



City of El Cajon

Planning Commission Agenda

Tuesday, February 20, 2024 Meeting

7:00 PM

DARRIN MROZ, Chair
REBECCA POLLACK-RUDE, Vice Chair
PAUL CIRCO
SHANNON EDISON
ANTHONY SOTTILE

Meeting Location: City Council Chambers, 200 Civic Center Way, El Cajon, CA, 92020

Please note that, pursuant to State and County Health Orders, in-person meetings have resumed. The public is welcome to attend and participate.

The meeting will be live-streamed through the City website at: <https://www.elcajon.gov/your-government/city-meetings-with-agendas-and-minutes-all>.

To submit written comments on an item on this agenda, or a Public Comment, please e-mail the comments with Planning Commission in the subject line to planning@elcajon.gov before 5 p.m. on Tuesday, February 20, 2024. Comments will be limited to 300 words and will be entered into the official Commission Meeting Record.

The City of El Cajon is endeavoring to be in total compliance with the Americans with Disabilities Act. If you require assistance or auxiliary aids in order to participate at the Commission meeting, please contact our office at 619-441-1742, option 3, as soon as possible.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHAIRPERSON'S WELCOME

PUBLIC COMMENT

This is the opportunity for the public to address the Commission on any item of business within the jurisdiction of the Commission that is not on the agenda. Under state law no action can be taken on items brought forward under Public Comment except to refer the item to staff for administrative action or to place it on a future agenda. Non-agenda public comments must be submitted before the end of public comment during the meeting.

CONSENT

Agenda Item:	1
	Planning Commission minutes of November 21, 2023

Decisions and Appeals - A decision of the Planning Commission is final unless appealed within 10 days of the date of the Commission's action. The appeal period for the items on this Agenda will end on Monday, March 4, 2024, at 5:00 p.m. Agenda items which are forwarded to City Council for final action need not be appealed.

PUBLIC HEARINGS

Agenda Item:	2
Project Name:	Fire Station 7
Request:	Expand and renovate Fire Station 7
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Conditional Use Permit (CUP) 2024-0002 amending CUP No. 103
Location:	695 Tyrone Street
Applicant:	City of El Cajon, Senan Kachi; skachi@elcajon.gov ; 619.441.6209
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov
City Council Hearing Required?	No
Recommended Actions:	1. Conduct the public hearing; and 2. MOVE to adopt the next resolutions in order approving the CEQA determination and CUP No. 2024-0002, amending CUP No. 103, subject to conditions.

OTHER ITEMS FOR CONSIDERATION

Agenda Item:	3
Project Name:	The Palms Restaurant and Banquet Hall
Request:	Review of CUP No. 2115
CEQA Recommendation:	Not Subject to CEQA
STAFF RECOMMENDATION:	Direct staff to schedule a public hearing to consider revocation of CUP No. 2115 if the business is being operated in a manner that conflicts with the conditions of approval
Location:	143 East Main St.
Applicant:	David Malikyar, 619.249.1022
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov

4. STAFF COMMUNICATIONS

5. COMMISSIONER REPORTS/COMMENTS

6. ADJOURNMENT

This Planning Commission meeting is adjourned to March 5, 2024 at 7 p.m.

Decisions and Appeals - A decision of the Planning Commission is final unless appealed within 10 days of the date of the Commission's action. The appeal period for the items on this Agenda will end on Monday, March 4, 2024, at 5:00 p.m. Agenda items which are forwarded to City Council for final action need not be appealed.



MINUTES PLANNING COMMISSION MEETING November 21, 2023

The meeting of the El Cajon Planning Commission was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE.

COMMISSIONERS PRESENT: Darrin MROZ (Chair)
Rebecca POLLACK-RUDE (Vice Chair)
Paul CIRCO
Shannon EDISON

COMMISSIONERS ABSENT: Anthony SOTTILE

STAFF PRESENT: Noah ALVEY, Deputy Director of Community Development
Barbara LUCK, Staff Attorney
Laura JUSZAK, Administrative Secretary

Chair MROZ opened the Planning Commission meeting explaining the rules of conduct.

PUBLIC COMMENT:

There was no public comment.

CONSENT CALENDAR:

Agenda Item:	1
	Planning Commission minutes of November 7, 2023

Motion was made by CIRCO, seconded by POLLACK-RUDE, to approve the November 7, 2023 minutes; motion carried 4-0, with SOTTILE absent.

PUBLIC HEARING ITEM:

Agenda Item:	2	
Project Name:	Plaza de Las Palmas Shopping Center Specific Plan	
Request:	Amend Specific Plan No. 32 (SP-2023-0002) to allow neighborhood serving warehousing, distribution, and wholesale activities	
CEQA Recommendation:	Exempt	
STAFF RECOMMENDATION:	RECOMMEND CITY COUNCIL APPROVAL	
Project Number(s):	Specific Plan (SP) No. 2023-0002	
Location:	Southeast corner of East Chase and Avocado Avenues	
Applicant:	Vince Kattoula, vince@kattoula.com	
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov	
City Council Hearing Required?	Yes	December 12, 2023
Recommended Actions:	<ol style="list-style-type: none">1. Conduct the public hearing; and2. MOVE to adopt the next resolutions in order recommending City Council approval of the proposed CEQA exemption and to amend Specific Plan No. 32 to allow neighborhood serving warehousing, distribution, and wholesale activities, subject to conditions.	

ALVEY summarized the staff report through a PowerPoint presentation.

COMMISSIONERS asked questions with ALVEY providing answers.

MROZ opened the public hearing.

Project applicant Vince KATTOULA spoke in support of the project including a PowerPoint presentation.

Eight speaker cards were submitted in support of the project. All ceded their time to KATTOULA.

Motion was made by MROZ, seconded by EDISON, to close the public hearing; motion carried 4-0, with SOTTILE absent.

COMMISSIONERS discussed the item.

Motion was made by MROZ, seconded by POLLACK-RUDE, to adopt the next resolutions in order approving the CEQA determination and Specific Plan No. 2023-0002 (SP-2023-0002), amending Specific Plan No. 32 to allow neighborhood serving warehousing, distribution, and wholesale activities, subject to conditions; motion carried 4-0, with SOTTILE absent.

Agenda Item:	3
Project Name:	Zoning Code Amendment
Request:	Initiate Zoning Code Amendment
CEQA Recommendation:	EXEMPT
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	ZCA-2023-0002
Location:	Citywide
Applicant:	Community Development Department
Project Planner:	Noah Alvey; nalvey@elcajon.gov ; 619-441-1795
City Council Hearing Required?	No
Recommended Actions:	<ol style="list-style-type: none"> 1. Conduct the public hearing; and 2. MOVE to adopt the next resolutions in order, initiating an amendment to the El Cajon Zoning Code.

ALVEY summarized the staff report through a PowerPoint presentation.

MROZ opened the public hearing.

Attorney Gina AUSTIN spoke in support of the Zoning Code update related to cannabis.

El Cajon businessman Josh TURCHIN spoke in support of the Zoning Code update related to recycling centers.

Motion was made by MROZ, seconded by CIRCO, to close the public hearing; motion carried 4-0, with SOTTILE absent.

COMMISSIONERS discussed the item.

Motion was made by CIRCO, seconded by POLLACK-RUDE, to adopt the next resolution initiating an amendment to the zoning code; motion carried 4-0, with SOTTILE absent.

OTHER ITEMS FOR CONSIDERATION:

Staff brought 2024 Planning Commission Calendar forward for review and concurrence by COMMISSIONERS.

STAFF COMMUNICATIONS:

ALVEY informed COMMISSIONERS that staff would cancel the December 5, 2023 Planning Commission meeting.

COMMISSIONER REPORTS/COMMENTS:

There were no COMMISSIONER reports or comments.

ADJOURNMENT:

Motion was made by MROZ, seconded by CIRCO, to adjourn the meeting of the El Cajon Planning Commission at 7:46 p.m. this 21st Day of November, 2023, until 7:00 p.m., Tuesday, December 5, 2023; motion carried 4-0, with SOTTILE absent.

Darrin MROZ, Chair

ATTEST:

Noah ALVEY, Secretary



City of El Cajon

Community Development Department
PLANNING COMMISSION AGENDA REPORT

Agenda Item:	2
Project Name:	Fire Station 7
Request:	Expand and renovate Fire Station 7
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Conditional Use Permit (CUP) No. 2024-0002, amending CUP No. 103
Location:	695 Tyrone Street
Applicant:	City of El Cajon, Senan Kachi; skachi@elcajon.gov ; 619.441.6209
Project Planner:	Noah Alvey, nalvey@elcajon.gov , 619.441.1795
City Council Hearing Required?	No
Recommended Actions:	1. Conduct the public hearing; and 2. MOVE to adopt the next resolutions in order approving a CEQA exemption and CUP-2024-0002, an amendment of CUP No. 103, subject to conditions.

PROJECT DESCRIPTION

The project proposes to expand and renovate Fire Station 7 at 695 Tyrone St. The expansion will include approximately 1,600 square feet and accommodate private sleeping rooms, bathrooms, a second apparatus bay, laundry room, and general interior facility upgrades. The second apparatus bay will initially be used for an ambulance that typically parks outside of the existing building, but may accommodate an additional engine in the future, if deemed necessary. The proposed building elevations include an increase in the height to accommodate the building expansion, a new metal seam roof with a color similar to the existing roof, solar panels, and an overall modernization of the building exterior. Other site improvements include new accessible parking, security fencing, landscaping, and battery energy storage.

BACKGROUND

General Plan:	Public Institution (PI)
Specific Plan:	N/A
Zone:	Office Professional (O-P)
Other City Plan(s):	N/A
Regional and State Plan(s):	N/A

Project Site & Constraints

The project site is approximately 22,000 square feet (.51 acres), and is located on the east side of North Westwind Drive between Fletcher Parkway and Tyrone Street. Access to the property is from a driveway on Tyrone Street. The existing fire station is a two-story building that is approximately 3,500 square feet. From Tyrone Street, the site slopes down toward Fletcher Parkway.

Surrounding Context

Properties surrounding the subject site are developed and zoned as follows:

Direction	Zones	Land Uses
North	O-P	Offices on the north side of Fletcher Parkway
South	O-P & RS-9	Offices and single-family residences on the south side of Tyrone Street
East	RM-4300	Apartments
West	C-G	Vacant commercial site and misc. commercial uses on the west side of North Westwind Drive

General Plan

The land use designation of the subject property is Public Institution ("PI") according to the General Plan Land Use Map. The General Plan indicates that all zoning categories are consistent with the PI designation and the use of the site as a fire station is consistent with the PI designation.

General Plan Safety Element Policy 3.4 states, "Ensure that public facilities and infrastructure have adequate capacity to respond to wildfires and other relevant hazard events" and Action 3.4a, which states "Apply fire unit deployment performance measures with future planning of fire stations." The proposed project is consistent with the General Plan because the expanded fire station has been designed to meet the future needs of the surrounding community.

Municipal Code/Zoning Code

The site is located in the Office-Professional (O-P) zone. The commercial land use table indicates that governmental service facilities such as fire stations are permitted in the O-P zone, subject to the issuance on a conditional use permit.

Conditional Use Permit (CUP) No. 103

On June 14, 1960 the Planning Commission adopted Resolution No. 1301 approving CUP No. 103. The conditions of approval required the provision of proper facilities to handle drainage, street improvements, and a contribution towards the cost to install a fire hydrant.

DISCUSSION

The proposed expansion and renovation of Fire Station 7 will include necessary amenities expected with a modern fire station such as private sleeping rooms and two apparatus bays. The exterior building design retains many of the existing building features, while introducing new windows, which serve to better integrate the structure with surrounding office buildings and residential structures. The overall operation of the fire station will remain consistent with current operations, however the building expansion does anticipate future needs as required by the General Plan Safety Element should additional staffing or equipment become necessary to serve the needs of the surrounding community.

FINDINGS

Pursuant to ECMC section 17.50.060, the Planning Commission shall consider the following findings in order to make a determination:

- A. *The proposed use is consistent with applicable goals, policies, and programs of the general plan, and with any applicable specific plan;*

The General Plan Safety Element requires that public facilities and infrastructure have adequate capacity to respond to wildfires and other relevant hazard events and that fire unit deployment performance measures be accounted for with future planning of fire stations. The proposed project is consistent with the General Plan because the expanded fire station has been designed to meet the future needs of the surrounding community.

- B. *The proposed site plan and building design are consistent with all applicable use and development standards.*

The proposed expansion of the Fire Station 7 is consistent with all use and development standards for public facilities in the O-P (Office Professional) included in ECMC chapter 17.130. The exterior façade upgrades and building modernization will better integrate the building with surround offices and residences. The proposed site improvements include a new accessible parking stall.

- C. *The proposed use will be operated in a manner that is compatible with existing and planned land uses in the vicinity of the proposed use.*

The overall operation of the fire station will remain consistent with current operations, however, the building expansion does anticipate future needs should additional staffing or equipment become necessary to serve the needs of the surrounding community.

