right-of-way in this area. The proposed alley vacation does not conflict with the policies and goals of the General Plan. Approval of the vacation will allow the efficient expansion of a successful local business.

### RECOMMENDATION

1. Determine that the Street Vacation as described on the attached plans is in compliance with the National City General Plan, since the portion of alley to be vacated is mostly bordered by the applicant's properties and is not identified as an arterial or collector street in the Circulation Element of the General Plan. Furthermore, all tenant and emergency access will be maintained.
2. Determine that the Street Vacation as described on the attached plans is not in compliance with the National City General Plan, based on Findings to be determined by the Planning Commission.

### ATTACHMENTS

1. Location Map
2. Parcel Map
3. Plat Map and Legal Description
4. Notice of Exemption

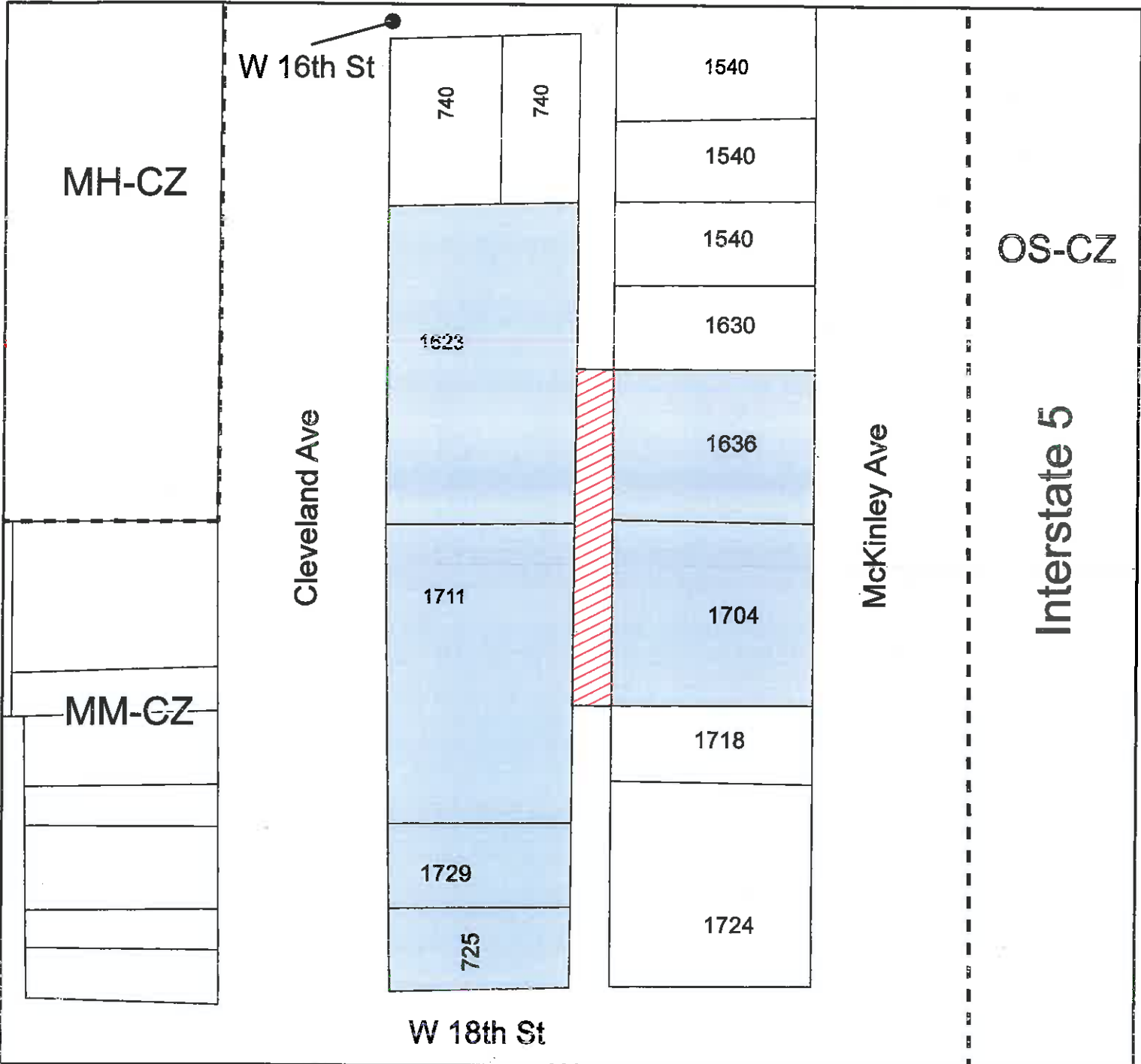





MARTIN REEDER, AICP  
Principal Planner

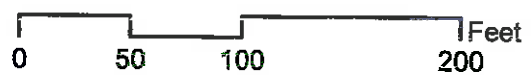


BRAD RAULSTON  
Executive Director





-  Project Area
-  Proposed Vacation
-  Zone Boundary

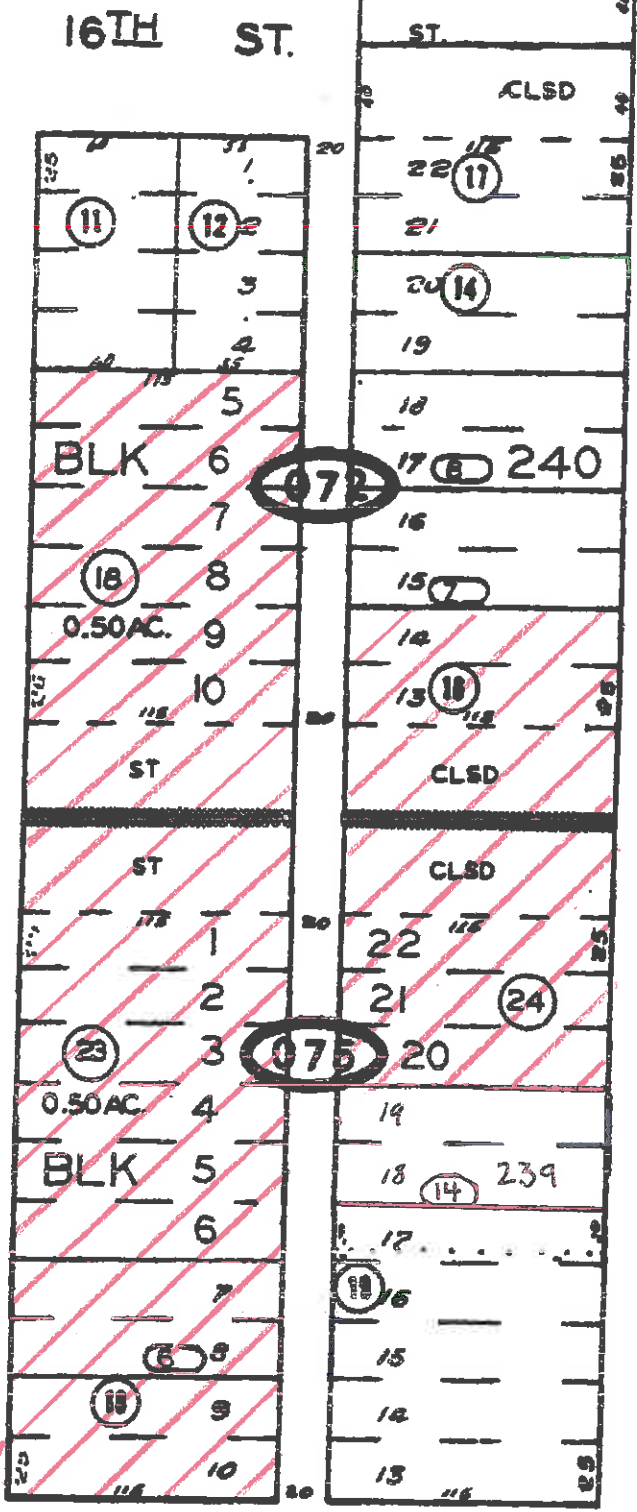
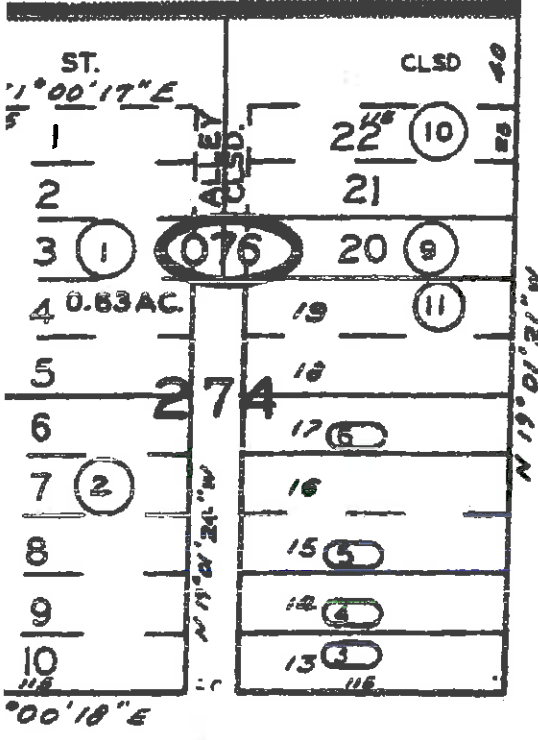
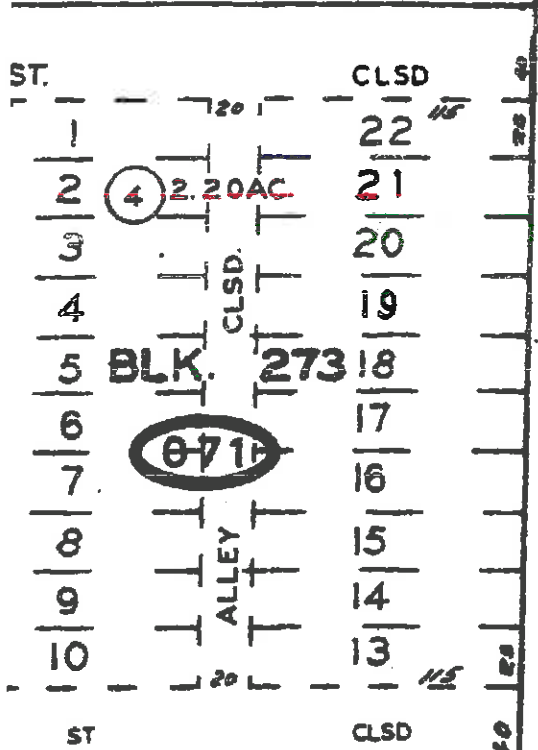


APN: n/a  
(right-of-way)

