



City of El Cajon

Planning Commission Agenda

Tuesday, May 3, 2022 Meeting

7:00 PM

ANTHONY SOTTILE, Chair
DARRIN MROZ, Vice Chair
PAUL CIRCO
REBECCA POLLACK-RUDE
ELIZABETH VALLES

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, May 3, 2022. 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 March 1, 2022

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, May 16, 2022, 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:	Oakdale and Mint Subdivision
Request:	Two-lot subdivision in the RS-6 zone
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Tentative Parcel Map (TPM) No. 2021-0004
Location:	Terminuses of Oakdale and Mint Avenues
Applicant:	Delgesh Shahab; delgeshshahab@gmail.com
Project Planner:	Spencer Hayes; shayes@elcajon.gov; 619-441-1656
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 resolution in order, approving the CEQA exemption and TPM No. 2021-0004, subject to conditions.

OTHER ITEMS FOR CONSIDERATION

Agenda Item:	3
Project Name:	Babylon Palace
Request:	Review banquet hall operation with on sale alcoholic beverages and joint-use parking
STAFF RECOMMENDATION:	ACCEPT REPORT
Project Number(s):	Conditional Use Permit (CUP) No. 2205
Location:	456 North Magnolia Avenue
Applicant:	Babylon Palace (Mike Terzibachian); 619-807-2260
Project Planner:	Noah Alvey; nalvey@elcajon.gov; 619-441-1795
City Council Hearing Required?	No
Recommended Actions:	<ol style="list-style-type: none"> 1. Discuss the report; and 2. ACCEPT report.

4. STAFF COMMUNICATIONS

5. COMMISSIONER REPORTS/COMMENTS

6. ADJOURNMENT

This Planning Commission meeting is adjourned to May 17, 2022 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, May 16, 2022, at 5:00 p.m. Agenda items which are forwarded to City Council for final action need not be appealed.



**MINUTES
PLANNING COMMISSION MEETING
March 1, 2022**

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: Anthony SOTTILE (Chair)
Darrin MROZ (Vice Chair)
Paul CIRCO
Rebecca POLLACK-RUDE
Elizabeth VALLES

COMMISSIONERS ABSENT: None

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

Chair SOTTILE 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 16, 2021

Motion was made by VALLES, seconded by SOTTILE, to approve the November 16, 2021 minutes; motion carried 5-0.

PUBLIC HEARING ITEM:

Agenda Item:	2	
Project Name:	Microenterprise Home Kitchen Operations Performance Standards	
Request:	Zoning Code Amendment	
CEQA Recommendation:	Exempt	
STAFF RECOMMENDATION:	RECOMMEND CITY COUNCIL APPROVAL	
Project Number(s):	Zoning Code Amendment No. ZCA-2022-0001	
Location:	Citywide	
Applicant:	City of El Cajon	
Project Planner:	Michael Viglione; mviglione@elcajon.gov ; 619-441-1773	
City Council Hearing Required?	Yes	March 22, 2022
Recommended Actions:	<ol style="list-style-type: none"> 1. Conduct the public hearing; and 2. MOVE to adopt the next resolution in order, recommending City Council approval of proposed Zoning Code Amendment No. ZCA-2022-0001. 	

ALVEY summarized the staff report through a PowerPoint presentation. ALVEY distributed copies of amended attachment number 2, the Proposed MEHKO Ordinance Amendment, to each COMMISSIONER. LUCK explained that changes from City Attorney were clerical not substantive changes.

No public comments were received before or during the meeting.

COMMISSIONERS asked questions with ALVEY & LUCK providing answers.

SOTTILE opened the public hearing.

Motion was made by CIRCO, seconded by VALLES, to close the public hearing;
motion carried 5-0.

Motion was made by CIRCO, seconded by VALLES, to recommend City Council approve Zoning Code Amendment No. ZCA-2022-0001, including the amended ordinance; motion carried 5-0.

Agenda Item:	3	
Project Name:	Administrative Determinations Biannual Report	
STAFF RECOMMENDATION:	ACCEPT REPORT	
Recommended Actions:	<ol style="list-style-type: none"> 1. Discuss the administrative decisions report; and, 2. ACCEPT report. 	

ALVEY summarized the staff report through a PowerPoint presentation.

No public comments were received before or during the meeting.

Motion was made by MROZ, seconded by SOTTILE, to accept the Report; motion carried 5-0.

STAFF COMMUNICATIONS:

There were none.

ADJOURNMENT:

Motion was made by CIRCO, seconded by MROZ, to adjourn the meeting of the El Cajon Planning Commission at 7:36 p.m. this 1st day of March, 2022, until 7:00 p.m., Tuesday, March 15, 2022; carried 5-0.

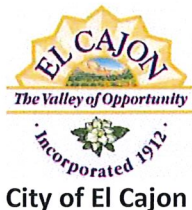
DRAFT

Anthony SOTTILE, Chair

ATTEST:

Noah ALVEY, Secretary

DRAFT



Community Development Department
PLANNING COMMISSION AGENDA REPORT

Agenda Item:	2
Project Name:	Oakdale and Mint Subdivision
Request:	Two-lot subdivision in the RS-6 zone
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number:	Tentative Parcel Map (TPM) No. 2021-0004
Location:	Terminuses of Oakdale and Mint Avenues
Applicant:	Delgesh Shahab; delgeshshahab@gmail.com
Project Planner:	Spencer Hayes; shayes@elcajon.gov; 619-441-1656
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, approving the CEQA exemption and TPM No. 2021-0004 subject to conditions.

PROJECT DESCRIPTION

The proposed project is a two-lot subdivision of a former Caltrans right-of-way within the Residential, Single-family, 6,000 square foot (RS-6) zone. The proposed subdivision is not in conjunction with a planned unit development, and development of individual single-family parcels is not subject to a planning permit; subsequent development of residences is subject to ministerial building permit review. Consistent with the General Plan, the project includes connection of two public streets – Oakdale and Mint Avenues – and associated right-of-way improvements such as sewer extension and sidewalks.

BACKGROUND

General Plan:	Low Density Residential (LR)
Specific Plan:	NA
Zone:	RS-6 (Single-Family Residential, minimum 6,000 sq. ft.)
Other City Plan(s):	N/A
Regional and State Plan(s):	N/A
Notable State Law(s):	Subdivision Map Act

Project Site & Constraints

The project site is 38,351 square feet (.88 acres) and is located at the terminuses of Oakdale and Mint Avenues, south of the Interstate 8 eastbound on-ramp. The site is currently vacant and is former Caltrans right-of-way. There are no physical site attributes which constrain the proposed subdivision of land.

Forester Creek runs along the northerly portion of the property (between the property line and Interstate 8 on-ramp). Portions of the site are within the 100-year and the 500-year flood zones.

The site is also situated between two City streets, both of which are terminated in an incomplete dead-end. The General Plan Land Use Map indicates that the portion of the site situated between Oakdale and Mint Avenues is intended for public right-of-way improvements.

Surrounding Context

Surrounding properties are developed and zoned as follows:

Direction	Zones	Land Uses
North	N/A	Interstate 8
South	RS-6	Single-family residential
East	RS-6	Single-family residential
West	RM-2200	Multi-family apartments

General Plan

The purpose of the General Plan is to set forth adopted policies and objectives, expressing the official position of the City, with regard to physical and environmental development. The majority of the subject property (approximately 29,773 square feet) is designated Low Density Residential (LR) (3 to 10 dwellings per net acre) on the General Plan Land Use Map. The LR designation in the General Plan is intended for detached single-family development or townhome style development. As indicated previously, the remainder of the site is intended for public street improvements.

Municipal Code

The project site is zoned RS-6 which implements the LR land use designation by establishing appropriate land uses and development standards. The RS-6 zone allows a density of one unit per 6,000 square feet of lot area subject to meeting all development standards.

Subdivision Ordinance/ Subdivision Map Act

The authority and procedures for the processing of a tentative parcel map are found in the California Subdivision Map Act and the City of El Cajon Subdivision Ordinance (Title 16 of the El Cajon Municipal Code). The City Engineer and Director of Community Development may jointly refer a tentative parcel map to the Planning Commission for consideration, as described in ECMC section 16.24.113.

DISCUSSION

Land Use

The surrounding community is comprised of RS-6 zoned, single-family lots, which are fairly consistent in lot shape and area. There is also multi-family apartment development to the west along Oakdale Avenue. After required dedications for public improvements, each proposed parcel meets minimum dimension, area, and frontage requirements in Chapter 17.140 of the Zoning Code. The proposed parcels are 16,889 square feet and 12,844 square feet respectively; the parcels are substantially larger than other RS-6 lots in the vicinity due to the a triangular portion of the lot, nearest Forester Creek and the I-8. Current zoning allows for the creation of up to two parcels at the subject location.

Future Development

The proposed subdivision does not include houses (though outlines are shown for potential future development). If approved, and once a Final Map is complete, each lot could be sold separately. The parcels may be developed independent of one another. Any subsequent development would only be subject to a ministerial building permit action, and thus, residential structures will need to comply with the requirements of the underlying RS-6 zone, building codes, and storm water regulations.

Please note that pursuant to RS-6 development standards and Assembly Bill No. 68 ("AB-68"), individual lots are eligible for the creation of one primary single-family home, an accessory dwelling unit and/or (in limited instances) a junior accessory dwelling unit. Also note that all parcels within single-family zones are potentially eligible for the provisions of Senate Bill No. 9 ("SB-9"), to further subdivide via "urban lots splits" and/or for development of two primary dwellings per parcel. In some instances, AB-68 and SB-9 may be used in combination.

Project Alternatives

The proposed two-lot subdivision and requirements for dedication for public street connection are consistent with the General Plan. Proposals which do not include the connection of Oakdale and Mint Avenues are not consistent with the General Plan and have not been analyzed; a no-connection proposal necessitates a General Plan Amendment and appropriate California Environmental Quality Act ("CEQA") document. Such a proposal would need to assess changes to Police and Fire response and evacuation times which are assumed by the General Plan, for example.

Street Improvements

The project is conditioned for full street improvements to connect Oakdale and Mint Avenues. Typically, developments are only conditioned for half-width street improvements adjacent to the proposed project. For that reason, staff worked with the project applicant to draft a reimbursement agreement should the property owner to the south develop the remaining (former) Caltrans parcel.

FINDINGS

Section 66474 of the Subdivision Map Act and section 16.12.080 of the ECMC state that the City shall deny approval of a subdivision map if the city's decision body makes any of the following findings:

- A. *The proposed map is not consistent with the General Plan and any applicable specific plan.*

The proposed map is consistent with the General Plan and the General Plan goals related to housing that seek to provide a variety of residential development opportunities in the City. It is also consistent with envisioned street connections and improvements in the right-of-way, for the safe and effective movement of all transportation modes.

- B. *The design or improvement of the proposed subdivision is not consistent with the General Plan, and the site is not physically suitable for the type of development and proposed density.*

The proposed subdivision map design results in a two-lot subdivision, which is consistent with the goals and objectives of the General Plan. Furthermore, the site is physically suited for the type of development as well as the density of the development that is proposed for this property.

- C. *The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The project site has no habitat value and is located in an urbanized area. Furthermore, the subject property is in a disturbed condition, surrounded by urban development, not environmentally sensitive, and there are no biological resources that would be harmed by the residential development of the subject property.

