



# Planning Commission Agenda

Meeting of June 3, 2019 – 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.

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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 Dela Paz**

## **Approval of Minutes**

1. Approval of Minutes from the Meeting of March 25, 2019
2. Approval of Minutes from the Meeting of May 20, 2019

## **Approval of Agenda**

3. Approval of the Agenda for the Meeting on June 3, 2019

## **ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).**

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

## **PRESENTATIONS**

## **CONTINUED PUBLIC HEARINGS**

## **PUBLIC HEARINGS**

4. Resolution taking action on Consideration of Certification of a Negative Declaration for the Annexation of 2311 and 2305 Sweetwater Road; General Plan Amendment and Zone Change for the Rezoning of Said Properties, in addition to 3320, 3330, 3336 Orange Street, in order to Construct a 5,500 Commercial Center; and a Conditional Use Permit for a Drive-Through Business. (Case File No. 2017-13 GPA, ZC, CUP, IS)

## **OTHER BUSINESS**

### **STAFF REPORTS**

Senior Assistant City Attorney

Acting Deputy City Manager

Principal Planners

Commissioners

Chairperson

### **ADJOURNMENT**

Adjournment to the next regularly scheduled meeting on July 15, 2019.



## Planning Commission Minutes

Planning Commission  
Special Meeting of March 25, 2019  
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 Sendt at 6:01 p.m.

### **Roll Call**

Commissioners Present: Flores, Sendt, Yamane, Garcia

Commissioners Absent: Baca, Dela Paz

Staff Also Present: Deputy City Manager Brad Raulston, Acting Deputy City Manager Armando Vergara

**Pledge of Allegiance** Presented by Commissioner Garcia

1. Approval of Minutes from the Meeting of March 4, 2019.

Motion by Yamane, second by Flores to approve the Minutes for the Meeting of March 4, 2019.

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

**Ayes:** Flores, Sendt, Yamane

**Abstain:** Garcia

**Noes:** None.

**Absent:** Baca, Dela Paz

Commissioner Garcia abstained due to his absence at this meeting.

2. Approval of the Agenda for the Special Meeting of March 25, 2019.

Motion by Yamane, second by Flores to approve the Agenda for the Meeting of March 18, 2019.

**Motion carried by the following vote:**

**Ayes:** Flores, Sendt, Yamane, Garcia

**Abstain:** None.

**Noes:** None.

**Absent:** Baca, Dela Paz

**ORAL COMMUNICATION:** None.

**PRESENTATIONS:** None.

**CONTINUED PUBLIC HEARINGS:** None.

**PUBLIC HEARINGS:**

3. Resolution taking action on a Code Amendment Amending Section 18.30.220 (Telecommunications Facilities) of the National City Municipal Code

Presented by Tripp May, Telecom Law Firm via PowerPoint presentation.

Motion by Yamane, second by Garcia to close the public hearing and approve a Resolution taking action on a Code Amendment Amending Section 18.30.220 (Telecommunications Facilities) of the National City Municipal Code

**Motion carried by the following vote:**

**Ayes:** Flores, Sendt, Yamane, Garcia

**Abstain:** None.

**Noes:** None.

**Absent:** Baca, Dela Paz

**OTHER BUSINESS:** None.



**STAFF REPORTS:**

**Brad Raulston, Deputy City Manager:** Advised that staff was preparing for a Budget Workshop and are available to answer questions related to the budget. Stated that the last day for City Manager Leslie Deese would be March 28, 2019; the Mayor's State of the City Address would occur on that day as well.

**City Attorney:** Advised that appointment of a new Planning Commissioner would be placed on an upcoming City Council agenda.

**Acting Planning Director:** Absent.

**Principal Planner:** Absent.

**COMMISSIONER REPORTS:**

**Yamane:** Congratulated City Manager Leslie Deese on her retirement and wished her well in her future endeavors. Congratulated the new Chief of Police Jose Tellez.

**Garcia:** Praised City staff for encouraging in-house employees to fill employment vacancies. Thanked the City for its support for efforts made for the 2020 census.

**Flores:** Inquired about the date of the next meeting. Staff advised that the next meeting was scheduled for April 22<sup>nd</sup>. City Attorney Angil Morris-Jones commented that if the meeting did not fall on the first or third Monday of the month the meeting would be scheduled as a Special Meeting.

**Sendt:** Inquired if the newly appointed Planning Commissioner could attend the League of California Cities Planning Commission Academy. Deputy City Manager Brad Raulston responded in the affirmative.

**Commissioners Baca and Dela Paz:** Absent

**ADJOURNMENT** by Chair Sendt at 6:34 p.m. to the meeting of April 8, 2019.

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CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of June 3, 2019.



## Planning Commission Minutes

Planning Commission  
Meeting of May 20, 2019  
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 Sendt at 6:04 p.m.

### **Roll Call**

Commissioners Present: Sendt, Yamane, Dela Baz, Baca, Garcia, Natividad

Commissioners Absent: Flores

Staff Also Present: Acting Deputy City Manager Armando Vergara, Senior Assistant City Attorney Nicole Pedone, Principal Planner Martin Reeder, Principal Planner Ray Pe, Assistant Planner Chris Stanley, Acting City Engineer Roberto Yano, Acting Principal Engineer Jose Lopez

### **Pledge of Allegiance** Presented by Commissioner Baca

1. Approval of Minutes from the Meeting of March 25, 2019.

Motion by Yamane, second by Garcia to approve the Minutes for the Meeting of March 25, 2019.

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

**Ayes:** Sendt, Yamane, Garcia

**Abstain:** Baca, Dela Paz, Natividad

**Noes:** None.

**Absent:** Flores

Commissioners Baca, Dela Paz, and Natividad abstained because they were not present at the meeting held on March 25<sup>th</sup>.

Item will be brought forward again at the meeting of June 3, 2019.

2. Approval of the Agenda for the Meeting of May 20, 2019.

Motion by Yamane, second by Garcia to approve the Agenda for the Meeting of May 20, 2019.

**Motion carried by the following vote:**

**Ayes:** Sendt, Yamane, Garcia, Baca, Dela Paz, Natividad

**Abstain:** None.

**Noes:** None.

**Absent:** Flores

**Motion approved.**

**ORAL COMMUNICATION:** Public speaker Joan Rincon commented about regulations relating to vacation rentals.

**PRESENTATIONS:** None.

**CONTINUED PUBLIC HEARINGS:** None.

**PUBLIC HEARINGS:**

3. Resolution taking action on a Modification of a Conditional Use Permit for the Expansion of an Existing Wireless Telecommunications Facility Located at 241 National City Boulevard (Case File No. 2019-09 CUP)

Presented by Assistant Planner Chris Stanley.

Applicant, Curtis Chadwick representing T-mobile, answered questions posed by the Commissioners.

In response to Commissioner comments regarding the poor condition of signage on the property as well as junk and debris on the lot, Senior Assistant City Attorney Nicole Pedone advised that it was the responsibility of the property owner to rectify these issues and that staff would continue to work with the property owner to resolve. She further noted that Condition No. 11 addresses these concerns.



Motion by Dela Paz, second by Natividad to close the public hearing and approve a Resolution taking action on a Modification of a Conditional Use Permit for the Expansion of an Existing Wireless Telecommunications Facility Located at 241 National City Boulevard (Case File No. 2019-09 CUP)

**Motion carried by the following vote:**

**Ayes:** Sendt, Yamane, Garcia, Baca, Dela Paz, Natividad

**Abstain:** None.

**Noes:** None.

**Absent:** Flores

**OTHER BUSINESS:**

4. Fiscal Year 2019-2020 Capital Improvement Program – General Plan Conformity Review

Introduced by Principal Planner Ray Pe and presented by Acting City Engineer Roberto Yano and Acting Principal Engineer Jose Lopez, utilizing a PowerPoint presentation.

Following the presentation, Commissioners requested that staff provide the following information:

- Commissioner Natividad:
  - Stated that the color of the sign on Casa de Salud was difficult to see because it blends with the color of the building. Inquired if the color could be modified.
  - Stated that the condition of the street between 16<sup>th</sup> Street and Palm Avenue was rough to drive on due to current construction. In response, staff advised that it was a Sweetwater Authority project, but would have City inspectors visit the site to make necessary adjustments.
  - Inquired about the rehabilitation of Granger Music Hall and the poor condition of the roof. Acting City Engineer Roberto Yano advised that staff would continue to look for funding to rehabilitate the building and he would inquire about the status of the roof repair and report back.
  - Advised that the timing of the traffic light on 16<sup>th</sup> Street and Palm Avenue seemed too short. In response, Mr. Yano advised that staff would explore the issue.



- Commissioner Dela Paz:
  - Requested that during next year's Capital Improvement Program (CIP) presentation, staff provide more detail in their presentation of projects as well as the project descriptions. Mr. Yano agreed.
- Commissioner Yamane:
  - Requested that the CIP categories be more detailed and to organize the financial components of projects into tiers and timelines to better assist the City Council with prioritizing projects during their decision making.

Motion by Garcia, second by Natividad to determine that the proposed Capital Improvement Program for Fiscal Year 2019-2020 is in conformity with the adopted General Plan with the caveat that the presentation for next fiscal year would include prioritizing tiers, timelines for specific projects, and more detail regarding how each project complies with the General Plan.

**Motion carried by the following vote:**

**Ayes:** Sendt, Yamane, Garcia, Baca, Dela Paz, Natividad

**Abstain:** None.

**Noes:** None.

**Absent:** Flores

**STAFF REPORTS:**

**Armando Vergara, Acting Deputy City Manager:** Congratulated Commissioner Yamane on her reappointment and welcomed newly appointed Commissioner Natividad.

**Senior Assistant City Attorney:** None.

**Principal Planners:** Echoed the comments made by Mr. Vergara.

**COMMISSIONER REPORTS:**

**Natividad:** Thanked the members of City Council that voted for him and stated that he looked forward to working with his fellow Commissioners.

**Baca:** Welcomed newly appointed Commissioner Natividad and thanked staff for their presentations.

**Dela Paz:** None.

**Garcia:** Spoke to his work with the U.S. Census Bureau and the importance of a full and accurate count of National City residents to ensure the City obtains its fair share of resources. Suggested that the subject of traffic circulation be revisited in the future and opined that certain streets be changed to one-way during specific hours and that cars be prohibited within one-half mile of schools during certain hours. He requested an update on the Reforestation Program. Acting City Engineer Roberto Yano advised that staff was currently working to schedule an update.

**Yamane:** Thanked the Mayor and Council for her reappointment and welcomed Commissioner Natividad. Congratulated Commissioner Garcia on his recent nuptials and wished Chair Sendt a happy birthday.

**Sendt:** Thanked Engineering staff on the repair of pot holes on National City streets. Informed staff that there were piles of clothing and other debris on Harbison Avenue at the Arco gas station between Plaza Blvd. and 8<sup>th</sup> Street. Inquired about the League of California Cities Planning Commissioners Academy. In response, Acting Deputy City Manager Armando Vergara advised that the course had occurred in April 2019.

**Flores:** Absent.

**ADJOURNMENT** by Chair Sendt at 7:13 p.m. to the meeting of June 3, 2019.

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CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of June 3, 2019.



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

**PLANNING COMMISSION STAFF REPORT**

Title: PUBLIC HEARING – CONSIDERATION OF CERTIFICATION OF A NEGATIVE DECLARATION FOR THE ANNEXATION OF 2311 AND 2305 SWEETWATER ROAD; GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR THE REZONING OF SAID PROPERTIES, IN ADDITION TO 3320, 3330, 3336 ORANGE STREET, IN ORDER TO CONSTRUCT A 5,500 COMMERCIAL CENTER; AND A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH BUSINESS.

Case File No.: 2017-13 GPA, ZC, CUP, IS

Assessor's Parcel No.: 563-252-12 through 14 and 563-252-23 & 28

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Muraoka Enterprises, Inc.

Property Owner: Muraoka Enterprises, Inc.