## Planning Commission Location Map

2013-30 CDP

5



CLEVELAND AVE

McKINLEY AVE

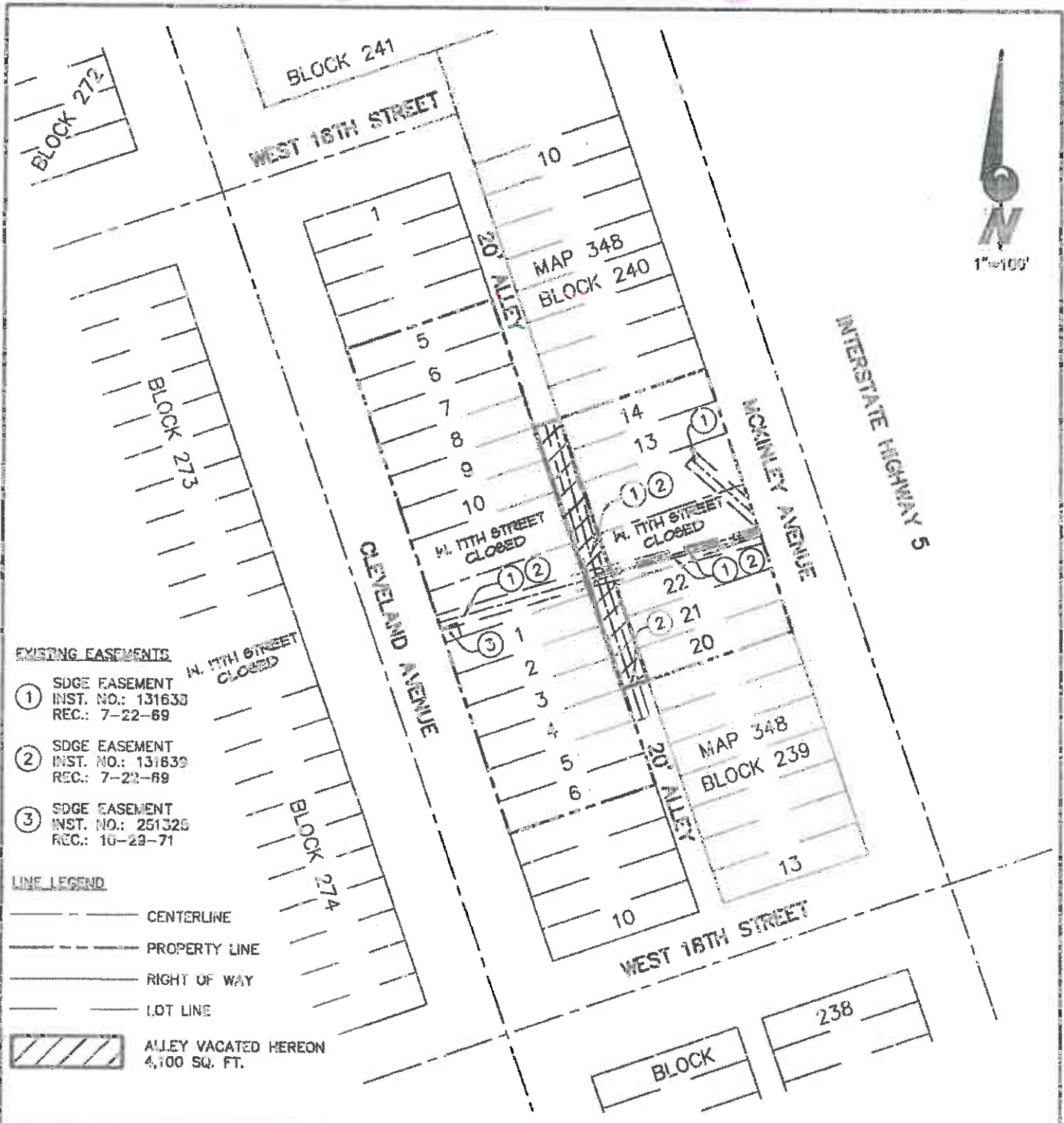
CLEVELAND

McKINLEY

18TH

PARCELS OWNED BY YTK

6



**EXISTING EASEMENTS**

- ① SDGE EASEMENT  
INST. NO.: 131633  
REC.: 7-22-89
- ② SDGE EASEMENT  
INST. NO.: 131639  
REC.: 7-22-89
- ③ SDGE EASEMENT  
INST. NO.: 251325  
REC.: 10-23-71

**LINE LEGEND**

- CENTERLINE
- PROPERTY LINE
- RIGHT OF WAY
- I.D.T. LINE
- ALLEY VACATED HEREON  
4,100 SQ. FT.

Plat of Survey:  
**ALLEY VACATION**  
**BLOCK 239 & 240**  
**MAP 348**  
 CITY OF NATIONAL CITY

**BURKETT & WONG**

ENGINEERS & SURVEYORS  
 3434 Fourth Ave., San Diego, CA  
 92103-5740 (619) 299-5550

*CJ* 1/7/2014  
 CASEY R. LYNCH LS-8380 DATE



**LEGAL DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE ALLEYS IN BLOCKS 239 AND 240 AND A PORTION OF 17<sup>TH</sup> STREET LYING BETWEEN THE WESTERLY AND EASTERLY LINES OF SAID ALLEYS, IN NATIONAL CITY, ACCORDING TO MAP NO. 348 ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

THE ALLEY LOCATED IN BLOCK 240, OF SAID MAP 348, LYING ADJACENT TO LOTS 9, 10, 13 AND 14, ALL WITHIN SAID BLOCK, TOGETHER WITH THE ALLEY LOCATED IN BLOCK 239, OF SAID MAP 348, LYING ADJACENT TO LOTS 1, 2, 3, 20, 21, AND 22 WITHIN SAID BLOCK, TOGETHER WITH THAT PORTION OF 17<sup>TH</sup> STREET LYING BETWEEN THE WESTERLY AND EASTERLY LINES OF SAID ALLEYS WITHIN BLOCKS 239 AND 240.

CONTAINING 4,100 SQUARE FEET, MORE OR LESS.

  
\_\_\_\_\_  
CASEY R. LYNCH, PLS 8380                      1/7/2014  
DATE





CITY OF NATIONAL CITY - DEVELOPMENT SERVICES 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:** 2012-30 SC

**Project Location:** Alleyway bisecting the block between West 16<sup>th</sup> and West 18<sup>th</sup> Streets, and between Cleveland and McKinley Avenues, National City, CA 91950

**Contact Person:** Martin Reeder **Telephone Number:** (619) 336-4313

**Description of Nature, Purpose and Beneficiaries of Project:**  
Vacation of 205 feet of 580 feet of alley between West 16<sup>th</sup> and West 18<sup>th</sup> Streets.

**Applicant:** Randal Jay Ehm, Architect  
3966 Falcon Street  
San Diego, CA 92103-2943

**Telephone Number:**  
(619) 299-5453 x306

**Exempt Status:**  
Categorical Exemption. Class 5 Section 15305 (Minor Alterations in Land Use Limitations)

**Reasons why project is exempt:**  
There is no possibility that the proposed vacation will have a significant impact on the environment since the area to be vacated is not identified as a major road (arterial or collector) in the Circulation Element of the General Plan, and is not identified for any future street or alley extension in or near the subject area. Tenant and emergency access will continue to be provided to all parcels in the area.

Date:

MARTIN REEDER, AICP  
Principal Planner

RESOLUTION NO. 8-2014

A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF NATIONAL CITY, CALIFORNIA,  
FINDING THE VACATION OF A PORTION OF ALLEYWAY  
BISECTING THE BLOCK BETWEEN WEST 16<sup>TH</sup> & WEST 18<sup>TH</sup> STREETS,  
AND BETWEEN CLEVELAND AND MCKINLEY AVENUES  
IN CONFORMANCE WITH THE GENERAL PLAN.  
CASE FILE NO. 2013-30 SC

WHEREAS, the Planning Commission of the City of National City considered the vacation of a portion of alleyway bisecting the block between West 16<sup>th</sup> & West 18<sup>th</sup> Streets, and between Cleveland and McKinley Avenues. for conformance with the General Plan at a hearing held on April 7, 2014, at which time oral and documentary evidence was presented; and,

WHEREAS, at said hearing the Planning Commission considered the staff report contained in Case File No. 2013-30 SC 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, based on the testimony and evidence presented to the Planning Commission at the public hearing held on April 7, 2014, that the Planning Commission finds the proposed Street Vacation in conformance with the National City General Plan.

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

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of April 7, 2014, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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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 THE EXPANSION OF AN EXISTING AUTO BODY SHOP LOCATED AT 2013 HAFFLEY AVENUE.

Case File No.: 2014-03 CUP

Location: East side of Haffley Avenue south of West 19<sup>th</sup> Street.

APN: 559-040-36-01

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Michael Bates, P.E.

Property Owner: Ntreit National City Properties, LP.

Parcel size: 4.75 acres

Plans prepared by: M.B. Technical Services

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

Adjacent Land Use  
/Zoning:

North: Warehouse/industrial use across E. 19<sup>th</sup> St. / MM-CZ

East: Warehouse/industrial use across Railroad R-O-W / MM-CZ

South: Warehouse/industrial use / MM-CZ

West: Warehouse/industrial use across Haffley Ave. / MM-CZ

Environmental review: Exempt pursuant to CEQA Section 15301 (Existing Facilities)



## **BACKGROUND**

### **Site characteristics**

The subject property is located on the southeast corner of West 19<sup>th</sup> Street and Haffley Avenue in the Medium Manufacturing – Coastal Zone (MM-CZ). The property is developed with a 105,608 square-foot industrial building, and 148 parking spaces. Caliber Collision Center currently leases 34,741 square feet of the building. The remainder of the building is currently leased by a wholesale warehouse.

The 2011/2012 Land Use Code Update is not active in the Coastal Zone as the City's Local Coastal Plan is yet to be updated. Therefore, the MM-CZ zone applies. The new zoning will be Medium Industrial (IM) – essentially the same zone.

