City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☒ Regular ☐ Special

Meeting Date: August 13, 2019

Title: City Council Resolution No. 2019-48
A Resolution of the City Council of the City of Needles
Approving a Conditional Use Permit for a Two-Phase Commercial
Boat and RV Storage Facility, Utilizing Steel Buildings Within Needles Marina
Resort, in the CRR "Commercial Resort Residential" Zone, at 100 Marina Dr.,
Also known as APN 0660-301-04 and 0660-301-09

Background: Applicant, Alan Reich, owner of Needles Marina Resort, submitted an application for a Conditional Use Permit for a Commercial Boat and RV Storage facility utilizing steel buildings, located inside the Park, at 100 Marina Dr. The project is proposed to be constructed in two phases, with phase one construction comprised of two steel buildings and 56 rental units; and phase two construction comprised of three steel buildings and 64 rental units. Phase two construction is planned to occur when phase one construction completes. The site is currently being utilized for storage by tenants of the park. The commercial facility will be available to the Park's tenants and general public as well.

The facility will be fenced with chain link and slats along the exterior property lines, which is currently masked with landscape shrubs; fencing is not proposed for the project's interior property boundaries since the units will be secured by each unit's renter.

A public hearing on the matter was held at the Planning Commission meeting on Wednesday, August 7, 2019; with public comments in favor of the project received via regular mail, as well as public testimony given at the public hearing also favoring the project. The Planning Commission voted unanimously to recommend approval of the Conditional Use Permit for the boat and RV storage facility utilizing steel buildings being proposed at Needles Marina Resort.

Conditional Use Permit Findings.

In accordance with Section 94.07, the Planning Commission must make the following findings for a Conditional Use Permit:

1. That the requested permit is within its jurisdiction according to the table of permissible uses
2. The application is complete.
3. The use is consistent with the General Plan.
4. The use will be in harmony with the area in which it is to be located.
5. The use will not materially endanger the public health or safety
6. The use will not substantially injure the value of adjoining or abutting property

Fiscal Impact: Minimal fiscal impact is expected from the services being provided

Environmental Impact: The project is categorically exempt under the California Environmental Quality Act (CEQA) Section 15332, small infill projects.

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Recommended Action: Approve Resolution No.2019-48 approving a Conditional Use Permit for a two-phase commercial boat and RV storage facility, utilizing steel buildings Within Needles Marina Resort at 100 Marina Dr., also known as APN 0660-301-04 and 09

Submitted By: Patrick Martinez, Development Services Director

City Management Review: Rick **Date:** 8/8/19

Approved: ☐	Not Approved: ☐	Tabled: ☐	Other: ☐
			Agenda Item: _____

RESOLUTION 2019-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES APPROVING A CONDITIONAL USE PERMIT FOR A TWO-PHASE COMMERCIAL BOAT AND RV STORAGE FACILITY, UTILIZING STEEL BUILDINGS, WITHIN NEEDLES MARINA RESORT, IN THE CRR "COMMERCIAL RESORT RESIDENTIAL" ZONE AT 100 MARINA DR., ALSO KNOWN AS APN 0660-301-04 AND 0660-301-09

WHEREAS, the City wishes to assist property owners in their efforts to build in the City in a reasonable manner that does not create a hazard to health, safety and welfare or degrade property values or create incompatibility with surrounding uses; and

WHEREAS, metal buildings are not permitted in the City of Needles without a conditional use permit to mitigate any negative impacts.

WHEREAS, a public hearing notice for the Needles Planning Commission meeting was published in the Needles Desert Star on July 24, 2019, at least 10 days prior to said meeting, and notices were sent to property owners within a 300-foot radius of the subject property specifying the date, time and location of the public hearing; and

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WHEREAS, on August 7, 2019, the Needles Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to RESOLUTION 08-07-2019 PC, and is recommending City Council approval of the Conditional Use Permit; and

WHEREAS, a public hearing notice for the Needles City Council meeting was published in the Needles Desert Star on July 10, 2019, at least 10 days prior to said meeting, and notices were sent to property owners within a 300-foot radius of the subject property specifying the date, time and location of the public hearing; and

WHEREAS, on August 13, 2019, the Needles City Council held a duly noticed and advertised public hearing to receive oral and written testimony relative to RESOLUTION 08-07-2019 PC; and

WHEREAS, the Needles Planning Commission has sufficiently considered all testimony and any documentary evidence presented to them in order to make the following determination.

