

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT MODIFICATION FOR THE EXPANSION OF A SELF-STORAGE FACILITY WITH ACCESSORY TRUCK RENTAL AND A ZONE VARIANCE TO ALLOW TRUCKS TO BACK IN FROM A PUBLIC STREET LOCATED AT 1300 WILSON AVENUE (U-HAUL) CASE FILE NO. 2021-10 CUP, Z APN: 559-061-14 AND 559-061-18

WHEREAS, the City Council of the City of National City considered a Conditional Use Permit Modification for the expansion of a self-storage facility with accessory truck rental and a zone variance to allow trucks to back in from a public street (U-Haul) located at 1300 Wilson Avenue at a duly advertised public hearing held on October 18, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearing the City Council considered the staff report contained in Case File No. 2021-10 CUP, Z maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, the Planning Commission of the City of National City considered the Conditional Use Permit application at a duly advertised public hearing held on August 15, 2022, at which time the Commission recommended approval of the Conditional Use Permit modification and Zone Variance; 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 Council of the City of National City, California, that the evidence presented to the City Council at the public hearing held on October 18, 2022, support the following findings:

**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 self-storage facilities are identified as a conditionally-allowed use in the Limited Commercial (CL) zone, and the conditions of approval will require compliance with all applicable development standards in the Land Use Code.

2. The proposed use is consistent with the General Plan and any applicable specific plan, because the Westside Specific Plan conditionally allows self-storage uses in the CL zone; the Westside Specific Plan is consistent with the General Plan. The proposed warehouse building will be required to meet applicable development standards in the Westside Specific Plan.
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 partially redeveloped with a new warehouse building and an off-site parking facility will provide enough parking spaces based on provisions outlined in the Land Use Code. The proposed development, subject to the conditions of approval, meets all requirements for such uses outlined in the Land Use Code, as discussed above, and the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.
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 property is large enough to accommodate an additional building complying with Land Use Code standards along with existing driveways and sufficient access to utilities.
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 proposed project will provide an adequate loading area for trucks to service the new warehouse building and additional parking for customers and employees will be provided with an off-site parking facility. The new warehouse building will serve as a buffer blocking noise and views of Interstate 5 from the neighborhood.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 32, Section 15332 (In-fill Development Projects) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

FINDINGS FOR APPROVAL OF THE ZONE VARIANCE

1. Due to special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Land Use Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification because with few exceptions, properties in the Limited Commercial zone were developed before Chapter 18.41 – Site Planning Standards established requirements for loading facilities with adequate space to allow trucks to enter a site without backing in from a public street and Chapter 18.45.110 – Loading

Requirements established minimum standards for the provision of loading space. Furthermore, most properties in the zoning classification are less than 10,000 square feet in area and, thus, unable to comply with either Chapter. The subject property is relatively narrow, with a depth of 183 feet, and bifurcated by a large existing building. The provision of turnaround space for trucks on the site is infeasible as it would lead to safety concerns for customers accessing the existing building.

2. The variance is subject to conditions that will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated because the project will be subject to conditions of approval that limit the daily number of trucks that will back in from the public street assuring the site will not have an increase over the number of trucks currently utilizing the site.
3. The variance is not granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property, because the property is within the CL zone, which conditionally-allows self-storage facilities. The proposed warehouse is an expansion of an existing facility and is allowed as an accessory use.

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

General

1. This Conditional Use Permit and Zone Variance authorizes an expansion of an existing self-storage facility with accessory truck rental (U-Haul) located at 1300 Wilson Avenue to allow a new warehouse building and trucks to back in from a public street to access a loading area. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2021-10 CUP,Z, dated 7/7/2022.
2. Unless specifically modified by this resolution, all Conditions of Approval of City Council Resolution 2012-175 shall remain in full force and effect.
3. Before this *Conditional Use Permit* and *Zone Variance* shall become effective, the applicant and the property owner shall both 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 *Conditional Use Permit* and *Zone Variance*. 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 *Conditional Use Permit* and *Zone Variance* are binding on all present or future interest holders or estate holders of the property. The Notice of

Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

4. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
5. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
6. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
7. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law. The property, the use and the permittee shall comply with all applicable law at all times.

Engineering

8. All public improvements shall be in accordance with the San Diego Regional Standard Drawings (SDRSD), National City Standard Drawings, Cal Trans Standard Drawings, and the Standard Specifications for Public Works Construction (The Greenbook).
9. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
10. A drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared by a Registered Civil Engineer, or other qualified professional, and shall be in accordance with the City requirements. In particular, the plan shall show the following:
11. Site drainage away from the building foundation (including downspouts), the drainage collection system, site BMPs, and flow from the site drainage system to the street and city storm drain.
12. The Storm Water BMP Requirements Applicability Form I-1 and if required I-2 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

Division web site at the link below *. 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.

[*http://www.nationalcityca.gov/city-government/engineering-public-works/engineering-division/online-services-forms-fees](http://www.nationalcityca.gov/city-government/engineering-public-works/engineering-division/online-services-forms-fees).

13. 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.
14. 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. An executed BMP Maintenance Agreement shall be submitted for approval by the City and recorded against the property. The agreement is available at the Engineering Division web site at the link below *.

[*https://www.nationalcityca.gov/home/showpublisheddocument/13694/636268151047970000](https://www.nationalcityca.gov/home/showpublisheddocument/13694/636268151047970000)

15. 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.
16. 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.
17. 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.

18. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
19. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6 inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
20. Street and sewer plans prepared by Registered Civil Engineer, shall be include in the grading plan set showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
21. 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.
22. 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.
23. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
24. The driveway on Wilson Avenue shall be an alley entrance type driveway with pedestrian ramps per SDRSD G-17.
25. 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.

26. 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.

27. The site plan shall be revised to show the following:

- Existing and proposed contour lines to a distance of 15 feet beyond the property lines.
- Proposed pad elevation.
- Proposed finish floor elevation.
- Proposed drainage flow indicator arrows with slope shown.
- All existing utility mains in the street and all existing utility service laterals on site to include sewer, water, gas, and electric.
- All existing structures on site identified as existing to remain or existing to be demolished.

28. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.

29. NO PARKING zone(s) (red curbing) shall be provided along the property frontage(s) at the following location(s): Twenty feet on either side of the proposed expanded driveway.

30. 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. A deposit in the amount of three percent (3%) of the engineers cost estimate or \$10,000 (whichever is greater) 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.

31. 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.

32. Please add the following to the site plan:

- A legend showing all line types and symbols used
- Clearly show all ROWs and identify the street name.
- The State Highway Right of Way shall be shown and identified
- The proposed building shall be dimensioned and distances from property lines and other buildings shown.
- The proposed expanded driveway will have red curb marking painted on either side of the opening from the PCRs to a distance of twenty feet (20') along the street.
- Appropriate signage shall be installed along Wilson Avenue to warn drivers of trucks entering the roadway and movements across the center line into oncoming traffic. Distances from the centerline of the driveway to the warning signs shall be shown.

Fire

33. Project shall be designed to code.
34. The National City Fire Department utilizes all current codes and ordinances. Currently, we are using the 2019 editions of NFPA, CFC and the current edition of the CCR.
35. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
36. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of **all** portions of the facility and **all** portions of the exterior walls of the first story of the building as measured by an **approved** route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
37. The required width of emergency fire apparatus access roads shall not be **obstructed in any manner**, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
38. Fire hydrants that may be located throughout the project as not to have a separation distance greater than 300 feet. Fire hydrants to be located within 300 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
39. Parking shall not impact requirements of turn-around provision of roadway at any time, if required.
40. The following items pertain to fire hydrants:
 - a. Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - b. Fire hydrant to be of three outlet design.
41. Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch).
42. Fire hydrants to be marked by use of blue reflective marker in the roadway.
43. Upon submittal for an underground permit, the following shall be included:
 - Data sheet for Back-Flows
 - Data sheets for Private and Commercial Hydrants

- Data sheets for Post Indicator Valves

Information on required fire hydrants back-flow devices, etc.; can be acquired from Sweetwater Authority.

All pipe and their appliances, shall meet industry/code standards for underground use

44. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site
45. Approved vehicle access for firefighting shall be provided to all construction and demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available
46. Approved signs or other approved notices or markings (Red Curb) that include NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designed shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. **All projects shall be evaluated for this necessary application.**
47. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire rescue operations or where necessary to meet the public safety objectives of the jurisdiction.
48. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
49. If entrance/exit gates are used, they shall be equipped with Knox Box and Emergency Strobes so as to provide emergency vehicle access and egress. A Knox Key Switch shall be required in conjunction with strobe for emergency access, and shall be placed at front of property. Please contact the National City Fire Department for exact field location
50. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway
51. Where the roof has a slope less than four units vertical in 12 unit's horizontal, a hose connection shall be located to serve the roof of at the highest landing of a stairway with stair access to the roof provided in accordance with the current code

52. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.
53. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.

Planning

54. An off-site parking agreement shall be recorded for the property located at 433 ½ Civic Center Drive in conformance with Chapter 18.45.030 – Off-site facilities and submitted to the Planning Division prior to the issuance of any permits for the proposed warehouse building.
55. Prior to the issuance of any permits for the proposed warehouse building, plans shall be revised in conformance with the development standards of the Westside Specific Plan and Land Use Code and comments provided by the Planning Division in a letter dated June 3, 2021.
56. Permits shall be obtained for any new signage associated with the proposed expansion of the business. Please contact the Planning Division for information on sign regulations in National City.
57. A maximum of 12 semi-trucks of up to 72 feet in length are permitted on site per day. Any additional movement of goods shall be accommodated by non-diesel powered vehicles capable of accessing the loading area without backing in from the public street. No vehicles used for loading and unloading on the site shall be stored on adjacent public streets.
58. A sign shall be installed on site, visible to vehicles exiting the driveway serving the proposed warehouse building, which includes language prohibiting trucks from turning right onto Wilson Avenue.
59. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. Installation of landscaping items required by the Westside Specific Plan and the Land Use Code, including adequate landscaped area, street trees, and shrubs shall be maintained for the life of the project.
60. Plans submitted for improvements must comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.
61. An operations plan shall be submitted to the Planning Division for approval prior to the issuance of permits for the proposed warehouse building. The plan shall require the staging of U-Box delivery trucks at a location west of Interstate 5 when the proposed loading dock is occupied. The plan shall only permit trucks to enter and exit the site between the hours of 7:00 a.m. and 7:00 p.m. daily and only exit the site turning left onto Wilson Avenue.

BE IT FURTHER RESOLVED that this Resolution shall become effective, final, and conclusive on the day following the City Council meeting where this Resolution is adopted. The time within which judicial review of this decision may be sought is governed by the provisions of Code of Civil Procedures Section 1094.6.

PASSED and ADOPTED this 18th day of October, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz.
Interim City Attorney