- D. *The proposed use and project design will not be detrimental to the public health, safety, and general welfare, including but not limited to matters of noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentrations of traffic.*

The proposed fire station expansion is planned and designed in consideration of existing on-site operations, functionality, and surrounding uses.

E. The proposed use is in the best interest of public convenience and necessity.

It is in the best interest of the public convenience and necessity to have a modern fire station capable of meeting the needs of fire fighters working at the station and by facilitating a quality environment that allows high quality service to surrounding community.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) according to section 15301, Class 1 (Existing Facilities) of the CEQA Guidelines. Section 15301 provides an exemption for minor additions to existing structures that do not exceed 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less. None of the exemption exceptions listed under CEQA Guidelines section 15300.2 exist.


PUBLIC NOTICE & INPUT

A notice of public hearing was mailed on February 9, 2024, to all property owners within 300 feet of the project site and to anyone who requested such notice in writing, in compliance with Government Code sections 65090, 65091, and 65092, as applicable. Additionally, as a public service, the notice was posted in the kiosk at City Hall and on the City's website under "Public Hearings/Public Notices." The notice was also mailed to the two public libraries in the City of El Cajon, located at 201 East Douglas Avenue and 576 Garfield Avenue. No public comments have been received for this request.

RECOMMENDATION

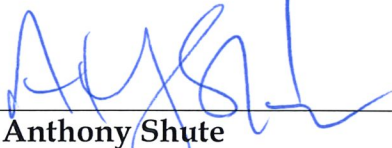
Staff's recommendation is that the Planning Commission approve the proposed expansion of Fire Station 7 to meet the future needs of the surrounding community and to create a modern building that is compatible with the design of surrounding structures.

PREPARED BY:



Noah Alvey
DEPUTY DIRECTOR
OF COMMUNITY
DEVELOPMENT

APPROVED BY:



Anthony Shute
DIRECTOR OF
COMMUNITY
DEVELOPMENT

ATTACHMENTS

1. Proposed Resolution APPROVING CEQA exemption
2. Proposed Resolution APPROVING the Amendment of CUP No. 103
3. Public Hearing Notice/Location Map
4. Aerial Photograph of Subject Site
5. Application and Disclosure Statement
6. Reduced Site Plan & Building Elevations

PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION APPROVING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION 15301 (EXISTING FACILITIES) FOR THE EXPANSION AND RENOVATION OF A FIRE STATION IN THE O-P (OFFICE PROFESSIONAL) ZONE AT 698 TYRONE ST.; APN NO. 481-240-21; GENERAL PLAN DESIGNATION: PUBLIC INSTITUTION (PI)

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on February 20, 2024, to consider the amendment of Conditional Use Permit No. 103 for the expansion of Fire Station 7 by approximately 1,600 square feet to accommodate private sleeping rooms, bathrooms, a second apparatus bay, laundry room, and general interior facility upgrades, as well as exterior elevation enhancements that include additional windows, and site improvements that include new accessible parking, security fencing, landscaping, and battery energy storage. The site is located on the east side of North Westwind Drive between Fletcher Parkway and Tyrone Street, and addressed as 695 Tyrone St., APN: 481-240-21; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA") Guidelines section 15061(b)(2), the Planning Commission reviewed and considered the information contained in the project staff report; and

WHEREAS, CEQA Section 15301 provides an exemption for minor additions to existing structures that do not exceed 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less; and

WHEREAS, the project proposes a 1,600 square foot building expansion, which is less than 50% of the size of the existing building to meet the future needs of the surrounding community and to create a modern building that is compatible with the design of surrounding structures; and

WHEREAS, no evidence was presented in proceedings that any of the conditions exist to provide exceptions to categorical exemptions as described in CEQA Guidelines section 15300.2, exist; and

WHEREAS, section 15301 is an appropriate exemption for the proposed project and the record of proceedings contains evidence to support the determination that the Class 1 Categorical Exemption applies; and

WHEREAS, after considering evidence and facts, the Planning Commission did consider the proposed CEQA exemption as presented at its meeting; and

NOW, THEREFORE, BE IT RESOLVED by the El Cajon Planning Commission as follows:

Section 1. That the foregoing recitals are true and correct, and are findings of fact of the El Cajon Planning Commission in regard to the proposed exemption for the expansion and renovation of Fire Station 7.

Section 2. That based upon said findings of fact, the El Cajon Planning Commission hereby APPROVES the proposed CEQA exemption for the expansion and renovation of Fire Station 7.

[The remainder of this page intentionally left blank.]

Proposed Planning Commission Resolution

PASSED AND ADOPTED by the El Cajon Planning Commission at a regular meeting held February 20, 2024, by the following vote:

AYES:
NOES:
ABSTAIN:

Darrin Mroz, Chair

ATTEST:

Noah ALVEY, Secretary

PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION APPROVING CUP-2024-0002, AN AMENDMENT OF CONDITIONAL USE PERMIT NO. 103 FOR THE EXPANSION AND RENOVATION OF A FIRE STATION IN THE O-P (OFFICE PROFESSIONAL) ZONE AT 698 TYRONE ST.; APN NO. 481-240-21; GENERAL PLAN DESIGNATION: PUBLIC INSTITUTION (PI).

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on February 20, 2024, to consider the Amendment of Conditional Use Permit No. 103, for the expansion of Fire Station 7 by approximately 1,600 square feet to accommodate private sleeping rooms, bathrooms, a second apparatus bay, laundry room, and general interior facility upgrades, as well as exterior elevation enhancements that include additional windows, and site improvements that include new accessible parking, security fencing, landscaping, and battery energy storage. The site is located on the east side of North Westwind Drive between Fletcher Parkway and Tyrone Street, and addressed as 695 Tyrone St., APN: 481-240-21; and

WHEREAS, the Planning Commission adopted the next resolution in order finding the proposed use is categorically exempt from environmental review in accordance with section 15301, Class 1 (Existing Facilities) of the CEQA Guidelines; and

WHEREAS, the evidence presented to the Planning Commission at the public hearing includes the following:

- A. The General Plan Safety Element requires that public facilities and infrastructure have adequate capacity to respond to wildfires and other relevant hazard events and that fire unit deployment performance measures be accounted for with future planning of fire stations. The proposed project is consistent with the General Plan because the expanded fire station has been designed to meet the future needs of the surrounding community; and
- B. The proposed expansion of the Fire Station 7 is consistent with all use and development standards for public facilities in the O-P (Office Professional) included in ECMC chapter 17.130. The exterior façade upgrades and building modernization will integrate the building with surround offices and residences. The proposed site improvements include a new accessible parking stall; and
- C. The overall operation of the fire station will remain consistent with current operations, however, the building expansion does anticipate future needs should additional staffing or equipment become necessary to serve the needs of the surrounding community; and

- D. The proposed fire station expansion is planned and designed in consideration of existing on-site operations, functionality, and surrounding uses; and
- E. It is in the best interest of the public convenience and necessity to have a modern fire station capable of meeting the needs of fire fighters working at the station and therefore facilitating high quality service to surrounding community.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon City Planning Commission hereby APPROVES the amendment of CUP No. 103 for the expansion and renovation of Fire Station 7, subject to the following conditions:

1. Prior to submitting for any building permits, the applicant shall submit a revised, one page digital site plan to Planning that includes the following:
 - a. The City of El Cajon planning permit title block.
 - b. Add the following note: "All operations shall comply with the City's Jurisdictional Runoff Management Program (JRMP) and the City's Storm Water Ordinance (Municipal Code chapters 13.10 and 16.60) to minimize or eliminate discharges of pollutants to the storm drain system. Operations shall include implementation of Best Management Practices (BMPs) in accordance with Appendix C (Minimum BMPs)."
2. Prior to the issuance of building permits, the applicant shall comply with the following:
 - a. Proposed plans will comply with the adopted California Building Code.
 - b. Site improvements shall be approved by the City Engineer in compliance with the El Cajon Municipal Code.
3. The following are ongoing conditions of approval for this CUP:
 - a. Noise generating equipment shall comply with the noise standards as stated in El Cajon Municipal Code section 17.115.130(C).
 - b. Security lighting shall only be illuminated with a timing device and shielding installed to limit light exposure on neighboring properties.
4. The Planning Commission may at any time during the life of this use permit, after holding a new public hearing and considering testimony as to the operation of the approved use, add additional conditions as it deems necessary, to ensure that the approved use continues to be compatible with surrounding properties and continues to be operated in a manner that is in the best interest of public convenience and necessity and will not be contrary to the public health, safety or welfare.

Proposed Planning Commission Resolution

5. If all conditions of approval have not been satisfied or if the uses approved by this CUP have not been commenced, and if no request for an extension of time has been received, within two (2) years of the approval Planning Commission or by February 20, 2026, and subsequently approved, this CUP shall be considered null and void per El Cajon Zoning Ordinance section 17.35.010.

[The remainder of this page intentionally left blank.]

Proposed Planning Commission Resolution

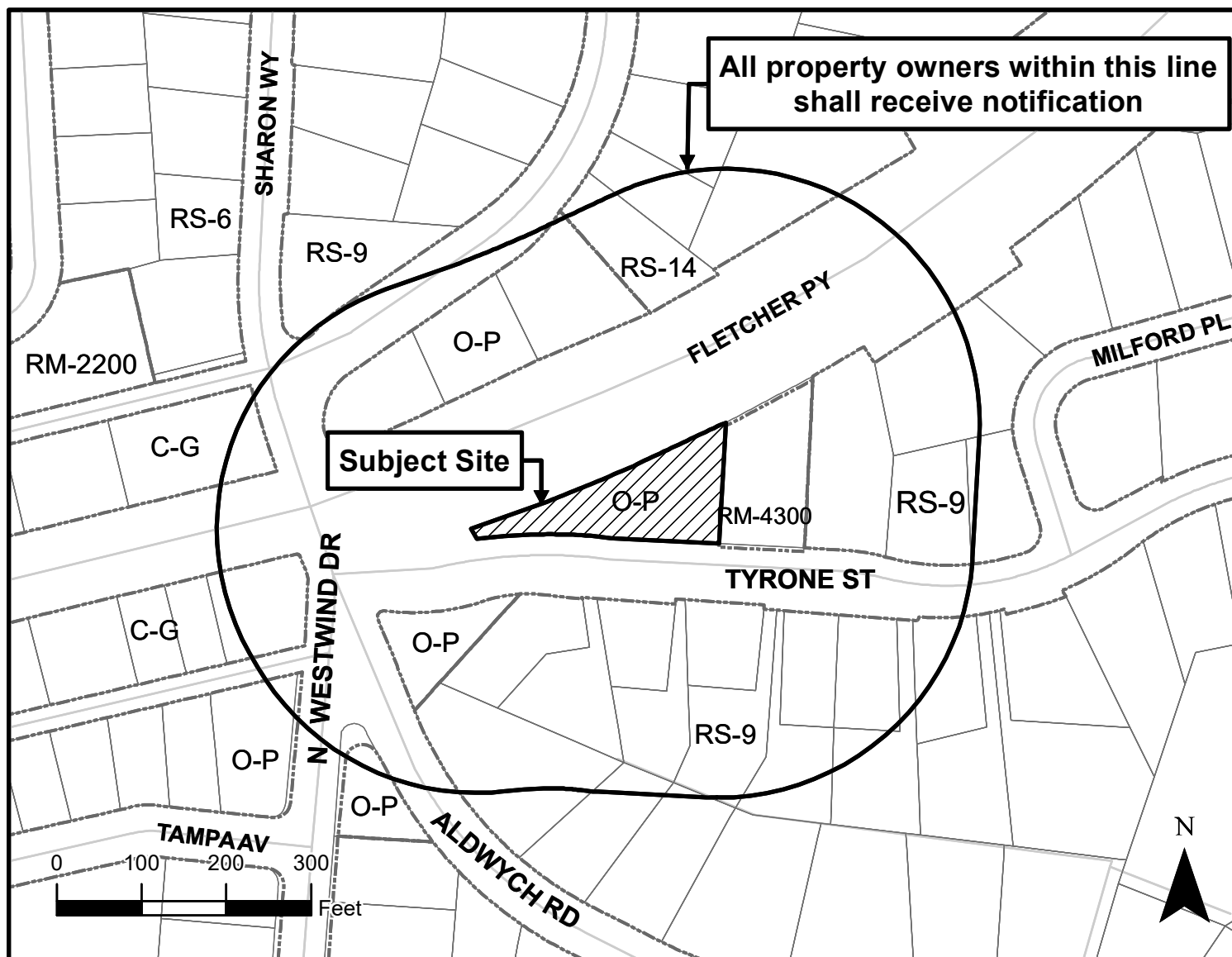
PASSED AND ADOPTED by the El Cajon Planning Commission at a regular meeting held February 20, 2024 by the following vote:

AYES:
NOES:
ABSTAIN:

ATTEST:

Darrin MROZ, Chair

Noah ALVEY, Secretary



**NOTICE OF PROPOSED
CONDITIONAL USE PERMIT
FIRE STATION 7**

NOTICE IS HEREBY GIVEN that the El Cajon Planning Commission will hold a public hearing at **7:00 p.m., Tuesday, February 20, 2024** in the City Council Chambers, 200 Civic Center Way, El Cajon, CA, to consider:

AMENDMENT OF CONDITIONAL USE PERMIT (CUP) NO. 103, for an approximate 1,600 square foot building expansion and renovation of Fire Station 7 to accommodate private sleeping rooms, bathrooms, a second apparatus bay, laundry room, interior facility upgrades, and minor site improvements. The subject property is located on the east side of North Westwind Drive between Fletcher Parkway and Tyrone Street, and is addressed as 695 Tyrone St., APN 481-240-21-00. This project is exempt from the California Environmental Quality Act (CEQA).