- D. *The design of the subdivision or type of improvements is likely to cause serious health problems.*

The design of the subdivision and required public improvements to incorporate storm water management improvements that will contribute to healthier streams, rivers, bays and the ocean. Connection of public streets facilitates emergency response and emergency evacuation.

- E. *The design of the subdivision or type of improvements will conflict with easements acquired by the public at large for access through or use of property within the subdivision.*

The proposed map will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of property within the proposed map; existing access easements will be respected, and new easements will be established for public utilities.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed project is exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15332 ("In-fill Development Projects"). The following measuring criteria for a Class 32 exemption apply: the project is consistent with the General Plan designation; the proposal is within the city limits on a site less than five acres, surrounded by substantially urban uses; the project site has no value as natural habitat; approval would not result in significant effects related to traffic, noise, air, or water quality; and, the site can be adequately served by required utilities. Therefore, section 15332 is an appropriate exemption for this project.

PUBLIC NOTICE & INPUT

Notice of this public hearing was mailed on April 21, 2022, 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.

STAFF RECOMMENDATION

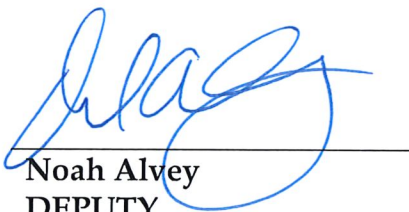
Staff is recommending approval of TPM No. 2021-0004 for a two-lot subdivision in the RS-6 zone with conditioned public street improvements, consistent with the General Plan.

PREPARED BY:



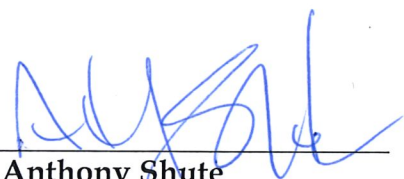
Spencer Hayes
ASSOCIATE
PLANNER

REVIEWED BY:



Noah Alvey
DEPUTY
DIRECTOR OF
COMMUNITY
DEVELOPMENT

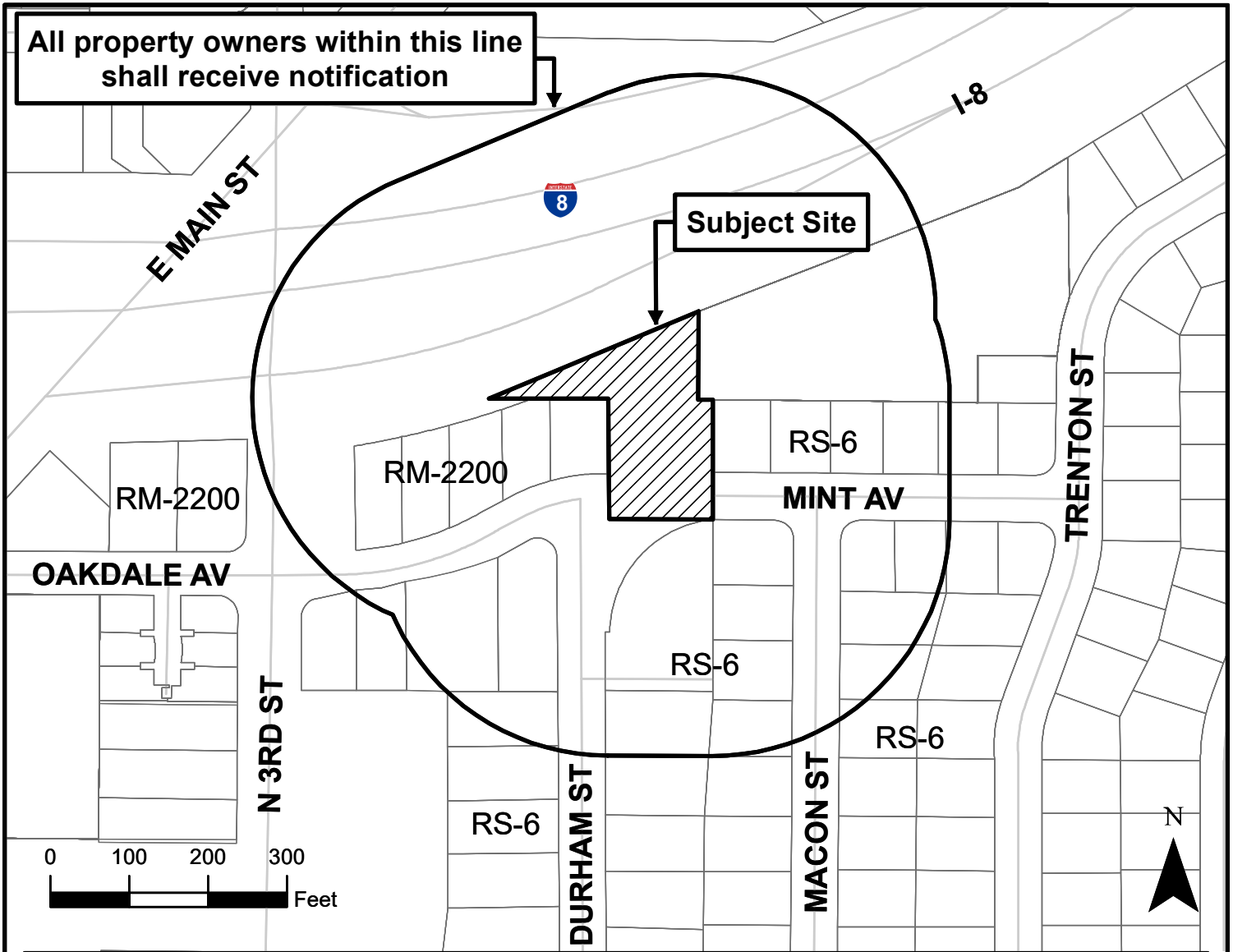
APPROVED BY:



Anthony Shute
DIRECTOR OF
COMMUNITY
DEVELOPMENT

ATTACHMENTS

1. Public Hearing Notice/Location Map
2. Proposed Resolution APPROVING Class 32 CEQA Exemption
3. Proposed Resolution APPROVING Tentative Subdivision Map No. 2021-0004
4. Aerial Image of Subject Site
5. Application and Disclosure Statement
6. Tentative Parcel Map
7. Draft Reimbursement Agreement



**NOTICE OF PROPOSED
TENTATIVE PARCEL MAP
FOR TWO RESIDENTIAL LOTS AND
PUBLIC STREET IMPROVEMENTS**

NOTICE IS HEREBY GIVEN that the El Cajon Planning Commission will hold a public hearing at **7:00 p.m., Tuesday, May 3, 2022** in the City Council Chambers, 200 Civic Center Way, El Cajon, CA, to consider:

TENTATIVE PARCEL MAP NO. 2021-0004, as submitted by Civil Landworks on behalf of Delgesh Shahab, requesting to split one lot into two residential lots for future single-family homes, and other public and private improvements. The subject property located between the terminuses of Oakdale and Mint Avenues, on the side south of the Interstate 8 on-ramp, APN 511-021-11-00. 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 **SPENCER HAYES** at 619-441-1742 or via email at shayes@elcajon.gov and reference "TPM-2021-0004" in the subject line.

PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION APPROVING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION 15332 (IN-FILL DEVELOPMENT PROJECTS) FOR TENTATIVE PARCEL MAP NO. 2021-0004 FOR THE OAKDALE AND MINT TWO-LOT SUBDIVISION, AT THE TERMINUSES OF OAKDALE AND MINT AVENUES, SOUTH OF INTERSTATE 8, IN THE RESIDENTIAL SINGLE-FAMILY (RS-6) ZONE; APN 511-021-11-00; GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on May 3, 2022, to consider Tentative Parcel Map No. 2021-0004 ("TPM-2021-0004"), as submitted by Bruce Krager of Civil Landworks on behalf of Delgesh Shahab, requesting a two-lot subdivision in the Residential, Single-family, 6,000 square foot (RS-6) zone, located at the terminuses of Oakdale and Mint Avenues, Assessor's Parcel Number 511-021-11-00; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA") Guidelines section 150061(b)(2), the Planning Commission reviewed and considered the information contained in the project staff report; and

WHEREAS, it is proposed that the project is exempt from CEQA under section 15332, Class 32 (In-fill Development Projects) of CEQA Guidelines. Section 15332 provides an exemption for a project that meets the following criteria: the project is consistent with applicable general plan designations and zoning regulations; the proposed development is on a site no more than five acres, substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the proposed project would not result in significant effects to traffic, noise, and air or water quality; and, the site can be adequately served by all utilities. The project site and proposed five-lot subdivision meet the measuring criteria listed above. Therefore, section 15332 is an appropriate exemption for the proposed project, as the record of proceedings contains evidence to support the determination that the Class 32 Categorical Exemption applies; and

WHEREAS, the Planning Commission reviewed and considered the information contained in the project staff report; and

WHEREAS, after considering evidence and facts, the Planning Commission considered the proposed CEQA exemption as presented at its meeting.

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 CEQA exemption

Proposed Planning Commission Resolution

for the Oakdale and Mint Subdivision, TPM-2021-0004.

Section 2. That based upon said findings of fact, the El Cajon Planning Commission hereby APPROVES the CEQA exemption for the Oakdale and Mint Subdivision, TPM-2021-0004.

PASSED AND ADOPTED by the El Cajon Planning Commission at a regular meeting held May 3, 2022, by the following vote:

AYES:
NOES:
ABSENT:

Anthony SOTTILE, Chair

ATTEST:

Noah ALVEY, Secretary

PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION APPROVING TENTATIVE PARCEL MAP NO. 2021-0004 FOR THE OAKDALE AND MINT TWO-LOT SUBDIVISION, AT THE TERMINUSES OF OAKDALE AND MINT AVENUES, SOUTH OF INTERSTATE 8, IN THE RESIDENTIAL SINGLE-FAMILY (RS-6) ZONE; APN 511-021-11-00; GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on May 3, 2022, to consider Tentative Parcel Map No. 2021-0004 ("TPM-2021-0004"), as submitted by Bruce Krager of Civil Landworks on behalf of Delgesh Shahab, requesting a two-lot subdivision in the Residential, Single-family, 6,000 square foot (RS-6) zone, located at the terminuses of Oakdale and Mint Avenues, Assessor's Parcel Number 511-021-11-00; and

WHEREAS, the El Cajon Planning Commission determined that the proposed project is exempt from the provisions of the California Environmental Quality Act ("CEQA") according to section 15332 of the CEQA Guidelines; and

WHEREAS, at the public hearing the Planning Commission received evidence through public testimony and comment, in the form of verbal and written communications and reports prepared and presented to the Planning Commission, including (but not limited to) evidence such as the following:

- A. The proposed map is consistent with the General Plan and the General Plan goals related to housing that seek to provide a variety of residential development opportunities in the City. It is also consistent with envisioned street connections and improvements in the right-of-way, for the safe and effective movement of all transportation modes.
- B. The proposed subdivision map design results in a two-lot subdivision, which is consistent with the goals and objectives of the General Plan. Furthermore, the site is physically suited for the type of development as well as the density of the development that is proposed for this property.
- C. The project site has no habitat value and is located in an urbanized area. Furthermore, the subject property is in a disturbed condition, surrounded by urban development, not environmentally sensitive, and there are no biological resources that would be harmed by the residential development of the subject property.
- D. The design of the subdivision and required public improvements to incorporate storm water management improvements that will contribute to healthier streams, rivers, bays and the ocean. Connection of public streets facilitates emergency response and emergency evacuation.