Land use designation: Low-Medium Density Residential

Zoning designation: Small Lot Residential/Small Lot Residential – pre-zone (RS-2)

Project size: 0.8 acres

Adjacent land use/zoning:

- North: Single family residential / County of San Diego
- East: 7-Eleven & Super 8 Motel / MXD-2 (Major Mixed-Use District)
- South: Freeway interchange and Park & Ride / OS (Open Space)
- West: Interstate 805 / OS

Environmental review: Negative Declaration

Staff Recommendation: Approve



## **BACKGROUND**

### Staff Recommendation

Staff recommends approval of the proposed General Plan Amendment, Zone Change, Annexation, and Conditional Use Permit (CUP), as well as certification of the associated Negative Declaration. The proposed development meets three General Plan Policies and one General Plan Goal related to Land Use, and would revitalize an existing under-utilized property.

### Executive Summary

The applicant is proposing to rezone and redevelop five single-family-zoned lots in order to construct a 5,500 square-foot commercial center with a drive-through business. Renderings for the project show a Starbucks coffee shop. In order to do so, the existing single-family zoning needs to be changed to mixed-use. Two of the properties are in the County of San Diego and would be annexed as part of this application. This type of change requires a General Plan Amendment to change the land use from Low-Medium Density Residential to Major Mixed-Use, and a Zone Change from Small Lot Residential (RS-2) to Major Mixed-Use District (MXD-2). The amendment and zone change were initiated together by the Planning Commission on August 7, 2017. A drive-through business requires a CUP.

### Site Characteristics

The project site is comprised of five separate parcels located at 3320, 3330, and 3336 Orange Street in National City, along with 2311 and 2305 Sweetwater Road, which are located in the County of San Diego. The parcels are contiguous to one another and form the end of the block fronting on Sweetwater Road between Olive Street and Orange Street.

The City properties are zoned Small Lot Residential (RS-2) and the County properties are pre-zoned<sup>1</sup> as RS-2. All of the properties are considered *Low-Medium Density Residential* on the General Plan Land Use map. The whole project area is approximately 34,000 square feet in size, or roughly 0.8 acres, and is undeveloped with the exception of 2305 Sweetwater Road, which is developed with a single-family residence.

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<sup>1</sup> Properties within the City's sphere of influence but not within our jurisdictional boundaries are shown on the City's zoning map as being "pre-zoned". If annexed, the pre-zone becomes the actual zone.



Address	Jurisdiction	Size (ft <sup>2</sup> )	Zoning	Development
3320 Orange St	City of NC	7,405	RS-2	Vacant
3330 Orange St	City of NC	7,405	RS-2	Vacant
3336 Orange St	City of NC	9,583	RS-2	Vacant
2311 Sweetwater Rd	County of SD	5,227	RS-2 (pre-zone)	Vacant
2305 Sweetwater Rd	County of SD	4,356	RS-2 (pre-zone)	Single-family Residence

The property to be redeveloped has a current land use designation of Low-Medium Density Residential, which allows up to nine units per acre (six units in this case). The current zoning designation of RS-2 generally allows one single-family residence per lot, although accessory dwelling units (ADU) are also permitted.

#### Proposal

The applicant proposes to change the property zones from RS-2 to MXD-2 and to annex two parcels that are currently within the County of San Diego's jurisdiction to be included within the City of National City. The applicant has provided a site plan showing a 5,500 square-foot commercial center with a drive-through Starbucks. A drive-through business requires a CUP, which is also part of this application. The MXD-2 zone allows a myriad of uses from mixed-use, to multi-family, to commercial use. The applicant sees the properties as more suited for a commercial use being that Sweetwater Road is an arterial street with direct freeway access.

In order to change the zoning to MXD-2, the Land Use designation would also need to be changed (General Plan Amendment). In this case, the *Low-Medium Density Residential* land use would need to be changed to *Major Mixed Use*. If the land use and zoning are changed, the two County properties would be considered as "pre-zoned" as the same zones, until such time as they were formally annexed into the City.

#### Analysis

When deciding to initiate a General Plan Amendment and Zone Change, the Planning Commission must take into account the surrounding land uses and neighborhood makeup, as well as consistency with the General Plan and other governing documents.

The surrounding area is varied in nature. The two properties adjacent to the north of the project site are low-density in nature. 3255 Olive Street is developed with a single-family residence and 3312 Orange Street is developed with a duplex. Directly opposite the project site, the four properties on the east side of Orange Street are developed with two single-family residences, a six-unit apartment, and a 7-Eleven respectively (from north to south). Uses beyond the 7-Eleven along Sweetwater Road are also commercial in nature. There are no land uses to the west and south except for mostly landscaped areas around the Interstate 805/State Route 54 interchange and a Park & Ride lot.

All of the commercial uses east of the project site are zoned MXD-2, the same zone as that being requested. Therefore, changing the zone to MXD-2 would result in a contiguous zoning district and not create any spot-zoning or incongruity issues. While there may be ancillary effects caused by the ultimate development (e.g. noise, glare), which will be addressed by the Conditions of Approval, most traffic will be on the periphery and should not impact adjacent residential neighborhoods. Traffic impacts are discussed later on in this report.

Potential development

If rezoned to MXD-2, possible uses under the future scenario include single uses, such as multi-unit residential or commercial use, or mixed use (residential and commercial). The general development standards for the MXD-2 zone are as follows:

Land Use	Max FAR*	Max. units	Height
Multi-unit residential	2.5	60	65 feet
Commercial	2.5	-	65 feet
Mixed-use	3.5	60	65 feet

\* Floor area ratio in relation to lot size

Under the current land use and zoning, a 0.8-acre parcel would yield approximately **six** units (12 if each lot has an ADU). If rezoned to MXD-2 (Major Mixed-Use District), as proposed by the applicant, the parcel could yield approximately **60** units, as the maximum residential density is 75 units per acre.

However, as mentioned above, the applicant is proposing a commercial shopping center with a drive-through Starbucks. The maximum floor area permitted in the MXD-2 zone is two-and-a-half times the lot size, which would be over 85,000 square feet.

However, this is impractical due to the amount of parking that would be required (300 plus spaces). The site plan submitted with this application shows approximately 5,500 square feet of commercial floor area and 27 parking spaces.

#### Annexation

Since the pre-application phase of this project, staff has been in contact with the Local Agency Formation Commission (LAFCO), who is enumerated with the authority over the establishment of spheres of influence<sup>2</sup> and changes of organization for cities and special districts. As such, LAFCO approval would be required for annexation to the City of National City. With the understanding that National City would be proposing to adopt a Negative Declaration regarding the project's environmental review, LAFCO would assume the role of responsible agency under the California Environmental Quality Act (CEQA) for the associated reorganization with National City. A requirement for the applicant to complete the annexation process prior to the CUP being active is included as a condition of approval.

The proposed project includes approximately 0.22 acres of unincorporated territory located on the north side of Sweetwater Road between Orange Street and Olive Street (2311 and 2305 Sweetwater Road), within the National City sphere of influence. Annexation of the affected territory would involve concurrent detachments from County Service Area No. 135 (Regional Communications) and the Lower Sweetwater Fire Protection District, as the City would assume responsibility for those services following annexation.

#### General Plan

There are several General Plan Policies that are pertinent to this proposal, specifically:

**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.

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<sup>2</sup> A sphere of influence is defined as a "plan for the probable physical boundaries and service area of a local government agency as determined by the [Local Agency Formation] Commission". Territory must be within a city or district's sphere in order to be annexed. For National City, this also includes Lincoln Acres.



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

**Policy LU-2.9:** Designate land for commercial, office, and service uses sufficient to meet future City needs.

The area is mostly vacant and prime for redevelopment. Changing the zone to MXD-2 in this location would be consistent with the General Plan, in that it concentrates mixed use development along a transit corridor (the 961 and 963 MTS bus routes stop at the 7-Eleven across the street), and potential commercial development would serve future City needs, as well as create jobs.

Furthermore, rezoning the property to MXD-2 would be consistent with General Plan Goal LU-2, which states as follows:

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.

#### Conditional Use Permit

While the retail use would be a permitted use in the MXD-2 zone, should this application be approved, businesses with a drive-through require the issuance of a CUP. In addition, Chapter 18.41 – Site Planning Standards – has specific design requirements for drive-through businesses, including:

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

As part of traffic analysis conducted by the applicant team, a queuing study was performed for two local area Starbucks locations (24th Street and Hoover Avenue, and “L” Avenue and Plaza Blvd.). The maximum queuing, which was during the morning peak hour, was 15 vehicles. The driveway, as proposed, can accommodate approximately 11 vehicles. The design of the drive-through entrance is such that vehicles may only enter westbound from within the parking lot (via the eastern driveway, which is approximately 250 feet from Orange Street). Therefore, there would be room



on site to accommodate vehicle queuing, which would ensure no impact to adjacent City streets. This routing design is required as a condition of approval.

The Land Use Code (LUC) states that a drive-through window may not be located between the right-of-way and the building without a minimum 10-foot wide landscape buffer. The buffer shall have a minimum three-foot high hedge with trees spaced at least every 20 feet. The site plan for the project is consistent with these requirements and is conditioned to be included with plans submitted for construction. The turning radius is within the parameters stated in the Code.

Design requirements for mixed-use projects of this type are fairly limited, with emphasis placed on architectural variation (avoiding long blank walls and providing fenestration). All setbacks are met and the height of the development is well under the maximum allowed in the MXD-2 zone (65 feet). Because the project focus is on the rezoning and drive-through design, architectural plans have not yet been provided, although architectural renderings (see attached Exhibit "B") are consistent with design guidelines. However conditions include compliance with all necessary Code requirements, including architectural design, site development, and landscaping. It should be noted that, if the zone change is approved, the development will be allowed by right (excepting the drive-through aisle, which is compliant as noted above), although compliance with the LUC will be determined through the building permit process.

#### Traffic

As currently developed, the property only generates 10-12 Average Daily Trips (ADT). With a maximum yield of six single-family residences plus ADUs, this number could be expected to reach approximately 130 ADT.

This segment of Sweetwater Road (I-805/Euclid Avenue to Valley Road) currently has an ADT rate of 27,000 and a capacity of 40,000 ADT. The segment operates at a current Level of Service (LOS) of C and is expected to operate at an LOS of D in 2030. According to trip generation rates published by the San Diego Association of Governments (SANDAG), a commercial strip of this size with a drive-through component would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project could therefore be reasonably expected to generate 621 additional ADT. This amount would not normally trigger any threshold for a focused traffic study or traffic impact analysis; however, a traffic impact assessment was conducted, which is summarized as follows:

*Per the applied regional significance thresholds and the analysis methodology presented in this report, the addition of project related traffic to the street system **would not result in significant direct or cumulative impacts** to study area intersections and street segments. Site access is satisfactory with two driveways, and enhanced by the existing two-way left-turn lane on Sweetwater Road that provides a refuge lane for turning vehicles... no issues with on-site circulation/queuing are expected given the [11]-position queuing drive-thru lane, and the average customer load anticipated given the proximity to five other Starbucks stores. Based on the above findings, no mitigation measures are required or proposed.*

#### Noise

Typical hours of operation for this type of business (drive-through Starbucks) are 4:00 a.m. to 12:00 a.m. daily. Noise issues related to drive-through businesses are usually related to vehicle queuing and ordering windows/speakers. Noise is not likely to be an issue given that the area is located close to Interstate 805 and State Route 54 and the ambient noise level is high. However, recent approvals for drive-through businesses have required noise-attenuating speakers at the ordering window. This type of speaker automatically adjusts its volume to compensate for ambient noise (streets, vehicles, etc.). Therefore, the volume is lower during quieter periods, such as at night. There is a condition requiring the noise-attenuating speakers.