The public is invited to attend and participate in this public hearing. The agenda report for this project will be available 72 hours prior to the Planning Commission meeting at <https://www.elcajon.gov/your-government/city-meetings-with-agendas-and-minutes-all>. In an effort to reduce the City's carbon footprint, paper copies will not be provided at the public hearing, but will be available at City Hall in the Project Assistance Center upon request.

If you challenge the matter 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 Commission, or prior to, the public hearing. The City of El Cajon encourages the participation of disabled individuals in the services, activities, and programs provided by the City. Individuals with disabilities who require reasonable accommodation in order to participate in the public hearing should contact Planning at 619-441-1742. More information about planning and zoning in El Cajon is available at <http://www.elcajon.gov/your-government/departments/community-development/planning-division>.

If you have any questions, or wish any additional information, please contact **NOAH ALVEY** at 619-441-1795 or via email at nalvey@elcajon.gov and reference "CUP 103" in the subject line.

Aerial Image
695 Tyrone Street
CUP-2024-0002





Project Assistance Center
PLANNING PERMIT APPLICATION

Type of Planning Permit(s) Requested:

<input type="checkbox"/> AZP Administrative Zoning Permit	<input type="checkbox"/> CUP Conditional Use Permit	<input type="checkbox"/> LLA Lot Line Adjustment	<input type="checkbox"/> MA Minor Amendment
<input type="checkbox"/> MUP Minor Use Permit	<input type="checkbox"/> PRD Planned Residential Development	<input type="checkbox"/> PUD Planned Unit Development	<input type="checkbox"/> SDP Site Development Plan Permit
<input type="checkbox"/> SP Specific Plan	<input type="checkbox"/> SCR Substantial Conformance Review	<input type="checkbox"/> TPM Tentative Parcel Map	<input type="checkbox"/> TSM Tentative Subdivision Map
<input type="checkbox"/> VAR Variance	<input type="checkbox"/> ZR Zone Reclassification	<input type="checkbox"/> Other: _____	

Project Location

Parcel Number (APN): _____

Address: _____

Nearest Intersection: _____

Project Description (or attach separate narrative)

Project Screening Questions

Existing use?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, please describe: _____ _____ _____ Age of the structures: _____
Modification of use?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
New development or addition?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
Existing Structures?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	

Demolition or substantial modification proposed to site improvements or structures?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	_____
Tenant improvements proposed?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	_____
Existing vegetation or trees on site proposed for removal?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	_____
Proposed grading?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	Proposed quantities of cut and/or fill. _____

Applicant Information (the individual or entity proposing to carry out the project; not for consultants)

Company Name: _____

Contact Name: _____

Mailing Address: _____

Phone: _____ Email: _____

Interest in Property: ☐ Own ☐ Lease ☐ Option

Project Representative Information (if different than applicant; consultant information here)

Company Name: _____

Contact Name: _____ License: _____

Mailing Address: _____

Phone: _____ Email: _____

Property Owner Information (if different than applicant)

Company Name: _____

Contact Name: _____

Mailing Address: _____

Phone: _____ Email: _____

Hazardous Waste and Substances Statement

Section 65962.5(f) of the State of California Government Code requires that before the City of El Cajon accepts as complete an application for any discretionary project, the applicant submit a signed statement indicating whether or not the project site is identified on the State of California Hazardous Waste and Substances Sites List. This list identifies known sites that have been subject to releases of hazardous

chemicals, and is available at <http://www.calepa.ca.gov/sitecleanup/corteselist/>. Check the appropriate box and if applicable, provide the necessary information:

The development project and any alternatives proposed in this application:

☐ is/are NOT contained on the lists compiled pursuant to Government Code Section 65962.5.

☐ is/are contained on the lists compiled pursuant to Government Code Section 65962.5.

If yes, provide Regulatory Identification Number: _____ Date of List: _____

Authorization

Applicant Signature¹: _____ Date: _____

Property Owner
Signature²: _____ Date: _____

1. **Applicant's Signature:** I certify that I have read this application and state that the above information is correct, and that I am the property owner, authorized agent of the property owner, or other person having a legal right, interest, or entitlement to the use of the property that is the subject of this application. I understand that the applicant is responsible for knowing and complying with the governing policies and regulations applicable to the proposed development or permit. The City is not liable for any damages or loss resulting from the actual or alleged failure to inform the applicant of any applicable laws or regulations, including before or during final inspections. City approval of a permit application, including all related plans and documents, is not a grant of approval to violate any applicable policy or regulation, nor does it constitute a waiver by the City to pursue any remedy, which may be available to enforce and correct violations of the applicable policies and regulations. I authorize representatives of the City to enter the subject property for inspection purposes.
2. **Property Owner's Signature:** If not the same as the applicant, property owner must also sign. A signed, expressed letter of consent to this application may be provided separately instead of signing this application form. By signing, property owner acknowledges and consents to all authorizations, requirements, conditions and notices described in this application. Notice of Restriction: property owner further acknowledges and consents to a Notice of Restriction being recorded on the title to their property related to approval of the requested permit. A Notice of Restriction runs with the land and binds any successors in interest.

Pre-submittal Review

The purpose of a pre-submittal review is to provide you an opportunity to review your project with the City's development team in a preliminary form to finalize submittal requirements and receive a cursory identification of potential issues. **A pre-application is required unless waived by staff.**



Disclosure Statement

This statement is intended to identify and avoid potential conflicts of interest that may exist between the project proponents and the decision makers; including City staff, Planning Commissioners, and City Council members.

The following information must be disclosed:

1. List the names and addresses of all persons having a financial interest in the application.

_____	_____
_____	_____

List the names and address of all persons having any ownership interest in the property involved.

_____	_____
_____	_____

2. If any person identified pursuant to (1) above is a corporation or partnership, list the names and addresses of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

_____	_____
_____	_____

3. If any person identified pursuant to (1) above is a trust, list the name and address of any person serving as trustee or beneficiary or trustor of the trust.

_____	_____
_____	_____

4. Have you or your agents transacted more than \$500.00 worth of business with any member of City staff, Boards, Commissions, Committees and Council within the past 12 months or \$1,000.00 with the spouse of any such person? Yes _____ No _____

If yes, please indicate person(s), dates, and amounts of such transactions or gifts.

“Person” is defined as “Any individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, and any other organization or group of persons acting in concert.” Gov’t Code §82047.

Signature of applicant / date

Print or type name of applicant

NOTE: Attach appropriate names on additional pages as necessary.



SITE PLAN LEGEND	
	ASPHALT PAVEMENT
	CONCRETE PAVEMENT
	DECOMPOSED GRANITE
	PLANTING
	EXISTING LANDSCAPE
	PROPERTY LINE
	METAL ORNAMENTAL PICKET FENCING
	CHAIN-LINK FENCING
KEYNOTES	
249	PROPOSED LOCATION FOR BATTERY BACK-UP
257	NEW 6' TALL MAN GATE
258	NEW 6' TALL VEHICLE GATE
259	NEW 6' TALL METAL PICKET FENCING
260	TRASH AND RECYCLE BINS
261	6' TALL CHAIN-LINK FENCING
262	PARALLEL PARKING STALLS
263	ADA PARKING STALL

SITE PLAN
1/16" = 1'-0" 1

TRUE



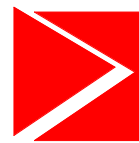
FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: SITE PLAN
PROJECT NO. 22267.00

DATE: 2-06-2024

A1



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

CITY OF EL CAJON

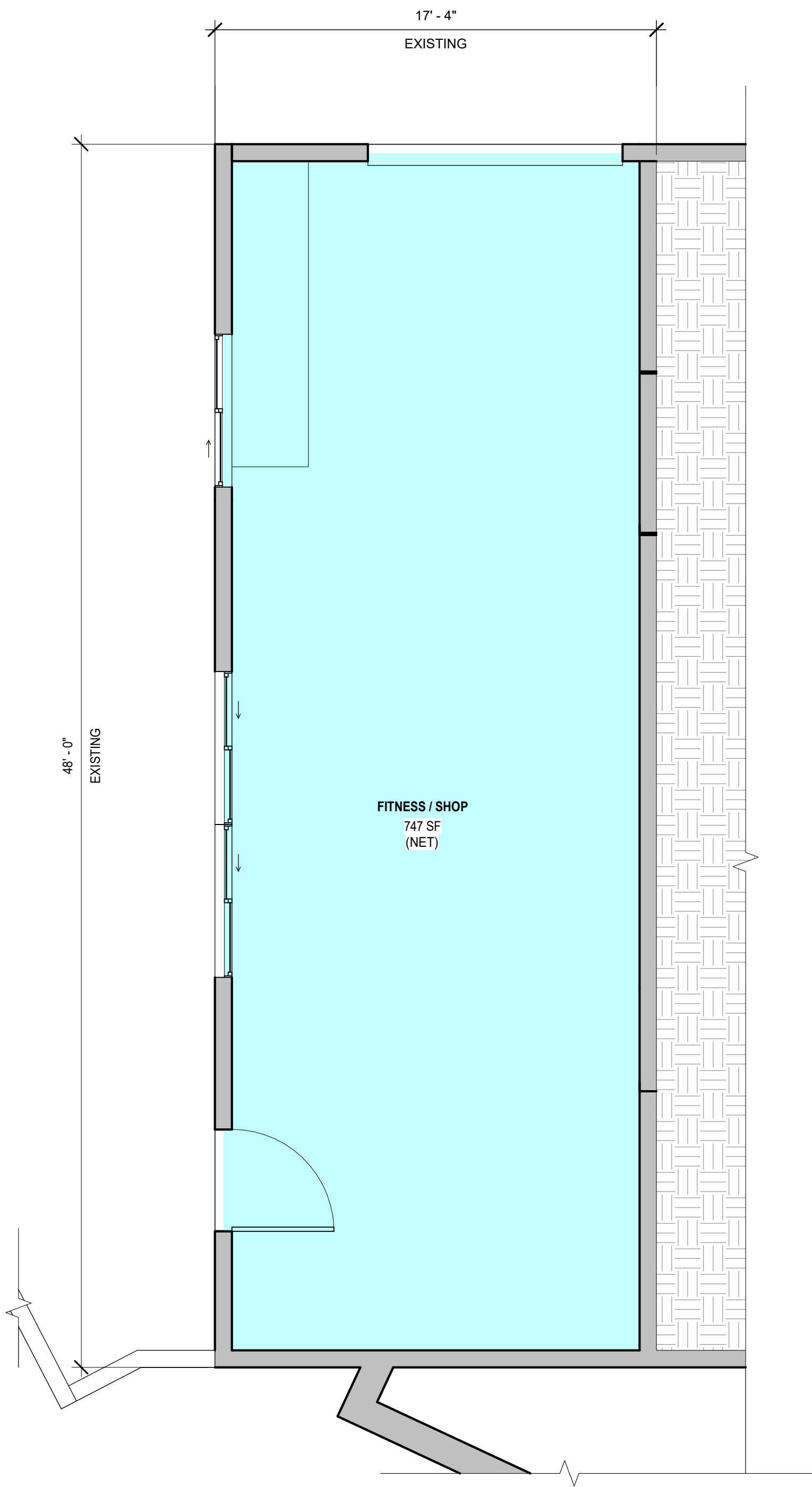
200 CIVIC CENTER WAY, EL CAJON, CA, 92020

DEPARTMENT LEGEND

- APPARATUS SPACES
- OUTDOOR SPACES
- STAFF SPACES
- UTILITY SPACES



EXISTING UPPER FLOOR PLAN 1
1/4" = 1'-0"



EXISTING LOWER FLOOR PLAN 2
1/4" = 1'-0"



DATE PRINTED: 2/6/2024 2:09:09 PM

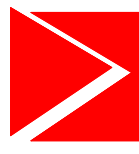
FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: EXISTING FLOOR PLANS
PROJECT NO. 22267.00

DATE: 2-06-2024

A2



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

CITY OF EL CAJON
200 CIVIC CENTER WAY, EL CAJON, CA, 92020

DATE PRINTED: 2/6/2024 2:09:09 PM

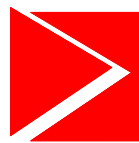
FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: LOWER LEVEL FLOOR PLAN
PROJECT NO. 22267.00

