



# City of El Cajon

## Planning Commission Agenda

Tuesday, April 21, 2015, Meeting

7:00 PM. Council Chambers

DARRIN MROZ, Chairman  
 PAUL CIRCO, Vice Chairman  
 LUIS HERNANDEZ  
 ANTHONY SOTTILE  
 JERRY TURCHIN

Meeting Location: City Council Chambers, 200 Civic Center Way, El Cajon, CA  
<http://www.ci.el-cajon.ca.us/dept/comm/planning.html>

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### CHAIRPERSON'S WELCOME

### PUBLIC COMMENT

This is the opportunity 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.

### CONSENT

<b>Agenda Item:</b>	<b>1</b>
	<b>Planning Commission minutes of March 17, 2015</b>

### PUBLIC HEARINGS

<b>Agenda Item:</b>	<b>2</b>
<b>Project Name:</b>	<b>Main Street Residences</b>
<b>Request:</b>	<b>Mixed-Use Development Project with Reduced Parking, Setbacks, and increased Building Height</b>
<b>CEQA Recommendation:</b>	<b>Exempt</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVE APPLICANT'S REQUEST TO WITHDRAW</b>
<b>Project Number(s):</b>	Conditional Use Permit No. 2216
<b>Location:</b>	925-939 West Main Street
<b>Applicant:</b>	Affirmed Housing Group (Jimmy Silverwood); 858.386.5178; JAMES@AFFIRMEDHOUSING.COM
<b>Project Planner:</b>	Lorena Cordova; 619.441.1539; lcordova@cityofelcajon.us
<b>City Council Hearing Required?</b>	No
	<ol style="list-style-type: none"> <li>1. Conduct the public hearing; and</li> <li>2. Receive public testimony; and</li> <li>3. MOVE to approve request for withdrawal of Conditional Use Permit No. 2216.</li> </ol>

*Decisions and Appeals - A decision of the Planning Commission is not final until the appeal period expires 10 days from the date of transmittal of the Commission's resolution to the City Clerk. The appeal period for the items on this Agenda will end on Friday, May 1, 2015 at 5:00 p.m., except that Agenda items which are forwarded to City Council for final action need not be appealed.*

<b>Agenda Item:</b>	<b>3</b>
<b>Project Name:</b>	<b>Broadway Adult Day Care</b>
<b>Request:</b>	<b>Adult Day Care facility</b>
<b>CEQA Recommendation:</b>	<b>Exempt</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVE</b>
<b>Project Number(s):</b>	Conditional Use Permit No. 2218
<b>Location:</b>	1340 Broadway
<b>Applicant:</b>	CA Reliable Medical Systems, Inc. (Gregory Braverman) 323.333.5383
<b>Project Planner:</b>	Melissa Devine; 619.441.1773; mdevine@cityofelcajon.us
<b>City Council Hearing Required?</b>	No
	<ol style="list-style-type: none"> <li>1. Conduct the public hearing; and</li> <li>2. Receive public testimony; and</li> <li>3. MOVE to adopt the next resolution in order approving Conditional Use Permit No. 2218, subject to conditions</li> </ol>

4. OTHER ITEMS FOR CONSIDERATION

5. STAFF COMMUNICATIONS

Housing Element Implementation – PowerPoint presentation of upcoming General Plan Amendments, rezonings, and Specific Plan Amendments.

6. COMMISSIONER REPORTS/COMMENTS

7. ADJOURNMENT

This Planning Commission meeting is adjourned to May 5, 2015 at 7 p.m.

*Decisions and Appeals - A decision of the Planning Commission is not final until the appeal period expires 10 days from the date of transmittal of the Commission's resolution to the City Clerk. The appeal period for the items on this Agenda will end on Friday, May 1, 2015 at 5:00 p.m., except that Agenda items which are forwarded to City Council for final action need not be appealed.*



# MINUTES PLANNING COMMISSION MEETING March 17, 2015

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

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE**

**COMMISSIONERS PRESENT:** Darrin MROZ, Chairman  
Paul CIRCO, Vice Chairman  
Luis HERNANDEZ  
Anthony SOTTILE  
Jerry TURCHIN

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Anthony SHUTE, Planning Manager / Planning Commission Secretary  
Barbara LUCK, Assistant City Attorney  
Majed AL-GHAFFRY, Assistant City Manager  
Melissa DEVINE, Senior Planner  
Patricia HAMILTON, Secretary

MROZ explained the mission of the Planning Commission.

**NON-PUBLIC HEARING ITEMS**

Anthony WAGNER, representing the San Diego County Alcohol Policy Panel, approached the podium. He commended both Chief REDMAN and Tony SHUTE for being instrumental in the leadership role with the City of El Cajon to address land use issues related to alcohol. The alcohol ordinance passed by the City Council is a win-win for the community. He further offered any help or support moving forward from the Alcohol Policy Panel.

**CONSENT CALENDAR**

**Planning Commission Minutes**

Motion was made by SOTTILE, seconded by CIRCO, to adopt the minutes of the Planning Commission meeting of March 3, 2015; carried 5-0.

**PUBLIC HEARING ITEMS**

Agenda Item:	2
Project Name:	Ballantyne and Park Specific Plan
Request:	Amend General Plan Designation, Reclassify Zone, and Adopt Specific Plan

<b>CEQA Recommendation:</b>	<b>Mitigated Negative Declaration</b>
<b>STAFF RECOMMENDATION:</b>	<b>RECOMMEND CITY COUNCIL APPROVAL</b>
<b>Project Number(s):</b>	General Plan Amendment No. 2012-02, Zone Reclassification No. 2311, and Specific Plan No. 525
<b>Location:</b>	Northeast corner of Ballantyne Street and Park Avenue
<b>Applicant:</b>	Cajon Valley Union School District (Scott Buxbaum); 619.588.3060; buxbaums@cajonvalley.net
<b>Project Planner:</b>	Melissa Devine; 619.441.1773; mdevine@cityofelcajon.us
<b>City Council Hearing Required?</b>	Yes   April 14, 2015
<b>Recommended Actions:</b>	<ol style="list-style-type: none"> <li>1. Conduct the public hearing; and</li> <li>2. MOVE to adopt the next resolutions in order recommending City Council approval of the Mitigated Negative Declaration, General Plan Amendment No. 2012-02, Zone Reclassification No. 2311 and Specific Plan No. 525</li> </ol>

DEVINE summarized the agenda report in a PowerPoint presentation.

The Commission had questions regarding leasing the site for residential, and if any other school districts had leased their properties.

MROZ opened the public hearing and invited any speakers to the podium.