- E. The proposed map will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of property within the proposed map; existing access easements will be respected, and new easements will be established for public utilities.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact stated above, the El Cajon Planning Commission hereby APPROVES TPM-2021-0004 for a two-lot subdivision in the RS-6 zone on the above described property, subject to the following conditions:

Engineering Requirements

Final Map

1. Submit a current Preliminary Title Report and a Subdivision Guarantee, no older than 60 days, at the time the map is ready to record.
2. Submit a County Tax Certificate valid at the time of map recordation.
3. Set survey monuments and guarantee setting of any deferred monuments.
4. Submit Will-Serve letters from Water Company, Gas and Electric Company, Phone Company and Cable TV Company.
5. Submit signature omission letters from all public easement holders who do not have a signature block on the map.
6. Submit a letter stating if the required public improvements listed in 8 through 15 below will be completed prior to recording the Map or deferred by a Subdivision Agreement.
7. Municipal Code section 16.16.060 provides that, in lieu of constructing the required improvements prior to recording of the final map, the subdivider may enter into an agreement which guarantees construction within one year. Such agreement shall be accompanied by improvement security in accordance with Municipal Code section 16.16.080 and a certificate of insurance provided by the subdivider in accordance with City Council Policy D-3.

Public Improvements

8. Dedicate 60-feet of public street right-of-way along Oakdale Avenue and Mint Avenue, as necessary, to provide an ultimate right-of-way width of 30-feet from centerline along Oakdale Avenue and Mint Avenue.
9. Construct street improvements from Oakdale Avenue to Mint Avenue to one foot beyond the existing pavement structural section on Oakdale Avenue and Mint Avenue. A detailed scaled drawing showing the plan and profile and typical sections of the public street, curb and gutter, sewer and drainage facilities, as required, shall be prepared by a Civil Engineer registered in the State of California and shall be submitted to the City for approval. Improvements shall include, but not be limited to street pavement to 36-ft (provide 18-ft from face of curb to) centerline, PCC curbs and

gutters and sidewalks, and adequate pavement transitions. Repair all damaged concrete curb and gutter, and sidewalk. Improvements should be constructed pursuant to City Improvement Standards. Relocate existing facilities in conflict with construction as necessary.

10. Underground all new utility distribution facilities within the parcel boundaries, including services to all new buildings, in accordance with Municipal Code sections 16.16.040D and 16.52.010. Evidence of arrangements to underground utilities must be provided.
11. The driveway(s) on Oakdale Avenue and Mint Avenue shall be in accordance with San Diego Regional Standard Drawings G-14 B, including 2:1 sidewalk transitions for Americans with Disabilities Act compliance. Edge of driveways shall be a minimum of 3-feet from the property line and all obstructions. The driveway shall be a minimum 16' / 22' curb cut.
12. Prior to issuance of Building Permit and Encroachment Permit, the applicant or contractor shall prepare a detailed scaled drawing with dimensions of the proposed driveway and sidewalk installation showing the location of the public street right-of-way, property lines, face of curb, all physical obstructions, including but not limited to, utility poles, telephone and cable TV equipment, fencing, etc. along with any required offsets in accordance with San Diego Regional Standard Drawings ("SDRSD") G-15 and G-16.
13. These details shall be shown on a separate Grading, Drainage, and Improvement Plans, but may also be included with the Building Permit Set. An Engineer's scale shall be used for all drawings submitted to Engineering for review.
14. Install separate gravity sewer services, water services (including meters) and other utilities to each parcel with a building unit in accordance with the Municipal Code. Wet-tap fees are required. The proposed sewer and water laterals serving parcels shall be private and shall be approved by the Building Division. A double cleanout is required at the property line for all sewer laterals. Maintenance of the private sewer and water laterals shall be the responsibility of the homeowners. Connections to the City sewer system and payment of connection fees are required with Building Permits.
15. The proposed sewer main to serve the parcels shall be public. A detailed scaled drawing showing the plan and profile of the sewer main, manhole locations, and laterals shall be prepared by a Civil Engineer registered in the State of California. The sewer main shall be designed and built in accordance with the City of El Cajon Improvement Standards for Public Sewer Mains and submitted to the City for review. Maintenance of the public sewer main shall be the responsibility of the City. Maintenance of the sewer laterals shall be the responsibility of the homeowners. Connections to the City sewer system and payment of connection fees are required with Building Permits.

16. The proposed sewer manhole must be 5-foot (60 inches) pursuant to San Diego Regional Standard Drawings SM-02.
17. Stub any new underground utility services out at the property line.
18. No sheet flow is allowed over the proposed driveway and sidewalk.
19. Submit a preliminary soils report prepared by a Civil or Geotechnical Engineer registered in the State of California, along with adequate test borings.
20. Submit a Drainage Study and a Grading and Drainage Plan along with an Erosion Control Plan, prepared by a Civil Engineer registered in the State of California. No grading or soil disturbance, including clearing of vegetative matter, shall be done until all necessary environmental clearances are secured and the Grading and Drainage Plan and Erosion Control Plan have been reviewed by the City.
 - a. These Plans shall be based on the preliminary soils report and in conformance with the City of El Cajon Jurisdictional Runoff Management Program ("JRMP") and Standard Urban Storm Water Mitigation Plan Ordinance ("SUSMP") which may require additional water quality management measures and future ongoing maintenance even after completion of the project to prevent, treat, or limit the amount of storm water runoff and pollution from the property.
 - b. The Erosion Control Plan shall show measures to ensure that pollutants and runoff from the development are reduced to the maximum extent practicable and will not cause or contribute to an exceedance of receiving water quality objectives throughout project construction.
 - c. The Drainage Study shall include all related tributary areas and adequately address the impacts to the surrounding properties and to the City drainage system. The developer shall provide any needed public and private drainage facilities, including off site drainage facilities (as determined by the study). If public drainage facilities are required, the required improvements need to be included in improvement plans, prepared by a Civil Engineer, registered in the State of California, and submitted to the City for approval. Note: If the Drainage Study indicates the existing downstream drainage system is inadequate for the proposed project density, a reduction in density and/or hard surface coverage of the subdivision may be required.
21. Existing streets shall be kept free of dirt and debris and maintained in good condition. Dust shall be controlled so that it does not become a nuisance. The developer shall be responsible for the repair of any streets or private property damaged as a result of the construction of the subdivision.

Encroachment Permit

22. An Encroachment Permit is required prior to any work within the public right-of-way.

23. Submittal of a detailed drawing described above requires a traffic control plan, an insurance certificate and (non-blanket) endorsements in accordance with policy D-3, proof of business license, contractor's license and the review fees. Contact Engineering for additional information.

Storm Water Requirements

24. In accordance with El Cajon Municipal Code Chapter 16.60, this project falls into a Standard Project ("SP") category for Storm Water.
25. Future building permit plans shall show that all new roof drains, driveways, parking areas, sidewalks and other impervious areas will drain to sufficiently sized and designed landscaped areas so as to incorporate Low Impact Development ("LID") BMPs for compliance with the California Regional Water Quality Control Board (San Diego Region) Order No. R9-2013-0001 as amended by Order No. R9-2015-0001 and R9-2015-0100; located at:

http://www.swrcb.ca.gov/rwqcb9/water_issues/programs/stormwater/docs/2015-1118_AmendedOrder_R9-2013-0001_COMPLETE.pdf

LID BMP details must be included as a separate section of the Building Permit Plan Set. An electronic copy of the County of San Diego Low Impact Development Handbook can be found online at:

<https://www.sandiegocounty.gov/content/sdc/dpw/watersheds/susmp/lid.html>

Planning Requirements

1. Prior to Final Map, or in conformance with condition 7 above, install street trees within the constructed parkway areas. Trees shall be spaced appropriately and at approximately 30 to 40 feet on center and shall be from the approved street tree list. Root barriers and permanent irrigation systems shall be installed, and maintenance of shall be the responsibility of the adjacent property owner.

[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 May 3, 2022, by the following vote:

AYES:
NOES:
ABSENT:

Anthony SOTTILE, Chair

ATTEST:

Noah ALVEY, Secretary

Aerial Image
TPM-2021-0004 - Oakdale and Mint Subdivision





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 checked="" 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): 511-021-11

Address: 0 Oakdale Ave.

Nearest Intersection: Durham St. and Oakdale Ave.

Project Description (or attach separate narrative)

Subdivide lot into 2 parcels for construction of 2 residential homes.

Project Screening Questions

- Existing use? No Yes
- Modification of use? No Yes
- New development or addition? No Yes
- Existing Structures? No Yes

If yes, please describe:

new residential homes

Age of the structures: _____

Demolition or substantial modification proposed to site improvements or structures? No Yes _____

Tenant improvements proposed? No Yes _____

Existing vegetation or trees on site proposed for removal? No Yes _____

Proposed grading? No Yes Proposed quantities of cut and/or fill.
130 CY cut / 370 CY fill

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

Company Name: _____

Contact Name: Delgesh Shahab

Mailing Address: 1475 Oakdale, #19, 92021, CA

Phone: 619 760 6640 Email: delgeshshahab@gmail.com

Interest in Property: Own Lease Option

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

Company Name: Civil Landworks Corp.

Contact Name: David Caron License: 70066

Mailing Address: 110 Copperwood Way, Suite P, Oceanside, CA 92058

Phone: 760-908-8745 Email: info@civillandworks.com

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: Oct, 9th, 2021

Property Owner
Signature²:



Date: Oct, 9th, 2021

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-application Conference

The purpose of a pre-application conference is to provide you an opportunity to review your project with City staff 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.**

Conference date: _____

Application Submittal

To submit your application, **it must be done by appointment** scheduled in advance for all Level 3, 4, & 5 project reviews, unless waived by staff. It is recommended for projects that will subsequently meet the criteria for a Level 1-C review through Level 2.

Appointment date: _____



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.

Delgesh Shahab

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

Delgesh Shahab

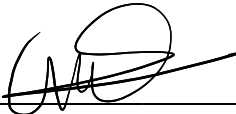
2. If any person identified pursuant to (1) above is a corporation or partnership, list the names and addresses of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

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 X _____

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.

 Oct, 9th 2021 Delgesh Shahab
Signature of applicant / date Print or type name of applicant

NOTE: Attach appropriate names on additional pages as necessary.