#### CEQA

Impacts related to conversion of residential to commercial (mixed-use) zoning usually focus on noise, traffic, aesthetic, and neighborhood impacts. Noise and traffic are discussed above and were not noted to have any impacts. In the case of aesthetics, the proposed building would only be one story high, which would typically be lower than a single-family residence with a pitched roof. Because the design is conditioned to what has been proposed, no aesthetic impacts affecting neighboring residential properties are expected. Furthermore, because the properties are at the periphery of the nearby neighborhood and because almost all traffic will be entering from and exiting to Sweetwater Road, no other neighborhood impacts are expected. However, in order to analyze any potential impacts resulting from the development, a CEQA checklist (Initial Study) was prepared.

Based on the analyses presented in the attached CEQA checklist, it is concluded that the project: (a) would not have the potential to degrade the quality of the environment,



impact the habitat of a fish or wildlife species, cause fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory; (b) would not have impacts that are individually limited, but cumulatively considerable; and, (c) would not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. No significant impacts to the environment, as a result of this project, have been identified. Approval of the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effects on human beings, either directly or indirectly. As such, it is expected that project implementation would have no impact with respect to these mandatory findings of significance. Because no mitigation is required, the CEQA document converts to a Negative Declaration (ND).

The City established a 20-day public review and comment period from April 29, 2019 to May 20, 2019. During this period, the CEQA checklist (Initial Study or "IS") was available for review. A Notice of Intent (NOI) for the ND was posted in three locations at City Hall and at the National City Public Library.

#### ND analysis

In the CEQA checklist, there are four possible impacts: "Potentially Significant Impact", "Less Than Significant w/ Mitigation Incorporation", "Less Than Significant Impact", and "No Impact". 17 of the 18 sections on the checklist had checkmarks for "No Impact". The remaining section (Greenhouse Gas Emissions) had a checkmark for "Less Than Significant Impact".

Greenhouse Gas Emissions (GHG) –The project's GHG emissions would occur over the short construction duration, and would consist primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related new vehicular trips and indirect source emissions, such as energy usage. The existing density in the area would allow up to 12 residential units (including accessory dwelling units), which could be expected to generate 130 average daily trips (ADT). The project, as proposed, would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project would therefore be reasonably expected to generate 621 additional ADT. This amount does not trigger any threshold for a focused traffic study or traffic impact analysis. As such, although the project would contribute to airborne pollutants, this project will have a less than significant impact on air quality.

### Comments

The NOI elicited comments from LAFCO and the County of San Diego. Comments were related to specific verbiage to be included in the IS (LAFCO) and pre-construction requirements (County of San Diego). In addition, while they had no formal comments, Sweetwater Authority stated the need for consultation during the design review process due to water facilities in the vicinity of, or within, the project area. No other comments were received. County and Sweetwater Authority comments are included as conditions of approval.

### Conditions of Approval

Standard Conditions of Approval for CUPs have been included in the staff report, as well as those addressing agency comments as discussed above. Standard Building Division, and Engineering and Fire department conditions are likewise included. Planning Division conditions are related to building permit requirements, site design, and architectural design. In addition, there is a condition requiring that the individual properties be merged or restricted through covenant to be held as one for the life of the project.

### Summary

The subject property is mostly vacant and prime for redevelopment. In order for the applicant to develop the property in a manner that would provide the greatest community benefit, as well as achieve the highest and best use, the zoning would need to be changed. The project area is on the limits of a residential neighborhood and adjacent to other mixed-use-zoned commercial uses; therefore, no incongruity issues are expected if the area is rezoned. Potential development will meet several General Plan Policies related to Land Use. Staff is recommending approval of the development and associated permits.



**OPTIONS**

1. Approve 2017-13 GPA, ZC, CUP, IS subject to the attached conditions and based on the attached findings or findings to be determined by the Planning Commission; or
2. Deny 2017-13 GPA, ZC, CUP, IS based on the attached findings or findings to be determined by the Planning Commission; or,
3. Continue the item to a later date in order to obtain additional information.

**ATTACHMENTS**

1. Recommended Findings
2. Recommended Conditions
3. Overhead
4. Site Photos
5. Applicant's Plans (Exhibits A and B, Case File No. 2017-13 GPA, ZC, CUP, IS, dated 4/23/2019)
6. Public Hearing Notice (Sent to 73 property owners and occupants)
7. CEQA Checklist and Negative Declaration
8. Resolutions



MARTIN REEDER, AICP  
Principal Planner



ARMANDO VERGARA  
Acting Deputy City Manager /  
Director of Community Development

**RECOMMENDED FINDINGS FOR  
CERTIFICATION OF THE NEGATIVE DECLARATION**

2017-13 IS – Sweetwater Annexation  
563-252-12 through 14 and 563-252-23 & 28

1. That the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, because the properties are previously developed and/or disturbed and there is no sensitive habitat on site.
2. That the project does not have impacts that are individually limited but cumulatively considerable, because the project is an infill development on a historically disturbed property. The area is surrounded by urban development. The existing improvements and development pattern can accommodate the project without causing any impacts to the environment or to existing services.
3. That the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, because the project is a low-intensity commercial development. As determined by the Initial Study for the project, both short and long term activities will have a less than significant impact on air quality.
4. The proposed project has been reviewed in compliance with CEQA for which a Negative Declaration (ND) has been prepared. The ND has determined that, the proposed project would not have a significant effect on the environment and that no mitigation is required.

**RECOMMENDED FINDING FOR APPROVAL  
OF THE GENERAL PLAN AMENDMENT AND ZONE CHANGE**

2017-13 GPA, ZC – Sweetwater Annexation  
563-252-12 through 14 and 563-252-23 & 28

1. The proposed development is consistent with General Plan Land Use Policies LU-1.2, LU 2.6, and LU-2.9, and Goal LU-2, because the area is disturbed and or/developed, and is currently vacant and prime for development. Having a comprehensive commercial project in this area will contribute to the City's future zoning and land use designation requirements, as well as employment needs.

**RECOMMENDED FINDINGS FOR APPROVAL**  
**OF THE CONDITIONAL USE PERMIT**  
**2017-13 CUP – Sweetwater Annexation**  
**563-252-12 through 14 and 563-252-23 & 28**

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because drive-through businesses are identified as a conditionally-allowed use in the Major Mixed-Use District (MXD-2) zone, and the proposed drive-through aisle meets all requirements as contained in NCMC §18.41 – Site Planning Standards.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because the Land Use Code conditionally allows drive-through businesses in the MXD-2 zone; the Land Use Code is consistent with the General Plan. Additionally, there are no Specific Plans affecting this location.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the property will be completely redeveloped and will provide enough parking spaces based on provisions outlined in the Land Use Code. In addition, the proposed drive-through aisle meets all requirements for such uses outlined in the Land Use Code, as discussed in the staff report.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the project is expected to generate approximately 621 additional average daily trips, which can be accommodated by existing road network. Sweetwater Road in this location is currently operating at an LOS of C (passing), and is calculated by the provided traffic impact analysis to continue to have a passing LOS (D) after construction.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the project area is on the periphery of a mixed-density neighborhood and will not contribute to a significant increase in traffic in said neighborhood, and because a condition requiring the use of noise-attenuating speakers is included. In addition, the new business will be a benefit to the public interest by providing job opportunities.



**RECOMMENDED FINDING FOR DENIAL**  
**OF THE GENERAL PLAN AMENDMENT AND ZONE CHANGE**

2017-13 GPA, ZC – Sweetwater Annexation  
563-252-12 through 14 and 563-252-23 & 28

1. The proposed development is not consistent with the General Plan, because the proposed development will result in a reduction in existing and potential housing units, which is inconsistent with the City's Housing Element.

**RECOMMENDED FINDINGS FOR DENIAL**  
**OF THE CONDITIONAL USE PERMIT**

2017-13 CUP – Sweetwater Annexation  
563-252-12 through 14 and 563-252-23 & 28

1. The design, location, size, and operating characteristics of the proposed activity would not be compatible with the existing and future land uses in the vicinity, because the proposed use will have impacts related to noise, glare, and aesthetics directed at the mostly residential land uses nearby
2. The site is not physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the project is expected to generate approximately 621 additional average daily trips, which will result in a project horizon LOS of D which, while a passing LOS, will compound future road conditions resulting in possible lower service levels.
3. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the project area is on the periphery of a mixed-density neighborhood and will contribute to an increase in traffic in said neighborhood, and noise due to queuing vehicles and the ordering speaker.

## RECOMMENDED CONDITIONS OF APPROVAL

2017-13 GPA, ZC – Sweetwater Annexation  
563-252-12 through 14 and 563-252-23 & 28

### General

1. This *General Plan Amendment, Zone Change, and Conditional Use Permit* authorizes a 5,500 commercial strip center with a drive-through coffee shop and 27 parking spaces located at 3320, 3330, and 3336 Orange Street, and 2305 and 2311 Sweetwater Road. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibits A and B, Case File No. 2017-13 GPA, ZC, CUP, IS, dated 4/23/2019).
2. This *General Plan Amendment, Zone Change, and Conditional Use Permit* shall not become effective until the Negative Declaration associated with the project has been certified and the Notice of Determination filed.
3. This *Conditional Use Permit* shall not become effective until the General Plan Amendment and Zone Change have been approved, and the post-entitlement annexation process with the Local Agency Formation Commission (LAFCO) has been completed.
4. The MXD-2 zone designation must be in place for two years from the date of annexation unless findings are made by the City Council that a change within two years is appropriate based on special circumstances outlined in Government Code Section 56375.
5. Before this *General Plan Amendment, Zone Change, and Conditional Use Permit* shall become effective, the applicant and/or the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the General Plan Amendment, Zone Change, and Conditional Use Permit.** The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *General Plan Amendment, Zone Change, and Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.

6. *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.** The current fee to record the Notice of Determination for a Negative Declaration is \$2,354.75, but may be subject to change.

#### Building

7. Plans submitted for improvements must comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

#### Engineering

8. 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.
9. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
10. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
11. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.



12. 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.
13. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.
14. All existing and proposed curb inlets on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
15. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be six inches in diameter with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
16. Separate street and sewer plans prepared by Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
17. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
18. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced.
19. 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.

20. 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, and 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.
21. 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.
22. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
23. A title report shall be submitted to the Engineering Department, after the City Council approval, for review of all existing easements and the ownership at the property.
24. 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.
25. 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.
26. The developer shall bond for the public improvements and the on-site grading, drainage, landscaping, and other improvements through an agreement with the City prior to the beginning of construction.
27. SUSMP documentation, as necessary, must be submitted and approved.

#### Fire

28. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations at the time of plan submittal.

#### Planning

29. The five individual properties shall either be merged or restricted through covenant to be held as one for the life of the project. The merger or restrictive covenant shall be completed or in place prior to issuance of grading or building permits. If the developer elects to record a restrictive covenant, the document shall be approved as to form by the City Attorney and recorded with the San Diego County Recorder.

30. Access to the drive-through aisle shall only be westbound from Orange Street. No eastbound access from the westerly driveway on Sweetwater Road to the drive-through is permitted.
31. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process in compliance with Land Use Code Chapter 18.44 (Landscaping), including Section 18.44.190 related to water efficient landscape requirements. Installation and continued maintenance of minimum landscaping items required by Section 18.41.020(C)(3), including a minimum three-foot hedge and ornamental trees spaced 20 feet on center along the Sweetwater Road and Orange Street frontages, shall be provided. The landscaping and irrigation required by this approval shall be maintained for the life of the project.
32. Plans submitted for construction shall conform to minimum turning radius requirements for drive-through businesses unless the City Engineer approves a lesser radius.
33. Business operations shall comply with Municipal Code Title 12 (Noise) at all times. Plans submitted for construction shall reflect the use of sound-attenuating speakers that automatically reduce the volume of ordering speakers during periods of low ambient noise.
34. Plans submitted for construction shall conform to Land Use Code Section 18.46 (Outdoor Lighting) and 18.42.040 (Screening mechanical equipment and elevator housing).
35. Plans submitted for construction shall comply with the guidelines stated in Land Use Code Section 18.42.050 (Commercial and institutional building design standards).
36. The trash enclosure design shall be in compliance with Municipal Code Title 7, Section 7.10.080 (Enclosures required), including the use of flame retardant materials.