Bill FISCHBECK, representing the applicant, spoke first. He said the property is excess property, and that the School District could enter into a ground lease with a developer to produce income for the District and that the City had suggested more dense residential at this site. A lease term of 35 to 55 years could be possible for this type of lease.

HERNANDEZ asked if the applicant was considering a sale of the property.

FISCHBECK responded that brokers and potential buyers recommend selling. Once the proposed new zoning is in place the District may be to go with a ground lease.

He advised that density would be consistent with the surrounding properties and then introduced Scott BUXBAUM.

Scott BUXBAUM, Cajon Valley Union School District Superintendent, added the district analyzed the property for many years and income to the district is important. They are aware of the sensitivity involved in future development of the property since it is next door to a school, and both the board and staff are in support of the project.

In answer to SOTTILE, he was not aware of any other school districts, other than Coronado, that have leased property to outside parties.

SOTTILE mentioned California Government Code Section 65852.9 and that unused school sites must be rezoned to a zone compatible with existing uses.

FISCHBECK introduced Wayne OETKEN, representing the Cajon Valley School District.

OETKEN added that large public school districts, such as San Diego Unified, have a lot of surplus property which is turned over to asset management for consideration. Revenues used from these properties are for education purposes. San Diego Unified is the largest in San Diego County and is now in the process of marketing developable excess property to generate revenue. The Kia dealership site is on a ground lease of 55 years. He summed up by requesting favorable consideration by the Planning Commission.

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

HERNANDEZ believes it is more difficult to build a residential complex with a ground lease. His main concerns were: 1) density, and 2) compatibility.

TURCHIN does not like the density.

SHUTE added that architectural review is paramount and the quality of design is the most important factor.

CIRCO asked when the lease expires what happens to the buildings? If used for multi-family residential, the school could not reuse the structures. He wouldn't like to see well-built houses with families forced out in 55 years under a ground lease situation. His main concern was the ground lease with high density residential.

SOTTILE mentioned that El Cajon has plenty of residential units.

DEVINE added that whether rental or ownership project, staff reviews the same in terms of development review. The City would also not have control over how a developer desires to develop his own property and 55 years could be a useful life of a project.

HERNANDEZ said there was no development project presented during this meeting; therefore it was hard to make a decision. Also, commercial development is easier to remove or convert if the school decides it needs the site.

CIRCO was uncomfortable the Commission would not review a proposed project.

Motion was made by SOTTILE, seconded by HERNANDEZ, to DENY the Mitigated Negative Declaration, General Plan Amendment No. 2012-02, Zone Reclassification No. 2311 and Specific Plan Nol. 525; carried 3-2 (Circo and Mroz voted no).

The appeal period for this item ends on Monday, March 27, 2015 at 5:30 p.m.

<b>Agenda Item:</b>	<b>3</b>
<b>Project Name:</b>	<b>Main Street Residences</b>
<b>Request:</b>	<b>Mixed-Use Development Project with Reduced Parking, Setbacks, and increased Building Height</b>
<b>CEQA Recommendation:</b>	<b>Exempt</b>
<b>STAFF RECOMMENDATION:</b>	<b>CONTINUE TO APRIL 21, 2015</b>
<b>Project Number(s):</b>	Conditional Use Permit No. 2216
<b>Location:</b>	925-939 West Main Street
<b>Applicant:</b>	Affirmed Housing Group (Jimmy Silverwood); 858.386.5178;

	JAMES@AFFIRMEDHOUSING.COM
<b>Project Planner:</b>	Lorena Cordova; 619.441.1539; lcordova@cityofelcajon.us
<b>City Council Hearing Required?</b>	Yes   Noticed for April 14, 2015
	<ol style="list-style-type: none"> <li>1. Conduct the public hearing; and</li> <li>2. Receive public testimony; and</li> <li>3. Continue the public hearing to April 21, 2015</li> </ol>

SHUTE advised additional information was required from the applicant; therefore staff was recommending continuance of this item.

MROZ opened the public hearing and invited any speakers to the podium.

Donna BRANSTETTER, approached the podium and spoke in opposition of the project. She was adverse to seeing four-story low-income housing next to her home. This action would have a major effect on property values in the area. Also, she said only 25 homes were noticed surrounding the proposed project when there are at least 100 homes in the area. She also asked if the City Council date would be pushed forward in case of a continuance as well.

Laurinda SMITH, also spoke in opposition of the project. The parking reduced parking requirement would cause more parking on the street. Also, the four-story high rise units would not be a match for the neighborhood.

Jimmy SILVERWOOD, Affirmed Housing Group, spoke next in support of the project. Specifically, he mentioned the convenience of being located one-quarter mile from the transit center and he would be available to answer any questions from staff or guests.

SHUTE answered the question on the public mailings. Both the Planning Commission and City Council public hearings would be pushed out if the proposed project would be continued and the notices are mailed to all property owners with 300' of the proposed project site.

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

Motion was made by CIRCO, seconded by MROZ, to continue the public hearing to April 21, 2015; carried 5-0.

<b>Agenda Item:</b>	4
<b>Project Name:</b>	Sky Fuels - Deemed Approved Administrative Hearing - Review
<b>Request:</b>	Determine if the off-sale establishment has violated deemed approved performance standards
<b>CEQA Recommendation:</b>	Exempt
<b>STAFF RECOMMENDATION:</b>	REVOKE DEEMED APPROVED STATUS AND IMPOSE NEW ALCOHOL SALES CONDITIONS
<b>Project Number(s):</b>	Conditional Use Permit (CUP) No. 526
<b>Location:</b>	1699 East Main Street
<b>Applicant:</b>	Planning Commission; 619.441.1742
<b>Project Planner:</b>	Anthony Shute; 619.441.1742; tonys@cityofelcajon.us
<b>City Council Hearing Required?</b>	No

<b>Recommended Actions:</b>	<ol style="list-style-type: none"> <li>1. Conduct the public hearing; and</li> <li>2. MOVE to adopt the next resolution in order REVOKING Sky Fuel’s Deemed Approved Status and adding new alcohol sales conditions to CUP No. 526</li> </ol>
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SHUTE opened by stating Barbara LUCK, Assistant City Attorney, would outline the Administrative Hearing process.

LUCK introduced the administrative hearing procedures and rules of order.

LUCK then commenced the hearing in the matter of **Sky Fuel**

LUCK then swore in all persons who planned to speak in this matter and asked SHUTE to present the evidence for the City.

SHUTE presented evidence for the City.