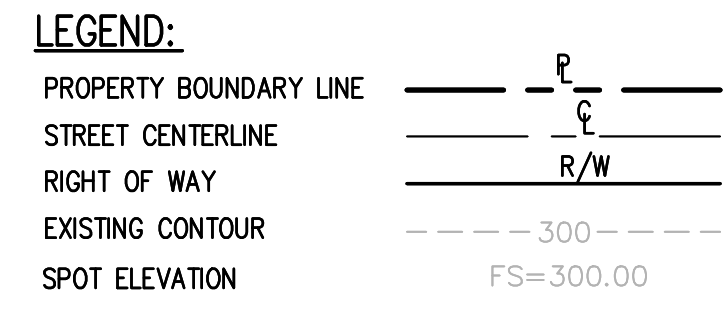
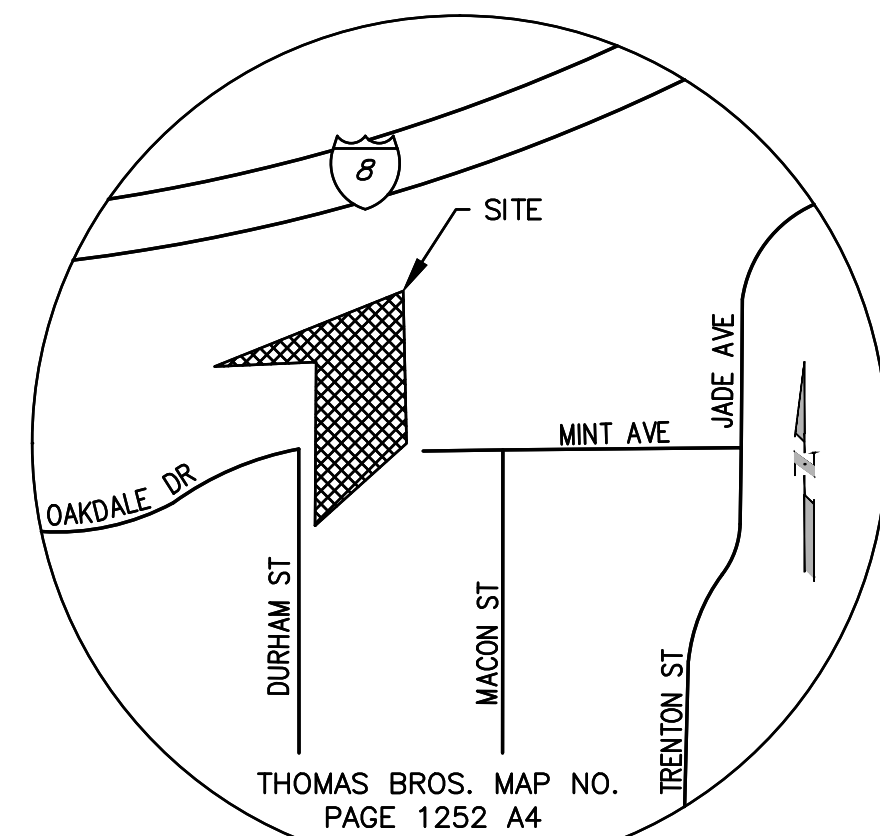
OAK DALE DRIVE, EL CAJON, CA 92019

OWNER
DELGESH SHAHAB
1475 OAKDALE AVENUE, #19
EL CAJON, CA 92021

SITE ADDRESS
0 OAKDALE AVENUE
EL CAJON, CA 92019
APN: 511-021-11

EASEMENTS PER TITLE REPORT DATED 7-31-20

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- 7 AN EASEMENT AND RIGHT OF WAY FOR ROAD AND PUBLIC UTILITY PURPOSES, AS RESERVED BY JAYNE R. FERRELL, AN UNMARRIED WOMAN, IN DEED RECORDED FEBRUARY 25, 1952 IN BOOK 4380, PAGE 549 OF OFFICIAL RECORDS.
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- 12 ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM THE FREEWAY AND ADJACENT FRONTAGE RECORDED JANUARY 22, 1975 AS INSTRUMENT NO. 75-015600 OF OFFICIAL RECORDS.



PROPOSED EASEMENTS AND DEDICATIONS

- 1 DEDICATION TO THE CITY OF EL CAJON AS PUBLIC RIGHT-OF-WAY
- 2 QUICKCLAIM RIGHT OF WAY FOR ROAD AND PUBLIC UTILITY PURPOSES

ESTIMATED GRADING QUANTITIES

DESCRIPTION	QUANTITY
RAW CUT	230 CY
COMPACTED FILL	230 CY
EXPORT/IMPORT	0 CY

PROPOSED PARCEL DATA

PARCEL NUMBER	GROSS AREA	NET AREA
1	16,889 SF	16,889 SF
2	12,844 SF	12,844 SF

LEGAL DESCRIPTION

A PORTION OF LOT 4, OF FERRELL ACRES, ACCORDING TO MAP THEREOF NO. 2485, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JUNE 24, 1948, GRANTED TO THE STATE OF CALIFORNIA ON JANUARY 22, 1975, IN DOCUMENT NO. 75-015600, OFFICIAL RECORDS, RECORDED IN THE OFFICE OF SAID COUNTY RECORDER, TOGETHER WITH A PORTION OF LOT "A", OF OAKDALE TERRACE, ACCORDING TO MAP THEREOF NO. 4168, FILED IN THE OFFICE OF SAID COUNTY RECORDER ON MAY 8, 1959, GRANTED TO THE STATE OF CALIFORNIA ON JULY 20, 1966, IN DOCUMENT NO. 118103, OFFICIAL RECORDS, RECORDED IN THE OFFICE OF SAID COUNTY RECORDER, IN THE CITY OF EL CAJON, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, LYING NORTHERLY OF THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF LOT 211, BELAIR ESTATES UNIT NO. 2, ACCORDING TO MAP THEREOF NO. 3694, RECORDED AUGUST 19, 1957, IN THE OFFICE OF SAID COUNTY RECORDER, IN THE CITY OF EL CAJON, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

MAXIMUM VERTICAL DEPTH OF CUT = 1.3 FEET
MAXIMUM VERTICAL DEPTH OF FILL = 2.0 FEET
MAXIMUM SLOPE = 2:1

NOTE:
EARTHWORK QUANTITIES DO NOT REFLECT ANY LOSSES DUE TO SHRINKAGE, SUBSIDENCE, OVEREXCAVATION, OR ANY SPECIAL CONDITIONS THAT MAY BE SPECIFIED IN THE SOILS REPORT AND ARE FOR REFERENCE ONLY, SINCE THE ENGINEER CANNOT CONTROL THE EXACT METHOD OR MEANS USED BY THE CONTRACTOR DURING GRADING OPERATIONS, NOR CAN THE ENGINEER GUARANTEE THE EXACT SOIL CONDITION OVER THE ENTIRE SITE, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR FINAL EARTHWORK QUANTITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING HIS OWN EARTHWORK QUANTITIES FOR BIDDING, CONTRACT, AND CONSTRUCTION PURPOSES.

MAPPING NOTE:

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ASSESSOR'S PARCEL NO.

511-021-11

TOPOGRAPHY

TOPOGRAPHY FLOWN BY PHOTO GEODETIC CORPORATION DATED 12-21-20. PUBLIC ROAD FIELD SURVEY BY ACCURATE LAND SURVEYS DATED 1-6-21.

BENCHMARK

THE BENCHMARK IS CITY OF EL CAJON #60. STD BM T/C N END CB RET @ NE CORNER MADISON & THIRD STREET.

ELEVATION = 510.025' (NAVD 88)

BASIS OF BEARINGS

A PORTION OF THE NORTH LINE OF MAP NO. 4168, I.E. NORTH 89°58'30" WEST

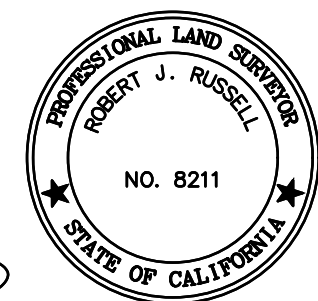
OWNER/APPLICANT:

DELGESH SHAHAB
1475 OAKDALE AVENUE, #19
EL CAJON, CA 92021

Delgesh Shahab
DELGESH SHAHAB

SURVEYING:

ACCURATE LAND SURVEYS
2514 ALPINE BLVD, STE 4
ALPINE, CA 91901
619-445-0110
ROB@ACCURATELANDSURVEY.COM



Rob Russell
ROB RUSSELL EXP. 3/31/2023

CIVIL ENGINEER OF WORK

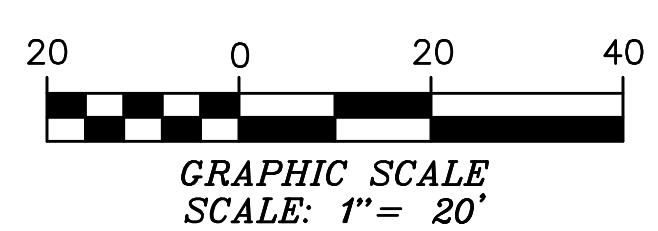
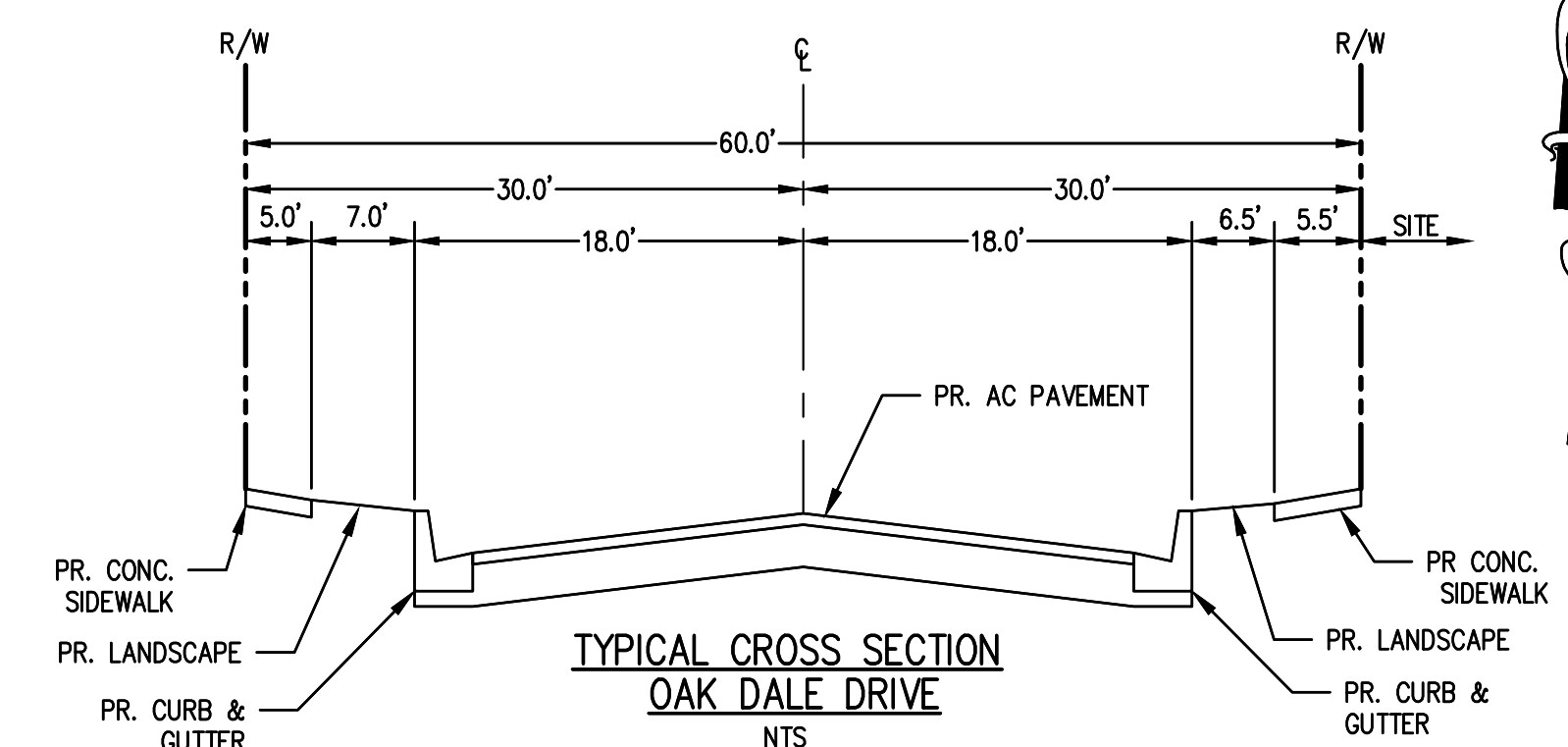
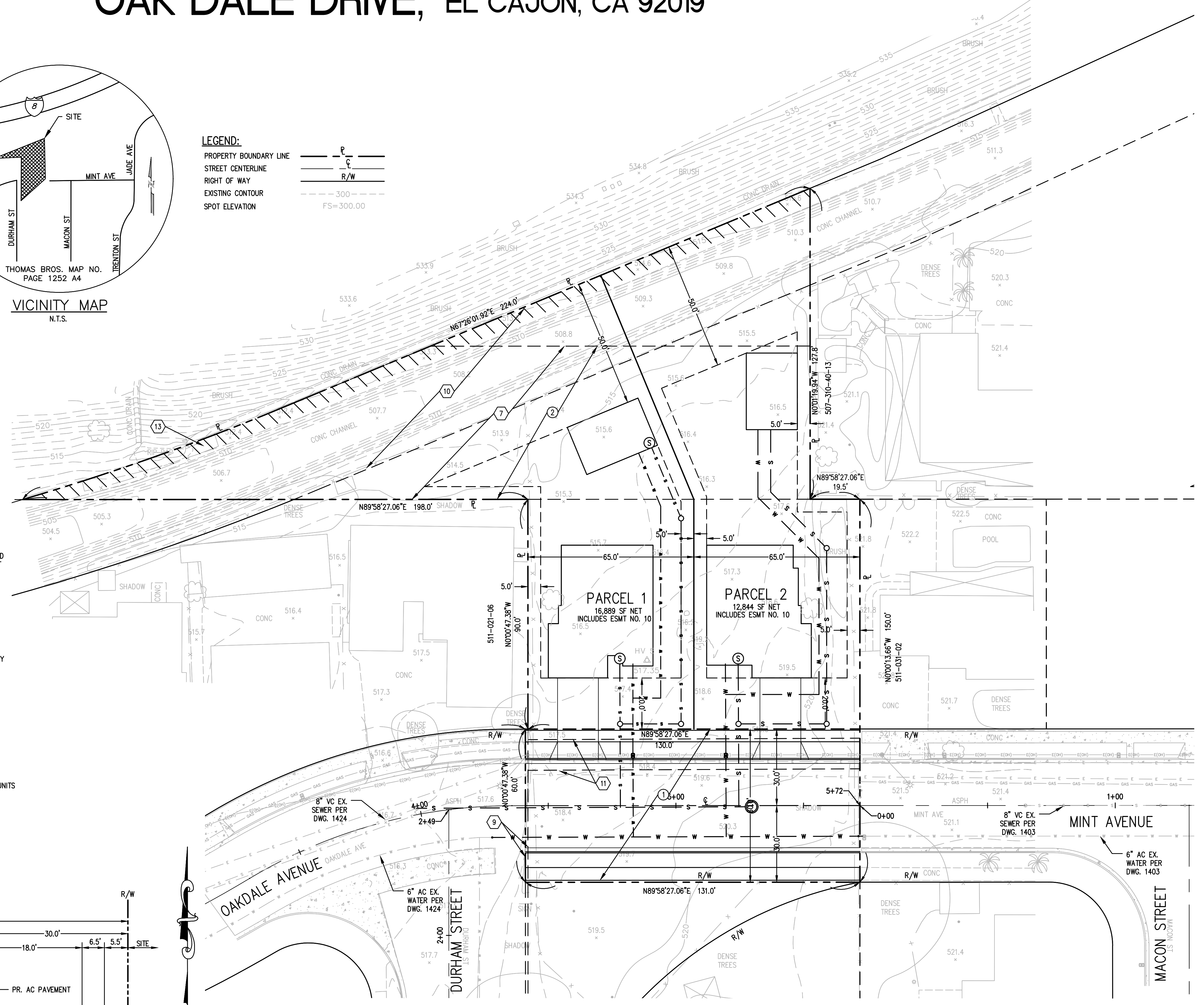
CIVIL LANDWORKS CORP.
110 COPPERWOOD WAY, SUITE P
OCEANSIDE, CA 92058
760-908-8745