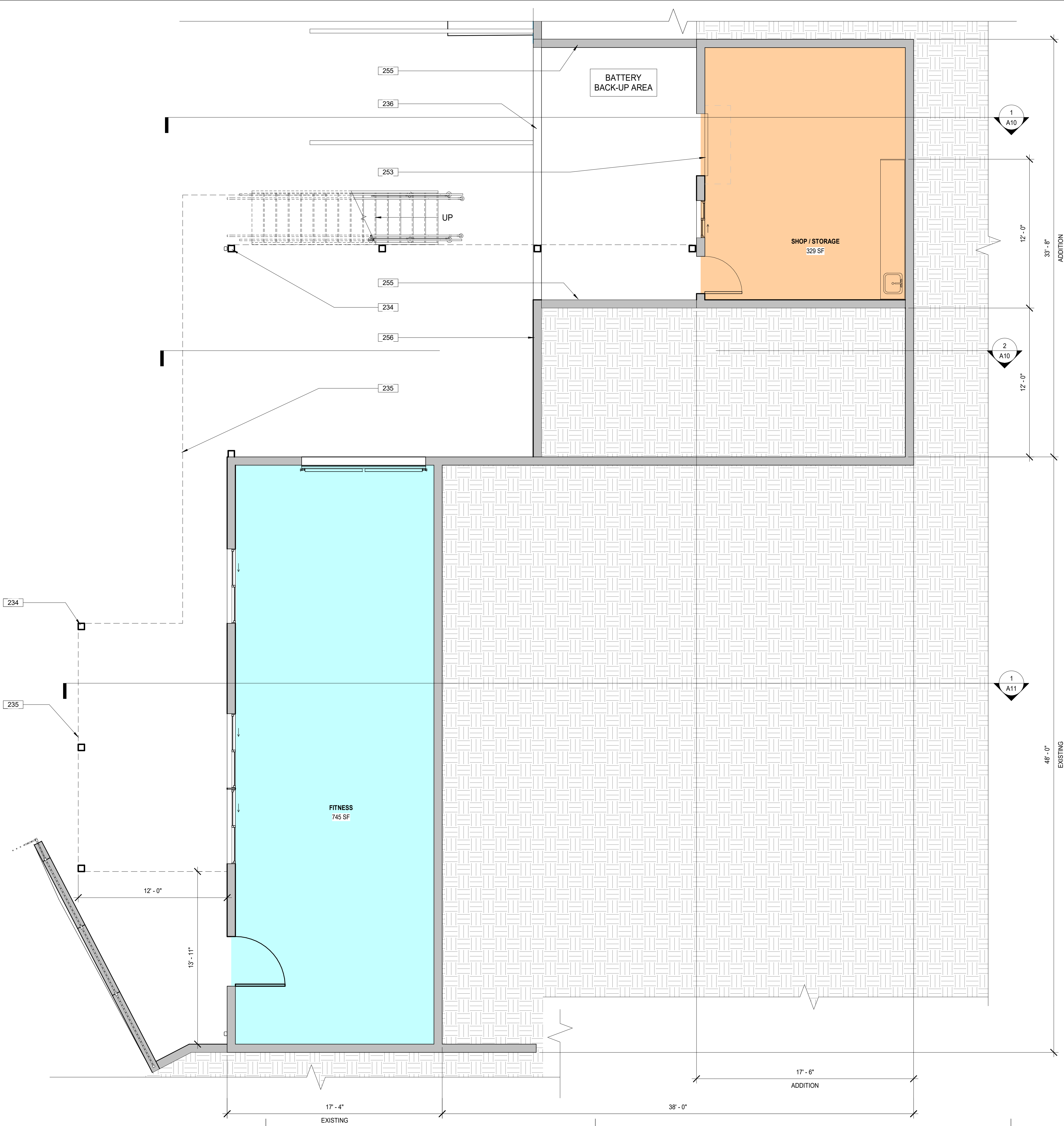
DATE: 2-06-2024

A3



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

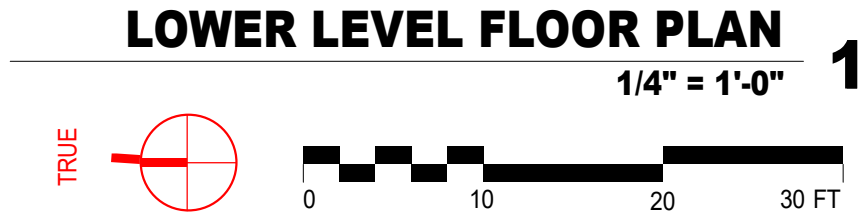
CITY OF EL CAJON
200 CIVIC CENTER WAY, EL CAJON, CA, 92020



KEYNOTES	
234	SUPPORT COLUMNS, TYP.
235	DECK OUTLINE ABOVE
236	EXISTING CURB
253	5' WIDE ROLL-UP DOOR
255	NEW 4' HIGH MASONRY RETAINING WALL
256	EXISTING MASONRY WALL TO REMAIN

DEPARTMENT LEGEND

- STAFF SPACES
- UTILITY SPACES



2/6/2024 2:09:11 PM

DATE PRINTED:

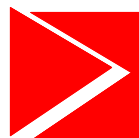
FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: UPPER LEVEL FLOOR PLAN
PROJECT NO. 22267.00

DATE: 2-06-2024

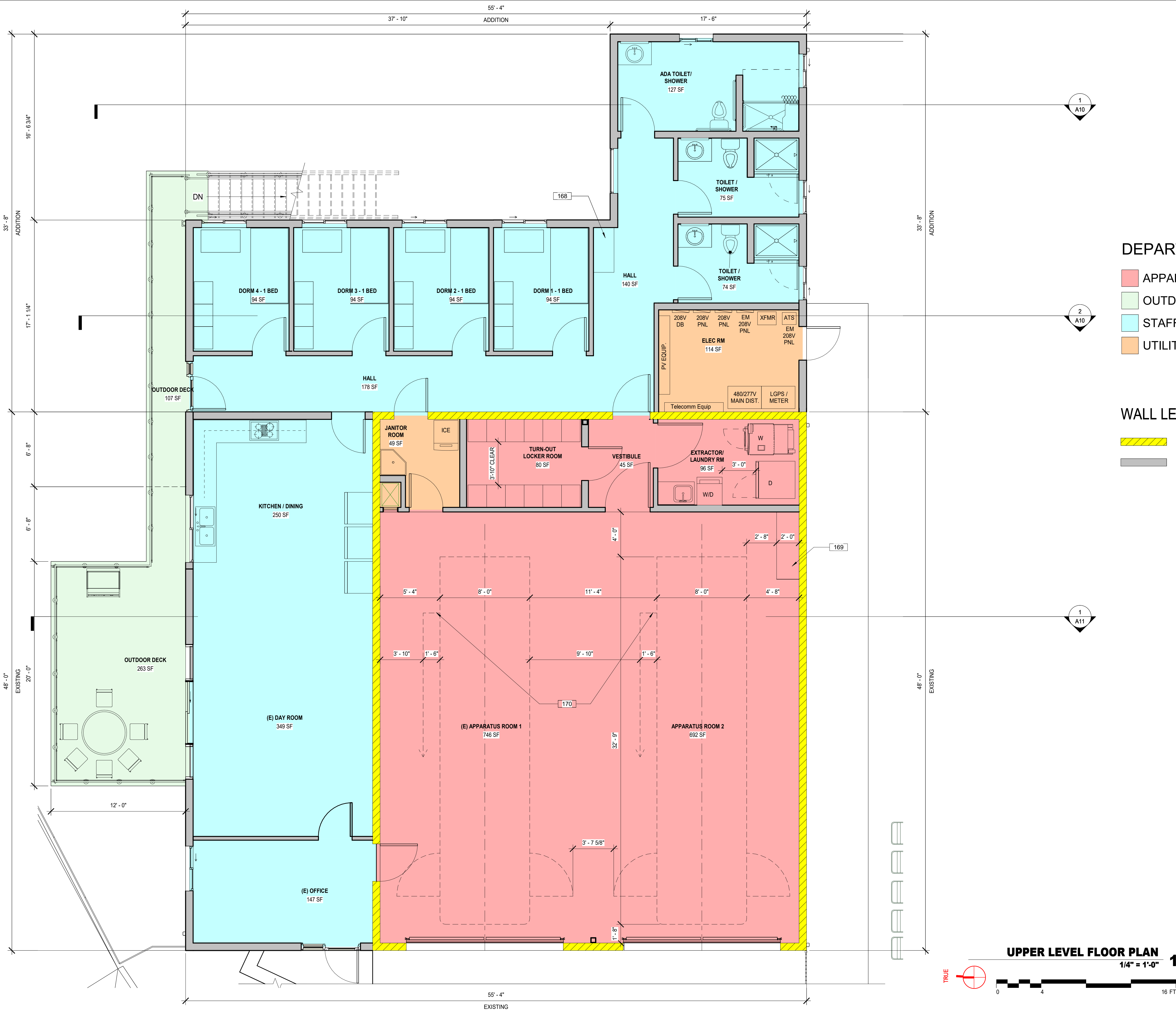
A4



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

CITY OF EL CAJON

200 CIVIC CENTER WAY, EL CAJON, CA, 92020



DATE PRINTED: 2/6/2024 2:09:12 PM

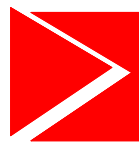
FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: ROOF PLAN
PROJECT NO. 22267.00