DAVIS explained the Police Department Minor Decoy Program and then proceeded to explain the details of minor decoy operations throughout the City and at Sky Fuel.

SHUTE added the Planning Commission is tasked with considering to suspend, revoke or modify the Deemed Approved status for Sky Fuel. Staff is recommending revocation of deemed approved status and impose operating standards and conditions. The list of conditions is attached to the proposed resolution.

TURCHIN asked why the process takes as much time as it does.

SHUTE explained it takes time to compile the facts before notification.

DAVIS added the Police Department visited 149 sites, including visits to several more than once. Only 15 had sold to minors, and of those, three sold to minors more than once.

SHUTE added that in Condition 3iii of the proposed resolution the stated volume should read, “greater than 24 ounces”, not “greater than 23.5 ounces”.

Bill ADAMS, attorney representing Sky Fuel, cross-examined the City’s witnesses. He asked DAVIS if the minor decoy procedure complied with ABC guidelines, if the clerk asked the age of the decoy, and was the minor decoy instructed in any way to display any type of characteristics.

DAVIS responded that the Police Department did follow the ABC guidelines, the clerk did not ask the age of the decoy.

Nash MAROKI and Mae GAPPY, respondents, provided documents to the Planning Commission marked as Exhibit “A”.

MAROKI testified that he has owned the business in El Cajon for 17 years, has been visited by the ABC numerous times and has been successful in their findings. He did say the clerk was not trained.

MAROKI said the employee sold incorrectly, so he trained all employees again. He stressed this was a serious matter for him, and if the situation occurs a second time, the employee would be fired. After the second incident, the employee was fired. His policy now is if there is a first violation an employee will be fired. He has since purchased a driver's license scanner, and added signs throughout the store as shown in Exhibit "A". All alcohol has been moved to the rear of the store and since the two violations they have passed all tests relating to the sale of alcohol. He requested the Commissioners consider probation versus revoking his ability to sell alcohol. He responded to the notice of violation within two days and assured the Commissioners he would do whatever it would take to be able to stay in business.

SOTTILE asked MAROKI who conducted the training of Mr. Abraham.

MAROKI responded that he trained all employees after his training by the ABC.

SOTTILE then asked if he was aware that under the Deemed Approved Ordinance training is required to be conducted by a third party.

MAROKI answered that he did not have knowledge of this until his meeting with City Staff. After receipt of the notice of violation, he called the City right away and met with Staff.

SHUTE asked if any employees had been scheduled for the Responsible Beverage Service (RBS) training.

MAROKI responded that he is now aware of the required RBS training, but no employees had received the training yet.

Dana STEVENS, Communities Against Substance Abuse (CASA), spoke next and mentioned that from what she was able to see, the license displayed in the store was outdated. She presented manual outlining instructions on how to check for identification and a manual put out by the Department of Motor Vehicles showing license identifications are now in portrait, not landscape format.

TURCHIN confirmed with STEVENS that the training is mandatory in accordance with the Deemed Approved Ordinance and there is no way to track completion since the RBS cards are issued to the person receiving the training. She added that any person who completes training does not qualify to train others.

Katherine WEBB, long time El Cajon resident, spoke next. She had an issue with the service station located at Greenfield and East Main Street. It is close to the freeway on-off ramp, therefore located conveniently for those who stop to purchase gas, not alcohol. With the employees not being trained, the owner's license could be in jeopardy and even though Sky Fuel has not had any repercussions since the two incidents there are three schools within walking distance.

ADAMS voiced an objection that public comment was not relative to land use issues currently before the Commission.

SHUTE made the rebuttal that Sky Fuel sold to a minor twice which allows the City to amend, suspend or revoke Sky Fuel's deemed approved status. Furthermore, the owner was notified in February of the administrative hearing and the violations. This was confirmed in a subsequent phone call. As of this time, no employees have been through the RBS training.

ADAMS responded that two business days was not enough time to review the situation before the hearing. MAROKI did not understand the gravity of the situation when he received the agenda package. ADAMS



stated conditions must be tailored to what was actually employed. He requested new conditions be offered or continue the meeting to a future date and was in opposition of the proposed revocation. In addition, the Deemed Approved conditions are not consistent with State law. Also, they were not disputing one clerk was in the wrong. In regard to the RBS training, MAROKI thought he was in compliance since he was RBS trained. He took steps both before and after the incidents and was not a person who intentionally would sell to minors.

MROZ ask if there was any correspondence with City Staff after the decoy incidents.

MAROKI responded that he was waiting for someone to come in and tell him what the next step would be and did not know at the time that all employees were required to go through the RBS training.

SOTTILE asked DAVIS that after the second violation if anything was sent to MAROKI to help him in the future.

DAVIS responded that after each decoy operation a letter is sent stating that the establishment was either successful or a violation was issued.

HERNANDEZ asked MAROKI when the last time was he received RBS training.

MAROKI responded he was trained multiple times but gave no specific date.

TURCHIN requested Chief REDMAN be sworn in.

LUCK proceeded to swear in Chief REDMAN as an additional participant to give testimony.

TURCHIN then asked if it was true that a person should know the rules and training required prior to operating a business.

REDMAN responded owners should know the rules and be held accountable when not following procedures.

ADAMS interjected that only one clerk was cited for selling to a minor, not because of the business practices of his client.

SHUTE presented in closing remarks that the selling of alcohol to minors warrants action. The Police Department Minor Decoy Program was a land use issue. RBS requirements were sent out to all establishments in November, 2013 and with information where all employees could obtain the training. Subsequently, the Notice of Violation letter was sent in February, which clearly outlined the violations and was discussed in a follow-up meeting with the business owner. No employees to date have obtained the RBS certificates.

MROZ confirmed with SHUTE that any new off-sale establishment would be subject to these conditions.

SOTTILE added the Deemed Approved Ordinance does not replace the ABC rules and that they were convened this evening to address land use issues only for the sale of alcohol.

HERNANDEZ mentioned that the proposal before the Commissioners was to revoke the Deemed Approved status and as long as the conditions were met the sale of alcohol could continue.

In closing remarks, ADAMS said there was a learning curve involved for review of the Ordinance, that the testimony presented under the circumstances was reasonable, and that MAROKI now was aware of what needed to be done. They only had two days after receipt of the evidentiary package to prepare for the hearing. Also one clerk was cited which does not constitute bad business practices overall. The Planning Commission has discretion in the conditions imposed and do not deal with the sale of alcohol to minors. MAROKI took measures both before and after the incidents and should be given a second chance. He added that the minor decoys learn how not to act like minors.

Discussion then commenced by the Planning Commissioners.