WHEREAS, on August 13, 2019, the Needles City Council held a duly noticed and advertised public hearing to receive oral and written testimony relative to RESOLUTION 2019-48 for a Conditional Use Permit; and,

WHEREAS, Section 94.07(d) of the Needles City Code describes the findings required approve a Conditional Use Permit; and

WHEREAS, the Needles City Council has sufficiently considered all testimony and any documentary evidence presented to them in order to make the following determination.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Needles as follows:

SECTION 1. The Planning Commission HEREBY FINDS AND DETERMINES that this project is categorically exempt under the California Environmental Quality Act (CEQA) under Section 15332, small infill projects are exempt.

SECTION 2. The City Council HEREBY FINDS AND DETERMINES, with reports and findings, that facts do exist to approve a Conditional Use Permit, according to the criteria specified in Section 94.07(d) of the Needles City Code:

A. The development will not materially endanger the public health or safety.

FINDING: Fencing and lighting at the project site are included as conditions of approval to ensure appropriate health and safety measures are part of the project.

B. The development will not substantially injure the value of adjoining or abutting properties.

FINDING: The project is proposed in the CRR "Commercial Resort Residential" Zone, inside of an existing mobile home/RV park, with fencing, landscaping and an exterior building architectural treatment to enhance the project area.

C. The development is in harmony with the area in which it is located.

FINDING: The project is located inside an existing mobile home/RV park, surrounded by similar type resort-related businesses, including a golf course, restaurant, city park, etc.

D. The development is in general conformity with the Needles General Plan.

FINDING: The proposed project comprised of storage of boats and RV's, are uses common to the General Plan Commercial Resort (CR) designation and are found to be in conformance with the Needles General Plan.

SECTION 3. The City Council HEREBY APPROVES Resolution 2019-48 approving a Conditional Use Permit for a two-phase commercial boat and RV storage facility, utilizing steel buildings, within Needles Marina Resort, in the CRR "Commercial Resort Residential" (CRR) zone at 100 Marina Dr., also known as APN 0660-301-04 and 066-301-09.

SECTION 4. This action shall become final and effective immediately after this decision by the Needles City Council.

SECTION 5. The Needles City Clerk shall certify to the adoption of this Resolution

NOW, THEREFORE, BE IT RESOLVED that the City Council HEREBY APPROVES Resolution 2019-48 approving a Conditional Use Permit for a two-phase commercial boat and RV storage facility, utilizing steel buildings, within Needles Marina Resort, in the CRR "Commercial Resort Residential" (CRR) zone at 100 Marina Dr., also known as APN 0660-301-04 and 066-301-09 with the following conditions stated herein below:

1. Project shall be built in conformance to the site plan drawing dated July 22, 2019. Any deviation from the approved plan shall require Planning Commission approval.

2. Project to be done in phases, with phase 1 comprised of two buildings totaling 44,800 square feet and 56 rental units. Phase 2 will include three buildings totaling 37,520 sq. ft. and 64 units. Upon completion of phase 1, phase 2 will begin the construction process.

3. Applicant must comply with the recommendations of the San Bernardino County Fire Department prior to issuance of any building permits. All development pursuant to this permit must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Dept.

4. Access roads must be paved with an all weather surface with a width of 26 ft. for two-way traffic or 20 ft. for one way traffic.

5. Applicant must use asphalt or concrete for driving and parking surfaces per City standards.

6. Lighting on property must be a maximum 30°down lighting, in a manner that doesn't interfere with visibility or the enjoyment of their property, and motion sensors should be used wherever practical, to lessen interference with the enjoyment of the night sky.

7. No outdoor storage of any type is allowed.

8. Applicant to provide 25% architectural enhancement to all building sides visible from N. Bridge Road prior to issuance of certificate of occupancy. At all times the building shall be maintained with appropriate paint or exterior treatment.

9. Applicant to provide chain link fence with slats and/or landscape along N. Bridge Road/Marina Dr. All fencing to be installed prior to issuance of certificate of occupancy.

10. Dumpsters shall be in an enclosed area; not to be seen by public view, and they should be located in several areas of the project.

11. Applicant shall submit to city staff for approval a business license application before the opening and initial start of business.

12. Any violation of these conditions can automatically result in cancellation of this Conditional Use Permit.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 13th of August, 2019, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor

(Seal) **Attest:** _____
City Clerk

Approved as to form:

_____
City Attorney

Additional attachments to this agenda item are on file with the City Clerk and available upon request.
djones@cityofneedles.com
Thank you.