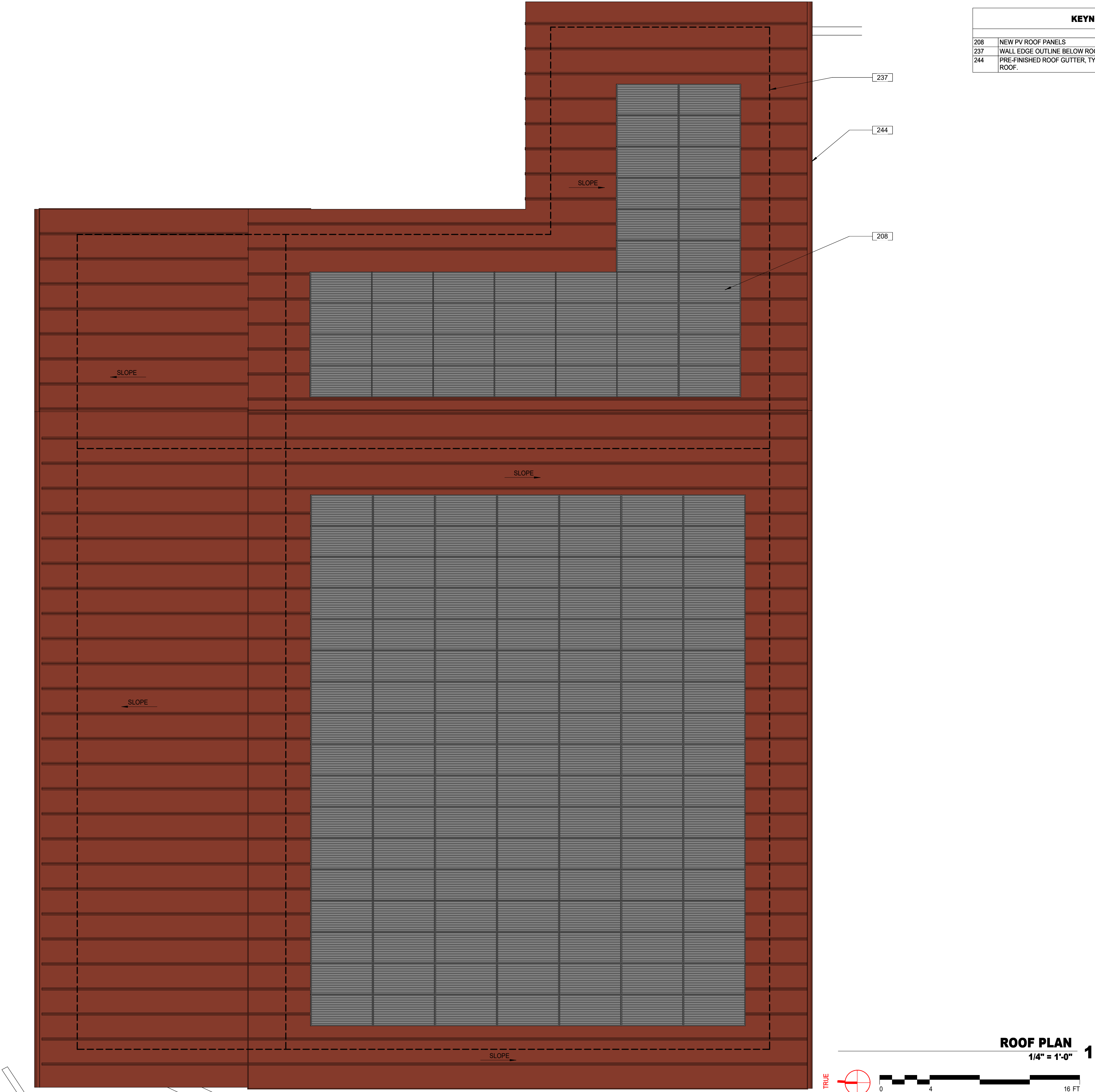
DATE: 2-06-2024

A5



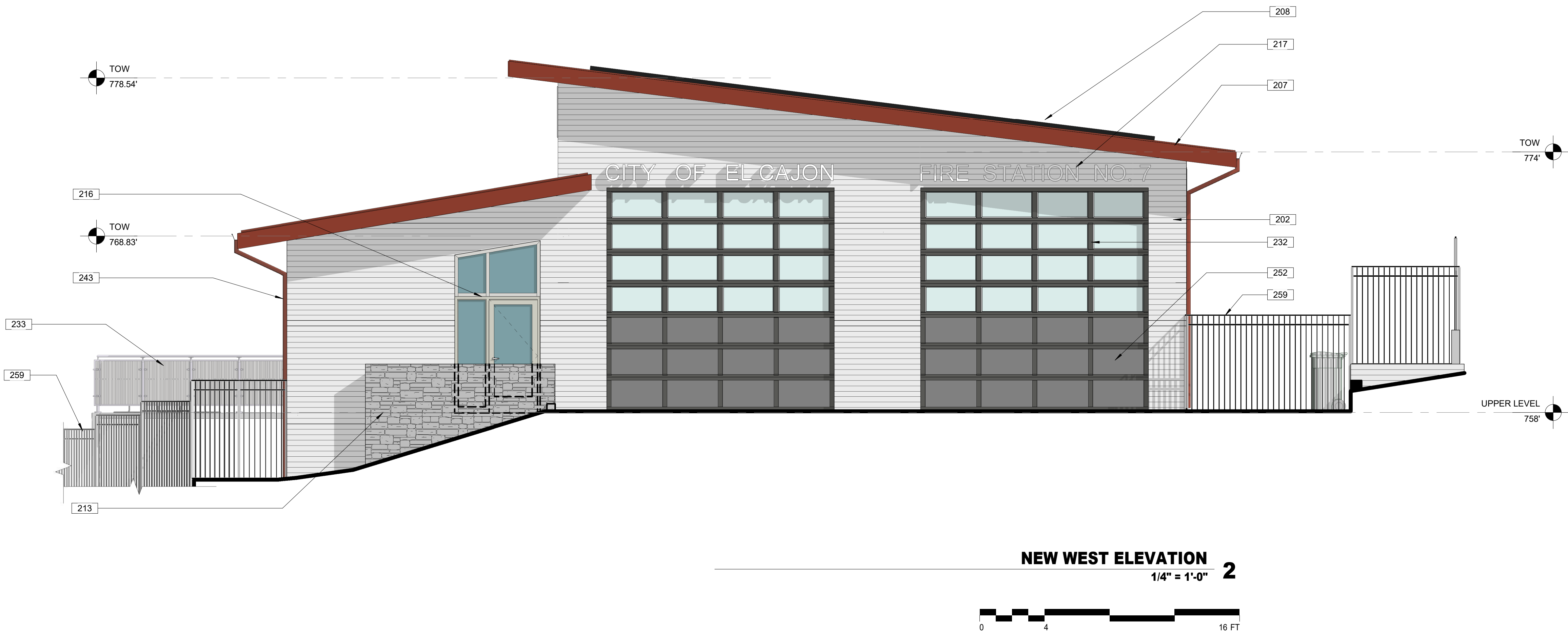
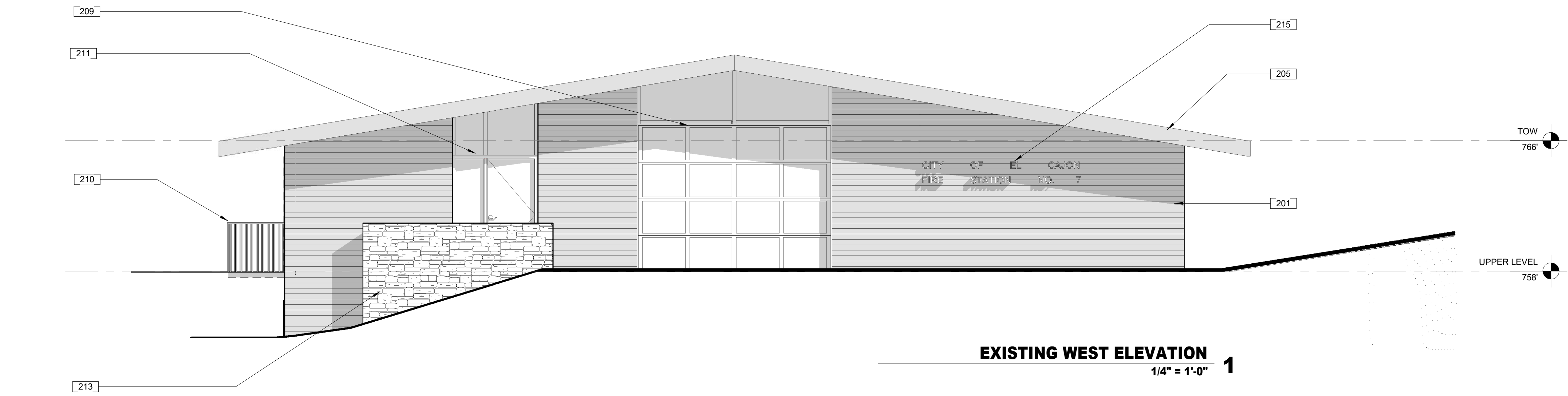
TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

CITY OF EL CAJON
200 CIVIC CENTER WAY, EL CAJON, CA, 92020



KEYNOTES	
208	NEW PV ROOF PANELS
237	WALL EDGE OUTLINE BELOW ROOF, TYP.
244	PRE-FINISHED ROOF GUTTER, TYP. COLOR TO MATCH METAL STANDING ROOF.

KEYNOTES	
201	EXISTING 8" x 4" x 16" CONCRETE BLOCK
202	NEW 8" X 4" X 16" CONCRETE BLOCK
205	EXISTING WOOD FASCIA
207	NEW WOOD FASCIA, PAINTED.
208	NEW PV ROOF PANELS
209	EXISTING ALUMINUM SECTIONAL DOOR WITH CLEAR TRANSOM ABOVE
210	EXISTING WOOD PICKET GUARDRAIL
211	EXISTING STOREFRONT WINDOW WITH HOLLOW METAL DOOR
213	EXISTING STONE WALL
215	EXISTING 5" ALUMINUM SIGNAGE
216	NEW STOREFRONT INSULATED DUAL GLAZING WINDOW WITH HOLLOW METAL DOOR
217	NEW 12" ALUMINUM SIGNAGE
232	NEW ALUMINUM SECTIONAL DOOR, TYP.
233	NEW 42" HIGH PERFORATED METAL PANELING GUARDRAIL
243	DOWNSPOUT TYP.
252	FROSTED GLAZING AT BOTTOM 3 SECTIONS
259	NEW 6' TALL METAL PICKET FENCING



2/6/2024 2:09:15 PM

DATE PRINTED:

FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: EXTERIOR ELEVATIONS
PROJECT NO. 22267.00

DATE: 2-06-2024

A6



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

CITY OF EL CAJON
200 CIVIC CENTER WAY, EL CAJON, CA, 92020

KEYNOTES	
201	EXISTING 8" x 4" x 16" CONCRETE BLOCK
202	NEW 8" x 4" x 16" CONCRETE BLOCK
203	EXISTING ALUMINUM WINDOWS
205	EXISTING WOOD FASCIA
207	NEW WOOD FASCIA, PAINTED.
208	NEW PV ROOF PANELS
220	EXISTING ASPHALT SHINGLES ROOFING
222	NEW STANDING SEAM METAL ROOF, TYP.
224	NEW ALUMINUM OPERABLE CLERESTORY INSULATED DUAL GLAZING WINDOWS
229	EXISTING PLANTER
243	DOWNSPOUT TYP.
254	FROSTED GLAZING AT RESTROOM
259	NEW 6' TALL METAL PICKET FENCING



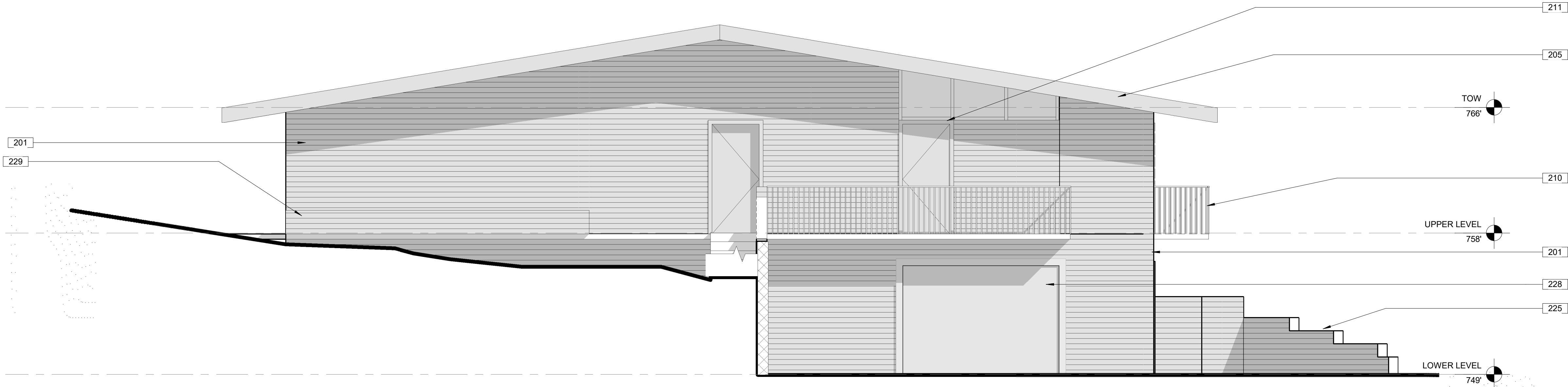
EXISTING SOUTH ELEVATION 1
1/4" = 1'-0"



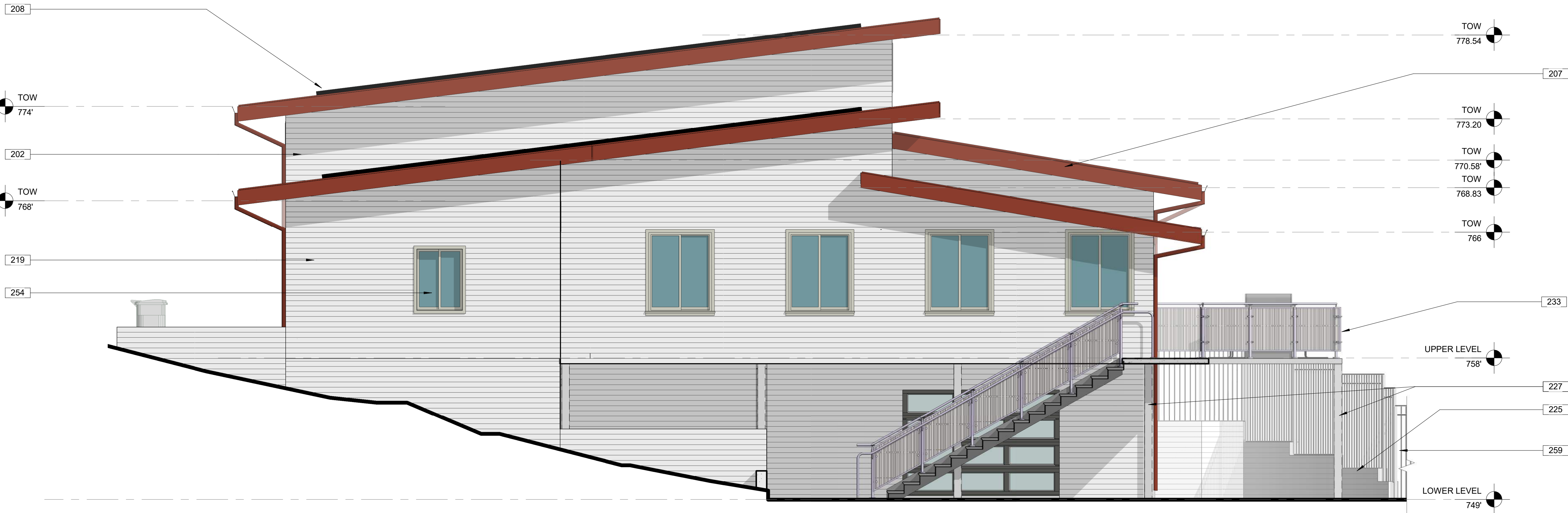
NEW SOUTH ELEVATION 2
1/4" = 1'-0"