David V. Caron
DAVID V. CARON EXP. 9/30/2022

GENERAL NOTES

- 1) SITE AREA: 0.86 ACRES
- 2) CONTOUR INTERVAL (EXISTING): 1'
- 3) GENERAL PLAN DESIGNATION:
EXISTING: LR - LOW DENSITY RESIDENTIAL
PROPOSED: RS-6 - SINGLE FAMILY RESIDENTIAL
- 4) ZONING: EXISTING - P, PROPOSED - RS-6
- 5) EXISTING NUMBER OF LOTS: EXISTING: ONE, PROPOSED: TWO
- 6) PROPOSED NUMBER OF STRUCTURES: TWO SINGLE FAMILY DWELLING UNITS
- 7) SEWER: EL CAJON SANITATION DISTRICT
- 8) WATER: HELIX WATER DISTRICT
- 9) FIRE: HEARTLAND FIRE AND RESCUE



Civil Landworks
110 COPPERWOOD WAY, SUITE P, OCEANSIDE, CA 92058
PH: 760-908-8745 • info@civillandworks.com

CAUTION!!
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OAKDALE DRIVE, EL CAJON, CA 92019

OWNER
DELGESH SHAHAB
1475 OAKDALE AVENUE, #19
EL CAJON, CA 92021

SITE ADDRESS
0 OAKDALE AVENUE
EL CAJON, CA 92019

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ASSESSOR'S PARCEL NO.

511-021-11

EARTHWORK DATA

CUT = 230 C.Y. FILL = 230 C.Y.
NET = 0 C.Y.

TOTAL LOT AREA = 38,351 S.F.
TOTAL DISTURBED AREA = 20,225 S.F.
DEPTH OF CUT = 1.3 FEET
DEPTH OF FILL = 2.0 FEET

*DEPTH OF CUT AND FILL DO NOT INCLUDE GEOTECHNICAL REMEDIATION RECOMMENDATIONS

THESE QUANTITIES DO NOT INCLUDE ANY LOSSES DUE TO SHRINKAGE, SUBSIDENCE, OVEREXCAVATION, OR ANY SPECIAL REQUIREMENTS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT. THESE QUANTITIES ARE FOR PERMIT PURPOSES ONLY. ALL CONTRACTORS BIDDING ON THIS PROJECT SHOULD MAKE THEIR OWN DETERMINATION OF EARTHWORK QUANTITIES PRIOR TO SUBMITTING A BID.

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THE BENCHMARK IS CITY OF EL CAJON #60. STD BM T/C N END CB RET @ NE CORNER MADISON & THIRD STREET.

ELEVATION = 510.025' (NAVD 88)

BASIS OF BEARINGS
A PORTION OF THE NORTH LINE OF MAP NO. 4168, I.E. NORTH 89°58'30" WEST

SITE DATA

SITE AREAS:	38,351 SF
EXISTING IMPERVIOUS:	0 SF
EXISTING PERVIOUS:	38,351 SF
PROPOSED IMPERVIOUS:	6,124 SF
PROPOSED PERVIOUS:	32,227 SF
DISTURBED AREA:	20,225 SF
STREET IMPROVEMENT AREAS:	7,862 SF
EXISTING IMPERVIOUS:	0 SF
EXISTING PERVIOUS:	7,862 SF
PROPOSED IMPERVIOUS:	6,382 SF
PROPOSED PERVIOUS:	1,480 SF

LEGEND

PROPERTY LINE	---
RIGHT OF WAY	---
CENTERLINE	---
EXISTING CONTOUR (MAJOR)	---385---
EXISTING CONTOUR (MINOR)	---385---
PROPOSED CONTOUR (MAJOR)	---385---
PROPOSED CONTOUR (MINOR)	---385---
DIRECTION OF DRAINAGE	---
CURB	---
RETAINING WALL	---
PR. CONCRETE PAVEMENT (IMPERVIOUS)	---