### **History**

Caliber Collision Centers have been in business since 1997 and operate 63 stores throughout California and Texas. Caliber Collision has operated in National City for approximately 17 years and has been operating at this location since June of 2008, at which time it was approved for a Conditional Use Permit (CUP 2008-09). The business relocated to this location from National City Blvd. As part of the 2008 approval the City worked with the Environmental Health Coalition on formulating conditions to ensure clean business operations. The original Resolution of approval is attached with all approved conditions. At the time of approval the address of the property was 940 West 19<sup>th</sup> Street. Since that time a condominium map has been recorded on the property, which separated ownership of the two suites at this location. The current address of the Caliber Collision Center is 2013 Haffley Avenue.

### **Project proposal**

The applicant is proposing to expand its lease space within the existing building, which will continue to be used for vehicle repair and painting, by 13,200 square feet. The expansion would result in a 47,941 square-foot facility. The expansion area will primarily be used for expanded auto body repair activities, such as frame straightening, alignment, basic mechanical (bolt-on parts only) and detailing. No painting operations are proposed in the expanded area. Facility operating hours will continue to be 7:30 a.m. to 5:30 p.m. Monday through Friday. The area was previously part of the adjacent suite.

### **Analysis**

#### **Land Use Code**

Caliber Collision is allowed to operate within the Medium Manufacturing-Coastal Zone (MM-CZ) with the issuance of a Conditional Use Permit (CUP). The expansion of a conditionally-allowed use would therefore also trigger a CUP. The location is primarily industrial in nature, with the closest residence being approximately 700 feet to the east on Cleveland Avenue. As the expansion of operations is internal only, no additional

effects are expected that would affect neighboring properties. In addition, the building is already industrial in nature and there would in essence be a swap of industrial uses.

### Coastal Zone

Although the subject property is located within the Coastal Zone, this CUP does not require a Coastal Development; it qualifies for an exemption under Section XIX (F) of the adopted Local Coastal Program, as the project does not include any external expansion.

### Parking & Circulation

As originally approved, the 105,000 square-foot building would have required 117 parking spaces. Under the previous Land Use Code (still in effect), the proposed configuration would require 120 parking spaces. The new Land Use Code, which would be effective once approved in the Coastal Zone, would require 154 parking spaces. The applicant has used the new standards for measure, but is proposing 172 parking spaces, in excess of both the current and future parking requirements.

According to SANDAG data, the change in use would cause an increase of 198 average daily trips (ADT), for a total of 1,247 ADT for the 105,000 square-foot building. Appendix F of the General Plan Circulation Element does not contain ADT numbers for Haffley, as it is not classified as a collector or arterial street. However, West 19<sup>th</sup> Street, which abuts the north side of the property, has a current level of service (LOS) of A (the best grade possible), with a forecast 2030 LOS of B. The current maximum ADT capacity of this segment of 19<sup>th</sup> Street is 20,000, with only 2,800 ADT being generated. 2030 numbers are shown as 7,400, still below maximum capacity. Therefore, no traffic impacts are expected.

### Conditions of Approval

Comments were received by the Building and Fire Departments, both of which required compliance with current codes. Other than standard conditions and conditions requiring current code compliance, all original Conditions of Approval would still be in effect, as stated in the attached Resolution.

### CEQA

The project qualifies for an exemption from the California Environmental Quality Act (CEQA) under Section 15301 (Existing Facilities), since the proposed use is an industrial use within an existing industrial building on an industrially-zoned property. Surrounding uses are also all industrial in nature with no residences in the immediate vicinity.

### **Summary**

The proposed project is consistent with the Land Use Code and Local Coastal Program. In addition, the project is limited to an internal expansion, which would not increase the existing building footprint. Furthermore, proposed parking and street network facilities are able to accommodate the change in use of the 13,200 square-foot

area in question. Overall, the project will have a negligible impact on either the property on which the building is located or on adjacent properties. The expansion will help Caliber to improve operations for its customers.

### **RECOMMENDATION**

Approve 2014-03 CUP based on attached findings.

### **ATTACHMENTS**

1. Recommended Findings for Approval
2. Recommended Conditions of Approval
3. Location Map
4. Site Photos
5. Planning Commission Resolution 15-2008
6. Notice of Exemption
7. Public Hearing Notice (Sent to 11 property owners)
8. Applicant's Plans (Exhibit A dated 1/29/2014 Case File No. 2014-03 CUP)



MARTIN REEDER, AICP  
Principal Planner



BRAD RAULSTON  
Executive Director

**RECOMMENDED FINDINGS FOR APPROVAL**  
**2014-03 CUP – Caliber Collision**

1. That the site for the proposed use is adequate in size and shape, since the 13,200 square-foot internal expansion can be accommodated within the existing 105,000 square-foot industrial building, and since the 4.75-acre property can accommodate all the necessary parking spaces required by the expansion of use.
2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic generated by the proposed use, since no expansion of use is occurring beyond the existing building footprint, the business premises has multiple driveways on Haffley Avenue, a local street operating below capacity and which can accommodate any increase in traffic generated by the proposed use.
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the area is in a medium-intensity industrial zone (MM-CZ), is surrounded by industrial uses, and since all required County and State permits with regard to air quality, toxic materials and environmental health have historically been obtained and maintained for the duration of business operations, and which will apply to the expanded operations area.
4. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will enhance and improve operations for Caliber Collision, a conditionally-allowed use in the MM-CZ zone.

## RECOMMENDED CONDITIONS OF APPROVAL

### 2014-03 CUP – Caliber Collision

#### General

1. This *Conditional Use Permit* authorizes the internal expansion of Caliber Collision by 13,200 square feet. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. **2014-03 CUP**, dated 1/29/2014.
2. Unless specifically modified, removed or superseded by adoption of these conditions, all Conditions of Approval contained in Planning Commission Resolution 15-2008 are still in effect and apply to the expanded Caliber Collision operations area.
3. 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 this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
4. *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.
5. 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.