HERNANDEZ stated the applicant appeared honest in not being aware of the Deemed Approved performance standards. He has been made aware of what he needed to do from both the correspondence sent him and his conversations with Staff. So he did have the opportunity to take action. Also, he did not remember the last time he was trained and only he alone performed the training of his employees. HERNANDEZ was in support of the Police Department efforts to curb this activity.

SOTTILE said this is the first test of the Deemed Approved Ordinance and will set a precedent for all going forward. SOTTILE was in favor to approve the proposed revocation.

CIRCO summarized the Police Department use of decoys, that the same clerk was at fault, and the owner did implement secondary training. There were a lot of age verifications in place and after the second offense the clerk was fired. Without further instructions from either the City or Police Department to correct the conditions, the owner tried to fix himself. He did not see the owner as being at fault.

TURCHIN added that this was a serious case and the owner should have known the procedures. He believes there is no room for compromise and that the owner is responsible.

MROZ stated he has determined that about one-half of the conditions had been accomplished, and does not see that any conditions are out of line.

SOTTILE interjected that the Deemed Approved Status should be revoked and all conditions implemented. If conditions are ignored, then a \$2,000 fine should be assessed.

Motion was made by MROZ, seconded by HERNANDEZ, to adopt the next resolution in order REVOKING the Deemed Approved Status for off-sale beer and wine sales; carried 4- 1.

Motion was made by HERNANDEZ, seconded by SOTTILE, to adopt the next resolution in order amending adding off-sale alcohol conditions to Conditional Use Permit No. 526; carried 4-1.

The appeal period for this item ends on Monday, March 16, 2015 at 5:30 p.m.

**ADJOURNMENT**

Motion was made by CIRCO, seconded by MROZ, to adjourn the meeting of the El Cajon Planning Commission at 10:13 p.m. this 17th day of March until April 7, 2015, at 7:00 p.m.; carried 5-0.

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Darrin J MROZ, Chairman

ATTEST:

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Anthony SHUTE, AICP, Secretary



<b>Agenda Item:</b>	<b>2</b>
<b>Project Name:</b>	<b>Main Street Residences</b>
<b>Request:</b>	<b>Mixed-Use Development Project with Reduced Parking, Setbacks, and Increased Building Height</b>
<b>CEQA Recommendation:</b>	<b>Exempt</b>
<b>STAFF RECOMMENDATION:</b>	<b>Approve Applicant's Request to Withdraw Application</b>
<b>Project Number(s):</b>	Conditional Use Permit No. 2216
<b>Location:</b>	925-939 West Main Street
<b>Applicant:</b>	Affirmed Housing Group, Inc. – Jimmy Silverwood; 858.386.5178; james@affirmedhousing.com
<b>Project Planner:</b>	Lorena Cordova; 619.441.1539; lcordova@cityofelcajon.us
<b>City Council Hearing Required?</b>	No
<b>Recommended Actions:</b>	<ol style="list-style-type: none"> <li>1. Re-open the continued public hearing,</li> <li>2. Close the public hearing,</li> <li>3. Approve applicant's request to withdraw project.</li> </ol>

**STAFF RECOMMENDATION**

Staff requests that the Planning Commission approve the applicant's request to withdraw the application.

An application was submitted for a request to demolish all existing on-site improvements then construct a new a four-story mixed-use development project to be located on the south side of West Main Street between Millar and Richfield Avenues. The development included 50 apartment units, 1,500 square-feet of ground-floor commercial space, 3,450 square feet of common recreation area, 8,000 square feet of landscaping, and 60 parking spaces. The development comprised of two separate buildings, one to house seniors and the other building to house families. The request included: 1) construction of a mixed-use development; 2) allowing an increase in building height; 3) allowing a reduction in parking; and, 4) allowing a reduction in building setbacks at the street frontage.

The proposed project was before the Planning Commission on March 17, 2015 where the applicant asked for a continuance to April 21, 2014. Soon thereafter the applicant withdrew the application. Therefore, there is no application to consider at this time by the Planning Commission.



<b>Agenda Item:</b>	<b>3</b>
<b>Project Name:</b>	<b>Broadway Adult Day Care</b>
<b>Request:</b>	<b>Establish an adult day care use at an existing restaurant</b>
<b>CEQA Recommendation:</b>	<b>Exempt</b>
<b>STAFF RECOMMENDATION:</b>	<b>Approval of Conditional Use Permit No. 2218</b>
<b>Project Number(s):</b>	Conditional Use Permit No. 2218
<b>Location:</b>	1340 Broadway
<b>Applicant:</b>	CA Reliable Medical Systems, Inc.
<b>Project Planner:</b>	Melissa Devine, 619.441.1773, mdevine@cityofelcajon.us
<b>City Council Hearing Required?</b>	No
<b>Recommended Actions:</b>	<ol style="list-style-type: none"> <li>1. Conduct the public hearing; and</li> <li>2. MOVE to adopt the next resolutions in order approving Conditional Use Permit No. 2218 subject to conditions</li> </ol>

**PROJECT DESCRIPTION**

This request seeks to establish an adult day care for seniors and developmentally disabled individuals in an existing building with a banquet hall and restaurant.

**BACKGROUND**

<b>General Plan:</b>	General Commercial
<b>Specific Plan(s):</b>	SP No. 16
<b>Zone:</b>	C-G (General Commercial)
<b>Other City Plan(s):</b>	N/A
<b>Regional and State Plan(s):</b>	N/A
<b>Notable State Law(s):</b>	N/A

Project Site & Constraints

The 1.44-acre site is located at the northwest corner of Broadway and Bostonia Streets, and is addressed as 1340 Broadway. The site is developed with a two-story 12,902 square-foot building and a surface parking lot with 167 parking stalls. The site is currently used as restaurant, and Conditional Use Permit No. 1416 was recently amended to authorize the use of the facility as a banquet hall and allow for a minor expansion of the facility.

Surrounding Context

Surrounding properties are developed and zoned as follows:

Direction	Zones	Land Uses
North	RM-4300	Single-family residential
South (across Broadway)	C-G	Various office and commercial uses
East (across Bostonia)	RS-6	Contractor business and residence
West (across an alley)	C-G	Auto repair and residences

General Plan

The site is designated General Commercial in the General Plan. This land use is intended to accommodate a variety of commercial retail and office uses. Policy 5-7.1 states that the City will seek to provide supportive services and facilities for persons with special needs and seniors. The adult day care facility would provide services including daycare, therapy, and supportive services to developmentally disabled individuals and seniors. The use would also be complementary to the existing use of the building and would provide daytime use of the building.