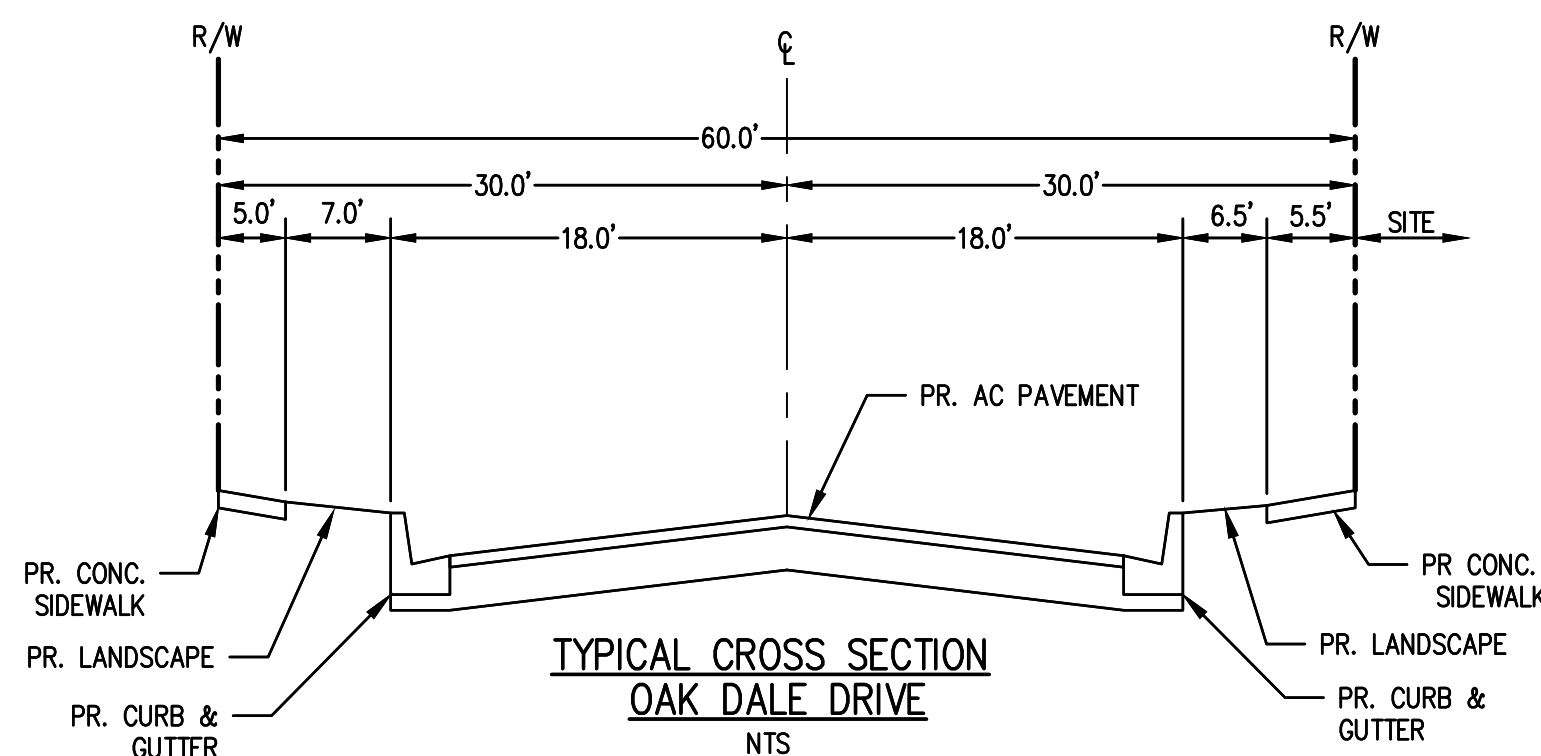
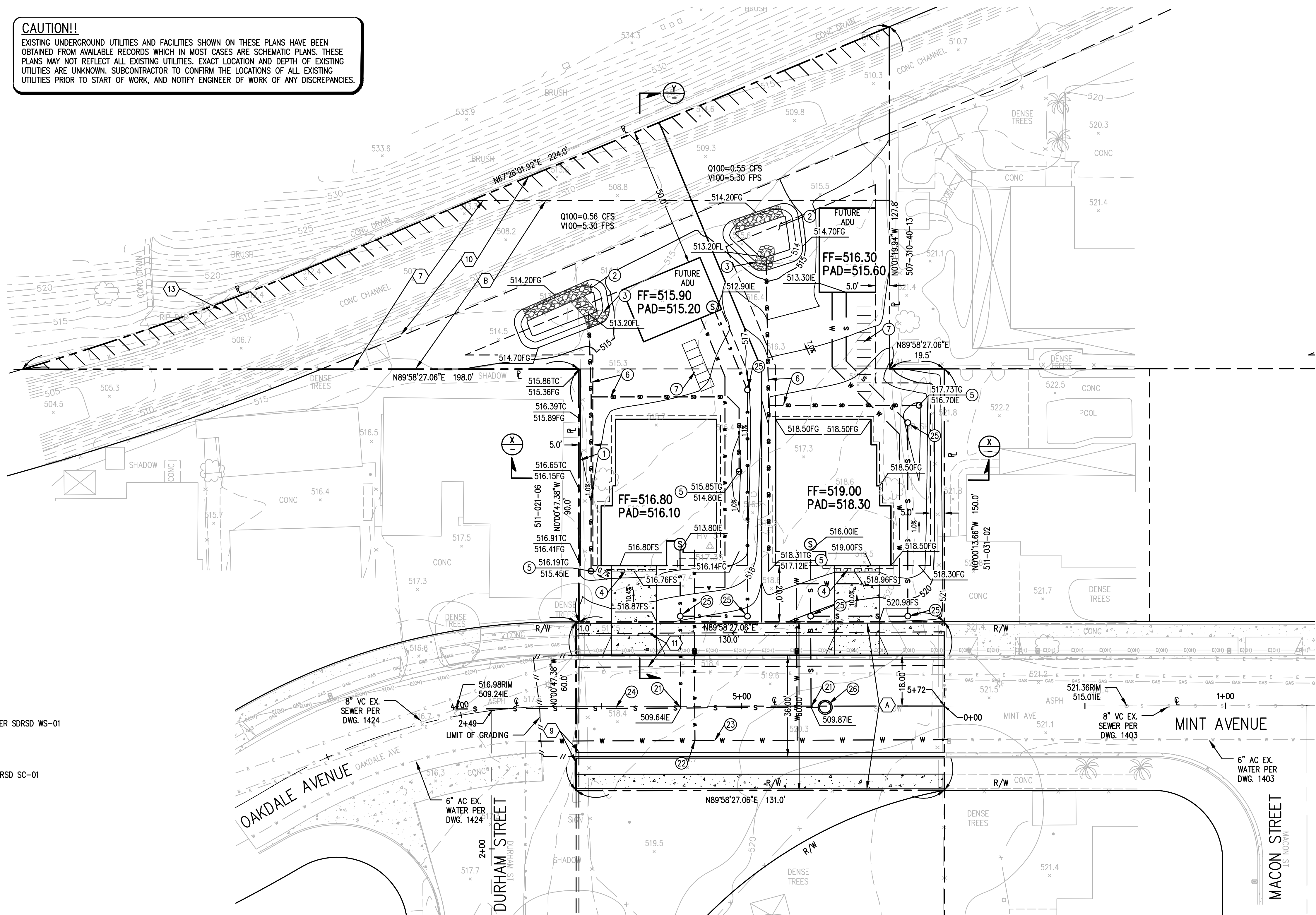
CONSTRUCTION NOTES

- 1) CONSTRUCT CURB ONLY PER SDRSD G-1
- 2) CONSTRUCT BIOFILTRATION BASIN
- 3) CONSTRUCT COBBLE STONE RIPRAP ENERGY DISSIPATER PER SDRSD D-40, T=1.1'
- 4) INSTALL 8" KLASSIK TRENCH DRAIN OR EQUIVALENT
- 5) INSTALL 6" YARD INLET
- 6) INSTALL 6" HDPE SD
- 7) CONSTRUCT STEPS

UTILITY NOTES

- 21) CONSTRUCT 4" SEWER LATERAL PER SDRSD SS-01
- 22) CONSTRUCT 1" WATER SERVICE WITH 1" METER AND BACKFLOW PER SDRSD WS-01
- 23) CONSTRUCT END CAP
- 24) CONSTRUCT 6" AC WATER MAIN EXTENSION
- 25) CONSTRUCT SEWER CLEANOUT W/ BACKFLOW PREVENTER PER SDRSD SC-01
- 26) CONSTRUCT SEWER MANHOLE PER SDRSD SM-01
- 27) CONSTRUCT 8" VC SEWER MAIN EXTENSION

CAUTION!!
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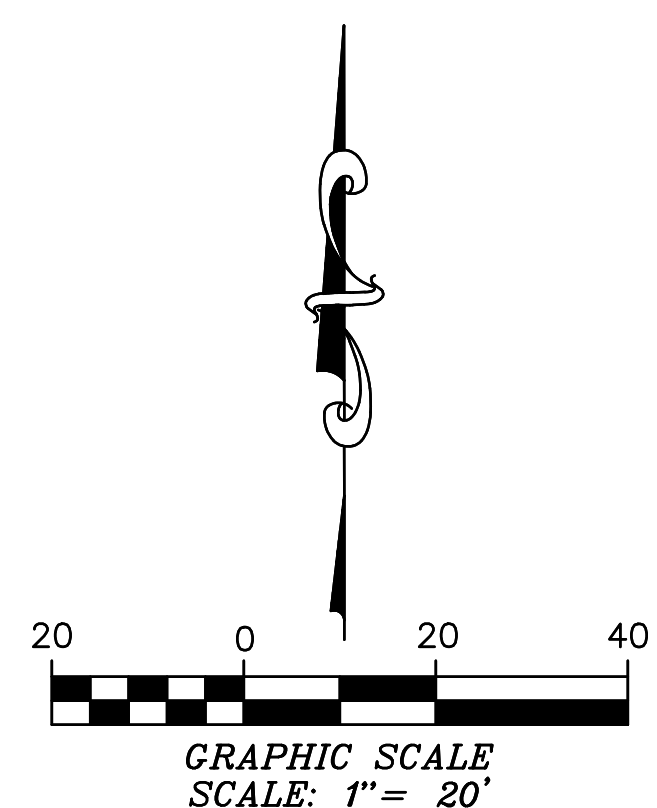


PROPOSED EASEMENTS AND DEDICATIONS

- A) DEDICATION TO THE CITY OF EL CAJON AS PUBLIC RIGHT-OF-WAY
- B) QUICKCLAIM RIGHT OF WAY FOR ROAD AND PUBLIC UTILITY PURPOSES

EASEMENTS PER TITLE REPORT DATED 7-31-20

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ENGINEER

DAVID V. CARON
CIVIL LANDWORKS CORP.
110 COPPERWOOD WAY, SUITE P
OCEANSIDE, CA 92058
760-908-8745
10-12-21



110 COPPERWOOD WAY, SUITE P, OCEANSIDE, CA 92058
PH: 760-908-8745 • info@civillandworks.com

RECORDING REQUEST BY:)
)
 CITY OF EL CAJON)
)
 WHEN RECORDED MAIL TO:)
)
 CITY CLERK)
 CITY OF EL CAJON)
 200 CIVIC CENTER WAY)
 EL CAJON, CA 92020)
)
)

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APN:

**AGREEMENT FOR REIMBURSEMENT
 OF COSTS OF PERMANENT PUBLIC IMPROVEMENTS**

This Agreement is entered into this _____ day of _____, 2021, by and between _____, a(n) _____, hereinafter referred to as "Owner", and the City of El Cajon, a charter city and municipal corporation, herein referred to as "City," for the reimbursement of costs expended by Owner for the installation of permanent public improvements. The parties hereto agree as follows:

Section I. Authority

The City is authorized by its general police powers and by statutory and case law to require Owner to install those certain permanent improvements hereinafter described as a condition of approval of _____

_____ which improvements benefit those properties each hereinafter described as a "Benefiting Property" not participating in the cost thereof. The City is authorized to provide a method for partial reimbursement for the costs of such improvements from such non-participating property owners in accordance with the California Constitution and its Charter. Upon full execution and recordation hereof, this Agreement shall provide the sole method of reimbursement through the City to Owner for a portion of the cost of said improvements. The City shall have no payment or reimbursement obligation to Owner for the cost of said improvements, except as specifically provided herein.

Section II. Definition of Terms

- The terms used in this Agreement shall be defined as set forth in this Section.
- A. "Administrative charge" means the reimbursement of the City for its expenses and services provided in the management of this Agreement.
 - B. "Agreement" shall mean this Agreement for Reimbursement of Costs of Permanent Public Improvements, together with all exhibits, attachments, and amendments hereto.
 - C. "Benefiting property" shall mean any real property benefiting from improvements installed by the Owner.

Section III. Description of Properties Affected

The real properties affected by this Agreement shall be the property Owner legally described in Exhibit 1 attached hereto and the benefiting properties described in Exhibit 2. The obligation of the

owner of each benefiting property shall become a lien upon such property for the term hereof, payable only as a condition of approval of any development of the benefiting property, provided that the imposition of such condition shall be reasonably related to such development. Such obligation shall be a lien upon and run with the land and shall be binding upon the subsequent owners of the benefiting property during the term hereof.

Section IV. Description of Improvements

The precise locations of all improvements subject to reimbursement and the complete dimensions (including frontage) of all benefiting properties are set forth in Exhibit 3 attached hereto.

Section V. Reimbursement Schedule

The Reimbursement Schedule is attached hereto as Exhibit 4. All references in this Agreement to reimbursement or to a reimbursement schedule shall mean reimbursement in accordance with the terms of this Agreement and Exhibit 4.

Section VI. Term

The term of this Agreement and all obligations and liens created hereby shall be seven (7) years from the date of this Agreement as set forth on the first page hereof. Upon expiration of said term, Owner shall be entitled to no further reimbursement pursuant to the terms hereof, owners of benefiting properties shall be under no obligation to Owner pursuant hereto, and any lien created hereby shall automatically and without any further administrative or judicial process whatsoever, be null and void and of no further force or effect.

Section VII. Agreement of Payment for Reimbursement

Upon execution hereof by City, City agrees during the term hereof to collect from the owners of the benefiting properties, those owners shall pay to the City, and the City shall reimburse to Owner those benefit charges set forth in the Reimbursement Schedule, plus interest of five percent (5%) per year compounded annually, less the administrative charge; provided, however, the City shall neither collect nor reimburse any sum which is not reasonably related to the development of a benefiting property.

Benefit charges shall be paid, collected, and reimbursed in accordance with the terms of this Agreement.