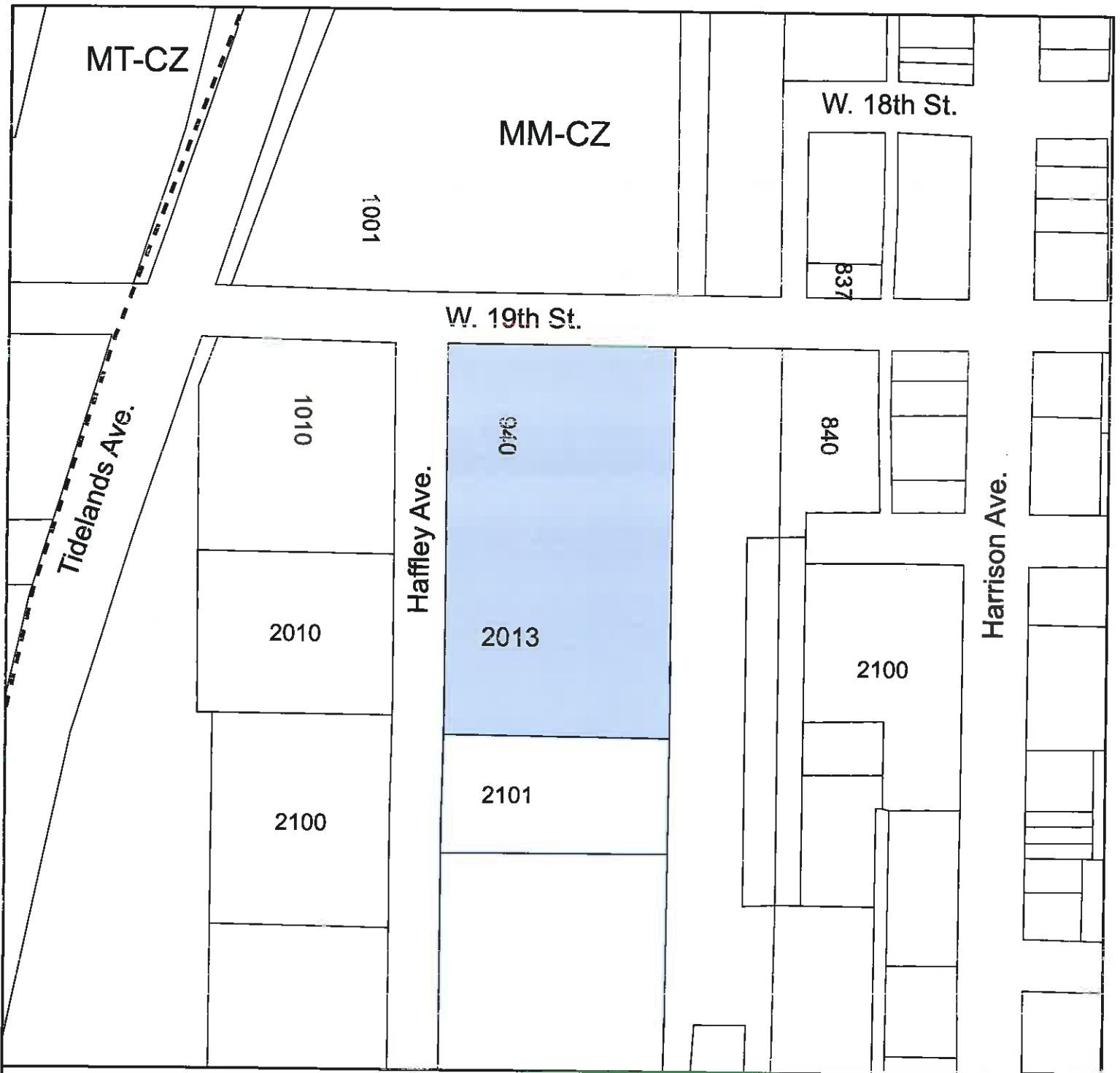
#### Building/Fire

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

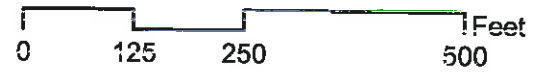
#### Engineering

7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff

Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.



--- Zone Boundary  
 [Blue Box] Project Location



APN:  
559-040-36-01

Planning Commission  
 Location Map

2014-03 CUP



Prepared By:  
M.B. TECHNICAL SERVICES  
PO BOX 9130  
LONG BEACH, CA 90810  
CONTACT: MICHAEL BATES  
T: (562) 426-3453 F: (562) 989-0338  
EMAIL: mb@mbtechnicalservices.com

Project For: CALIBER COLLISION CENTERS

Project Address: 940 W. 19TH ST., NATIONAL CITY, CA 91950

Sheet Title: PHOTO ELEVATIONS Date: 1/27/14

Prepared By: RPO Sheet: 1 OF 4



**SIDE PHOTO ELEVATION**

SCALE: N.T.S.

1



**FRONT PHOTO ELEVATION**

SCALE: N.T.S.

2





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Sheet Title: PHOTO ELEVATIONS

Date: 1/27/14

Prepared By: RPO

Sheet: 2 OF 4



**FRONT PARKING PHOTO**

SCALE: N.T.S.

1



**SIDE PARKING PHOTO**

SCALE: N.T.S.

2



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Project For: CALIBER COLLISION CENTERS  
Project Address: 940 W. 19TH ST., NATIONAL CITY, CA 91950  
Sheet Title: PHOTO ELEVATIONS Date: 1/27/14  
Prepared By: RPO Sheet: 3 OF 4



**REAR BUILDING PHOTO**

SCALE: N.T.S.

1



**REAR PARKING PHOTO**

SCALE: N.T.S.

2



Prepared By:  
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Project For: CALIBER COLLISION CENTERS

Project Address: 940 W. 19TH ST., NATIONAL CITY, CA 91950

Sheet Title: PHOTO ELEVATIONS Date: 1/27/14

Prepared By: RPO Sheet: 4 OF 4



**PARTIAL SIDE PHOTO**

SCALE: N.T.S.

1



**OVERALL SIDE PHOTO**

SCALE: N.T.S.

2

RESOLUTION NO. 15-2008

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA,  
APPROVING A CONDITIONAL USE PERMIT  
FOR AN AUTO BODY AND PAINT SHOP  
IN AN EXISTING INDUSTRIAL BUILDING  
AT 940 WEST 19<sup>TH</sup> STREET  
APPLICANT: PHILLIP SCHWARTZE  
CASE FILE NO. 2008-9 CUP

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for an auto body and paint shop in an existing industrial building at 940 West 19<sup>th</sup> Street at duly advertised public hearings held on April 21, 2008 and May 19, 2008, 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. 2008-9 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 hearings held on April 21, 2008 and May 19, 2008, support the following findings:

1. That the site for the proposed use is adequate in size and shape, since the business would include a 35,200 square-foot portion of an existing 105,000 square-foot industrial building on a 4.75-acre property.
2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic generated by the proposed use, since the business premises has multiple driveways on Haffley Avenue, the adjacent industrial collector and the public roadways, Haffley and 19th Street, operate below capacity and can accommodate the increased traffic generated by the proposed use.
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the area is in a medium-intensity industrial zone (MM-CZ), is surrounded by industrial uses, and since all required County and State permits with regard to air quality, toxic materials and environmental health will be obtained and maintained for the duration of business operation.