#### Sweetwater Authority

37. There are existing water facilities in the vicinity of, or within, the parcels affected by the project, including two monitoring stations, water meters, and service laterals. The applicant shall coordinate with Sweetwater Authority regarding the existing water facilities as part of the design review/building permit process.
38. The Owner must submit a letter to the 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.
39. An approved backflow prevention assembly is required for water services serving commercial developments. Water facilities shall be designed and installed in accordance with the current Sweetwater Authority Design Standards and the



Standard Specifications for Construction of Water Facilities. Existing services in conflict with the project must be abandoned and/or relocated at the Owner's expense.

#### County of San Diego

40. As part of the County of San Diego's ongoing effort to improve road surfaces in the unincorporated County, Sweetwater Road was recently resurfaced in February 2019, and Orange Street is tentatively scheduled for resurfacing in July 2019. As such, cutting into the pavement within three years would conflict with the County's Pavement Cut Policy to minimize excavation on new road surface treatments. The applicant shall coordinate with the County Department of Public Works and the National City Engineering Department prior to any modification of the County's maintained roads.
41. The project could potentially generate stormwater impacts to the County's municipal storm sewer system (MS4) and to adjacent private parcels located in the unincorporated County. Therefore, the project should consider the following items:
  - a. Compliance with the San Diego Municipal Storm Water Permit Order No. R9-2013- 0001, (as amended by Order Nos. R9-2015-0001 and R9-2015-0100). The Project may consider implementing permanent Site Design, Source Control, Pollutant Control, and Hydromodification Management in accordance with the County's Best Management Practices (BMPs) Design Manual.
  - b. Construction BMPs and associated plans for conformance with the County of San Diego's Grading Ordinance, Watershed Protection Ordinance and State of California's Construction General Permit.
42. It appears there is a potential impact to the San Diego County Sanitation District's (District) gravity sewer line. The project scope is adjacent to the District sewer line.
  - a. The project applicant will need to conduct an analysis of potential impacts to the District's existing sewer infrastructures. This analysis must be submitted to the District for review and approval.
43. The two properties located in the unincorporated County (2311 and 2305 Sweetwater Rd) proposed to be annexed into the City's jurisdiction, are currently being served by the District's Spring Valley Service Area. The property owner shall verify with the San Diego Local Agency Formation Commission (LAFCO) if sewer services can be provided by the City. Once the annexation is approved and recorded by LAFCO, the associated existing residential wastewater discharge sewer permits will be voided by the District. The property owner shall contact the City for sewer service. This may require future coordination between the two agencies. For additional information, please contact Carolina Delgado at (858) 694-2663 or [Carolina.Delgado@sdcounty.ca.gov](mailto:Carolina.Delgado@sdcounty.ca.gov).

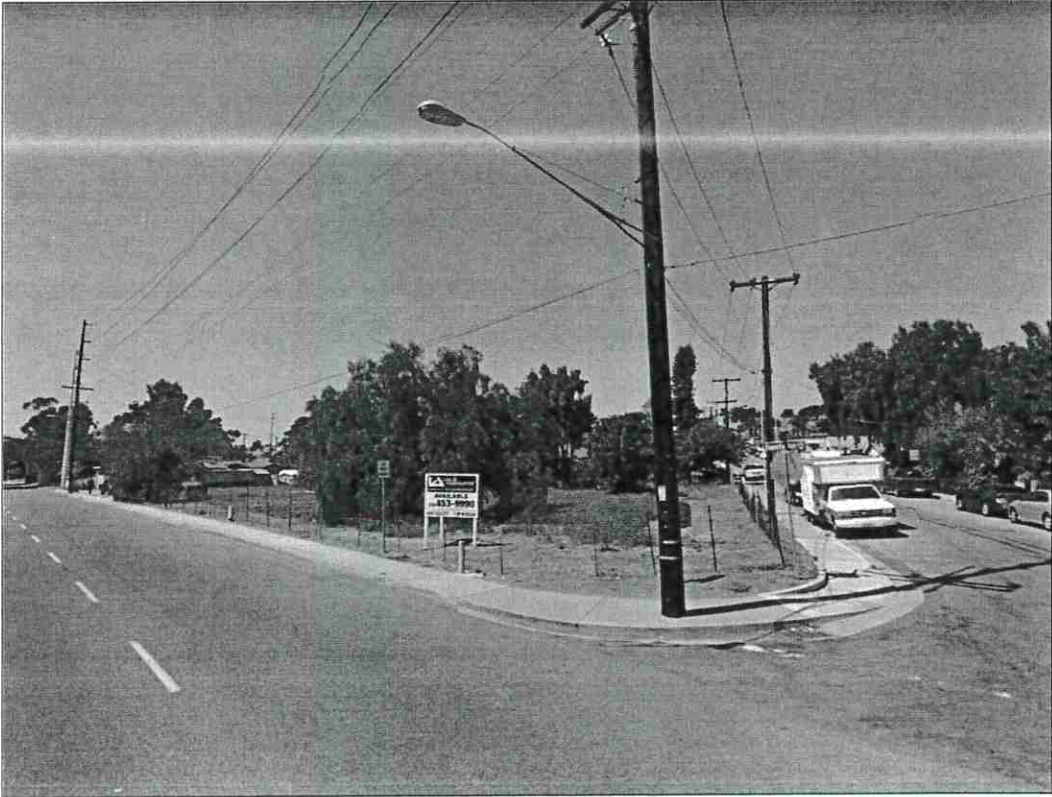
2017-13 GPA, ZC, CUP, IS – Sweetwater Rd. & Orange Ave. – Overhead





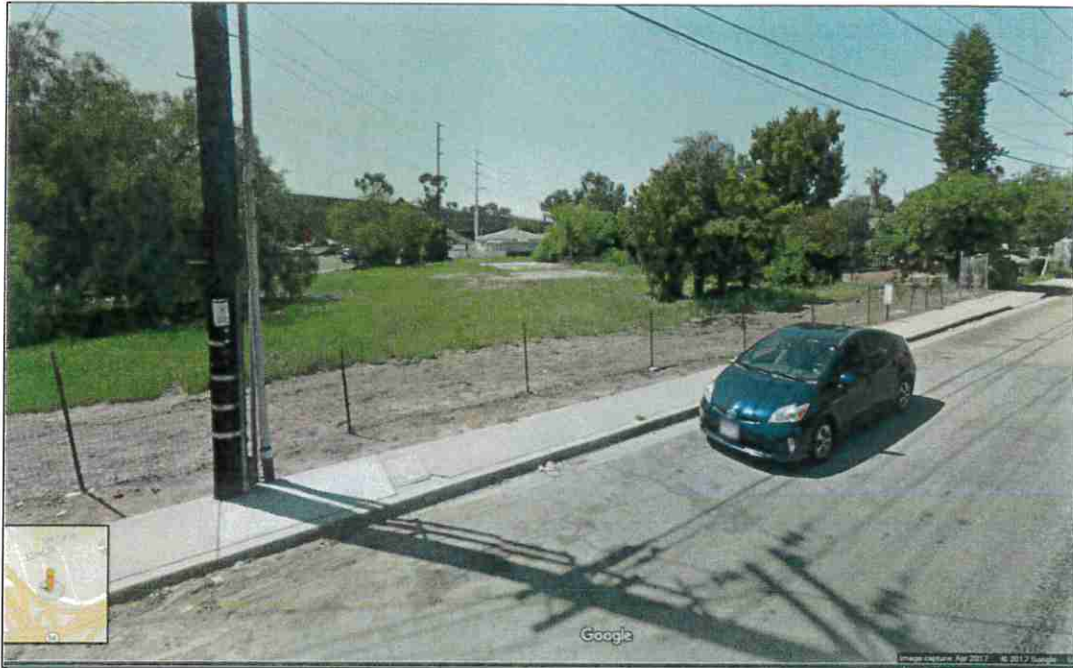


Existing residence looking northeast from Sweetwater Road



Looking northwest from East 16<sup>th</sup> Street





Looking west from Orange Avenue



Looking southwest from Orange Avenue

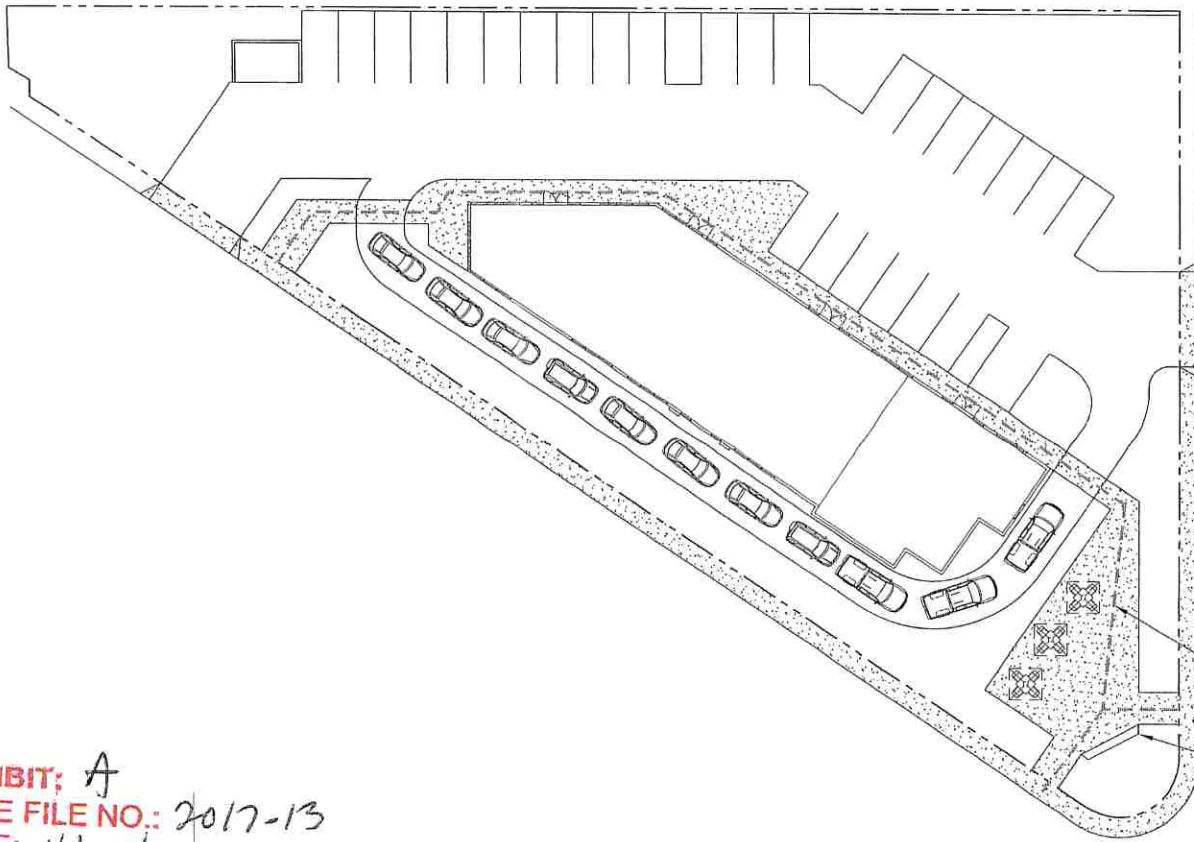
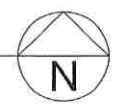


EXHIBIT: **A**  
CASE FILE NO.: 2017-13  
DATE: 4/23/19

SITE PLAN - OPTION 4  
1" = 30'-0"



PEDESTRIAN  
CIRCULATION

MONUMENT SIGN

MKA INC.  
7510 CLAREMONT AVE. BLVD. SUITE 207  
SAN DIEGO, CA 92118-7241 656  
mka@mkainc.com  
microbak@mkainc.net

SITE PLAN - OPTION 4  
DRIVE-THRU PICK-UP ON  
SHORT END OF BUILDING

PROPOSED SITE PLAN  
NATIONAL CITY, CA

4-12-19

SK  
04.12.19  
1



EXHIBIT: B  
CASE FILE NO.: 2017-13  
DATE: 4/23/19













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

NOTICE OF PUBLIC HEARING

CONSIDERATION OF CERTIFICATION OF A NEGATIVE DECLARATION FOR A  
GENERAL PLAN AMENDMENT, ZONE CHANGE, ANNEXATION,  
AND CONDITIONAL USE PERMIT FOR THE REZONING OF PROPERTY AT  
3320, 3330, 3336 ORANGE STREET AND 2311 AND 2305 SWEETWATER ROAD;  
AND ANNEXATION FOR THE PROPERTIES AT 2311 AND 2305 SWEETWATER ROAD  
INTO THE CITY OF NATIONAL CITY IN ORDER TO CONSTRUCT A  
5,500 SQUARE-FOOT COMMERCIAL STRIP CENTER, INCLUDING A  
CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH COFFEE SHOP.  
CASE FILE NO.: 2017-13 GPA, ZC, CUP, ANNEX, IS  
APN: 563-252-12 through 14 and 563-252-23 & 28

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, June 3, 2019**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request (Applicant: Muraoka Enterprises, Inc.).