Section VIII. Trust Agreement

Promptly upon collection of all or any part of a benefit charge, the City shall deposit such funds in a local financial institution in a separate account in the name of the City in trust, for Owner and City. Payments from such account by City to Owner and to City for its administrative charges shall be made at such times as are convenient to the City, but in no event less often than annually if the City has received payment of any benefit charges. Payments to Owner shall include interest at the rate of five percent (5%) per annum from the date of deposit on the principal portion of such deposit to which owner is entitled to payment. City shall be entitled to payment of its administrative charges of five percent (5%) of all amounts deposited plus all interest income on the full amounts deposited except the 5% interest payable to Owner. The right of Owner to payments from said trust account shall be personal and shall not run with the property of Owner, be assignable by Owner, or survive the death or dissolution of Owner. In the event of death or dissolution of Owner, all monies on deposit in said trust account shall be automatically, immediately, and without notice of administrative or judicial process payable to City.

Section IX. Hold Harmless by Owner

Owner hereby agrees to indemnify and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to this Agreement or the performance of this Agreement, including but not limited to any action challenging the validity of this Agreement, or any other liability whatsoever related to this Agreement, based upon any legal theory whatsoever, for any loss or damage direct or consequential, to Owner resulting from the failure of the City to collect all or any part of any benefit charge collectible hereunder or resulting from the failure of the City to pay to Owner in timely manner any trust funds to which Owner is entitled. The City will promptly notify Owner of any claim, action or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, Owner shall not be required to pay or perform any settlement unless such settlement is approved by Owner.

Owner specifically agrees that it is within the sole discretion of the City to determine that payment of the entire benefit charge would not be reasonably related to the nature and extent of development of a benefiting property. If, in the event of such a determination by City, City collects less than the full benefit charge at the time of development, City retains the right to collect the balance of the benefit charge upon further development, and Owner waives and releases City from any claim it may otherwise have to require City to collect the full amount of such benefit charge at the time of the first down payment.

Section X. Recordation

This Agreement shall be recorded by the City after full execution hereof and promptly following acceptance of the subject improvements by the City. If for any reason this Agreement is not recorded, Owner holds City harmless from any loss or damage arising therefrom.

Section XI. Voidability

In the event that Owner fails or refuses to complete the subject improvements in timely manner to the satisfaction of the City in its sole discretion, this Agreement shall be unilaterally voidable by adoption of a resolution of the City Council declaring this Agreement null and void for failure of performance by Owner.

Section XII. Governing Law and Venue

This Agreement shall be governed by the laws of the State of California. Jurisdiction and venue for any litigation arising herefrom shall be the County of San Diego, State of California. On its own behalf, and on behalf of any assignee of, or successor in interest to, this Agreement, Owner hereby waives any right to remove any such action from San Diego County as is otherwise allowed by California Code of Civil Procedure section 394.

Section XIII. Severability

If any section, sub-section, sentence, clause, or phrase of this Agreement is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions. The parties agree that they would have entered into this Agreement and each section, sub-section, clause, and phrase thereof irrespective of the fact that anyone or more sections, sub-sections, sentences, clauses or phrases be declared invalid or unconstitutional, and would have approved the same even though any parts, sections, sub-sections, sentences, clauses, or phrases

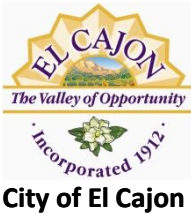
that may be held invalid had been omitted therefrom.

Executed at El Cajon, California, on the date first stated above

Owner:

CITY OF EL CAJON, a charter city
and municipal corporation

By: _____
Bill Wells, Mayor



Agenda Item:	3
Project Name:	Babylon Palace
Request:	Review banquet hall operation with on sale alcoholic beverages and joint-use parking
STAFF RECOMMENDATION:	ACCEPT REPORT
Project Number(s):	Conditional Use Permit (CUP) No. 2205
Location:	456 North Magnolia Avenue
Applicant:	Babylon Palace (Mike Terzibachian); 619-807-2260
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov
Recommended Actions:	<ol style="list-style-type: none"> 1. Discuss the report; and 2. ACCEPT report.

PROJECT DESCRIPTION

This is a staff initiated review of Conditional Use Permit (CUP) No. 2205, which authorizes the operation of a banquet hall with on-sale alcoholic beverages and joint-use parking at 456 and 460 North Magnolia Ave. The Planning Commission recommended approval of CUP No. 2205 to the City Council on October 21, 2014, and the City Council subsequently approved the request on November 18, 2014. Places of assembly, including banquet halls, are required to obtain a CUP in order to ensure that they operate in a compatible fashion with surrounding properties and to recognize and compensate for potential impacts from the operation of the business.

Periodically, if issues are identified with the operation of a business governed by a conditional use permit, staff will prepare a Planning Commission report in order to review the ongoing conditions of approval for the business and to determine if permit revocation or other actions should be considered. The ongoing conditions of approval applicable to this review are as follow:

- On-sale alcohol service shall not result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area.
- On-sale alcohol service shall not jeopardize or endanger the public health or safety of persons residing or working in the surrounding area.
- On-sale alcohol service shall not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early

morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.

- The service of on-sale alcohol in concert with the banquet hall and other uses will remain compatible with, and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

BACKGROUND

General Plan:	Office/Non-Retail (O/NR) / Special Development Area 9 (SDA 9)
Specific Plan(s):	Specific Plan No. 182
Zone:	General Commercial (C-G) and Parking (P)
Other City Plan(s):	N/A
Regional and State Plan(s):	N/A
Notable State Law(s):	N/A

Project Site & Constraints

The project site is comprised of three properties which are developed with commercial buildings and associated parking. The banquet hall building is addressed as 456 North Magnolia Ave. The project site also includes the commercial building north of the banquet hall addressed as 460 North Magnolia Avenue and a parking lot east of the two properties, across the alley.

Surrounding Context

Surrounding properties are developed and zoned as follows:

Direction	Zones	Land Uses
North	O-P	Office buildings
South	C-G and O-P	Private social club (Crystal Ballroom) and associated parking lot
East (across N. Magnolia)	C-G	Pharmacy and two motels
West	O-P and RM-2200	Medical offices (due west) and residential units (southwest)

General Plan

The project site is designated Office/Non-Retail (O/NR) and is within Special Development Area (SDA) 9 of the General Plan Land Use Map. As described in the Land Use Element of the General Plan, the O/NR designation and SDA 9 are intended to include “a mixture of retail office, residential, governmental and cultural uses and activities.” Goal 2 of the El Cajon General Plan says “The old downtown area centered around the intersection of Main and Magnolia will become the center of administrative, civic, and cultural activities in El Cajon.” Moreover, General Plan Objective 2-1 says “New public administration activities, cultural activities, and high rise office activities will be concentrated in the downtown area.”

Specific Plan No. 182

SP No. 182 is the implementing mechanism for SDA 9, as well as areas adjacent to SDA 9. It is intended to create a mixed-use urban village in downtown El Cajon. The conduct of a banquet hall with on-sale alcohol is permitted in SP No. 182, subject to approval of a CUP.

Municipal Code

El Cajon Municipal Code (ECMC) section 17.35.030 indicates that after holding a public hearing, the Planning Commission may revoke or modify an approved discretionary permit if the permit “has been exercised contrary to the terms or conditions of approval, or in violation of any statute, ordinance, law or regulation.” Furthermore, ECMC section 17.35.030 indicates permit may be revoked or modified if, “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

Between February, 2021 and February, 2022, the El Cajon Police Department (ECPD) received 49 calls for service at 456 North Magnolia Ave. Included among these calls for service are nuisance activities that have impacted compatibility with surrounding properties such as physical altercations or fights, vehicles spinning their wheels and generating smoke and noise, public alcohol intoxication, and the discharge of firearms. The nuisance activities are in violation of the ongoing conditions of approval for the conditional use permit and may be cause for revocation.

On March 25, 2022, the Community Development Department sent a letter to the operator, Mike Terzibachian, which identified the ongoing conditions of approval for the banquet hall. The letter requested that a plan be prepared to address the nuisance activities and compatibility with surrounding properties. A meeting that included the operator, ECPD, and Community Development Department staff was also conducted at the site on March 29, 2022, to address the letter and discuss potential solutions.

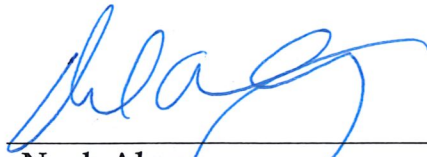
On April 4, 2022, the operator submitted a letter indicating that operational changes would be implemented to address the concerns from the City, which include coordinating planned events through communication with ECPD, discontinuing concerts generating problems, and increasing security measures. The operator also completed the Department of Alcoholic Beverage Control’s Licensee Education on Alcohol and Drugs (LEAD) training.

City staff have invited the operator to speak at the Planning Commission meeting and discuss the plans to eliminate nuisance activities at the site. Furthermore, ECPD staff are scheduled to attend the Planning Commission meeting to address calls for service at the banquet hall. If nuisance activities are not resolved and continue at the site, staff will initiate the revocation of the conditional use permit.

STAFF RECOMMENDATION

Staff is recommending that the Planning Commission accept the report and provide feedback to the business operator and staff regarding the operation of the banquet hall.

PREPARED BY:



**Noah Alvey
DEPUTY DIRECTOR OF
COMMUNITY
DEVELOPMENT**

APPROVED BY:



**Anthony Shute
DIRECTOR OF
COMMUNITY
DEVELOPMENT**

ATTACHMENTS

1. Resolution No. 135-14 (CUP No. 2205)
2. Letter from City staff dated March 25, 2022
3. Letter from Operator dated April 4, 2022
4. LEAD Certificate

RESOLUTION NO. 135-14

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP) NO. 2205 FOR A BANQUET HALL WITH ON-SALE OF ALCOHOLIC BEVERAGES AND JOINT-USE PARKING IN THE GENERAL COMMERCIAL (C-G) AND PARKING (P) ZONES; APN(s): 484-171-37, 484-171-46, AND 484-171-47; GENERAL PLAN DESIGNATION: OFFICE NON-RETAIL (O/NR) AND SPECIAL DEVELOPMENT AREA 9 (SDA 9)

WHEREAS, the El Cajon Planning Commission duly advertised and held a public hearing on October 21, 2014, to consider Conditional Use Permit (CUP) No. 2205 requesting to establish a banquet hall with on-sale alcoholic beverage service and joint-use parking in the G-C and P zones, on property located on the west side of North Magnolia Avenue between Wisconsin and West Madison Avenues, and addressed 456 and 460 North Magnolia Avenue; and

WHEREAS, the Planning Commission adopted Resolution No. 10784, recommending the El Cajon City Council approve CUP No. 2205, subject to conditions; and

WHEREAS, on November 18, 2014, the El Cajon City Council held a duly advertised public hearing to review and consider Planning Commission Resolution No. 10784, recommending City Council approval of CUP No. 2205.

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

A. The City Council finds that:

1. The recitals above are true and correct and have been incorporated herein by reference; and
2. The project is exempt from the provisions of the California Environmental Quality Act (CEQA) subject to Section 15303 (Conversion of Small Structures) of the CEQA Guidelines. Section 15303 provides an exemption for the conversion of small structures in urban environments from one use to another, where only minor modifications are made to the exterior of the structure. None of the exceptions listed under CEQA Guidelines Section 15300.2 exist.
3. The proposed project is consistent with applicable goals, policies, and programs of the General Plan because the proposed banquet hall would host cultural events such as wedding receptions, memorial services, and birthday parties. As such, it is consistent with the General Plan and with Specific Plan No. 182, both of which indicate that the downtown area should be the center of cultural activities in the City.

