



City of El Cajon

Planning Commission Agenda

Tuesday, March 7, 2023 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, March 7, 2023. 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 February 7, 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 20, 2023, 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:	Homecoming Fireworks – Granite Hills High School
Request:	Review conditions of approval for Homecoming Fireworks at Granite Hills High School
STAFF RECOMMENDATION:	ACCEPT REPORT
Project Number:	Conditional Use Permit (CUP) No. 1026
Location:	1719 E. Madison Ave.
Applicant:	Granite Hills High School (Al Guerra); 619-593-5500; aguerra@guhdsd.net
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov
Recommended Actions:	1. Discuss the report; and 2. ACCEPT report.

3. OTHER ITEMS FOR CONSIDERATION

4. STAFF COMMUNICATIONS

5. COMMISSIONER REPORTS/COMMENTS

6. ADJOURNMENT

This Planning Commission meeting is adjourned to March 21, 2023 at 7 p.m.



MINUTES PLANNING COMMISSION MEETING February 7, 2023

The meeting of the El Cajon Planning Commission was called to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE.

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Noah ALVEY, Deputy Director of Community Development
Mario SANCHEZ, Deputy Director of Public Works
Barbara LUCK, Staff Attorney
Spencer HAYES, Associate Planner
Roxana GUZMAN, 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 January 17, 2023

Motion was made by MROZ, seconded by SOTTILE, to approve the January 17, 2023 minutes; motion carried 4-0; Commissioner EDISON is abstaining from the vote.

PUBLIC HEARING ITEM:

Agenda Item:	2
Project Name:	East County Crematorium
Request:	Crematorium
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	DENY
Project Number:	Conditional Use Permit (CUP) No. 2022-0005
Location:	1034 North Magnolia Avenue
Applicant:	East County Mortuary, Inc. (Robert Zakar); robertzakar@yahoo.com ; 619-654-7532
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov
City Council Hearing Required?	No
Recommended Actions:	1. Conduct the continued public hearing; and 2. MOVE to adopt the next resolution in order DENYING CUP No. 2022-0005.

ALVEY summarized the staff report through a PowerPoint presentation.

COMMISSIONERS asked questions with ALVEY providing answers.

MROZ opened the public hearing.

Heather BUTTERFIELD, with Gershman Properties, spoke in opposition of the item, supporting the recommendation to deny.

Ernie KASSOFF, with the equipment manufacturer, spoke in support of the item, opposing the recommendation to deny.

Mike MILLER ceded his time to KASSOFF.

Jonathan JABORO, mortuary manager, spoke in support of the item, opposing the recommendation to deny.

Robert ZAKAR, applicant, spoke in support of the item, opposing the recommendation to deny.

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

Commissioners discussed the item.

MROZ reopened public hearing.

ZAKAR answered questions from the commissioners regarding backup generators.

BUTERFIELD asked questions regarding cremations and hours of operations.

CIRCO asked if there are hours of operations attached to CUP-2022-0005 with ALVEY referring the question back to ZAKAR.

ZAKAR confirmed that hours of operations will be based on demand.

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

Motion was made by CIRCO, seconded by MROZ, to adopt the next resolution in order approving CUP-2022-0005 adding a condition of approval to require that the building plans include a backup generator; motion carried 5-0.

OTHER ITEMS FOR CONSIDERATION:

STAFF COMMUNICATIONS:

COMMISSIONER REPORTS/COMMENTS:

ADJOURNMENT:

Motion was made by MROZ, seconded by POLLACK-RUDE, to adjourn the meeting of the El Cajon Planning Commission at 8:10 p.m. this 7th Day of February, 2023, until 7:00 p.m., Tuesday, February 21, 2023; motion carried 5-0.

Darrin MROZ, Chair

ATTEST:

Noah ALVEY, Secretary



Agenda Item:	2
Project Name:	Homecoming Fireworks – Granite Hills High School
Request:	Review conditions of approval for Homecoming Fireworks at Granite Hills High School
STAFF RECOMMENDATION:	ACCEPT REPORT
Project Number(s):	Conditional Use Permit (CUP) No. 1026
Location:	1719 E. Madison Ave.
Applicant:	Granite Hills High School (Al Guerra); 619-593-5500; aguerra@guhsd.net
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov
Recommended Actions:	1. Discuss the report; and 2. ACCEPT report.