The applicant wishes to amend the General Plan land use designation for the subject property from Low-Medium Density Residential (and pre-zone for the County of San Diego properties) to Major Mixed-Use, and to change the zoning designation from RS-2 (Small Lot Residential) and pre-zone RS-2 to MXD-2 (Major Mixed-Use District) and pre-zone (MXD-2) in order to develop a 5,500 square-foot commercial strip center including a drive-through coffee shop. The coffee shop would be 1,500 square feet in size with the remaining 4,000 square feet being specialty retail. Once the rezoning is in place, the two properties at 2311 and 2305 Sweetwater Road are proposed to be annexed into the City of National City. In addition, the National City Municipal Code requires a Conditional Use Permit (CUP) for drive-through businesses.

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., **June 3, 2019**, 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

ARMANDO VERGARA  
Acting Deputy City Manager

ATTACHMENT 6



# CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY CHECKLIST

CITY OF NATIONAL CITY  
Planning Department  
1243 National City Boulevard  
National City, CA 91950

1. **PROJECT TITLE/PROJECT #:** 2017-13 GPA, ZC, CUP, ANNEX - General Plan Amendment and Zone Change for the rezoning of property at located at 3320, 3330, 3336 Orange Street (City of National City) and 2311 and 2305 Sweetwater Road.(County of San Diego), annexation for the properties at 2311 and 2305 Sweetwater Road into the City, in order to construct a 5,500 square-foot commercial strip center, and Conditional Use Permit for a drive-through coffee shop.
  
2. **LEAD AGENCY:** City of National City  
Planning Department  
1243 National City Boulevard  
National City, CA 91950  
  
**Contact:** Martin Reeder, AICP – Principal Planner  
**Phone:** (619) 336-4313
  
3. **PROJECT LOCATION:** North side of Sweetwater Road between Orange Street and Olive Street, National City, CA 91950
  
4. **PROJECT PROPONENT:** Muraoka Enterprises, Inc.t
  
5. **ZONING DESIGNATION:** Small Lot Residential (RS-2) – City of National City and pre-zone (RS-2) – County of San Diego properties
  
6. **PROJECT DESCRIPTION:** The applicant wishes to amend the General Plan land use designation to change the subject property from Low-Medium Density Residential (and pre-zone for the County of San Diego properties) to Major Mixed-Use, and to change the zoning designation from RS-2 (Small Lot Residential) and pre-zone RS-2 to MXD-2 (Major Mixed-Use District) and pre-zone (MXD-2) in order to develop a 5,500 square-foot commercial strip center including a drive-through coffee shop. The coffee shop would be 1,500 square feet in size with the remaining 4,000 square feet being specialty retail. Once the rezoning is in place, the two properties at 2311 and 2305 Sweetwater Road are proposed to be annexed into the City of National City. In addition, the National City Municipal Code requires a Condition Use Permit (CUP) for drive-through businesses. Local Agency Formation Commission (LAFCO) approval will be required for the proposed annexation to the City.
  
7. **SURROUNDING LAND USES AND SETTING:** The project site is comprised of five separate parcels located at 3320, 3330, and 3336 Orange Street in National City, along with 2311 and 2305 Sweetwater Road, which are located in the County of San Diego. The parcels are contiguous to one

another and form the end of the block fronting on Sweetwater Road between Olive Street and Orange Street. The affected territory is within the National City sphere of influence.

The City properties are zoned Small Lot Residential (RS-2) and the County properties are pre-zoned as RS-2. All of the properties are considered *Low-Medium Density Residential* on the General Plan Land Use map. The whole project area is approximately 34,000 square feet in size, or roughly 0.8 acres, and is undeveloped, with the exception of 2305 Sweetwater Road, which is developed with a single-family residence. The lots located at 3320 Orange Street and 2311 Sweetwater Road were previously developed with single-family residences since demolished.

**8. OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED (AND PERMITS NEEDED):** San Diego Local Agency Formation Committee (LAFCO), County of San Diego.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” as indicated by the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems        | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:**

(To be completed by the Lead Agency)

On the basis of this Initial Evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.


I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.



I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.” An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect that remains to be addressed.



Signature  	Date  May 22, 2019
Printed Name: Martin Reeder, AICP	Title: Principal Planner

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less than Significant w/ Mitigation Incorporated” applied where the incorporation of a mitigation measure has reduced an effect from “Potentially Significant Impact” to “Less than Significant Impact”. The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whichever format is selected.
9. The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and



- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

### ISSUES with Supporting Documentation & Sources

**I – AESTHETICS** - Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime Views in the area? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The project site is a flat vacant lot in a disturbed state. One lot is developed with a single-family residence, with two lots having had previous single-family residences since demolished. The pad foundations for the two previous homes are still located on site. The remaining lots have historically been unpaved and used for recreation and personal vehicle parking. The property is surrounded by existing urban development, including single-family residences, a duplex, a six-unit apartment, and a 7-Eleven respectively. Uses beyond the 7-Eleven to the east along Sweetwater Road are also commercial in nature. There are no land uses to the west and south except for mostly landscaped areas around the Interstate 805/State Route 54 interchange, which is higher than the project site. There are no scenic vistas or resources in the area that would be affected by the project. The existing visual character is low due to the existing mixed residential and commercial development uses nearby, as well as the freeway interchange. The design of the development would include compliance with all lighting design standards in the Municipal Code, which will ensure no light or glare impacts on adjacent properties.

**II – AGRICULTURE AND FORESTRY RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation & Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- |  |                          |                          |                          |   |
|--|--------------------------|--------------------------|--------------------------|---|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources: 1, 2, 3, 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1, 2, 3, 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Sources: 1, 2, 3, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? (Sources: 1, 2, 3, 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Sources: 1, 2, 3, 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

The City of National City does not contain farmland or agricultural resources, forest land, nor any land zoned for agricultural use. In addition, the properties in the County of San Diego are not designated for farming, agriculture, or forestry. Although the County RU (Residential Urban) zoning designation does allow such uses with the issuance of a Minor Use Permit, no such uses or permits are in place, or Williamson Act contracts entered into, for the two County of San Diego properties. As such, approval of this project will have no impact on such lands or resources.

### III – AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Sources: 1, 2, 3, 4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Create objectionable odors affecting a substantial number of people? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The City does not have any applicable air quality plan or standards that would apply in this case. Air quality is under the purview of the San Diego County Air Pollution Control District. The County of San Diego and National City are in attainment for all California Clean Air Act (CCAA) pollutants with the exception of ozone. Approval of this project will not conflict with or obstruct the implementation of the San Diego County Regional Air Quality Strategy (RAQS) to manage air quality in our region. The existing density in the area would allow up to 13 residential units (including accessory dwelling units), which could be expected to generate 130 average daily trips (ADT). The project, as proposed, would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project would therefore could be reasonably expected to generate 621 additional ADT. This amount does not trigger any threshold for a focused traffic study or traffic impact analysis. As such, overall, approval of this project will have a less than significant impact on air quality.

### IV – BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X



- |   |                          |                          |                          |   |
|---|--------------------------|--------------------------|--------------------------|---|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Sources: 5)                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources: 1)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

The project site is in a previously disturbed state. One lot is developed with a single-family residence, with two lots having had previous single-family residences since demolished. The pad foundations for the two previous homes are still located on site. The remaining lots have historically been unpaved and used for recreation and personal vehicle parking. The site contains no native or non-native vegetation. Also, no jurisdictional wetlands, other sensitive habitat, or sensitive species are located on the property; and data provided by the U.S. Fish & Wildlife Service indicate the proposed project site contains no jurisdictional wetlands or jurisdictional waters of U.S. or state-defined streambeds.

The project site is located completely within an urbanized area, surrounded by development and contains no sensitive habitats or biological resources that are protected by local policies or ordinances. There are also no adopted habitat conservation plans within the City of National City.; therefore, the proposed development would have no impact on biological resources.

**V – CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? (Sources: 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Sources: 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Sources: 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

No historical or archaeological resources as defined in Section 15064.5 are known to exist on the proposed project site. The whole project site is previously developed or otherwise disturbed and no land in its natural state remains.

State and federal law requires that if any cultural resources are found during construction, work is to stop and the lead agency and a qualified archaeologist be consulted to determine the importance of the find and its

appropriate management. In the event of the accidental discovery or recognition of any human remains during construction, the applicant is required take all appropriate steps as required by relevant federal, state, and local laws. Therefore, the proposed project would not result in a significant impact to cultural resources.

**VI – GEOLOGY AND SOILS**

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
ii) Strong seismic ground shaking? (Sources: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iii) Seismic-related ground failure, including liquefaction? (Sources: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iv) Landslides? (Sources: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Result in substantial soil erosion or the loss of topsoil? (Sources: 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Sources: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (Sources: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

California Geological Survey information indicates the site is not located within an Alquist-Priolo Special Studies Zone, and there are no known active or potentially active faults that intercept the project site; therefore, the potential for ground rupture at this site is considered low. The nearest active fault to the site is the La Nacion Fault, located approximately a mile to the northeast. Accordingly, the site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general. The site is not within an area susceptible to landslides and not within a fault zone, slide prone area or an area susceptible to liquefaction; therefore there is no impact or increased exposure to landslides due to the proposed project.

It should be recognized that Southern California is an area that is subject to some degree of seismic risk and that it is generally not considered economically feasible nor technologically practical to build structures that are totally resistant to earthquake-related hazards. Construction in accordance with the minimum requirements of the Uniform Building Code should minimize damage due to seismic events. Due to the number and nature of the active and non-active fault lines within the southern California region, it cannot be known when earthquakes will occur; therefore, there is a less than significant impact.

The property is flat in nature and all design and construction will require conformance with City’s stormwater ordinance and grading regulations. Therefore, there is no impact or increased substantial erosion due to the proposed project.

The proposed project site would have traditional sewer laterals, which will connect with the existing sewer system that serves the City. There would be no use of septic tanks or alternative waste water disposal systems; therefore, no impact.

**VII – GREENHOUSE GAS EMISSIONS**

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 1, 7, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 1,10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>

GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects contributes substantially to the phenomenon of global climate change and its associated environmental impacts and as such is addressed only as a cumulative impact. The project’s GHG emissions would occur over the short construction duration, and would consist primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related new vehicular trips and indirect source emissions, such as energy usage. The existing density in the area would allow up to 13 residential units (including accessory dwelling units), which could be expected to generate 130 average daily trips (ADT). The project, as proposed, would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project would therefore could be reasonably expected to generate 621 additional ADT. This amount does not trigger any threshold for a focused traffic study or traffic impact analysis. As such, overall, approval of this project will have a less than significant impact on air quality. As such, although the project would contribute to airborne pollutants, this project will have a less than significant impact on air quality.