(Continued on Page 2)

4. The design and location of the proposed facility satisfies all applicable land use and development standards contained in the Zoning Code because the use will be conducted inside an existing building. A joint use parking agreement will be recorded allowing the proposed banquet hall access to additional parking located on adjacent properties. On-site lighting will provide security in the parking areas, and the planters at the project site will receive new landscaping. A bicycle rack will also be installed.
5. The proposed project will be operated in a manner that is compatible with existing and planned land uses in the vicinity of the proposed use because masonry walls separate the subject property from the residential use to the southwest. The proposed banquet hall will be conducted indoors in a manner compatible with surrounding uses if all activities are conducted in compliance with the performance standards listed in ECOM Section 17.115.130 and Section 17.210.150; and if sufficient off-street parking is provided; and if on-site lighting does not create a nuisance on adjacent property. The banquet hall must adhere to operating standards required by local, state and federal law, including but not limited to those of Alcoholic Beverage Control, and applicable sections of the Business and Professions Code.
6. The proposed project 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 because there is nothing associated with the normal indoor conduct of a banquet hall that would be detrimental to public health and safety, including but not limited to matters of noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentrations of traffic. Moreover, the City has performance standards for such impacts which are enforced through code compliance activities. No existing problems such as public drunkenness, loitering, noise, or littering have been identified in the downtown area, which would be exacerbated by on-sale service at the proposed banquet hall. Furthermore, alcohol-related operational standards will be in place as conditions of approval to prevent any increase in the downtown crime rate.
7. The proposed project is in the best interest of public convenience and necessity because the project will provide a venue for cultural events such as wedding receptions, memorial dinners, birthday parties, and

similar private social gatherings in the downtown area. It will further activate the downtown area by establishing a use that brings people downtown on weekends and in the evening hours.

- B. The City Council hereby APPROVES Conditional Use Permit No. 2205 for a banquet hall with on-sale of alcoholic beverages and joint-use parking in the C-G and P zones, on the above described property subject to the following conditions:
1. Prior to the issuance of building permits, the applicant shall submit a revised, 24" by 36" one-page mylar site plan to the Planning Division that includes the following information:
 - a. Under the heading "Storm Water Requirements" add the notes listed under Condition A-1 of the attached memo from Engineering and Private Development, labeled "Exhibit B" and dated 4-28-14.
 - b. Under the heading "Ongoing Conditions of Approval," list the operational conditions of approval provided below in condition 3.
 - c. Depict a bicycle rack, or racks, sufficient to accommodate up to five bicycles. The design and location of the bicycle rack(s) are subject to approval by the Planning Manager.
 2. In addition to complying with the notes and site configuration of the approved site plan, the following conditions shall be satisfied:
 - a. The applicant shall comply with all the applicable conditions listed in the "Standard Conditions of Development" adopted by the Planning Commission by Planning Commission Resolution No. 10649, and attached to this resolution as "Exhibit A."
 - b. The applicant shall comply with the comments from the Engineering and Private Development Division as noted in the attached memo labeled "Exhibit B" and dated 4-28-14.
 - c. The applicant shall comply with the building comments from the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit C" and dated 8-7-14.
 - d. The applicant shall comply with the fire comments from the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit D" and dated 5-8-14.
 - e. The applicant shall comply with the requirements of the Helix Water District as noted in the attached memo labeled "Exhibit E" and dated 4-28-14.

(Continued on Page 4)

- f. Prior to the conduct of the banquet hall, the applicant shall submit a recorded copy of a joint-use parking agreement as described in the agenda report for CUP No. 2205, the form and content of which shall be approved by the City Attorney prior to recordation.
 - g. Prior to the conduct of the banquet hall, the applicant shall obtain staff approval of landscape and irrigation plans, prepared in accordance with the requirements of Chapter 17.195 of the Zoning Code.
 - h. Prior to the conduct of the banquet hall, landscaping and irrigation system depicted on the approved landscape and irrigation plans shall be installed and shall pass an inspection by the Planning Division staff.
 - i. Prior to the conduct of the banquet hall, the applicant shall obtain approval of a detailed lighting plan (photometric plan) demonstrating compliance with the requirements of Section 17.130.150 of the Zoning Code. The design and location of all site lighting shall be subject to approval by the Planning Manager.
 - j. Prior to the conduct of a banquet hall, the existing cabinet signs on the sides of the building, and the unpermitted sign on the back of the building shall be removed.
 - k. Prior to the sale of alcoholic beverages at the site, the applicant shall obtain a liquor license from the Department of Alcoholic Beverage Control, and shall provide staff with a copy of the license.
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 "Ongoing Conditions of Approval".
- a. All landscaped areas shall be sufficiently watered and periodically fertilized to establish and maintain healthy growth, and shall be maintained in a neat, litter and weed free condition. All plants shall be pruned and trimmed as necessary, and upon notification by the Planning Division, all plant materials that have died or have failed to show healthy growth shall be replaced by plants of the same or similar species. Replacement by more drought resistant plants may also be approved. Landscape maintenance shall include regular inspection, adjustment, and repair of the irrigation system, including making seasonal changes to the irrigation controller.

(Continued on Page 5)


- b. The banquet hall shall maintain the required joint use parking agreement at all times.
 - c. The sale of alcoholic beverages at the site shall only be conducted by the owner of the banquet hall, and no outside vendors or caterers are permitted to sell alcoholic beverages at the banquet hall.
 - d. On-sale alcohol service shall not result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area.
 - e. On-sale alcohol service shall not jeopardize or endanger the public health or safety of persons residing or working in the surrounding area.
 - f. On-sale alcohol service shall not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.
 - g. On-sale alcohol service will comply with all provisions of local, state or federal laws, regulations or orders, including but not limited to those of the ABC, California Business and Professions Code §§ 24200, 24200.6, and 25612.5, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders. This includes compliance with annual city business license fees.
 - h.. The service of on-sale alcohol in concert with the banquet hall and other uses will remain compatible with, and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.
4. The building exterior, including the exterior paint scheme, shall be maintained in substantial conformance with the elevations and photographs presented to the Planning Commission on October 21, 2014, and on file at the Community Development Department.

(Continued on Page 6)

5. The Planning Commission may at any time during the life of this use permit, after holding a properly noticed public hearing, at which time the applicant may appear and object under applicable law to any potential revocation or modification of the conditions of approval, and after considering testimony as to the operation of the approved use, revoke the permit, or modify the permit with any 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.
6. The existence of this conditional use permit shall be recorded with the County Recorder.
7. The proposed banquet hall shall be operated substantially as presented in the Planning Commission agenda report titled Conditional Use Permit No. 2205, dated October 21, 2014, except as modified by this resolution. Operation of the use in violation of the conditions of approval is grounds for revocation.
8. If all conditions of approval have not been satisfied, or if the uses approved by this conditional use permit have not been commenced, and if no request for an extension of time has been received by the Planning Commission Secretary and subsequently approved by the Planning Commission within two years of project approval, this conditional use permit shall be considered null and void per El Cajon Zoning Code Section 17.35.010.

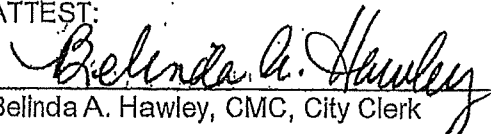
PASSED AND ADOPTED by the City Council of the City of El Cajon, California, at a Regular Joint City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Meeting held this 18th day of November 2014, by the following vote to wit:

AYES	:	Ambrose, Bales, McClellan, Wells
NOES	:	None
ABSENT	:	Kendrick
DISQUALIFY	:	None



Bill Wells, Mayor of the City of El Cajon

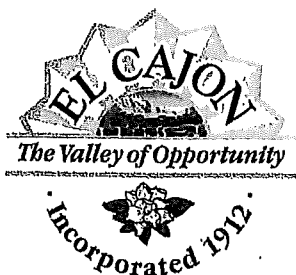
ATTEST:



Belinda A. Hawley, CMC, City Clerk

11/18/14 (Item 102)

CUP Babylon Palace 111314



Community Development

March 25, 2022

Mike & Nadia Terzibachian
3901 Pennet Way
San Diego, CA 92122

Re: Conditional Use Permit No. 2205 for a Banquet Hall with on-sale alcoholic beverages and Joint Use Parking at 456 N. Magnolia Ave. (Babylon Palace)

Mike & Nadia Terzibachian:

Conditional Use Permit (CUP) No. 2205 authorizes a Banquet Hall with on-sale alcoholic beverages and joint use parking at 456 N. Magnolia Ave. (Babylon Palace) and was approved by City Council Resolution No. 135-14 (attached) on November 18, 2014. The ongoing conditions of approval for CUP No. 2205 regulate the operation of the Banquet Hall and are contained in Condition 3 of Resolution No. 135-14.

Over the past year the City has observed an increase in calls for service by the El Cajon Police Department which have included violations of the ongoing conditions of approval for CUP No. 2205. It is requested that you produce a response to this letter, including a plan to eliminate violations of the ongoing conditions of approval, within the next 30 days and no later than April 26, 2022. If no action is taken and violations continue, City staff will schedule a hearing to discuss the potential revocation of CUP No. 2205.

Please consider contacting me by phone (619.441.1795) or e-mail (nalvey@elcajon.gov) to schedule a meeting to address this urgent matter. I would be happy to meet you at the site to discuss the violations and to provide suggestions related to your plan to comply with the ongoing conditions of approval.

Sincerely,



Noah Alvey, AICP
Deputy Director

Enclosure: City Council Resolution No. 135-14

BABYLON PALACE

456 N. Magnolia Ave, El Cajon CA

Noah Alvey, Deputy Director, Cilty of El Cajon

4 April 2022

RE: Cup no. 2205 City Council Resolution No. 135-14

To All Concerned:

Recent events caused a change in Babylon Palace business model.

There has been a significant increase in police calls due to these changes.

Venues in particular had been hit hardest due to the 2019 pandemic. Government loans and grants have helped assist in our business survival. In light of many monthswith 50 -100% cancellations, we opened our doors to occasional concerts vs the norm of weddings and birthdays.

It was soon apparent that some concert types were drawing the wrong crowds to the venue. Subsequently we observed weapons being used post-concert events. This has jeopardized the lives of the innocent in our community as well as a potential tarnish to Babylon Palace's reputation as a beautiful and safe venue.

On a lighter note: we are thankful our 2022 calendar is nearly sold out to events as was in pre-pandemic norm of weddings and birthdays. On average Babylon Palace caters in house to over 20,000 guests per year with very few problematic instances as we are family oriented.

In the past month we have closely worked with the El Cajon Police to eliminate this new problem. Parts of the changes to insure this was to instigate safety measures which are now in effect:

1. Monthly calendar of events sent to El Cajon PD for approval
2. Completion of LEAD program through the ABC
3. Appling for an ABC license
4. Discontinuing "Hip-Hop" type concerts
5. Increase in security measures

In summation we are certain Babylon Palace will return to its normal activities as in the past since 2015. We look forward to being a gracious member of the El Cajon community.

Sincerely,

Mike Terzibachian



Mike Terzibachian

Has Completed the

Department of Alcoholic Beverage Control's

LICENSEE EDUCATION ON ALCOHOL AND DRUGS

Online Training Program

A handwritten signature in black ink, appearing to read "E. Hirata".

Eric Hirata, Director

Date of Completion: 03/30/2022