KEYNOTES	
201	EXISTING 8" x 4" x 16" CONCRETE BLOCK
202	NEW 8" x 4" x 16" CONCRETE BLOCK
205	EXISTING WOOD FASCIA
207	NEW WOOD FASCIA, PAINTED.
208	NEW PV ROOF PANELS
210	EXISTING WOOD PICKET GUARDRAIL
211	EXISTING STOREFRONT WINDOW WITH HOLLOW METAL DOOR
219	NEW EIFS FINISH SYSTEM
225	EXISTING RETAINING WALL
227	NEW SUPPORT COLUMNS, TYP. REFER TO THE LOWER FLOOR PLAN.
228	EXISTING WOOD GARAGE DOOR
229	EXISTING PLANTER
233	NEW 42" HIGH PERFORATED METAL PANELING GUARDRAIL
254	FROSTED GLAZING AT RESTROOM
259	NEW 6' TALL METAL PICKET FENCING



EXISTING EAST ELEVATION 1
1/4" = 1'-0"



NEW EAST ELEVATION 2
1/4" = 1'-0"



DATE PRINTED: 2/6/2024 2:09:40 PM

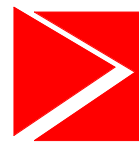
FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: EXTERIOR ELEVATIONS
PROJECT NO. 22267.00

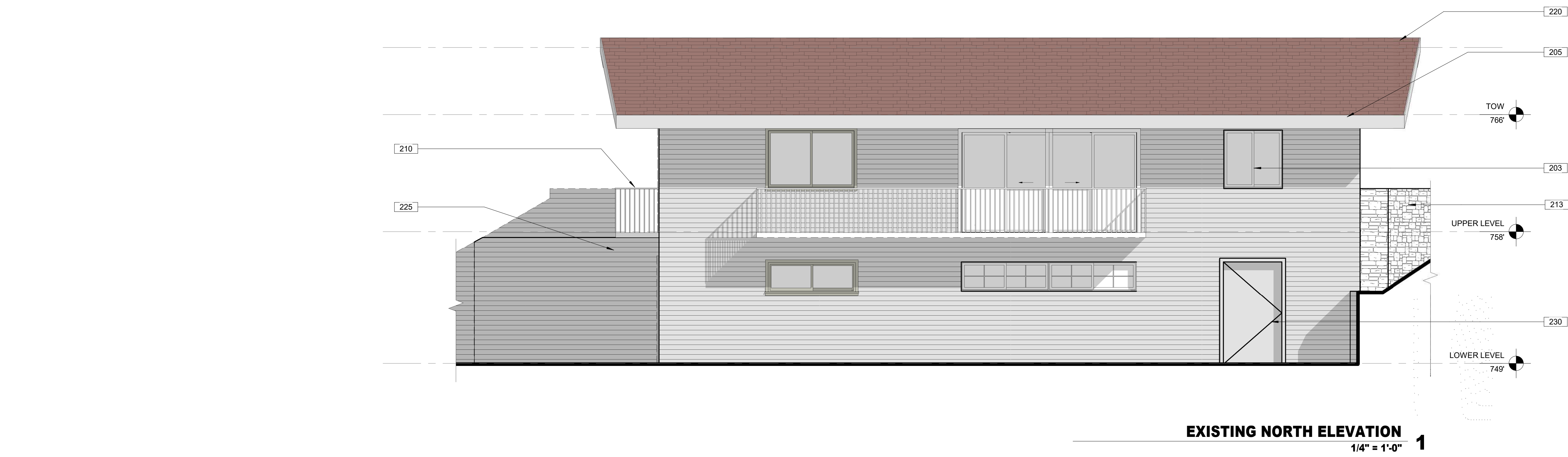
DATE: 2-06-2024

A9



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

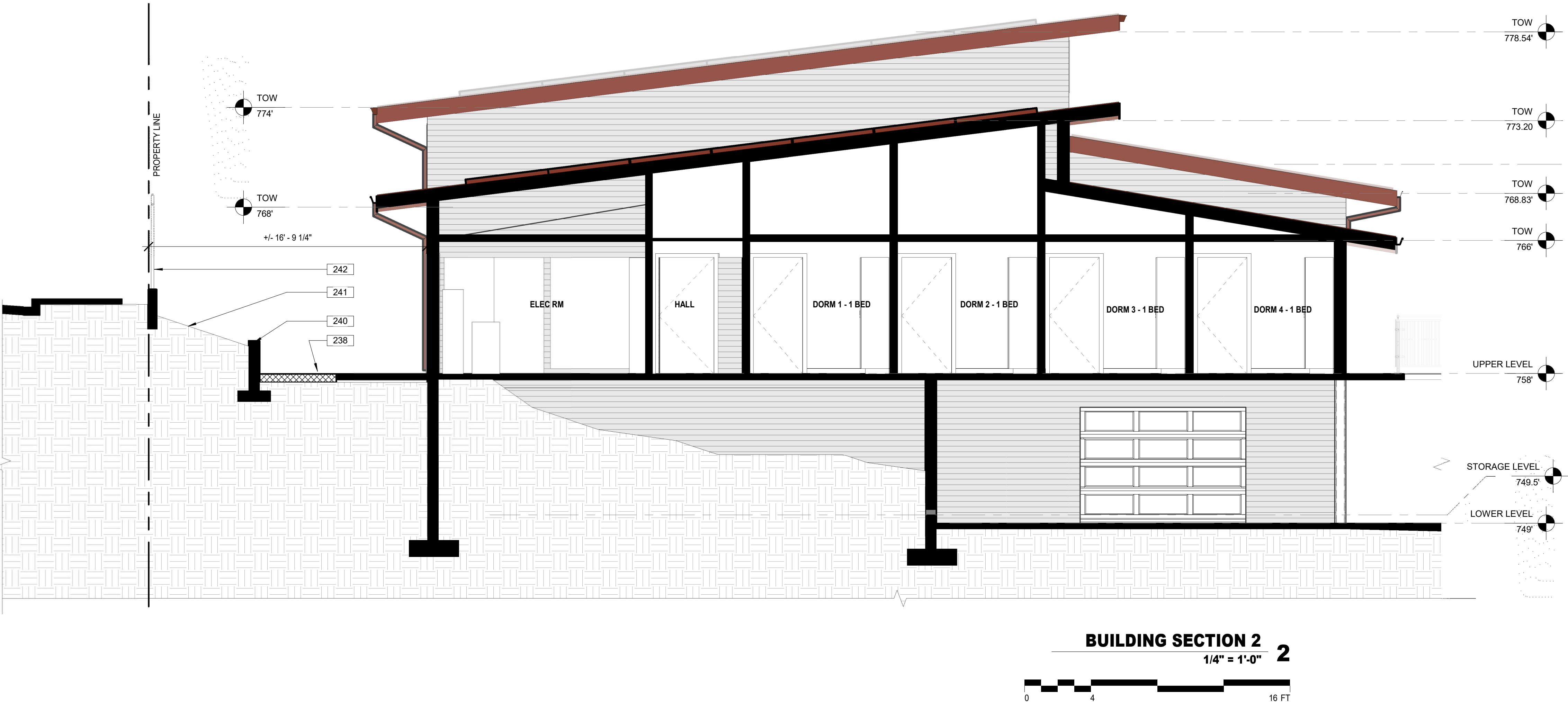
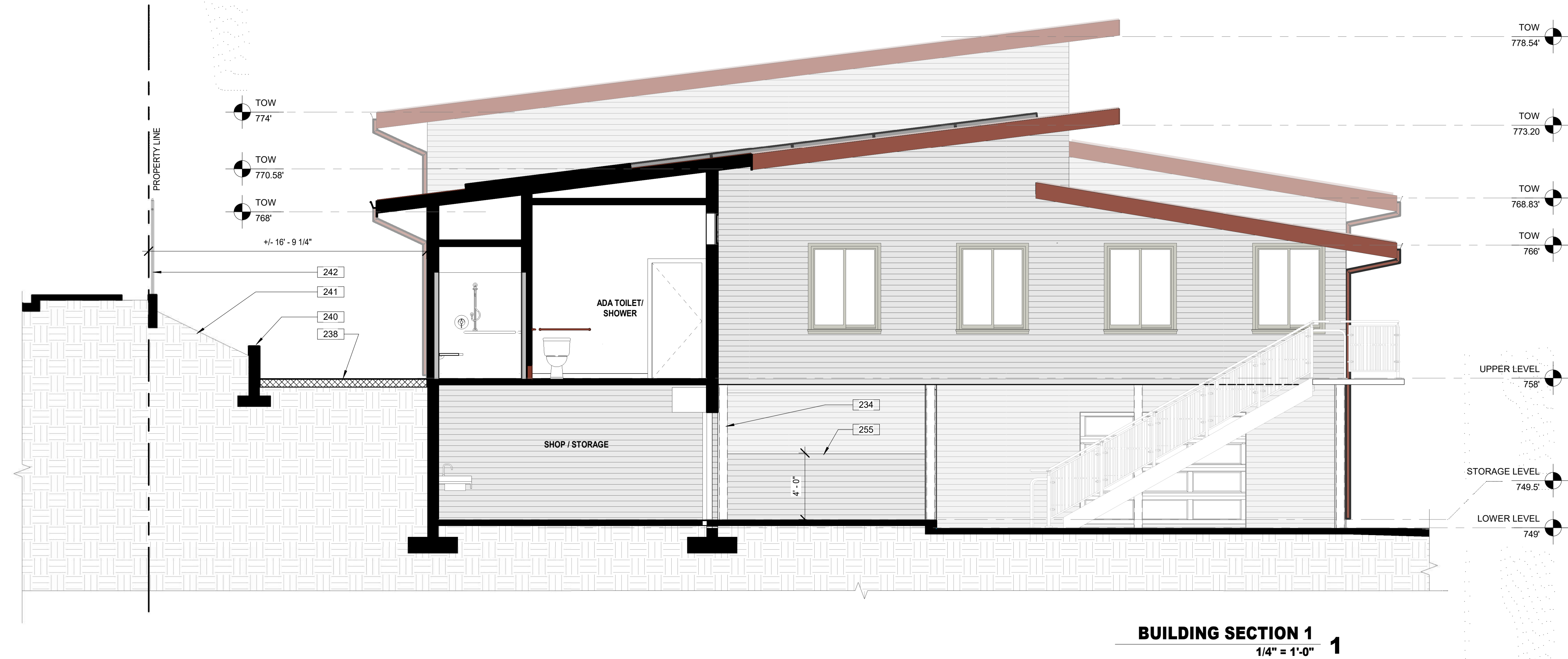
CITY OF EL CAJON
200 CIVIC CENTER WAY, EL CAJON, CA, 92020



KEYNOTES	
202	NEW 8" X 4" X 16" CONCRETE BLOCK
203	EXISTING ALUMINUM WINDOWS
205	EXISTING WOOD FASCIA
207	NEW WOOD FASCIA, PAINTED.
210	EXISTING WOOD PICKET GUARDRAIL
212	NEW HOLLOW METAL DOOR AND FRAME, PAINTED
213	EXISTING STONE WALL
219	NEW EIFS FINISH SYSTEM
220	EXISTING ASPHALT SHINGLES ROOFING
221	ARCHITECTURAL ALUMINUM LOUVERS WITH CLEAR ANODIZED FINISH
222	NEW STANDING SEAM METAL ROOF, TYP
223	NEW ALUMINUM OPERABLE WINDOWS.
225	EXISTING RETAINING WALL
230	EXISTING HOLLOW METAL DOOR AND FRAME
233	NEW 42" HIGH PERFORATED METAL PANELING GUARDRAIL
243	DOWNSPOUT TYP.
253	5' WIDE ROLL-UP DOOR
259	NEW 6' TALL METAL PICKET FENCING



KEYNOTES	
234	SUPPORT COLUMNS, TYP.
238	NEW DECOMPOSED GRANITE
240	NEW RETAINING WALL
241	PLANTING AREA
242	NEW METAL PICKET FENCE ALONG THE SIDEWALK
255	NEW 4' HIGH MASONRY RETAINING WALL



FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: BUILDING SECTIONS
PROJECT NO. 22267.00