California has adopted several policies and regulations for the purpose of reducing GHG emissions. On December 11, 2008, CARB adopted the AB 32 Scoping Plan to achieve the goals of AB 32 that establishes an overall framework for the measures that will be adopted to reduce California’s GHG emissions. The proposed project is subject to compliance with AB 32, which is designed to reduce statewide GHG emissions to 1990 levels by 2020.

In addition, in 2012 the City of National City adopted its Climate Action Plan and associated targets to reduce GHG emissions by 15 percent below 2005/2006 levels by 2020, with additional reductions by 2030. Some of the primary provisions of the Climate Action Plan are to promote greater density and infill development, water conservation, energy efficiency, and waste reduction strategies. The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG emissions, as contained in the Climate Action Plan. Based on the above, therefore no impact.

**VIII – HAZARDS & HAZARDOUS MATERIALS**

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
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- |   |                          |                          |                          |   |
|---|--------------------------|--------------------------|--------------------------|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: 1)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: 1)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 1)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources: 1)                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: 1)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Sources: 1)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

The proposed project is a 5,500 square-foot commercial strip center located completely within an urbanized area, surrounded by a mix of residential and commercial development near a freeway interchange. No transport, use, or disposal of hazardous materials is expected. A commercial strip center with specialty retail and a drive-through coffee shop will likewise not cause any reasonably foreseeable upset or accident condition involving the release of hazardous materials into the environment.

The project is not expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in general, and is not within one-quarter mile of an existing or proposed school. The site is mostly vacant and has previously been developed. Furthermore, it is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As a result the project would not create a significant hazard to the public or the environment. Therefore, there would be no impact.

There is no adopted emergency response plan or emergency evacuation plan in the City, although there are local considerations that are included as appendices to the Unified San Diego County Emergency Services Organization approved Annex Q of the Operational Area Emergency Plan. The project does not conflict with any of the considerations or plans in the Area Emergency Plan, thus no conflict.

The site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; There are no airports or airstrips in the vicinity; the project would not interfere with an adopted emergency response plan or emergency evacuation plan; and the project is not adjacent to any wildlands or land subject to wildland fires; therefore there would not be any significant risk of loss, injury or death involving wildfires. Therefore, there is no impact.

**IX – HYDROLOGY / WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Sources: 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Sources: 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) Otherwise substantially degrade water quality? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
j) Inundation by seiche, tsunami, or mudflow? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The project will be subject to water quality and discharge requirements through the City’s Jurisdictional Runoff Management Plan (JRMP). Design of the project will require compliance with all storm water handling, storage, drainage, and hydromodification regulations. The property is not located within a 100-year flood hazard area or an area influenced by any levee or dam failure, seiche, tsunami, or mudflow; therefore, no impact.

**X – LAND USE AND PLANNING**

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
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- |  |                          |                          |                          |   |
|--|--------------------------|--------------------------|--------------------------|---|
| a) Physically divide an established community? (Sources: 1, 2, 3, 8)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: 1, 2, 6, 15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources: 1, 2, 8)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

The surrounding area is varied in nature. The two properties adjacent to the north of the project site are low-density in nature. 3255 Olive Street is developed with a single-family residence and 3312 Orange Street is developed with a duplex. Directly opposite the project site, the four properties on the east side of Orange Street are developed with two single-family residences, a six-unit apartment, and a 7-Eleven respectively (from north to south). Uses beyond the 7-Eleven along Sweetwater Road are also commercial in nature. There are no land uses to the west and south except for mostly landscaped areas around the Interstate 805/State Route 54 interchange. Lincoln Acres, located to the north, is an unincorporated community of San Diego County and is zoned as RU or Residential Urban. The area between the project area to the south and La Vista Cemetery to the north is predominantly single-family in nature. There is no connection between the developments and development of the site would not physically impact the existing community due to being at the periphery of the community to the north. Therefore, there would be no impact to established communities.

While the request includes a zone change and general plan amendment, the project would be a commercial use in an area of other commercial uses. The zone change and amendment would allow for a resident and visitor-serving commercial strip center on the perimeter of a residential area near a freeway interchange. Zoning to the east of the property is also commercial (mixed-use) in nature. The use would be allowed (conditionally-allowed in the case of the drive-through business) in the MXD-2 zone and consistent with both the General Plan and the Land Use Code; therefore, there would be no conflict with said plans. The Local Coastal Plan is not applicable to this area.

The proposed project includes approximately 0.22 acres of unincorporated territory located on the North side of Sweetwater Road between Orange Street and Olive Street (2311 and 2305 Sweetwater Road), within the National City sphere of influence. Annexation of the affected territory would involve concurrent detachments from County Service Area No. 135 (Regional Communications) and the Lower Sweetwater Fire Protection District, as the City of National City would assume responsibility for those services following annexation.

The Local Agency Formation Commission (LAFCO) is enumerated with the authority over the establishment of spheres of influence and changes of organization for cities and special districts. As such, LAFCO approval would be required for annexation to the City of National City. With the understanding that National City would be proposing to adopt a Negative Declaration regarding the project's environmental review, LAFCO would assume the role of responsible agency under CEQA for the associated reorganization with National City.

The two unincorporated properties have a County of San Diego zoning designation of *Urban Residential* (RU). This designation is applied to areas where adequate levels of public services are available. The existing residential use is a conforming use. The properties are pre-zoned as *Small Lot Residential* (RS-2) on the City's Zoning Map. 2305 Sweetwater Road is currently developed with a single-family residence. 2311 Sweetwater Road was previously developed with a single-family residence, but it has since been demolished. The lot remains vacant.

There are no applicable habitat conservation plan or natural community conservation plans in the City or County in this location, therefore no impact.



**XI – MINERAL RESOURCES**

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The project site is located completely within an urbanized area and surrounded by development. The site contains no known mineral resources on the proposed project site or delineated on a local plan for the site; therefore, there is no impact to mineral resources.

**XII – NOISE**

Would the project result in:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The proposed project area is in an urbanized area and is a residential use in an area of mixed residential and commercial development. The use is not expected to exceed the ambient noise in this area. Sweetwater Road in this location is a four-lane arterial street with a current ADT of 27,000. In addition, the area is immediately adjacent to the interchange of Interstate 805 and State Route 54. The General Plan Noise Element current noise levels are at least 65 decibels. The drive-through portion of the project would be subject to a Conditional Use Permit (CUP), which would have conditions for noise-attenuating speakers at the ordering window. This type of speaker automatically adjusts its volume to compensate for ambient noise (streets, vehicles, etc.). Therefore, the volume is lower during quieter periods, such as at night. This has been a standard condition on this type of CUP and would be case should an application be processed. Furthermore, the location of the proposed

ordering area is on the property line opposite of the nearest residential property. Finally, the project is subject to the limitations contained in the City's Noise Ordinance; therefore, no impacts are expected.

The associated construction on the project site would create temporary noise impacts. Modern construction equipment, properly used and maintained, should not exceed the noise limits contained in the City's Noise Ordinance. All noise generated by the project would be required to comply with the City's Noise Ordinance and be limited to specific hours of operation. No significant impact from the project would occur.

The proposed project site is not located within an airport land use plan or within two miles of a public use airport or private airstrip; therefore, there is no impact to those people working on the project site.

**XIII – POPULATION AND HOUSING**

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The property is currently developed with one single-family residence, which is unoccupied. While the residence is likely able to be occupied, the demolition of the home would not displace a substantial amount of housing or people. The proposed commercial use would cater equally to visitors and area residents, thus not inducing a substantial population increase. Therefore, there will be no impact.

**XIV – PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
Fire protection? (Sources: 1, 3, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Police protection? (Sources: 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Schools? (Sources: 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Parks? (Sources: 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Other public facilities? (Sources: 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The proposed project would not result in adverse impacts to public services. The affected territory is within Lower Sweetwater Fire Protection District (FPD) for fire protection services and a concurrent detachment from the FPD is required with annexation to the City. The Lower Sweetwater FPD contracts with National City for fire protection services, therefore detachment from the FPD will not affect the fire service arrangement to the affected territory. The project area will be served by the National City Fire and Police Department. The closest Fire Station is approximately a one mile away on Euclid Avenue, and the Police Station at 12<sup>th</sup> Street and National City Boulevard is three miles away. Typical response time for this area would not be adversely impacted, as plans do not involve changes to public streets adjacent to the site and since plans include retaining emergency access throughout the project area. Also, the development will generate impact fees specifically slated for public services that will supplement any additional requirements brought about by the development; therefore, there is no significant impact. Park and school fees will also be paid as part of the development to offset any increase in need generated by the project, thus no impact.

**XV – RECREATION**

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Sources: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Parks and schools would not be impacted, as there are none in the area and no increase in population that would add to school attendance or park use would occur, thus no impact.

**XVI – TRANSPORTATION AND TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Sources: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X



highways? (Sources: 1, 2, 3)

- |  |                          |                          |                          |   |
|--|--------------------------|--------------------------|--------------------------|---|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Sources: 1, 2, 3, 7)                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 1, 2, 3, 7)                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| e) Result in inadequate emergency access? (Sources: 1, 2, 3, 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Sources: 1, 2, 3, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

There are no plans, ordinances, or policies that measure circulation system current effectiveness or performance, thus no impact. There is also no congestion management program that the project would conflict with. Lastly, there are no established air traffic patterns in the area that would be affected by the project; there is no restricted airspace over National City. Therefore there is no impact.

This segment of Sweetwater Road (I-805/Euclid Avenue to Valley Road) currently has an ADT rate 27,000 and a capacity of 40,000 ADT. The segment operates at a current Level of Service (LOS) of C and is expected to operate at an LOS of D in 2030. According to trip generation rates published by the San Diego Association of Governments (SANDAG), a commercial strip of this size with a drive-through component would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project could therefore be reasonably expected to generate 621 additional ADT. This amount would not normally trigger any threshold for a focused traffic study or traffic impact analysis. The traffic analysis summarized as follows:

*Per the applied regional significance thresholds and the analysis methodology presented in this report, the addition of project related traffic to the street system **would not result significant direct or cumulative impacts** to study area intersections and street segments.*

*Site access is satisfactory with two driveways, and enhanced by the existing two-way left-turn lane on Sweetwater Road that provides a refuge lane for turning vehicles... no issues with on-site circulation/queuing are expected given the [nine]-position queuing drive-thru lane, and the average customer load anticipated given the proximity to five other Starbucks stores. Based on the above findings, no mitigation measures are required or proposed.*

A queuing study was performed for two local area Starbucks locations (24<sup>th</sup> Street and Hoover Avenue, and "L" Avenue and Plaza Blvd. The maximum queuing, which was during the morning peak hour, was 15 vehicles. The driveway, as proposed, can accommodate approximately 11 vehicles. The design of the drive-through entrance is such that vehicles may only enter westbound from within the parking lot (via the eastern driveway, which is approximately 250 feet from Orange Street). Therefore, there would be room on site to accommodate vehicle queuing, which would ensure no impact to adjacent City streets.

No change in road design is proposed which would cause a safety risk or hinder emergency access. The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities, as there are no such activities existing or planned in this area, thus no impact.

**XVII – UTILITIES AND SERVICE SYSTEMS**

Potentially      Less Than      Less Than      No

Would the project:	Significant Impact	Significant w/ Mitigation Incorporation	Significant Impact	Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources: 1, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources: 1, 12, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: 1, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources: 1, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 1, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

The proposed project would be designed and constructed using Best Management Practices (BMPs) to appropriately handle wastewater and not exceed wastewater treatment requirements of the San Diego Regional Water Quality Control Board; therefore, there is no impact.