Municipal Code

The subject site is zoned General Commercial (C-G), and permits adult day care facilities upon approval of a conditional use permit (CUP). The CUP is intended to ensure compliance with applicable development standards, use restrictions, and also to ensure compatibility with surrounding properties and land uses.

**DISCUSSION**

This project proposes no new development or alterations to the existing site plan. Minor tenant improvements are needed to create additional office space and storage for the day care use. All day care uses would occur on the first floor of the building within the enclosed building. According to the narrative provided by the applicant, adult day care services could be provided for up to 360 individuals, and 45 staff members would provide care for the program participants. The proposed hours of operation would be 7:00 a.m. to 3:00 p.m., and events at the restaurant or banquet hall would not occur concurrently with the day care use. The Community Based Adult Services program offers services to eligible seniors or developmentally disabled adults and can include personal care services, healthcare monitoring, physical or occupational therapy, social work care, nutrition services, and activities.

*CUP No. 1416*

The existing banquet hall was permitted as an amendment to Conditional Use Permit No. 1416, which was approved subject to conditions by Planning Commission on December 2, 2014. Conditions of approval were applied related to the installation of landscaping, repair of the building to address deferred maintenance, and public improvements. Conditions of approval have not been satisfied. The applicant was requested to provide a matrix with the status of each condition of approval, which is attached to this report. To date no conditions have been fully satisfied. However, with the further intensification of the uses on the site and potential daytime and nighttime use, it is important that these conditions be completed in a timely manner.

**FINDINGS**

Conditional Use Permit No. 2218

- A. *The proposed project is consistent with applicable goals, policies, and programs of the General Plan.*

The conduct of a large day care facility is consistent with the intent of the General Commercial General Plan designation. The proposed addition of the adult day care use would add a complementary use to an existing building in conformance with General Plan policies to encourage and provide supportive services for developmentally disabled individuals. The proposed use would be consistent with General Plan goals, policies, and programs.

- B. *The proposed project is consistent with all applicable use and development standards.*

The proposed use would take place within an existing building. Conditions of approval for CUP No. 1416 address site deficiencies and required public improvements, facility repair and upgrades in order to accommodate a public assembly use at the site. The adult day care use would require the same improvements.

- C. *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.*

The proposed project would be located within an existing building. No site modifications are required. The use would be compatible with the existing neighborhood which consists of a mix of commercial and residential uses. The adult daycare would be located within an enclosed building and have minimal needs for parking.

D. *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.*

Impacts are not anticipated with the normal operation of an adult day care facility. Additionally, the City has performance standards for these impacts which are enforced through code compliance actions if complaints are received. The proposed use would not be detrimental to public, health, safety and welfare. The day care use would not create any physical impacts due to noise, smoke, dust, fumes, vibrations, odors, hazards or concentrations of traffic.

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

The proposed use is in conformance with General Plan policies and serves a need in the community for supportive services for seniors and developmentally disabled individuals. In addition, it would provide a complementary daytime use for an existing banquet hall and social club. Therefore, the proposed day care facility is in the best interest of public convenience and necessity.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The proposed project is exempt from the California Environmental Quality Act (CEQA) subject to a Section 15301 of the CEQA Guidelines. Section 15301 provides an exemption for existing facilities where there is negligible expansion of an existing use and physical improvements are limited to minor interior or exterior modifications. None of the exemption exceptions listed under CEQA Guidelines Section 15300.2 exists.

#### **PUBLIC NOTICE & INPUT**

Notice of this public hearing was mailed on April 9, 2015 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.



## **ATTACHMENTS**

1. Proposed Resolution Approving Conditional Use Permit No. 2182
  - Exhibit A: Standard Conditions of Development
  - Exhibit B: Public Works Department, engineering comments dated 02.05.15
  - Exhibit C: Building & Fire Safety, building comments dated 01.26.15
  - Exhibit D: Building & Fire Safety, fire comments dated 01.26.15
2. Aerial Photograph of Subject Site
3. Public Hearing Notice
4. Application & Disclosure statement
5. Project Narrative
6. Reduced Site Plan
7. Matrix of Conditions of Approval CUP No. 1416
8. Full-size Site Plan (in Commissioner's binders)

## PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION APPROVING CONDITIONAL USE PERMIT NO. 2218 TO CONDUCT AN ADULT DAY CARE FACILITY AT AN EXISTING COMMERCIAL BUILDING IN THE C-G (GENERAL COMMERCIAL) ZONE, APN: 484-231-11 & 484-231-13, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (C-G).

WHEREAS, the El Cajon Planning Commission duly advertised and held a public hearing on April 21, 2015, to consider Conditional Use Permit (CUP) No. 2218, as submitted by CA Reliable Medical Systems, Inc., requesting to operate an adult day care facility in the C-G zone, on property located on the northeast corner of Broadway and Bostonia Street, and addressed as 1340 Broadway; and

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

- A. The proposed adult day care facility is exempt from environmental review in accordance with Section 15301 (existing facilities) of the CEQA Guidelines. Section 15301 provides an exemption for existing facilities where there is negligible expansion of an existing use and physical improvements are limited to minor interior or exterior modifications. No new environmental impacts would result. None of the exemption exceptions listed under CEQA Guidelines Section 15300.2 exists;
- B. The operation of an adult day care facility is consistent with the intent of the General Commercial General Plan designation. The proposed addition of the adult day care use would add a complementary use to an existing building in conformance with General Plan policies to encourage and provide supportive services for elderly and developmentally disabled individuals. The proposed use would be consistent with General Plan goals, policies, and programs;
- C. The existing site and building design is consistent with the development standards of the C-G zoning district. The proposed project will meet all other applicable development standards with the site improvements indicated on the project's site plan;
- D. The proposed project would be located within an existing building. No site modifications are required. The use would be compatible with the existing neighborhood which consists of a mix of commercial and residential uses. The adult

## Proposed Planning Commission Resolution

day care would take place within an enclosed building and has minimal needs for parking;

- E. The proposed use would not be detrimental to public, health, safety and welfare. The day care use would not create any physical impacts due to noise, smoke, dust, fumes, vibrations, odors, hazards or concentrations of traffic;
- F. The proposed use is in conformance with General Plan policies and serves a need in the community for supportive services for seniors and developmentally disabled individuals. In addition, it would provide a complementary daytime use for an existing banquet hall and social club. Therefore, the proposed day care facility is in the best interest of public convenience and necessity.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon Planning Commission hereby APPROVES Conditional Use Permit No. 2218 for a large day care facility, in the General Commercial (C-G) zone, on the above described property subject to the following conditions:

1. Prior to conducting the adult day care facility use, the applicant shall submit a revised, one-page mylar site plan to the Planning Division that includes the following:
  - a. Add the applicable notes of the Public Works Dept. as noted in the attached memo labeled "Exhibit B" and dated 04-15-13.
  - b. Add the following notes, under the heading "Ongoing Conditions of Approval:"
    - i. A maximum of 360 adult individuals are to receive day care services at any one time.
    - ii. Adult day care services are only to be provided between the hours of 7:00 a.m. and 3:00 p.m. on Mondays through Sundays. Adult day care services shall not take place during events or other operations of the banquet hall or social club.
  - c. Delete the parallel parking spaces depicted along the western property line and delete the parking spaces depicted along the southern property line next to Broadway.
  - d. Depict a bicycle rack, or racks, sufficient to accommodate up to 15 bicycles. The design and location of the bicycle rack(s) are subject to approval by the Planning Manager.
2. Prior to conducting the day care facility use, the applicant shall rehabilitate the existing landscaped areas in accordance with the Water Efficient Landscaping Ordinance, El Cajon Municipal Code 17.195.

## Proposed Planning Commission Resolution

3. Prior to operating the day care facility use, the applicant shall restripe the parking lot to remove the non-conforming parking spaces.
2. The applicant shall comply with all the conditions listed in the "Standard Conditions of Development" adopted by the Planning Commission by Planning Commission Resolution No. 10649 and labeled "Exhibit A" as applicable.
3. The applicant shall comply with the requirements of the Public Works Department as noted in the attached memo labeled "Exhibit B" and dated 4-15-13.
4. Comply with the building comments from the Building and Fire Safety Division attached to this resolution as "Exhibit C" and dated 1-26-15.
5. Comply with the fire comments from the Building and Fire Safety Division attached to this resolution as "Exhibit D" and dated 1-26-15.
6. The Planning Commission may at any time during the life of this use permit, after holding a properly noticed public hearing at which 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.
7. The existence of this conditional use permit shall be recorded with the County Recorder.
8. The proposed use shall be operated in substantial conformance with conditions presented in the Planning Commission staff report titled Conditional Use Permit No. 2118, dated April 16, 2015, except as modified by this resolution. Operation of the use in violation of the conditions of approval is grounds for revocation.
9. If this permit is not legally exercised within two years of project approval, and a written request for an extension of time has not been received by the Planning Secretary within the same time period, and subsequently approved, this conditional use permit shall be considered null and void per El Cajon Zoning Code Section 17.35.010.

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Proposed Planning Commission Resolution

PASSED AND ADOPTED by the El Cajon Planning Commission at a regular meeting held April 21, 2015, by the following vote:

AYES:  
NOES:  
ABSENT:

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Darrin MROZ, Chairman

ATTEST:

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Anthony SHUTE, AICP, Secretary

## **STANDARD CONDITIONS OF DEVELOPMENT**

(Planning Commission Resolution No. 10649)

All projects approved by the Planning Commission shall comply with the following standard conditions, unless specifically exempted by the Commission or Council.

### **A. GENERAL**

1. The applicant shall comply with the school impact fee requirements of the Grossmont Union High School Districts, Cajon Valley, and La Mesa-Spring Valley School Districts when applicable.
2. For projects that require a grading permit and excavate more than three feet into native soils, and prior to the issuance of a Building Permit, the applicant shall submit a letter to the Director of Community Development agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Director of Community Development.

### **B. PROJECT SITE**

1. The applicant shall comply with all regulations and code requirements of the Building and Fire Safety Division, Public Works Department, the Police Department and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final building and site plans.
2. All landscape areas that adjoin parking spaces, driveways, vehicular circulation areas, or the public right-of-way shall be protected from encroachment by vehicles in a manner that also complies with state storm water regulations, which require storm water to be discharged to landscaped areas in order to reduce or eliminate the discharge of pollutants. The method of protection shall be determined by the Director of public works or the director's designee. The approved method may include six-inch high curb segments, wheel stops, decorative rock bands, or other methods determined to be acceptable by the Director of public works.
3. Environmental and engineering studies, as directed by the Director of Community Development, must be complete and on file prior to commencement to plan checking. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.
4. Developer shall underground existing and required on and off-site utilities as specified in Chapter 15 of the Municipal Code, or as deemed necessary by the City Engineer.

5. All development projects shall comply with Title 12 (Streets and Sidewalks), and Title 13 (Water, Sewers, Grading, Erosion and Stormwater) of the El Cajon Municipal Code as determined by the City Engineer.
6. All retaining walls visible from public right-of-ways shall include decorative elements, subject to approval by the Planning Division.
7. The design of any masonry soundwall shall be approved by the Planning Division. Such walls shall match or be architecturally compatible with existing soundwalls of neighboring projects along that street. All masonry walls shall have a trim cap.

**C. ARCHITECTURE**

1. All exterior materials and colors used in this project shall be in conformance with the materials and color samples approved as a part of this application.
2. All mechanical, and/or roof mounted equipment shall be architecturally screened from public view.
3. All trash/recycling enclosures shall be constructed of masonry material with view-obscuring doors. The enclosure shall include materials and colors consistent with the primary building and meet appropriate Stormwater Division requirements. Required roofs shall match elements of the primary building and shall include a fascia trim.
4. All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface, unless otherwise directed by the Planning Commission.
5. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a manner that is architecturally compatible with the exterior of the building.
6. Finish quality of approved exterior design elements shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.
7. Any decorative elements around the base of a building (stone veneer or tile, etc.) shall be finished with a decorative cap or trim piece.

**D. LANDSCAPING**

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Planning Division prior to the issuance of a Certificate of Occupancy.
2. All existing trees to remain shall be shown on the grading plan.

3. The area under the drip line of all existing trees that are to remain shall be protected during construction by a fence or other acceptable means. Grading shall be restricted under the trees to prevent soil compaction and to prevent root damage.
4. All sloped banks greater than three (3) feet in vertical height and 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: deep-rooting grasses, ground cover and shrubs. Shrubbery shall be a minimum one-gallon size and shall have a minimum separation of one (1) times the mature width and on slopes of 10 feet or more in vertical height shall include, a minimum of one (1) tree for every 600 square feet of the total slope area. Trees shall be a minimum five-gallon size and shall be spaced a minimum of 30 feet apart. Trees and shrubs shall be planted in staggered clusters to soften and vary the slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.
5. All landscaping shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, dead or dying plants shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to ensure continued regular watering of landscape areas, and health and vitality of landscape materials.