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

1. This Conditional Use Permit authorizes a 35,200 square-foot automotive body repair and paint facility to operate at 940 West 19<sup>th</sup> Street. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2008-09 CUP, dated 03/03/2008.
2. A detailed landscape and underground irrigation plan, including plant types, methods of planting, etc. shall be submitted for review and approval by the Planning Director for the property frontage directly in front of the project area. The landscape plan shall reflect the use of drought tolerant planting and water conserving irrigation devices. Proposed Development shall be consistent with approved Landscape Design Guidelines and shall be installed prior to issuance of a business license.
3. Before this Conditional Use Permit shall become effective and prior to issuance of a City business license, the applicant shall show proof of all necessary permits from the following County and State agencies: County of San Diego Department of Environmental Health; County of San Diego, Air Pollution Control District; State of California Department of Toxic Substances Control; State of California Department of Consumer Affairs, Bureau of Automotive Repair and California State Board of Equalization.
4. All inoperable and/or damaged vehicles submitted for repair shall be stored on the property and not on City streets. No vehicle sales shall be allowed on the property without first obtaining Department of Motor Vehicle and City approvals.
5. The applicant shall provide a parking plan prior to business license that reflects designated employee parking for review by the Planning Department. Employees shall park on the subject property in the approved designated areas.
6. Plans must comply with the 2007 editions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, California Fire Code and California Title 24 energy and handicapped regulations.
7. Television cable companies shall be notified a minimum of 48 hours prior to filling of cable trenches.
8. A trash enclosure shall be provided in accordance with city standards prior to issuance of the business license. It shall have a stucco exterior to match the building and a solid roof to the satisfaction of the Planning Department. All appropriate Building Department permits shall be obtained.
9. Exterior walls of buildings/trash enclosures to a height of not less than six (6) feet shall be treated with a graffiti resistant coating subject to approval from the Building and Safety Director and shall be treated prior to the issuance of a business license. Graffiti shall be removed within 24 hours of its observance.
10. 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.

11. The Best Management Practices (BMPs) for 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.
12. 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.
13. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced (driveways on Haffley). All missing street improvements shall be constructed (sidewalks on Haffley). Street improvements shall be in accordance with City Standards and shall be completed prior to issuance of a business license.
14. 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.
15. Project to be designed, developed and constructed in compliance with the California Fire Code (CFC) 2007 edition or CFC in effect at time of permit issuance and the most current National Fire Protection Association (NFPA) Standards and Municipal Code as adopted by the City of National City.
16. The project is to be in compliance with NFPA 13 "Sprinkler Installation" and NFPA 72 "Fire Alarm Installation".
17. 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.
18. 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 this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Director 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 Planning Director prior to recordation.
19. 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 18.116.190 of the Municipal Code.

20. Applicant shall install and use a preparation room with proper filtration and ventilation, a paint mixing room with proper filtration and ventilation, and a spray booth or spray booths with proper filtration and ventilation.
21. Applicant shall use all water-based paints and coatings to limit emissions and worker exposure. No solvents shall be used.
22. Applicant shall limit all non-office operations at facility to the hours of Monday – Friday, 7 AM – 6 PM. Applicant may operate facility on Saturdays between the hours of 8 AM – 1 PM.
23. Emissions at the proposed facility shall be controlled to an overall capture/destruction efficiency of at least 90% by weight, in accordance with Best Available Control Technology (BACT) Emission Rate Limits for Autobody and Paint Shops, as listed in APCD's New Source Review Requirements. See condition No. 26 for reporting requirements.
24. Applicant shall use all best practices for autobody and paint shops as specified by the US Environmental Protection Agency's Design for the Environment program relating to the sanding, paint mixing, spray painting, hazard notification, respiratory equipment, and workplace safety at the facility. See condition No. 26 for reporting requirements.
25. Applicant shall obtain certification as a "green business" as defined by the San Diego County Department of Environmental Health's Green Business Program for auto repair facilities. See condition No. 26 for reporting requirements.
26. Within 12 months of the start of operations at new facility, the applicant shall file a full report with City staff demonstrating full compliance with all conditions.
27. Upon request from any member of the public, the applicant shall hold an annual community meeting to inform interested members of the public as to the compliance with the conditions of this permit and any incidents that have arisen at the facility.

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 May 19, 2008, by the following vote:

**AYES:** Alvarado, Baca, DeLaPaz, Pruitt, Reynolds, Flores

**NAYS:**

**ABSENT:**

**ABSTAIN:**

  
\_\_\_\_\_  
CHAIRWOMAN





**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:** 2014-03 CUP

**Project Location:** 2013 Haffley Avenue in the Coastal Zone.

**Contact Person:** Martin Reeder, AICP      **Telephone Number:** (619) 336-4313

**Description of Nature, Purpose and Beneficiaries of Project:**  
13,200 square-foot internal expansion of an existing auto body repair facility. No increase in the building envelope is proposed.

**Applicant Name and Address:**  
Michael Bates, P.E.  
PO Box 9130  
Long Beach, CA 90810

**Telephone Number:**  
(562) 426-3453

**Exempt Status:**

Categorical Exemption – Class 1, Section 15301 (Existing Facilities)

**Reasons why project is exempt:**

The project is in-fill development that is consistent with the City's General Plan and other applicable regulations. The site is less than five acres and has no habitat located upon it. The project would not result in significant effects to traffic, noise, air or water quality, and would be adequately served by existing utilities. All activity would be contained within the existing building envelope.

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 THE EXPANSION  
OF AN EXISTING AUTO BODY SHOP  
LOCATED AT 2013 HAFFLEY AVENUE.  
CASE FILE NO.: 2014-03 CUP  
APN: 559-040-36-01

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, April 7, 2014**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Michael Bates for Caliber Collision)

Caliber Collision proposes to expand its existing 34,741 square-foot lease space by 13,200 square feet within the existing building. The facility would continue to be used for vehicle repair and painting during the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **April 7, 2014**, who can be contacted at 619-336-4310 or [planning@nationalcityca.gov](mailto:planning@nationalcityca.gov)

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

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON  
Executive Director

**RESOLUTION NO. 9-2014**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA,  
APPROVING A CONDITIONAL USE PERMIT FOR THE EXPANSION OF AN  
EXISTING AUTO BODY SHOP LOCATED AT 2013 HAFFLEY AVENUE.  
APPLICANT: MICHAEL BATES  
CASE FILE NO. 2014-03 CUP**

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the expansion of an existing auto body repair shop located at 2013 Haffley Avenue, at a duly advertised public hearings held on April 7, 2014, 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. 2014-03 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 April 7, 2014, support the following findings:

1. That the site for the proposed use is adequate in size and shape, since the 13,200 square-foot internal expansion can be accommodated within the existing 105,000 square-foot industrial building, and since the 4.75-acre property can accommodate all the necessary parking spaces required by the expansion of use.
2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic generated by the proposed use, since no expansion of use is occurring beyond the existing building footprint, the business premises has multiple driveways on Haffley Avenue, a local street operating below capacity and which can accommodate any increase in traffic generated by the proposed use.
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the area is in a medium-intensity industrial zone (MM-CZ), is surrounded by industrial uses, and since all required County and

State permits with regard to air quality, toxic materials and environmental health have historically been obtained and maintained for the duration of business operations, and which will apply to the expanded operations area.

4. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will enhance and improve operations for Caliber Collision, a conditionally-allowed use in the MM-CZ zone.

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

#### General

1. This *Conditional Use Permit* authorizes the internal expansion of Caliber Collision by 13,200 square feet. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2014-03 CUP, dated 1/29/2014.
2. Unless specifically modified, removed or superseded by adoption of these conditions, all Conditions of Approval contained in Planning Commission Resolution 15-2008 are still in effect and apply to the expanded Caliber Collision operations area.
3. 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 this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
4. *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.
5. 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/Fire

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

#### Engineering

7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is

submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.