The affected territory is located within the Sweetwater Authority for water service. The Sweetwater Authority is a Joint Powers Authority (JPA) of the City of National City and the South Bay Irrigation District; therefore, annexation to National City will not require a concurrent detachment from the Sweetwater Authority

As part of their annexation, the properties at 2305 and 2311 Sweetwater Road will not be required to detach from the water district currently serving the area, as both the City of National City and the unincorporated properties in this area are served by the same water service provider (Sweetwater Authority). Thus, annexation from San Diego County to National City will not significantly affect the existing utility networks. Also, all necessary improvements will be included with the project approval and construction will be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations; therefore, there would not be a significant effect on existing utility networks.

The proposed project site would be served by EDCO, the local waste collection and recycle company. EDCO has a contract with the City to handle City residents' waste disposal and recycling needs. According to EDCO staff, the company utilizes several landfill sites for the disposal of waste collected in National City, with the most common being Otay Mesa, Sycamore, and Miramar Landfills, with an additional 12, 26 and 9 years of capacity remaining respectively; therefore, there is a less than significant impact. There are two other landfill sites in San Diego County – the Ramona landfill, which is full, and Borrego Springs landfill, which has an

additional 30 years capacity remaining. In addition, the proposed project would comply with all federal, state, and local statutes and regulations related to solid waste.

**XVIII – MANDATORY FINDINGS of SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion: No significant impacts to the environment as a result of this project have been identified. There is no habitat on site or nearby and there is no established neighborhood that would be affected. The property is changing from a mostly vacant and previously disturbed area, surrounded by a mix of residential and commercial development near a freeway interchange, to a small commercial strip center. Approval of the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effect on human beings, either directly or indirectly.



**REFERENCE SOURCES:**

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	National City General Plan	National City Planning Department 1243 National City Boulevard National City, CA 91950 <a href="http://www.nationalcityca.gov/">http://www.nationalcityca.gov/</a>
2	City of National City Municipal Code	National City Planning Department
3	Case File 2017-13 GPA, ZC, ANNEX	National City Planning Department
4	SANDAG trip generation by land use	<a href="http://www.sandag.org">www.sandag.org</a>
5	US Fish and Wildlife Service	<a href="https://www.fws.gov/">https://www.fws.gov/</a>
6	US Fish and Wildlife Wetland Mapper System	<a href="https://www.fws.gov/wetlands/data/mapper.html">https://www.fws.gov/wetlands/data/mapper.html</a>
7	Transportation Impact Analysis for Sweetwater Road Commercial project (Linscott Law & Greenspan engineers)	National City Planning Department
8	County of San Diego Zoning Ordinance	<a href="https://www.sandiegocounty.gov/pds/zoning/index.html">https://www.sandiegocounty.gov/pds/zoning/index.html</a>
9	California Department of Conservation	<a href="http://maps.conservation.ca.gov/cgs/fam/">http://maps.conservation.ca.gov/cgs/fam/</a>
10	City of National City Final Climate Action Plan	National City Planning Department
11	Environmental Protection Agency	<a href="https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator">https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator</a>
12	California Integrated Waste Management Board	<a href="http://www.ciwmb.ca.gov/">http://www.ciwmb.ca.gov/</a>
13	EDCO Disposal website	<a href="https://www.edcodisposal.com/corporate/">https://www.edcodisposal.com/corporate/</a>
14	Landfill Management – County of San Diego	<a href="https://www.sandiegocounty.gov/content/sdc/dpw/inactvlandfill.html">https://www.sandiegocounty.gov/content/sdc/dpw/inactvlandfill.html</a>
15	Local Agency Formation Commission (LAFCO) response to Legal Notice of Intent and Availability For Environmental Review and Comment, dated May 20, 2019	National City Planning Department

RESOLUTION NO. 2019-08

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA,  
MAKING A FINDING OF NO SIGNIFICANT ENVIRONMENTAL EFFECT  
FOR THE ANNEXATION OF 2311 AND 2305 SWEETWATER ROAD; GENERAL PLAN  
AMENDMENT AND ZONE CHANGE FOR THE REZONING  
OF SAID PROPERTIES, IN ADDITION TO 3320, 3330, 3336 ORANGE STREET,  
IN ORDER TO CONSTRUCT A 5,500 COMMERCIAL CENTER; AND  
A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH BUSINESS  
AND AUTHORIZING THE FILING OF A NOTICE OF DETERMINATION.  
APPLICANT: MURAOKA ENTERPRISES, INC.  
CASE FILE NO. 2017-13 IS  
APN: 563-252-12 through 14 and 563-252-23 & 28

WHEREAS, the Planning Commission of the City of National City, California, considered said certification at a duly advertised public hearing held on June 3, 2019, at which time the Planning Commission considered evidence; and,

WHEREAS, at said public hearing the Planning Commission considered the staff report provided for Case File No. 2017-13 IS, which is maintained by the City and incorporated herein by reference; along with any other evidence presented 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 hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Planning Commission of the City of National City, California, that the evidence presented to the Planning Commission at the public hearing held on June 3, 2019, support the following findings:

1. That the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, because the properties are previously developed and/or disturbed and there is no sensitive habitat on site.

2. That the project does not have impacts that are individually limited but cumulatively considerable, because the project is an infill development on a historically disturbed property. The area is surrounded by urban development. The existing improvements and development pattern can accommodate the project without causing any impacts to the environment or to existing services.
3. That the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, because the project is a low-intensity commercial development. As determined by the Initial Study for the project, both short and long term activities will have a less than significant impact on air quality.
4. The proposed project has been reviewed in compliance with CEQA for which a Negative Declaration (ND) has been prepared. The ND has determined that, the proposed project would not have a significant effect on the environment and that no mitigation is required.

BE IT FURTHER RESOLVED that the Planning Commission has considered the proposed Negative Declaration No. 2017-13 IS, together with any comments received during the public review process, and finds on the basis of the whole record (including the Initial Study and any comments received) that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the City's independent judgment and analysis, and hereby approves the Negative Declaration and authorizes the filing of a Notice of Determination.

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 June 3, 2019, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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CHAIRPERSON



RESOLUTION NO. 2019-09

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA,  
RECOMMENDING DENIAL OF A GENERAL PLAN AMENDMENT  
AND ZONE CHANGE FOR THE REZONING OF PROPERTY  
LOCATED AT 2311 & 2305 SWEETWATER ROAD, AND  
3320, 3330, & 3336 ORANGE STREET FROM  
SMALL LOT RESIDENTIAL (RS-2) TO  
MAJOR MIXED-USE DISTRICT (MXD-2), AND A  
CONDITIONAL USE PERMIT TO CONSTRUCT A 5,500 SQUARE-FOOT  
COMMERCIAL CENTER WITH A DRIVE-THROUGH BUSINESS.  
APPLICANT: MURAOKA ENTERPRISES, INC.  
CASE FILE NO. 2017-13 GPA, ZC, CUP  
APN: 563-252-12 through 14 and 563-252-23 & 28

WHEREAS, application was made for approval of a General Plan Amendment, Zone Change, and Conditional Use Permit for the rezoning of property located at 2311 and 2305 Sweetwater Road, and 3320, 3330, and 3336 Orange Street from Small Lot Residential (RS-2) to Major Mixed-Use District (MXD-2), and the construction of a 5,500 square-foot commercial center with a drive-through business; and

WHEREAS, the Planning Commission of the City of National City, California, considered said applications at a duly advertised public hearing held on June 3, 2019, at which time the Planning Commission considered oral and documentary evidence; and,

WHEREAS, at said public hearing the Planning Commission considered the staff report provided for Case File No. 2017-13 GPA, ZC, CUP, which is 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 hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City 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 June 3, 2019, support the following findings:

FINDING FOR DENIAL OF THE  
GENERAL PLAN AMENDMENT AND ZONE CHANGE

1. The proposed development is consistent with General Plan Land Use Policies LU-1.2, LU 2.6, and LU-2.9, and Goal LU-2, because the area is disturbed and or/developed, and is currently vacant and prime for development. Having a comprehensive commercial project in this area will contribute to the City's future zoning and land use designation requirements, as well as employment needs.

FINDINGS FOR DENIAL OF THE CONDITIONAL USE PERMIT

1. The design, location, size, and operating characteristics of the proposed activity would not be compatible with the existing and future land uses in the vicinity, because the proposed use will have impacts related to noise, glare, and aesthetics directed at the mostly residential land uses nearby
2. The site is not physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the project is expected to generate approximately 621 additional average daily trips, which will result in a project horizon LOS of D which, while a passing LOS, will compound future road conditions resulting in possible lower service levels.
3. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the project area is on the periphery of a mixed-density neighborhood and will contribute to an increase in traffic in said neighborhood, and noise due to queuing vehicles and the ordering speaker.

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 June 3, 2019, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

---

CHAIRPERSON



RESOLUTION NO. 2019-09

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF NATIONAL CITY, CALIFORNIA,  
RECOMMENDING APPROVAL OF A GENERAL PLAN AMENDMENT  
AND ZONE CHANGE FOR THE REZONING OF PROPERTY  
LOCATED AT 2311 & 2305 SWEETWATER ROAD, AND  
3320, 3330, & 3336 ORANGE STREET FROM  
SMALL LOT RESIDENTIAL (RS-2) TO  
MAJOR MIXED-USE DISTRICT (MXD-2), AND A  
CONDITIONAL USE PERMIT TO CONSTRUCT A 5,500 SQUARE-FOOT  
COMMERCIAL CENTER WITH A DRIVE-THROUGH BUSINESS.  
APPLICANT: MURAOKA ENTERPRISES, INC.  
CASE FILE NO. 2017-13 GPA, ZC, CUP  
APN: 563-252-12 through 14 and 563-252-23 & 28

WHEREAS, application was made for approval of a General Plan Amendment, Zone Change, and Conditional Use Permit for the rezoning of property located at 2311 and 2305 Sweetwater Road, and 3320, 3330, and 3336 Orange Street from Small Lot Residential (RS-2) to Major Mixed-Use District (MXD-2), and the construction of a 5,500 square-foot commercial center with a drive-through business, on property generally described as:

See attached Exhibit "A"

WHEREAS, the Planning Commission of the City of National City, California, considered said applications at a duly advertised public hearing held on June 3, 2019, at which time the Planning Commission considered oral and documentary evidence; and,

WHEREAS, at said public hearing the Planning Commission considered the staff report provided for Case File No. 2017-13 GPA, ZC, CUP, which is 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 hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City 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 June 3, 2019, support the following findings:

FINDING FOR APPROVAL OF THE  
GENERAL PLAN AMENDMENT AND ZONE CHANGE

1. The proposed development is consistent with General Plan Land Use Policies LU-1.2, LU 2.6, and LU-2.9, and Goal LU-2, because the area is disturbed and or/developed, and is currently vacant and prime for development. Having a comprehensive commercial project in this area will contribute to the City's future zoning and land use designation requirements, as well as employment needs.

FINDINGS FOR APPROVAL OF THE CONDITIONAL USE PERMIT

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because drive-through businesses are identified as a conditionally-allowed use in the Major Mixed-Use District (MXD-2) zone, and the proposed drive-through aisle meets all requirements as contained in NCMC §18.41 – Site Planning Standards.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because the Land Use Code conditionally allows drive-through businesses in the MXD-2 zone; the Land Use Code is consistent with the General Plan. Additionally, there are no Specific Plans affecting this location.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the property will be completely redeveloped and will provide enough parking spaces based on provisions outlined in the Land Use Code. In addition, the proposed drive-through aisle meets all requirements for such uses outlined in the Land Use Code, as discussed in the staff report.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the project is expected to generate approximately 621 additional average daily trips, which can be accommodated by existing road network. Sweetwater Road in this location is currently operating at an LOS of C (passing),

and is calculated by the provided traffic impact analysis to continue to have a passing LOS (D) after construction.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the project area is on the periphery of a mixed-density neighborhood and will not contribute to a significant increase in traffic in said neighborhood, and because a condition requiring the use of noise-attenuating speakers is included. In addition, the new business will be a benefit to the public interest by providing job opportunities.

