

**RESOLUTION NO. 2025-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING THE APPEAL AND OVERTURNING THE PLANNING COMMISSION APPROVAL OF A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH COFFEE SHOP TO BE LOCATED AT 1838 SWEETWATER ROAD.**

**WHEREAS**, the Planning Commission of the City of National City considered the Conditional Use Permit application at a duly advertised public hearing held on October 20, 2025, at which time the Commission approved the Conditional Use Permit; and

**WHEREAS**, subsequent to the Planning Commission approval of the Conditional Use Permit, the appellant appealed the decision of the Planning Commission to the City Council; and

**WHEREAS**, the City Council of the City of National City considered the appeal of the Planning Commission's approval of the Conditional Use Permit at a duly advertised public hearing held on December 2, 2025, 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. 2025-29 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and

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

**WHEREAS**, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

**NOW, THEREFORE, THE CITY COUNCIL OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council hereby approves the appellants' appeal of and overturns the Planning Commission's decision to approve Conditional Use Permit 2025-29 CUP for a drive-through coffee shop to be located at 1838 Sweetwater Road, and is supported by the following finding:

1. 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 it would contribute to a concentration of unhealthy fast food eating places.

**Section 2:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED and ADOPTED this 2<sup>nd</sup> day of December, 2025.**

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Ron Morrison, Mayor

**ATTEST:**

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Shelley Chapel, MMC, City Clerk

**APPROVED AS TO FORM:**

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Barry J. Schultz, City Attorney