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 April 7, 2014, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

---

CHAIRMAN



Item no.  
April 7, 2014

8

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

**PLANNING COMMISSION STAFF REPORT**

Title: PUBLIC HEARING - COASTAL DEVELOPMENT PERMIT FOR THE VACATION OF A PORTION OF ALLEYWAY BETWEEN WEST 16<sup>TH</sup> & WEST 18<sup>TH</sup> STREETS IN THE COASTAL ZONE.

Case File No.: 2013-30 CDP

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Randal Ehm, Architect

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

Adjacent land use/zoning:

North: Industrial use / MM-CZ

East: Industrial use / MM-CZ

South: Industrial use / MM-CZ

West: Industrial use / MM-CZ

Environmental review: Exempt pursuant to CEQA, Section 15305 Minor Alterations in Land Use Limitations, Class 5. The right-of-way vacation will not result in any changes in land use.

## **BACKGROUND**

The applicant represents YYK Industries, Inc., a multi-disciplined preservation painting firm specializing in marine applications. YYK is located within Subarea I of the Local Coastal Plan area. This area is approximately 210 acres and is almost entirely developed with light and medium industrial uses. The proposed alley vacation is in conjunction with the potential expansion of YYK. The company operates on several parcels in the two block area between West 16<sup>th</sup> and West 18<sup>th</sup> Streets, and Cleveland and McKinley Avenues. The company currently occupies sites either side of the alley and wishes to consolidate operations.

The alley in this area is 580 feet long. YYK owns four parcels west of the alley (on Cleveland Avenue) and two on the east side of the alley (on McKinley Avenue). The length of alley that is bordered exclusively by applicant-owned properties is 205 feet. There are a further 200 feet of alley to the north and 175 feet to the south.

### **Proposal**

The applicant proposes to vacate approximately 205 feet of the 20-foot wide portion of alleyway abutting four of the properties that they own. The area proposed to be vacated is roughly the middle 205 feet of the 580-foot long alley. The vacation area would be 20 feet wide, which is the total width of the alley. The reason for the vacation is to allow business operations on either side of the alley to be joined or consolidated. All alley access to properties other than those under the control of the applicant will be maintained. The applicant has also worked and will continue to work with the Fire Department to ensure that adequate emergency access is also maintained.

### **General Plan**

A separate Street Vacation Permit is being processed as part of the proposal, as part of which the Planning Commission will be determining General Plan Consistency.

### **Coastal Development Permit**

The associated Coastal Development Permit is required per the California Coastal Commission, as a street or alley vacation is considered to be "development" as defined in the Coastal Act.

The existing right-of-way easement (alley) does not provides either (1) direct public access to the sandy beach or (2) ingress for members of the public to access a recorded easement for beach access that has been previously required by the Commission across private property as per section 30609.5 of the Coastal Act.

In addition, the easement has not been historically utilized by members of the public to access the shoreline. This is germane as the public may have acquired the prescriptive right for use of such land pursuant to the doctrine of implied dedication based on continuous public use over a five-year period. In this case, the area is far removed from any coastal access. Furthermore, the only public access to San Diego Bay is the Pepper Park area, which is over a mile away, and accessible from several other streets.

As previously mentioned, the project area is located in Subarea I of the Local Coastal Plan, roughly comprised of the area between Tidelands Avenue and Interstate 5, and between 8<sup>th</sup> and 30<sup>th</sup> Streets. The southern portion of Subarea I also includes the Harbor District Specific Area Plan (outside of the project area).

There are no Local Coastal Plan policies that the proposed alley vacation conflicts with. Furthermore, there is only one policy related to industrial development:

*In the event that different industrial land uses are competing for available industrial land, priority shall be given to marine related industrial uses.*

Given that YYK is a marine related industrial use, and since there are no other policies related to industrial development in Subarea I, the project is consistent with and implements the Local Coastal Plan. Furthermore, staff has found the vacation to be consistent with several policies contained in the City's General Plan. General Plan consistency is being conducted as a separate process. Final City approval of this Coastal Development Permit is contingent upon completion of the associated Street Vacation application.

### **Summary**

The General Plan and Local Coastal Plan both identify the project area as suitable for industrial use. The proposed vacation is consistent with several General Plan policies as well as being a marine related use, a priority use within Subarea I of the Local Coastal Plan. The proposed alley vacation does not conflict with the policies and goals of the General Plan or the Local Coastal Plan. Eventual approval of the vacation will allow the efficient expansion of a successful local business.

### **RECOMMENDATION**

Approve 2013-30 CDP based on attached findings.

### **ATTACHMENTS**

1. Location Map
2. Parcel Map
3. Public Hearing Notice (sent to 15 property owners)



MARTIN REEDER, AICP  
Principal Planner



BRAD RAULSTON  
Executive Director



**RECOMMENDED FINDINGS FOR APPROVAL**  
**2013-30 CDP – YYK Alley Vacation**

1. That granting of this Coastal Development Permit is consistent with all other City plans and ordinances, since the project complies with applicable Land Use Code requirements, and since the industrial use involved in the project is identified by the General Plan as an appropriate use in the project area. Furthermore, the vacation conforms to several General Plan policies as considered and adopted by the Planning Commission under File No. 2013-30 SC.
  
2. That the granting of this Coastal Development Permit is consistent with and implements the Certified Local Coastal Program, since the Local Coastal Plan identifies marine related businesses as priority uses within Subarea I of the Local Coastal Plan, since the proposed alley vacation does not conflict with any policies or goals of the Local Coastal Plan, and since no existing or proposed coastal access will be affected.