BE IT FURTHER RESOLVED that based on the findings hereinbefore stated, the Planning Commission hereby recommends approval of said General Plan Amendment, Zone Change, and Conditional Use Permit for the rezoning of property located at 2311 and 2305 Sweetwater Road, and 3320, 3330, and 3336 Orange Street from Small Lot Residential (RS-2) to Major Mixed-Use District (MXD-2), and the construction of a 5,500 square-foot commercial center with a drive-through business, subject to the following conditions:

#### General

1. This *General Plan Amendment, Zone Change, and Conditional Use Permit* authorizes a 5,500 commercial strip center with a drive-through coffee shop and 27 parking spaces located at 3320, 3330, and 3336 Orange Street, and 2305 and 2311 Sweetwater Road. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibits A and B, Case File No. 2017-13 GPA, ZC, CUP, IS, dated 4/23/2019).
2. This *General Plan Amendment, Zone Change, and Conditional Use Permit* shall not become effective until the Negative Declaration associated with the project has been certified and the Notice of Determination filed.
3. This *Conditional Use Permit* shall not become effective until the General Plan Amendment and Zone Change have been approved, and the post-entitlement annexation process with the Local Agency Formation Commission (LAFCO) has been completed.
4. The MXD-2 zone designation must be in place for two years from the date of annexation unless findings are made by the City Council that a change within two years is appropriate based on special circumstances outlined in Government Code Section 56375.



5. Before this *General Plan Amendment, Zone Change, and Conditional Use Permit* shall become effective, the applicant and/or the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the General Plan Amendment, Zone Change, and Conditional Use Permit.** The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *General Plan Amendment, Zone Change, and Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
6. *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.** The current fee to record the Notice of Determination for a Negative Declaration is \$2,354.75, but may be subject to change.

#### Building

7. Plans submitted for improvements must comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

#### Engineering

8. 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.
9. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.

10. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
11. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
12. 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.
13. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.
14. All existing and proposed curb inlets on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
15. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be six inches in diameter with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
16. Separate street and sewer plans prepared by Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.



17. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
18. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced.
19. 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.
20. 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, and 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.
21. 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.
22. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
23. A title report shall be submitted to the Engineering Department, after the City Council approval, for review of all existing easements and the ownership at the property.
24. 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.
25. 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.



26. The developer shall bond for the public improvements and the on-site grading, drainage, landscaping, and other improvements through an agreement with the City prior to the beginning of construction.

27. SUSMP documentation, as necessary, must be submitted and approved.

#### Fire

28. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations at the time of plan submittal.

#### Planning

29. The five individual properties shall either be merged or restricted through covenant to be held as one for the life of the project. The merger or restrictive covenant shall be completed or in place prior to issuance of grading or building permits. If the developer elects to record a restrictive covenant, the document shall be approved as to form by the City Attorney and recorded with the San Diego County Recorder.

30. Access to the drive-through aisle shall only be westbound from Orange Street. No eastbound access from the westerly driveway on Sweetwater Road to the drive-through is permitted.

31. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process in compliance with Land Use Code Chapter 18.44 (Landscaping), including Section 18.44.190 related to water efficient landscape requirements. Installation and continued maintenance of minimum landscaping items required by Section 18.41.020(C)(3), including a minimum three-foot hedge and ornamental trees spaced 20 feet on center along the Sweetwater Road and Orange Street frontages, shall be provided. The landscaping and irrigation required by this approval shall be maintained for the life of the project.

32. Plans submitted for construction shall conform to minimum turning radius requirements for drive-through businesses unless the City Engineer approves a lesser radius.

33. Business operations shall comply with Municipal Code Title 12 (Noise) at all times. Plans submitted for construction shall reflect the use of sound-attenuating speakers that automatically reduce the volume of ordering speakers during periods of low ambient noise.

34. Plans submitted for construction shall conform to Land Use Code Section 18.46 (Outdoor Lighting) and 18.42.040 (Screening mechanical equipment and elevator housing).

35. Plans submitted for construction shall comply with the guidelines stated in Land Use Code Section 18.42.050 (Commercial and institutional building design standards).

36. The trash enclosure design shall be in compliance with Municipal Code Title 7, Section 7.10.080 (Enclosures required), including the use of flame retardant materials.

#### Sweetwater Authority

37. There are existing water facilities in the vicinity of, or within, the parcels affected by the project, including two monitoring stations, water meters, and service laterals. The applicant shall coordinate with Sweetwater Authority regarding the existing water facilities as part of the design review/building permit process.

38. The Owner must submit a letter to the 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.

39. An approved backflow prevention assembly is required for water services serving commercial developments. Water facilities shall be designed and installed in accordance with the current Sweetwater Authority Design Standards and the Standard Specifications for Construction of Water Facilities. Existing services in conflict with the project must be abandoned and/or relocated at the Owner's expense.

#### County of San Diego

40. As part of the County of San Diego's ongoing effort to improve road surfaces in the unincorporated County, Sweetwater Road was recently resurfaced in February 2019, and Orange Street is tentatively scheduled for resurfacing in July 2019. As such, cutting into the pavement within three years would conflict with the County's Pavement Cut Policy to minimize excavation on new road surface treatments. The applicant shall coordinate with the County Department of Public Works and the National City Engineering Department prior to any modification of the County's maintained roads.

41. The project could potentially generate stormwater impacts to the County's municipal storm sewer system (MS4) and to adjacent private parcels located in the unincorporated County. Therefore, the project should consider the following items:

- a. Compliance with the San Diego Municipal Storm Water Permit Order No. R9-2013-0001, (as amended by Order Nos. R9-2015-0001 and R9-2015-0100). The Project may consider implementing permanent Site Design, Source Control, Pollutant Control, and Hydromodification Management in accordance with the County's Best Management Practices (BMPs) Design Manual.
- b. Construction BMPs and associated plans for conformance with the County of San Diego's Grading Ordinance, Watershed Protection Ordinance and State of California's Construction General Permit.

42. It appears there is a potential impact to the San Diego County Sanitation District's (District) gravity sewer line. The project scope is adjacent to the District sewer line.
- a. The project applicant will need to conduct an analysis of potential impacts to the District's existing sewer infrastructures. This analysis must be submitted to the District for review and approval.
43. The two properties located in the unincorporated County (2311 and 2305 Sweetwater Rd) proposed to be annexed into the City's jurisdiction, are currently being served by the District's Spring Valley Service Area. The property owner shall verify with the San Diego Local Agency Formation Commission (LAFCO) if sewer services can be provided by the City. Once the annexation is approved and recorded by LAFCO, the associated existing residential wastewater discharge sewer permits will be voided by the District. The property owner shall contact the City for sewer service. This may require future coordination between the two agencies. For additional information, please contact Carolina Delgado at (858) 694-2663 or [Carolina.Delgado@sdcounty.ca.gov](mailto:Carolina.Delgado@sdcounty.ca.gov).

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 June 3, 2019, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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CHAIRPERSON



EXHIBIT "A"

**LEGAL DESCRIPTION**

Real property in the City of National City, County of San Diego, State of California, described as follows:

PARCEL 1: 563-252-12-00

ALL THAT PORTION OF LOT 5 IN BLOCK "B" OF NATIONAL CITY LITTLE FARM ADDITION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1187, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 17, 1909, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 5; THENCE SOUTH 71° WEST ALONG THE NORTHERLY LINE OF SAID LOT, 147.42 FEET; THENCE SOUTH 19° EAST ALONG A LINE PARALLEL WITH THE EASTERLY LINE OF SAID LOT, 49.22 FEET; THENCE NORTH 71° EAST PARALLEL WITH SAID NORTHERLY LINE, 147.42 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE NORTH 19° WEST ALONG SAID EASTERLY LINE, 49.22 FEET TO THE POINT OF BEGINNING.

PARCEL 2: 563-252-14-00

ALL THAT PORTION OF LOTS 4 AND 5 IN BLOCK "B" OF NATIONAL CITY LITTLE FARM ADDITION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1187, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 17, 1909, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 5; THENCE NORTH 19° WEST ALONG THE EASTERLY LINE OF SAID LOT, 49.22 FEET TO THE SOUTHEASTERLY CORNER OF A PORTION OF SAID LOT 5 CONVEYED TO JESSE G. GROSS AND WIFE BY DEED DATED AUGUST 18, 1942 AND RECORDED IN BOOK 1373, PAGE 498 OF OFFICIAL RECORDS; THENCE SOUTH 71° WEST ALONG THE SOUTHERLY LINE OF LAND SO CONVEYED, 147.42 FEET TO THE SOUTHWESTERLY CORNER THEREOF; THENCE SOUTH 19° EAST 6.10 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF THE COUNTY ROAD KNOWN AS ROAD SURVEY NO. 558, ACCORDING TO THE MAP THEREOF ON FILE IN THE COUNTY SURVEYOR'S OFFICE; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE OF SAID ROAD, 177.75 FEET, MORE OR LESS, TO THE EASTERLY LINE OF SAID LOT 4; THENCE NORTH 19° WEST, ALONG SAID EASTERLY LINE, 66.81 FEET TO THE POINT OF BEGINNING.

PARCEL 3: 563-252-13-00

ALL THAT PORTION OF LOT 5 IN BLOCK "B" OF NATIONAL CITY LITTLE FARM ADDITION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1187, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 17, 1909, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 5; THENCE SOUTH 71° WEST ALONG THE NORTHEASTERLY LINE OF SAID LOT, 147.42 FEET; THENCE SOUTH 19° EAST ALONG A LINE PARALLEL WITH THE EASTERLY LINE OF SAID LOT, 98.44 FEET; THENCE NORTH 71° EAST PARALLEL WITH SAID NORTHERLY LINE, 147.42 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE NORTH 19° WEST ALONG SAID EASTERLY LINE, 98.44 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE NORTHERLY 49.22 FEET THEREOF.

PARCEL 4: 563-252-23-00

ALL THAT PORTION OF LOT 5, IN BLOCK "B" OF NATIONAL CITY LITTLE FARM ADDITION, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1187, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 17, 1909, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 71°00'00" EAST ALONG THE NORTH LINE THEREOF 94.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 71°00'00" EAST CONTINUING ALONG SAID NORTH LINE 52.91 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LAND DESCRIBED IN DEED TO JESSE G. GROSS, ET UX, RECORDED AUGUST 20, 1942, IN BOOK 1373, PAGE 498 OF OFFICIAL RECORDS; THENCE SOUTH 19°00'00" EAST PARALLEL WITH THE EASTERLY LINE OF SAID LOT 5 BEING ALONG THE WESTERLY LINE OF SAID GROSS LAND AND THE SOUTHERLY PROLONGATION THEREOF 114.54 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF COUNTY ROAD SURVEY NO. 558, ACCORDING TO THE MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID ROAD TO THE INTERSECTION WITH A LINE BEARING SOUTH 19°00'00" EAST PARALLEL WITH THE EASTERLY LINE OF SAID LOT FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 19°00'00" WEST TO THE TRUE POINT OF BEGINNING.

PARCEL 5: 563-252-28-00

ALL THAT PORTION OF LOT 5, IN BLOCK "B" OF NATIONAL CITY LITTLE FARM ADDITION, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1187, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 17, 1909, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 5; THENCE NORTH 71°00'00" EAST ALONG THE NORTHERLY LINE OF SAID LOT, 94 FEET 8 INCHES; THENCE SOUTH 19°00'00" EAST PARALLEL WITH THE EASTERLY LINE OF SAID LOT 5 TO THE NORTHERLY LINE OF COUNTY ROAD SURVEY NO. 558; THENCE NORTHWESTERLY ALONG SAID NORTHERLY LINE TO THE WESTERLY LINE OF SAID LOT 5; THENCE NORTH 18°25'00" WEST ALONG WESTERLY LINE 14.61 FEET TO THE POINT OF BEGINNING.