PROJECT DESCRIPTION

This is a staff initiated review of Conditional Use Permit (CUP) No. 1026, which authorizes an annual display of fireworks with the homecoming football game at Granite Hills High School (School) each fall. The conditions of approval for CUP No. 1026 allow for self-renewal if there is no record of complaints from the previous year’s fireworks. The current review is based on a complaint related to the 2022 fireworks display.

BACKGROUND

General Plan:	Low Density Residential (LR)
Zone:	Residential, Single-Family, 6,000 sq. ft. (RS-6)

Project Site & Constraints

Granite Hills High School is located on the south side of E. Madison Ave. and is bordered by Granite Hills Dr. and N. Fourth Street. The football field is located on the eastern portion of the campus near the intersection of E. Madison Ave. and Granite Hills Dr.

Surrounding Context

Surrounding properties are developed and zoned as follows:

Direction	Zones	Land Uses
North	County of San Diego	Single-family residential
South	RS-20	Single-family residential
East	RS-14 & RS-20	Single-family residential
West	RS-6	John F. Kennedy Park

CUP No. 1026

The Planning Commission first approved CUP No. 1026 in 1983 and subsequent amendments approved fireworks displays until the Planning Commission approved an annual self-renewable permit in 1999. The conditions of approval allow for self-renewal if all conditions of approval are satisfied and if there is no record of any complaints from the prior year's fireworks. Notable conditions of approval are summarized below:

- Obtain a permit from Heartland Fire & Rescue at least five (5) days prior to the event and obtain an on-site inspection on the day of the event.
- Display shall be conducted by a licensed pyrotechnician and shall be no longer than 20 minutes during the half time of the football game.
- 30 days prior to the date of the fireworks display, the School shall notify all adjoining property owners and occupants of property located within 300 ft. of the high school's boundaries, as well as anyone else requesting notification.
- Fireworks used shall be primarily for visual display and not for loud explosive noises, and shall consist of diameters no larger than 4 inches and shall not include "reporters".

Municipal Code/Zoning 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 that a 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

The City received a complaint regarding the October 14, 2022 fireworks display indicating that notices were not sent out 30 days prior to the event. The complainant provided a copy of the envelope and notice which show that the notices were postmarked on October 11, 2022.

Following receipt of the complaint, staff contacted the School and confirmed that the complaint was valid. The School further confirmed that recent changes in staffing ultimately led to the late noticing. Staff subsequently provided a copy of the CUP No. 1026 resolution to the School and they confirmed that they intend to operate in compliance with the conditions of approval for future events. The School has been invited to speak at the Planning Commission meeting.

In conjunction with the permit review, staff sent notices to all surrounding property owners as well as anyone else that has previously requested notifications regarding the annual fireworks display. In response to the public hearing notice, staff received two

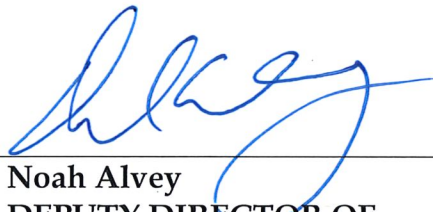
emails in support of the fireworks display. One of the emails expressed strong support and further indicated that the fireworks are a “wonderful tradition.”

In conjunction with the review of CUP No. 1026, the Planning Commission may initiate a revocation of the CUP or modifications to the conditions of approval. Alternatively, the Planning Commission may accept the report and allow for the continued self-renewal of the fireworks display.

STAFF RECOMMENDATION

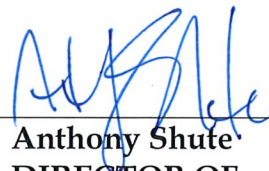
Staff is recommending that the Planning Commission accept the report and allow the continued self-renewal of the CUP based on the assurances from the School that the previous year’s noticing error will not be repeated.

PREPARED BY:



**Noah Alvey
DEPUTY DIRECTOR OF
COMMUNITY
DEVELOPMENT**

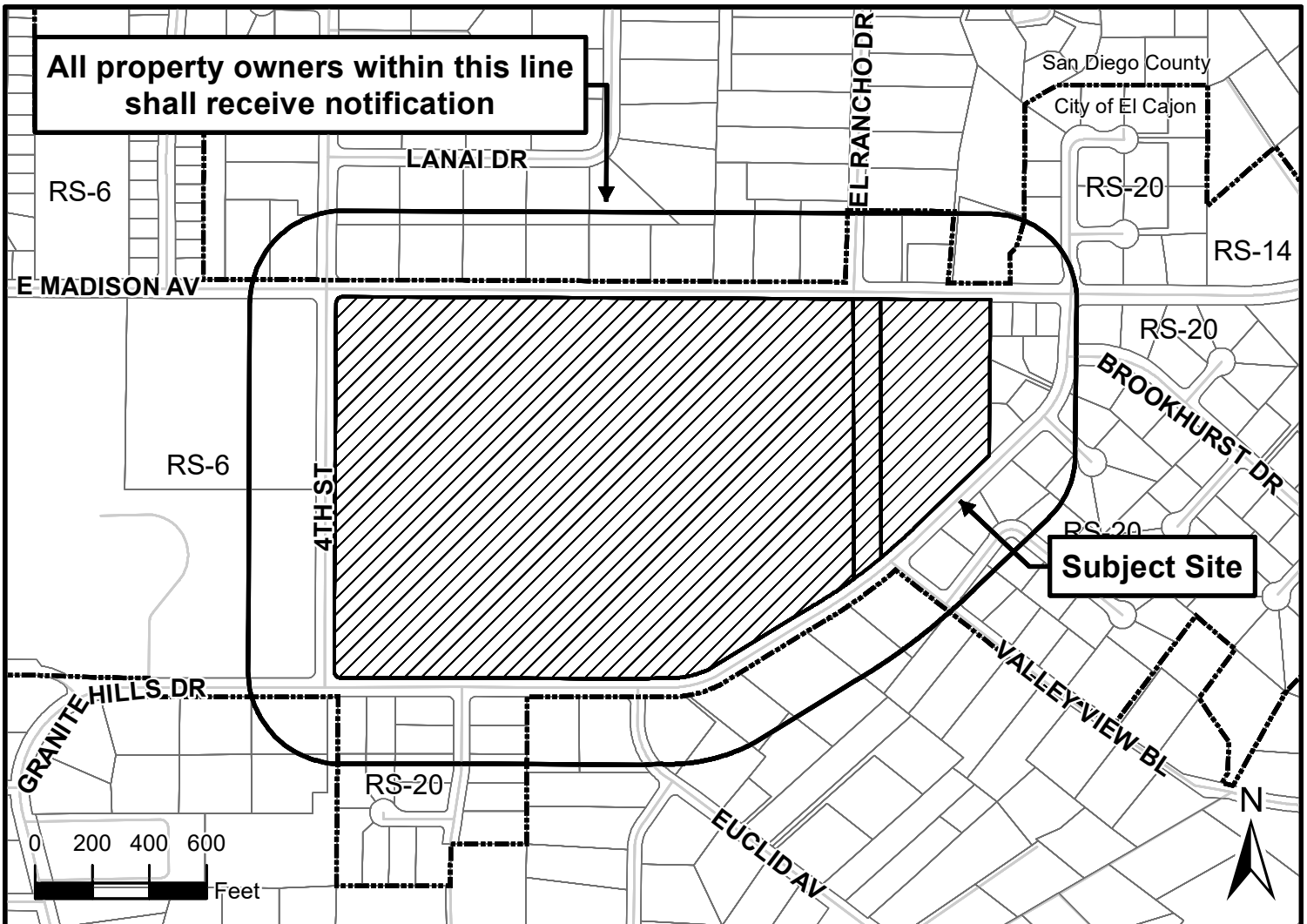
APPROVED BY:



**Anthony Shute
DIRECTOR OF
COMMUNITY
DEVELOPMENT**

ATTACHMENTS

1. Public Hearing Notice/Location Map
2. Aerial Photograph of Subject Site
3. Planning Commission Resolution No. 9306



**NOTICE OF PROPOSED
REVIEW OF CONDITIONAL USE PERMIT NO. 1026
FOR ANNUAL FIREWORKS DISPLAY**

NOTICE IS HEREBY GIVEN that the El Cajon Planning Commission will hold a public hearing at **7:00 p.m., Tuesday, March 7, 2023** in the City Council Chambers, 200 Civic Center Way, El Cajon, CA, to consider:

REVIEW OF CONDITIONAL USE PERMIT (CUP) NO. 1026, as initiated by staff, to discuss ongoing annual fireworks display during homecoming football games at Granite Hills High School. The subject property is located on the south side of East Madison Avenue between Fourth Street and Granite Hills Drive, and is addressed as 1719 East Madison Avenue, APNs 511-230-01, -02 & -09.

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 619-441-1742 or via email at nalvey@elcajon.gov and reference "CUP No. 1026" in the subject line.