**RECOMMENDED CONDITIONS OF APPROVAL**  
**2013-30 CDP – YYK Alley Vacation**

**General**

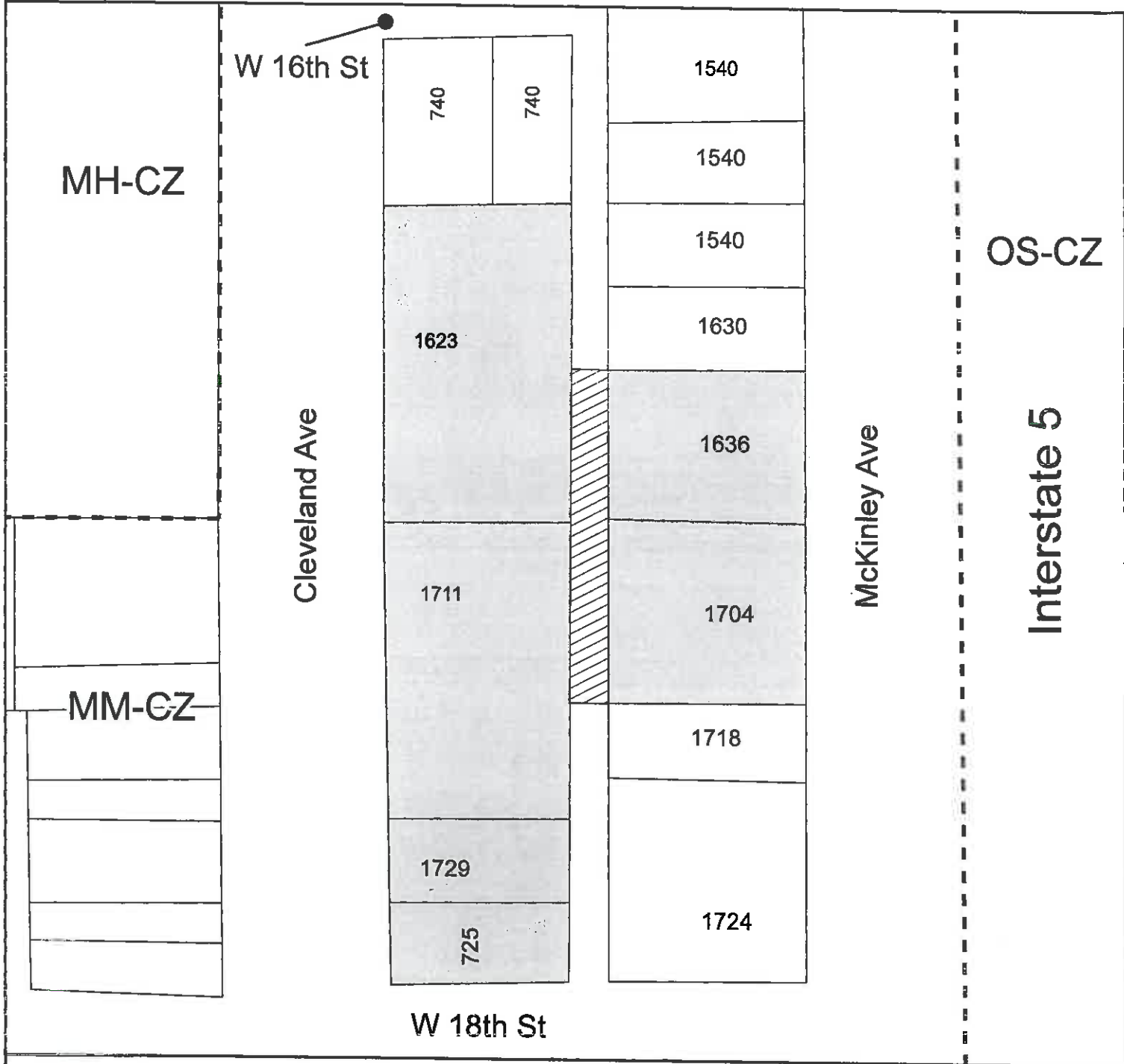
1. Approval of this Coastal Development Permit shall not be active until the associated Street Vacation application has been approved and completed. If the associated Street Vacation request is denied, this Coastal Development Permit shall be null and void.
2. *Within four (4) days* of approval, pursuant 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 Section 18.12.040 of the Municipal Code.




**Building/Fire**

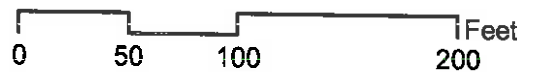
4. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.
5. Emergency access shall be provided to the property from both ends of the alleyway, including turnaround provisions, as per Fire Department requirements. Said access shall be noted on plans submitted for construction.

**Utilities**

6. Prior to any construction or grading activities, the applicant shall coordinate with all utilities with infrastructure in the area to ensure protection of any existing utility services.
7. Call 800-227-2600 (Underground Service Alert) for mark out prior to any digging activities.



-  Project Area
-  Proposed Vacation
-  Zone Boundary



APN: n/a  
(right-of-way)

Planning Commission  
Location Map

2013-30 CDP





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

NOTICE OF PUBLIC HEARING

COASTAL DEVELOPMENT PERMIT FOR THE VACATION OF A  
PORTION OF ALLEYWAY BETWEEN WEST 16<sup>TH</sup> & WEST 18<sup>TH</sup> STREETS  
IN THE COASTAL ZONE.  
CASE FILE NO.: 2013-30 SC, CDP

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, April 7, 2014**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Randal Ehm)

The applicant proposes to vacate approximately 205 feet of the 20-foot wide alleyway between West 16<sup>th</sup> and West 18<sup>th</sup> Streets. The portion of alley proposed to be vacated abuts four properties owned by YYK Enterprises, Inc. The vacation would facilitate expansion of the business.

The time within which judicial review of the City Council action must be sought on this item is governed by Section 1094.6 of the California Government Code of Civil Procedure (CCP). The right to appeal a decision of the City Council is governed by Section 1094.5 of the CCP and Chapter 1.42 of the City of National City Municipal Code.

Plans are available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **April 7, 2014**, who can be contacted at 619-336-4310 or [planning@nationalcityca.gov](mailto:planning@nationalcityca.gov)

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

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON  
Executive Director

RESOLUTION NO. 10-2014

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA,  
APPROVING A COASTAL DEVELOPMENT PERMIT FOR  
THE VACATION OF A PORTION OF ALLEYWAY BETWEEN  
WEST 16<sup>TH</sup> & WEST 18<sup>TH</sup> STREETS IN THE COASTAL ZONE.  
APPLICANT: RANDAL EHM, ARCHITECT  
CASE FILE NO. 2013-30 CDP

WHEREAS, the Planning Commission of the City of National City considered a Coastal Development Permit for the vacation of a portion of alleyway between West 16<sup>th</sup> & West 18<sup>th</sup> Streets in the coastal zone, at a duly advertised public hearings held on April 7, 2014, 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. 2013-30 CDP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on April 7, 2014, support the following findings:

1. That granting of this Coastal Development Permit is consistent with all other City plans and ordinances, since the project complies with applicable Land Use Code requirements, and since the industrial use involved in the project is identified by the General Plan as an appropriate use in the project area. Furthermore, the vacation conforms to several General Plan policies as considered and adopted by the Planning Commission under File No. 2013-30 SC.
2. That the granting of this Coastal Development Permit is consistent with and implements the Certified Local Coastal Program, since the Local Coastal Plan identifies marine related businesses as priority uses within Subarea I of the Local Coastal Plan, since the proposed alley vacation does not conflict with any policies or goals of the Local Coastal Plan, and since no existing or proposed coastal access will be affected.

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

**General**

1. Approval of this Coastal Development Permit shall not be active until the associated Street Vacation application has been approved and completed. If the associated Street Vacation request is denied, this Coastal Development Permit shall be null and void.
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 Section 18.12.040 of the Municipal Code.

**Building/Fire**

4. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.
5. Emergency access shall be provided to the property from both ends of the alleyway, including turnaround provisions, as per Fire Department requirements. Said access shall be noted on plans submitted for construction.

**Utilities**

6. Prior to any construction or grading activities, the applicant shall coordinate with all utilities with infrastructure in the area to ensure protection of any existing utility services.
7. Call 800-227-2600 (Underground Service Alert) for mark out prior to any digging activities.

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 April 7, 2014, by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

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**CHAIRMAN**