**E. MISCELLANEOUS**

1. Final occupancy shall not be granted until all construction and landscaping is complete in accordance with all approved plans. Under certain circumstances, a temporary occupancy may be granted prior to final inspection.
2. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.
3. All signs shall be submitted to the Planning Division for review and approval per Section 17.190.060 of the El Cajon Municipal Code. Signs within the Downtown Specific Plan area shall receive design review approval from the El Cajon Community Development Corporation.
4. The site shall be maintained in a neat and clean manner free of trash and debris.
5. Certain outdoor equipment, such as satellite dishes and back-flow prevention devices shall be visually screened or painted to match surroundings upon installation subject to the approval of the Planning Division. Screening devices shall be shown on construction and/or landscape plans.



6. All exterior light fixtures shall be shown on a lighting plan and made part of construction drawings subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building, parking, and yard lights shall conform to the City General Development Standards 17.130.150 and Performance Standards 17.115.130 (G) and shall complement the site and building architecture.
7. The removal of trees shall not take place during the bird-nesting (breeding) season (February 1 through August 15), unless written authorization from a qualified biologist to proceed with tree removal is submitted to the Planning Division. If clearing is proposed to take place during the breeding season, a survey shall be conducted by the qualified biologist to determine if nests are present, or nest building or other breeding/nesting behavior is occurring. If nesting is not occurring (which includes nest building or other breeding/nesting behavior) within this area, clearing shall be allowed to proceed. If nesting is occurring (or breeding/nesting behavior is occurring), tree removal shall be postponed until a qualified biologist determines that all nesting (or breeding/nesting behavior) has ceased or until after August 15.
8. The placement of bollards within parking areas and driveways shall only be permitted when no other alternative design (curbs or landscaping) is feasible and accepted by the Building Official.



Incorporated 1912  
City of El Cajon


Community Development Department  
Engineering  
Transmittal

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To: Planning,  
From: Engineering  
Date: February 5, 2015  
Re: AM CUP 2218, 1340 Broadway  
Adult daycare at Royal Palace.

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Comply with the requirements for AM CUP 1416 dated 4/15/13 (attached).

Thanks,  
  
Mike Cardoza

Street Name	Right-of-Way		Curb		Street Class	General Plan Class
	Exist	Prop	Exist	Prop		
BROADWAY	100'	100'	84'	84'	PRIMARY	GENERAL COMMERCIAL
BOSTONIA STREET	60'	60'	36'	36'	PRIMARY	GENERAL COMMERCIAL
ALLEY 27	24'	24'			ALLEY	GENERAL COMMERCIAL

**TO:** PLANNING DIVISION  
**FROM:** DEPARTMENT OF PUBLIC WORKS, APRIL 2013  
**RE:** AM CUP 1416  
**LOCATION:** 1340 BROADWAY

**PUBLIC WORKS REQUIREMENTS AND COMMENTS**

**A. STORM WATER REQUIREMENTS AND COMMENTS WITH THIS ACTION**

A-1. Add the following notes to the Amended Conditional Use Permit (AM CUP) Site Plan and implement the Best Management Practices as a condition of the AM CUP:

*"All operations shall comply with the City's Jurisdictional Urban Runoff Management Program (JURMP) and the City's Storm Water Ordinance (Municipal Code 13.10 and 16.60) to minimize or eliminate discharges of pollutants to the storm drain system. Operations shall include implementation of food services Best Management Practices (BMPs) as follows:*

- a. *Only rain is permitted to enter the storm drain system. Discharges (direct or by conveyance) of trash, debris, vehicle fluids, or wastewater (including washing fluids) to the storm drain system are strictly prohibited.*
- b. *A grease interceptor shall be installed and a waste grease disposal bin utilized at the facility. The grease disposal bin shall be stored inside a covered trash enclosure or another properly contained and covered area where it will not be potentially exposed to urban runoff.*
- c. *All existing food grinders (disposals) shall be removed from use at the food service establishment and no new food grinders shall be installed in compliance with Municipal Code 13.38.040.*

- d. *Sweep or vacuum to clean outdoor areas (trash enclosures, sidewalks and parking lots). Power washing and the washing of floor mats in outdoor areas is strictly prohibited.*
- e. *Maintain parking area to be free from trash and petroleum leaks.*
- f. *Provide sufficient trash receptacles.*
- g. *Dispose of wastes properly.*
- h. *All dumpsters used by this project shall have lockable lids. All lids on all dumpsters shall remain closed while dumpster is not directly in use and locked after business hours. All dumpsters shall be properly stored inside of a building or in a covered trash enclosure.*
- i. *All trash enclosures must be secured, covered with an impervious roof, and constructed with a berm or grade-break across the entire entrance in accordance with the requirements of Public Works Storm Water Attachment No. 2 (available to the public on the City of El Cajon website or through Public Works on the 4th floor of City Hall).*
- j. *Provide spill response kits for grease spills. The spill response kit must be available and quickly accessible to employees. Signage must be posted to clearly denote the location of the kit.*
- k. *Drain screens shall be installed on all drainage pipes in food preparation areas in compliance with Municipal Code 13.38.060.*
- l. *All materials must be stored in a properly covered and contained area that will not be exposed to rainwater, either directly or indirectly.*

*For Public Works requirements on this Planning Action please refer to the Conditions of Approval. This Site Plan may not clearly show existing or proposed improvements in the public right-of-way and should not be used for public improvement construction purposes."*

**B. STORM WATER REQUIREMENTS AND COMMENTS WITH ANY BUILDING PERMIT**

- B-1. Retrofit the existing trash enclosure to be designed to be secured, constructed with a rounded concrete berm (1" tall, 12" wide, 4" deep footing) across the entire enclosure entrance, and covered with an impervious, fire-resistant roof in accordance with the requirements of Public Works Storm Water Attachment No. 2 (available to the public on the City of El Cajon website or through the Public Works Department on the 4th floor of City Hall).
- B-2. Replace, as needed, any existing grease trap with a sufficiently sized grease interceptor system in compliance with Municipal Code 13.38.

**NOTE: FAILURE TO COMPLY WITH OR IMPLEMENT AM. CUP 1416 CONDITIONS IS CONSIDERED A VIOLATION OF THE CITY'S JURMP AND MAY RESULT IN A CITATION WITH MONETARY FINES, CRIMINAL CHARGES, AND/OR REVOCATION OF PERMIT.**

**C. PRIVATE DEVELOPMENT REQUIREMENTS AND COMMENTS WITH THIS ACTION AND REQUIRED TO BE COMPLETED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT:**

- C-1. Upgrade the existing easterly alley curb ramp by adding a 4' x 3' truncated dome (Ennis-Flint) per San Diego Area Regional Standard Drawings (SDRSD) G-30 to meet current ADA requirements.
- C-2. Remove and replace the uplifted sidewalk panel and curb and gutter (immediately north of the required driveway reconstruction) with full height curb and gutter and sidewalk per SDRSD G-2, G-7, G-9, G-10 and G-11.