RESOLUTION NO. 9306

A RESOLUTION GRANTING AMENDMENT OF CONDITIONAL USE PERMIT 1026 FOR A FIREWORKS DISPLAY ON THE FOOTBALL FIELD FOR THE HOMECOMING FOOTBALL GAME NOVEMBER 5, 1999 AND AUTOMATIC RENEWAL OF THE FIREWORKS IN SUBSEQUENT YEARS IN THE R-1-6 (RESIDENTIAL ONE FAMILY 6,000 SQ. FT.) ZONE; APN 511-230-01, -02 & -09; LUC 6814; GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL.

WHEREAS, the El Cajon City Planning Commission duly advertised and held a public hearing on September 13, 1999, to consider Amendment of Conditional Use Permit 1026 as submitted by Granite Hills High School ASB, requesting fireworks display on the football field for the Homecoming football game November 5, 1999 and for automatic renewal of the conditional use permit in the R-1-6 (residential one family 6,000 sq. ft.) zone on property located on the south side of East Madison Avenue between Fourth Street and Granite Hills Drive, and addressed as 1719 E Madison Avenue; and

WHEREAS, the following findings of fact have been made in regard to said amendment of conditional use permit:


1. No one appeared to speak on this item.
2. The proposed project is exempt from environmental review in accordance with Section 15323, Class 23 of CEQA Guidelines; and
3. The Planning Commission determined that said Amendment of Conditional Use Permit 1026 should be granted subject to certain conditions and for the following reasons:
 - A. The proposed fireworks display is consistent with the General Plan with an approved conditional use permit.
 - B. The proposed fireworks display can be adequately accommodated on the subject property.
 - C. The conditions of approval will ensure that the fireworks display is conducted in a manner that is compatible with the surrounding area.
 - D. With proper notification it is anticipated that there will be no complaints concerning the fireworks display.
 - E. This permit can be made automatically renewable if the school and students comply with the conditions of approval.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon City Planning Commission hereby GRANTS Amendment of Conditional Use Permit 1026 subject to the following conditions:

1. This permit is annually self-renewable if all conditions of approval are satisfied and if there is no record of any complaints from any prior year's fireworks. The high school shall notify the Planning Division of its intent to utilize fireworks a minimum of 90 days before the event to permit a review of the record and to still allow time for a public hearing if one is determined to be necessary.
2. The fireworks display shall comply with Article 78 of the Uniform Fire Code. A permit shall be obtained from the El Cajon Fire Department at least five (5) working days prior to the event, and an on-site inspection shall be required the day of the event.
3. The fireworks display shall be conducted by a licensed pyrotechnician and shall be limited to one display for no longer than 20 minutes during the half time of the football game.
4. At least 10 days prior to the fireworks display, a certificate of insurance shall be provided, in a form acceptable to the City Attorney, in the amount of \$1 million single limit liability, for all aspects of the fireworks and written upon an insurance company licensed to conduct business in the State of California. The City of El Cajon shall be named as an additional co-insured. If an acceptable certificate of insurance is not received at least ten days prior to the fireworks display, approval of this conditional use permit shall become null and void.
5. At least 30 days prior to the date of any fireworks display, the school shall notify by US Mail all adjoining property owners and occupants of property located within 300 feet of the high school's boundaries, as well as anyone else requesting notification. The notification shall include the date of the event, approximate starting time, the number of displays, and the duration of the display. The school shall contact the Planning Division for an update of the notification list. A copy of the notice shall be sent to the Planning Division, Police Department and Fire Department.
6. The type of fireworks used shall be primarily for visual display and not for loud explosive noises, and shall consist of shell diameters of 2.5 inches, 3 inches, and 4 inches only and shall not include "reporters".
7. The principal of Granite Hills High School shall be responsible for any and all fireworks displays conducted on the high school property by any other school or organization. The principal shall advise any school or organization using Granite Hills' football field that an approved conditional use permit must first be obtained prior to the commencement of any fireworks displays.

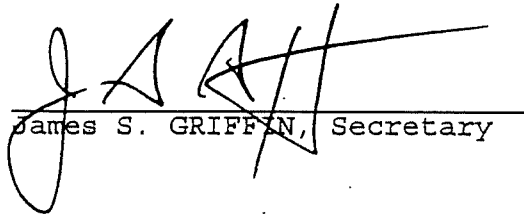
PASSED AND ADOPTED by the El Cajon City Planning Commission at a regular meeting held September 13, 1999, by the following vote:

AYES : JIHAD, TURNER, AMBROSE, KENDRICK
NOES : NONE
ABSENT : BUTCHER



Gary KENDRICK, Chairman

ATTEST:



James S. GRIFFIN, Secretary