DATE: 2-06-2024

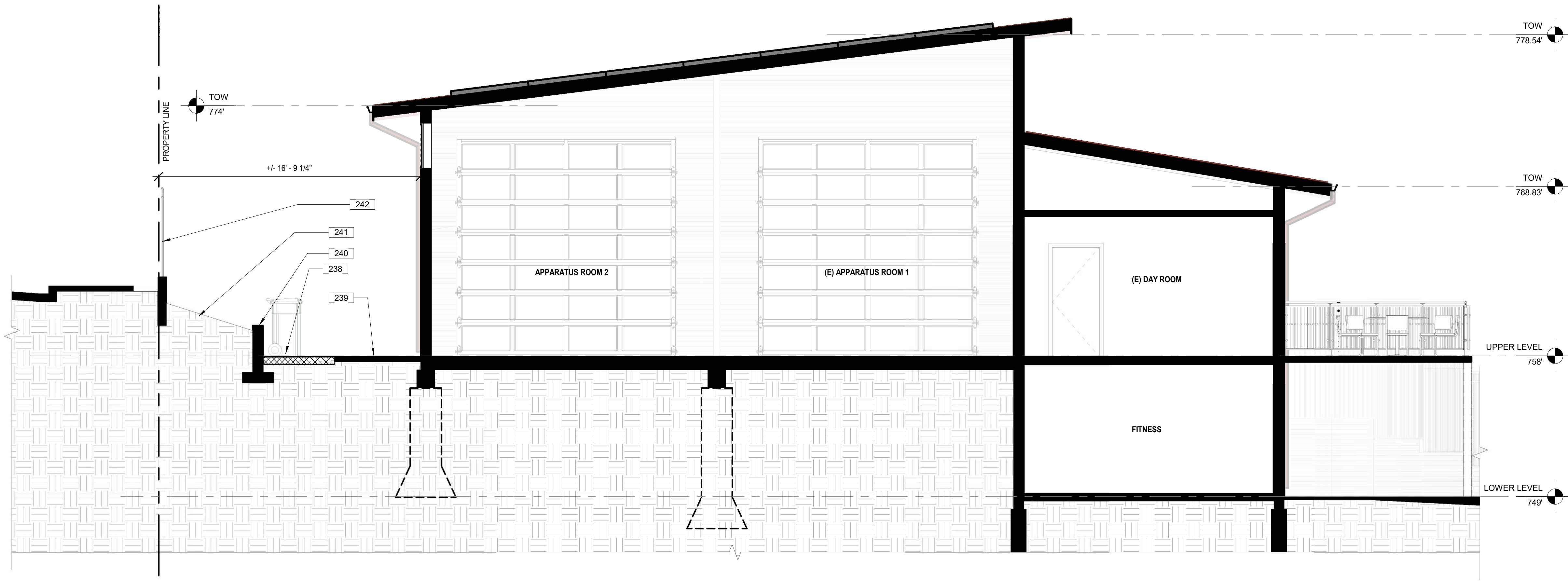
A10



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

CITY OF EL CAJON
200 CIVIC CENTER WAY, EL CAJON, CA, 92020

KEYNOTES	
238	NEW DECOMPOSED GRANITE
239	CONCRETE WALKWAY
240	NEW RETAINING WALL
241	PLANTING AREA
242	NEW METAL PICKET FENCE ALONG THE SIDEWALK



BUILDING SECTIION 3
1/4" = 1'-0" **1**



2/6/2024 2:09:43 PM

DATE PRINTED:

FIRE STATION #7 RENOVATION

CONCEPTUAL DESIGN
695 TYRONE ST., EL CAJON, CA

SHEET TITLE: BUILDING SECTIONS
PROJECT NO. 22267.00

DATE: 2-06-2024

A11



TUCKER SADLER
2044 1st Ave Suite 300
San Diego, CA 92101
(P) 619.236.1662 (F) 619.236.9267

CITY OF EL CAJON

200 CIVIC CENTER WAY, EL CAJON, CA, 92020



City of El Cajon

Community Development Department
PLANNING COMMISSION AGENDA REPORT

Agenda Item:	3
Project Name:	The Palms Restaurant and Banquet Hall
Request:	Review of CUP No. 2115
CEQA Recommendation:	Not Subject to CEQA
STAFF RECOMMENDATION:	Direct staff to schedule a public hearing to consider revocation of CUP No. 2115 if the business is being operated in a manner that conflicts with the conditions of approval
Location:	143 East Main St.
Applicant:	David Malikyar, 619.249.1022
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov

PROJECT DESCRIPTION

143 East Main Street is authorized by Conditional Use Permit (CUP) No. 2115 as a restaurant with on-site alcohol sales, live entertainment, and ancillary banquet use. The signage at 143 E. Main St. identifies the business as the Palms Restaurant and Banquet Hall and the current request is for the Planning Commission to review the conditional use permit to ensure compliance with the conditions of approval.

BACKGROUND

General Plan:	General Commercial (GC) & Special Development Area (SDA) No. 9
Specific Plan(s):	Specific Plan No. 182
Zone:	General Commercial (C-G) and Mixed Use Overlay (M-U)
Other City Plan(s):	N/A

Project Site & Constraints

The subject site has 50 feet of frontage on the south side of East Main Street and a lot area of approximately 7,300 sq. ft. The site is developed with a 7,200 sq. ft. commercial building and does not have any on-site parking, however, CUP No. 2115 requires that the restaurant operator maintain an agreement that allows patrons of the restaurant to utilize the parking lot to the south of the building.

Surrounding Context

The surrounding area is development with commercial uses and parking areas. Surrounding properties are zoned and developed as follows:

Direction	Zones	Land Uses
North	C-R & M-U	Misc. retail uses
South	C-G & M-U	Parking lot
West	C-G & M-U	Furniture store and misc. retail uses
East	C-G & M-U	Coffee shop and misc. retail uses

General Plan

The subject site is designated GC / SDA No. 9 on the General Plan Land Use Map. This designation includes the area located around the intersection of Main Street and Magnolia Avenue and is intended to include a mixture of retail office, residential, governmental, and cultural uses and activities.

Specific Plan (SP) No. 182, General Commercial (C-G) Zone, and Mixed-Use Overlay

A restaurant with on-site alcohol sales, live entertainment, and ancillary banquet use is permitted within SP No. 182 and the C-G zone, subject to the approval of a conditional use permit. The Mixed-Use Overlay Zone is an added layer of opportunity specifically designed to allow residential and mixed-use development options in existing commercial areas, and higher density residential developments in existing residential zones.

CUP No. 2115

On September 14, 2010, the City Council approved CUP No. 2115 for a restaurant with on-site alcohol sales, live entertainment, and ancillary banquet use at the subject site. When approving the request, the City Council found that the operation of the use as a restaurant during normal retail business hours and evenings was necessary to promote an active retail corridor. The conditions of approval required the following operational conditions:

- The use shall be operated in a manner that is compatible at all times with surrounding properties and uses.
- Any change in use or expansion of the facility may require an amendment to this conditional use permit.
- All activities shall be conducted within the enclosed building.
- A general on-sale alcoholic beverage license (bar license) shall not be permitted at the subject site.
- The restaurant shall be operated as a bona fide eating place in accordance with Department of Alcoholic Beverage Control requirements.
- The operator of the restaurant shall maintain a lease/rental agreement that allows patrons of the restaurant to utilize the parking lot south of the subject site.
- The operator of the restaurant shall have access to a trash/recycling enclosure in the immediate vicinity of the restaurant at all times.
- The use of the restaurant for banquets and private meetings shall only occur as long as the restaurant is operating as the primary use at the site.

- If the restaurant ceases to operate, banquets and private meetings shall be prohibited.
- The facility shall not be operated exclusively as a concert hall, dance club, or public dance hall.
- All activities shall be conducted in accordance with the noise regulations contained in the Municipal Code.
- Live entertainment activities shall comply with all regulations for a cabaret contained in the El Cajon Municipal Code regarding conduct of employees and patrons.
- No dancing or live entertainment shall be allowed on the premise unless authorized by a valid Special Operation License pursuant to Chapter 5.16 of the Municipal Code.
- The operator shall observe occupancy limits as determined by the Building Official/Fire Marshal at all times.

In 2017, the property owner submitted a request to remove the requirement to operate the business primarily as a restaurant with the intent to utilize the building for adult day care. On December 5, 2017, the Planning Commission denied the request to remove the condition requiring the primary use to be a restaurant by finding that the removal would not contribute or enhance the pedestrian oriented atmosphere in the downtown or contribute to the vibrancy of downtown by attracting more people to the area.

Permit Revocation

Section 17.35.030 of the El Cajon Municipal Code (ECMC) indicates that after holding a public hearing in the manner prescribed in Chapter 17.25, the Planning Commission may revoke or modify any approved discretionary permit for any of the following reasons:

- The approval was obtained by fraud;
- The approval is being, or has been exercised contrary to the terms or conditions of approval, or in violation of any statute, ordinance, law or regulation; or
- The use for which the approval was granted is being, or has been, conducted in such a way as to be detrimental to the public health or safety, or so as to constitute a nuisance.

DISCUSSION

City staff recently inquired about public access to the restaurant and observed that the restaurant portion of the business does not appear to be operating. On December 1, 2023, City staff sent a letter and contacted the property owner to remind the business operator and the property owner of CUP No. 2115 conditions of approval requiring that the operation of the business be primarily as a restaurant with ancillary banquets, private events and entertainment. Additionally, staff spoke with the property owner by phone

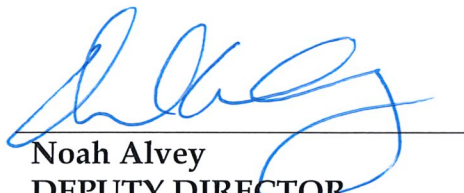
confirming the contents of the letter at that time. The December 1, 2023 letter requested a written response from the business operator or property owner confirming the conduct of uses occurring at the subject site. City staff did not receive a written response to the December 1, 2023 letter.

On February 8, 2024, City staff sent a second letter to the business operator and property owner indicating that a review of CUP No. 2115 was scheduled for the February 20, 2024 Planning Commission meeting. Staff also spoke to the property owner by phone at that time to confirm the date of the Planning Commission meeting. If the review of CUP No. 2115 identifies that the business is being operated in a manner that is not consistent with the conditions of approval for CUP No. 2115, the Planning Commission may direct staff to schedule a public hearing to consider permit revocation.

RECOMMENDATION

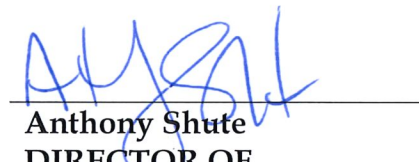
Direct staff to schedule a public hearing to consider revocation of CUP No. 2115 if the business is being operated in a manner that conflicts with the conditions of approval.

PREPARED BY:



Noah Alvey
DEPUTY DIRECTOR
OF COMMUNITY
DEVELOPMENT

APPROVED BY:



Anthony Shute
DIRECTOR OF
COMMUNITY
DEVELOPMENT

ATTACHMENTS

1. Resolution No. 119-10
2. PC Resolution No. 10927
3. Letter dated December 1, 2023
4. Letter dated February 8, 2024

RESOLUTION NO. 119-10

A RESOLUTION APPROVING CONDITIONAL USE PERMIT NO. 2115
TO ALLOW ON-SITE ALCOHOLIC BEVERAGE SALES, LIVE
ENTERTAINMENT, A REDUCTION IN REQUIRED PARKING AND
ANCILLARY BANQUET USE IN CONJUNCTION WITH A PROPOSED
RESTAURANT AT 143 EAST MAIN STREET

WHEREAS, the City Council held a public hearing on September 14, 2010, on Conditional Use Permit Application No. 2115, in which it was requested to allow on-site alcoholic beverage sales, live entertainment, a reduction in required parking and ancillary banquet use in conjunction with a proposed restaurant at 143 East Main Street, subject to conditions (APN: 488-191-05); and

WHEREAS, the property is located in an area governed by Specific Plan No. 182, which provides that all conditional use permit applications are subject to review and approval by the City Council, upon recommendation by the City Planning Commission; and

WHEREAS, the Planning Commission held public hearings on this project on August 23, 2010, then adopted Resolution No. 10627 recommending City Council approval of Conditional Use Permit No. 2115, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. The City Council finds that:
 - A. The proposed restaurant with ancillary services is consistent with applicable goals, policies, and programs of the general plan, and with Specific Plan No. 182. The proposed restaurant use with ancillary services is consistent with the "Special Development Area No. 9 / General Commercial (GC)" designation of the General Plan, and more particularly, the interim specific plan design guidelines, which promote an active retail corridor within this block; and
 - B. The proposed site plan and building design are consistent with all applicable use and development standards, except refuse and on-site parking requirements, which will be brought consistent, if the requested reduced parking requirement is approved, and provisions are made for trash and recycling facilities on or near the property; and
 - C. The proposed use would be operated in a manner that is compatible with the surrounding uses in the vicinity of the subject property in that a restaurant use is the primary use proposed on the ground floor and the restaurant is proposed to be operated during normal retail business hours and evenings until 8 p.m.; and

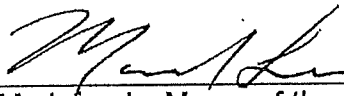
(Continued on Page 2)

- D. The proposed use will not be detrimental to the public health, safety, and general welfare, including but not limited to matters of noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentrations of traffic in that the use will be conducted indoors, the banquet use is planned after normal business hours of surrounding businesses, and the restaurant cooking facilities will be required to meet building, fire and health safety regulations; and
- E. The proposed use is in the best interest of public convenience and necessity because it will enhance the pedestrian-oriented atmosphere in the downtown area and contribute to the vibrancy of downtown by attracting more people to the area; and
- F. The proposed use will not result in a parking inadequacy that is detrimental to adjacent uses or properties or the downtown area as a whole because there will be parking available in the surface parking lot that is located to the south of the restaurant. The surface parking lot to the south of the subject site does not serve as required parking for any other buildings or uses in the vicinity and is typically less than 50% full.

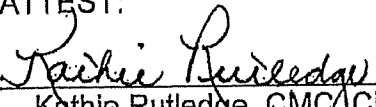
2. The City Council hereby APPROVES Conditional Use Permit No. 2115, subject to conditions listed in Planning Commission Resolution No. 10627.

PASSED AND ADOPTED by the City Council of the City of El Cajon, California at an Adjourned Regular Joint City Council/Redevelopment Agency Meeting held this 14th day of September, 2010, by the following vote to wit:

AYES	:	Lewis, Hanson-Cox, Kendrick, McClellan, Wells
NOES	:	None
ABSENT	:	None
DISQUALIFY:	:	None


Mark Lewis, Mayor of the City of El Cajon

ATTEST:


Kathie Rutledge, CMC City Clerk

PLANNING COMMISSION RESOLUTION NO. 10627

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT NO. 2115 FOR ON-SALE ALCOHOLIC BEVERAGE SALES, LIVE ENTERTAINMENT, A REDUCTION IN REQUIRED PARKING, AND ANCILLARY BANQUET USE IN CONJUNCTION WITH A PROPOSED RESTAURANT IN THE GENERAL COMMERCIAL (C-G) ZONE, APN: 488-191-05, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (GC) / SPECIAL DEVELOPMENT AREA NO. 9 (SDA NO. 9).

WHEREAS, the El Cajon City Planning Commission duly advertised and held a continued public hearing on August 23, 2010, to consider Conditional Use Permit No. 2115, as submitted by David Malikyar, requesting on-sale alcoholic beverage sales, live entertainment, a reduction in required parking, and ancillary banquet use in conjunction with a proposed restaurant in the C-G zone, on the south side of East Main Street, between South Magnolia and Claydelle Avenues, and addressed 143 East Main Street; and

WHEREAS, the following findings of fact are hereby made in regard to said conditional use permit:

- A. The proposed use is categorically exempt from environmental review in accordance with Section 15303, Class 3 (Conversion of Small Structures), of the CEQA Guidelines;
- B. The proposed uses are consistent with the "General Commercial / Special Development Area No. 9" designation of the General Plan, which governs the subject site, and conform with the goals, policies, and objectives of the General Plan, and with Specific Plan No. 182, which implements Special Development Area No. 9, if the restaurant functions as the primary use on the subject site. The occasional use of the building for banquets will be consistent with the General Plan policy requiring retail uses in retail commercial zones, if banquets and private meetings are only allowed as ancillary to the primary use of the subject site as a restaurant;
- C. The proposed site plan and building design will be consistent with all applicable development standards, if a reduction in required parking is approved and if a trash and recycling enclosure for the proposed restaurant is constructed. Any proposed signs will require approval from the El Cajon Community Development Corporation and compliance with the maximum amount of signage permitted within SP No. 182;
- D. The proposed uses will comply with all applicable use regulations if the business operator complies with those regulations which govern a cabaret, including El Cajon Municipal Code, Chapter 5.24. The proposed alcohol sales is exempt from distance separation requirements contained in Section 17.210.060 of the Zoning Ordinance

because the bar area within the restaurant is smaller than the dining area. The hours of operation are acceptable because the proposed use is not located in close proximity to any residential uses. An over-concentration of alcohol licenses in the area is not a concern, if the restaurant is operated as a bona fide eating establishment in accordance with Department of Alcoholic Beverage Control requirements;

- E. The proposed restaurant with alcohol sales and live entertainment will be operated in a manner that is compatible with existing and planned land uses in the vicinity of the proposed use. The new restaurant will occupy a building that is currently vacant. The approved activities will be compatible with existing and planned land uses in the surrounding neighborhood, if it complies with the noise regulations for commercial businesses;
- F. The ongoing operation of the restaurant will not be detrimental to the health, safety, and welfare of the City with respect to the factors of noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentration of traffic. The primary business of the restaurant is the preparation and sale of food and beverages for consumption in the restaurant dining room. The preparation and sale of food and beverages will not create any dust, smoke, fumes, vibrations or objectionable odors. Any waste generated by the restaurant will not create objectionable odors, if it is properly stored within a trash/recycling enclosure. The proposed restaurant is relatively small and will not generate excessive amounts of traffic;
- G. The proposed restaurant with ancillary banquet use, alcohol sales, live entertainment, and reduced parking is in the best interest of public convenience and necessity. The proposal will enhance the pedestrian-oriented atmosphere in the downtown area and contribute to the vibrancy of downtown by attracting more people to the area; and
- H. The proposed use will not result in a parking inadequacy that is detrimental to adjacent uses or properties or the downtown area as a whole because there will be parking available in the surface parking lot that is located to the south of the restaurant. The surface parking lot to the south of the subject site does not serve as required parking for any other buildings or uses in the vicinity and is typically less than 50% full

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon City Planning Commission hereby RECOMMENDS CITY COUNCIL APPROVAL of Conditional Use Permit No. 2115 for on-sale alcoholic beverage sales, live entertainment, a reduction in required parking, and ancillary banquet use in conjunction with a proposed restaurant, subject to the following conditions:

1. Prior to submittal of construction documents for plan check, the applicant shall submit and obtain approval of a revised, one-page, 24" by 36" mylar site plan that reflects the following specific notes and changes:
 - a. Add a vicinity map to the lower left corner of the plan.
 - b. Add the Conditional Use Permit Title Block in the lower right corner of the drawing.
 - c. If the required trash/recycling enclosure is not provided on the subject property, show an off-site location that satisfies all applicable requirements and include the location of the trash/recycling enclosure on the revised site plan.
 - d. Under the heading "Public Works Department Notes," add the items listed in condition A-1 of the Public Works Department comments labeled "Exhibit A" and dated 07-01-10.
 - e. Under the heading "Planning Division Notes," add the ongoing conditions of approval listed in condition 3.
2. In addition to complying with the notes and site configuration of the approved CUP No. 2115 site plan, the following conditions shall be satisfied:
 - a. The applicant shall comply with the requirements of the Public Works Dept. as noted in the attached letter labeled "Exhibit A" and dated 07-01-10.
 - b. The applicant shall comply with the building requirements of the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit B" and dated 06-21-10.
 - c. The applicant shall comply with the fire requirements of the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit C" and dated 06-21-10.
 - d. Compliance with building and fire code requirements may necessitate a portion of the building floor to be devoted to fire suppression facilities [i.e., fire sprinkler system riser; Fire Dept. connection ("FDC")].
 - e. The applicant shall comply with the requirements of the Police Department as noted in the attached letter labeled "Exhibit D" and dated 07-01-10.
3. The following are ongoing conditions of approval for this conditional use permit and shall be noted on the CUP site plan under the heading "Planning Notes".
 - a. The use shall be operated in a manner that is compatible at all times with surrounding properties and uses.
 - b. Any change in use or expansion of the facility may require an amendment to this conditional use permit.
 - c. All activities shall be conducted within the enclosed building.
 - d. A general on-sale alcoholic beverage license (bar license) shall not be permitted at the subject site. The restaurant shall be operated as a bona fide eating place in accordance with Department of Alcoholic Beverage Control requirements.

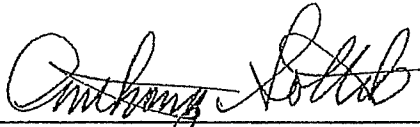
- e. The operator of the restaurant shall maintain a lease/rental agreement that allows patrons of the restaurant to utilize the parking lot south of the subject site at all times.
 - f. The operator of the restaurant shall have access to a trash/recycling enclosure in the immediate vicinity of the restaurant at all times, and in a location approved by the County of San Diego, Department of Environmental Health.
 - g. The use of the restaurant for banquets and private meetings shall only occur as long as the restaurant is operating as the primary use at the site. If the restaurant ceases to operate as the primary use at the site, banquets and private meetings shall be prohibited.
 - h. Entertainment shall consist of live musicians, singers and prerecorded music. The facility shall not be operated exclusively as a concert hall, dance club, or public dance hall.
 - i. All approved activities shall be conducted in accordance with the noise regulations contained in El Cajon Municipal Code.
 - j. Live entertainment activities shall comply with all regulations for a cabaret contained in the El Cajon Municipal Code, including Chapter 5.24 regarding conduct of employees and patrons, and security requirements.
 - k. No dancing or live entertainment shall be allowed at the premise unless authorized by a valid Special Operation License pursuant to Chapter 5.16 of the El Cajon Municipal Code.
 - l. The operator shall observe occupancy limits as determined by the Building Official/Fire Marshall at all times.
4. Prior to the issuance of building permits, the applicant shall complete the following:
- a. The CUP site plan required in condition no. 1 shall be submitted to the Planning Division and approved. The approved site plan shall be included in the plans approved for building permit issuance. The "schematic restaurant plan" shall conform to the actual floor plan submitted for plan check.
 - b. The approved trash/recycling enclosure shall be included on the plans approved for building permit issuance. The design of the trash/recycling enclosure shall have a stucco exterior finish and be painted a color that complements the surrounding buildings. If the trash enclosure has a metal roof, it shall be painted to match the stucco exterior of the enclosure and the edge of the roof shall have fascia trim. The design of the enclosure is subject to review and approval of the Community Development Director
5. Proposed signage shall be designed so as to be integrated into the building façade in a complementary fashion. Signs are subject to El Cajon Community Development Corporation review and approval and may require building permits from the Building and Fire Safety Division.
6. The existence of this conditional use permit shall be recorded with the County Recorder.

7. The Planning Commission may at any time during the life of this use permit, after holding a new public hearing and considering testimony as to the operation of the approved use, add additional conditions as it deems necessary, to ensure that the approved use continues to be compatible with surrounding properties and continues to be operated in a manner that is in the best interest of public convenience and necessity and will not be contrary to the public health, safety or welfare.
8. The proposed uses shall be operated substantially as presented in the Planning Commission staff report titled Conditional Use Permit No. 2115, dated August 23, 2010, except as modified by this resolution. Operation of the establishment in violation of the conditions of approval is grounds for revocation.
9. If all conditions of approval have not been satisfied or if the restaurant established under this conditional use permit has not been commenced, and if no request for an extension of time has been received, within two years of the approval by the City Council and subsequently approved, this conditional use permit shall be considered null and void per El Cajon Zoning Ordinance Section 17.35.010.

[The remainder of this page intentionally left blank.]

PASSED AND ADOPTED by the El Cajon City Planning Commission at a regular meeting held August 23, 2010, by the following vote:

AYES: AMBROSE, BALES, CIRCO, MROZ, SOTTILE
NOES: NONE
ABSENT: NONE



Anthony SOTTILE, Chairman

ATTEST:



Barbara K. RAMIREZ, Secretary

APPROVED

AUG 23 2010

AS PRESENTED



Community Development

December 1, 2023

SNF Palms, Inc.
143 E. Main St.
El Cajon, CA 92020

Malikyar Doud M & Nadia A Family Trust
1233 Pillsbury Ln.
El Cajon, CA 92020

Re: 143 E. Main St. – The Palms Restaurant and Banquet Hall

Conditional Use Permit (CUP) No. 2115 governs the use of 143 E. Main St. and authorizes a restaurant with live entertainment and ancillary banquet use. Resolution 119-10 (attached) includes the operational requirements and condition 3.g states, "the use of the restaurant for banquets and private meetings shall only occur as long as the restaurant is operating as the primary use at the site. If the restaurant ceases to operate as the primary use at the site, banquets and private meetings shall be prohibited."

The City recently inquired about public access to the restaurant and it appears that the restaurant portion of the business is not currently operating. Based on this information, I am requesting that you provide a written response to this letter confirming the conduct of uses that are occurring at 143 E. Main St. and that you schedule a meeting with City staff to address compliance with CUP No. 2115.

You may reach me at 619.441.1795 or nalvey@elcajon.gov for any questions. Thank you in advance for your prompt attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Noah Alvey".

Noah Alvey
Deputy Director of Community Development

Attachment: Resolution 119-10



Community Development

February 8, 2024

SNF Palms, Inc.
143 E. Main St.
El Cajon, CA 92020

Malikyar Doud M & Nadia A Family Trust
1233 Pillsbury Ln.
El Cajon, CA 92020

Re: 143 E. Main St. – The Palms Restaurant and Banquet Hall

On December 1, 2023, a letter was sent to the business operator and property owner for 143 E. Main St. regarding compliance with the conditions of approval associated with Conditional Use Permit (CUP) No. 2115, which authorizes the conduct of a restaurant and banquet hall. At this time, I have not received a written response confirming the conduct of uses at 143 E. Main St., as requested.

A review of CUP No. 2115 has been scheduled for the February 20, 2024 Planning Commission meeting in the City Council Chambers, 200 Civic Center Way, El Cajon, at 7:00 p.m. During the meeting, the Planning Commission will be asked to determine if CUP No. 2115 is being excised in a manner that is consistent with the conditions of approval, and to determine if a public hearing should be scheduled to modify or revoke CUP No. 2115 due to noncompliance with the conditions of approval.

You may reach me at 619.441.1795 or nalvey@elcajon.gov if you have any questions regarding the review of CUP No. 2115.

Sincerely,

Noah Alvey
Deputy Director of Community Development

Attachment: Letter dated December 1, 2023
Resolution 119-10