Prior to issuance of Building Permit and Encroachment Permit, the applicant or contractor shall prepare an Engineer's scaled detailed drawing with dimensions of the existing and required driveway, curb ramp and sidewalk installations showing the location of the public street right-of-way, property lines, face of curb, all physical obstructions, including but not limited to, all block walls, utility poles, telephone and cable TV equipment, fencing, etc. along with any required offsets in accordance with SDRSD G-15 and G-16.

**These details may be shown on the AM CUP Site Plan, but MUST be shown on a separate Curb Ramp and Sidewalk Detail Plan rather than with the Building Permit Site Plan. An Engineer's scale shall be used for all drawings submitted to the Public Works department for review.**

- C-3. Show on the separate Curb Ramp and Sidewalk Detail Plan (CRS-DP) the appropriate right-of-way dimensions for Broadway and Bostonia Street. The correct dimensions for Broadway are from the centerline to the right-of-way line (50-feet), from the centerline to face-of-curb (42-feet) and from the face-of-curb to the right-of-way line (8-feet). The correct dimensions for Bostonia Street are from the centerline to the right-of-way line (30-feet), the centerline to face-of-curb (20-feet) and from the face-of-curb to the right-of-way line (10-feet).

**SANITARY SEWER AND PRIVATE LATERAL REQUIREMENTS**

- C-4. Conduct a DVD video inspection of the existing sewer lateral per El Cajon Municipal Code Chapter 13.37.040, and submit the inspection reports to the City for review. Use the existing sewer laterals. If a new sewer lateral is required, a double cleanout is required at the property line.

The plumbing contractor MUST submit the DVD and 3-page inspection report available on-line at:

<http://www.ci.el-cajon.ca.us/dept/works/PrivateBuildingSewerInspections.html>

or through the Public Works Department, Sewer Lateral Coordinator at 619-441-1664.

Copies of the pertinent chapters of the Municipal Code, a summary of the 2009 Private Building Sewer Regulations, a list of pre-qualified plumbing contractors and a copy of the Double Cleanout Detail are available through the Public Works Department.

**D. PRIVATE DEVELOPMENT REQUIRMENTS AND COMMENTS REQUIRED WITH A BUILDING PERMIT > \$80,000.00:**

- D-1. Reconstruct the existing driveways on Broadway per San Diego Area Regional Standard Drawings (SDRSD) G- 26 and G-14A for ADA compliance. (The easterly driveway on Broadway shall have 3-foot wings per SDRSD G-14A to accommodate for the existing street light box and power pole 3.5-feet away from the edge of the driveway.) Include 2-foot transitions on both sides of the driveways for 8" to 6" curb transitions. Edge of driveways shall be a minimum of 3-feet from the property line and all obstructions. The easterly driveway shall be a 26'32" curb cut and the westerly driveway shall be a 20'32" curb cut. Repair all damaged concrete curb and gutter and sidewalk. Relocate any existing facilities away from the transition areas as needed.
- D-2. Reconstruct the existing driveway on Bostonia Street per San Diego Area Regional Standard Drawings (SDRSD) G- 14A for ADA compliance. Edge of driveway shall be a minimum of 3-feet from the property line and all obstructions. The driveway shall be a 27'33" curb cut. Repair all damaged concrete curb and gutter and sidewalk.

Prior to issuance of Building Permit and Encroachment Permit, the applicant or contractor shall prepare an Engineer's scaled detailed drawing with dimensions of the required driveway and sidewalk installations showing the location of the public street right-of-way, property lines, face of curb, all physical obstructions, including but not limited to, all block walls, utility poles, telephone and cable TV equipment, fencing, etc. along with any required offsets in accordance with SDRSD G-15 and G-16.

**These details may be shown on the AM CUP Site Plan, but MUST be shown on a separate Driveway Detail Plan rather than with the Building Permit Site Plan. An Engineer's scale shall be used for all drawings submitted to the Public Works department for review.**

- D-3. Show on the separate Driveway Detail Plan (DDP) the appropriate right-of-way dimensions for Broadway and Bostonia Street. The correct dimensions for Broadway are from the centerline to the right-of-way line (50-feet), from the centerline to face-of-curb (42-feet) and from the face-of-curb to the right-of-way line (8-feet). The correct dimensions for Bostonia Street are from the centerline to the right-of-way line (30-feet), the centerline to face-of-curb (20-feet) and from the face-of-curb to the right-of-way line (10-feet).

**E. GENERAL:**

- E-1. An Encroachment Permit is required for any work within the public right-of-way.
- E-2. Repair all damaged curb and gutter and sidewalk.

  
\_\_\_\_\_  
**DENNIS C. DAVIES**  
Deputy Director of Public Works

4/15/13  
**DATE**

# CITY OF EL CAJON



## MEMORANDUM

Monday, January 26, 2015

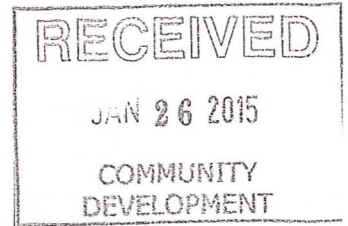
**To:** Planning Division  
**From:** Building and Fire Safety Div., Dan Pavao  
**Subject:** Building Comments for CUP 2218  
1340 Broadway

Building Comments for this planning application are as follows:

1. Comply with Currently adopted edition of the CBC, CMC, CPC, CEC, and Green Building Standard Code.
2. A Building permit is required for this project.
3. A licensed design professional is required for this project.
4. An approved fire alarm system is required.
5. No information on sprinkler status has been provided. Please be advised that the building may be over allowable area based on construction type.
6. I-4 occupancies cannot generally be conducted above the first story of a building. Review the building code for exceptions to this provision.
7. Please be aware of required fire separations between I-4 occupancies and other occupancy classifications.

Dan Pavao

# CITY OF EL CAJON



## MEMORANDUM

Monday, January 26, 2015

**To:** Planning Division  
**From:** Building and Fire Safety Div., Dan Pavao  
**Subject:** Fire Comments for CUP 2218  
1340 Broadway

Fire Comments for this planning application are as follows:

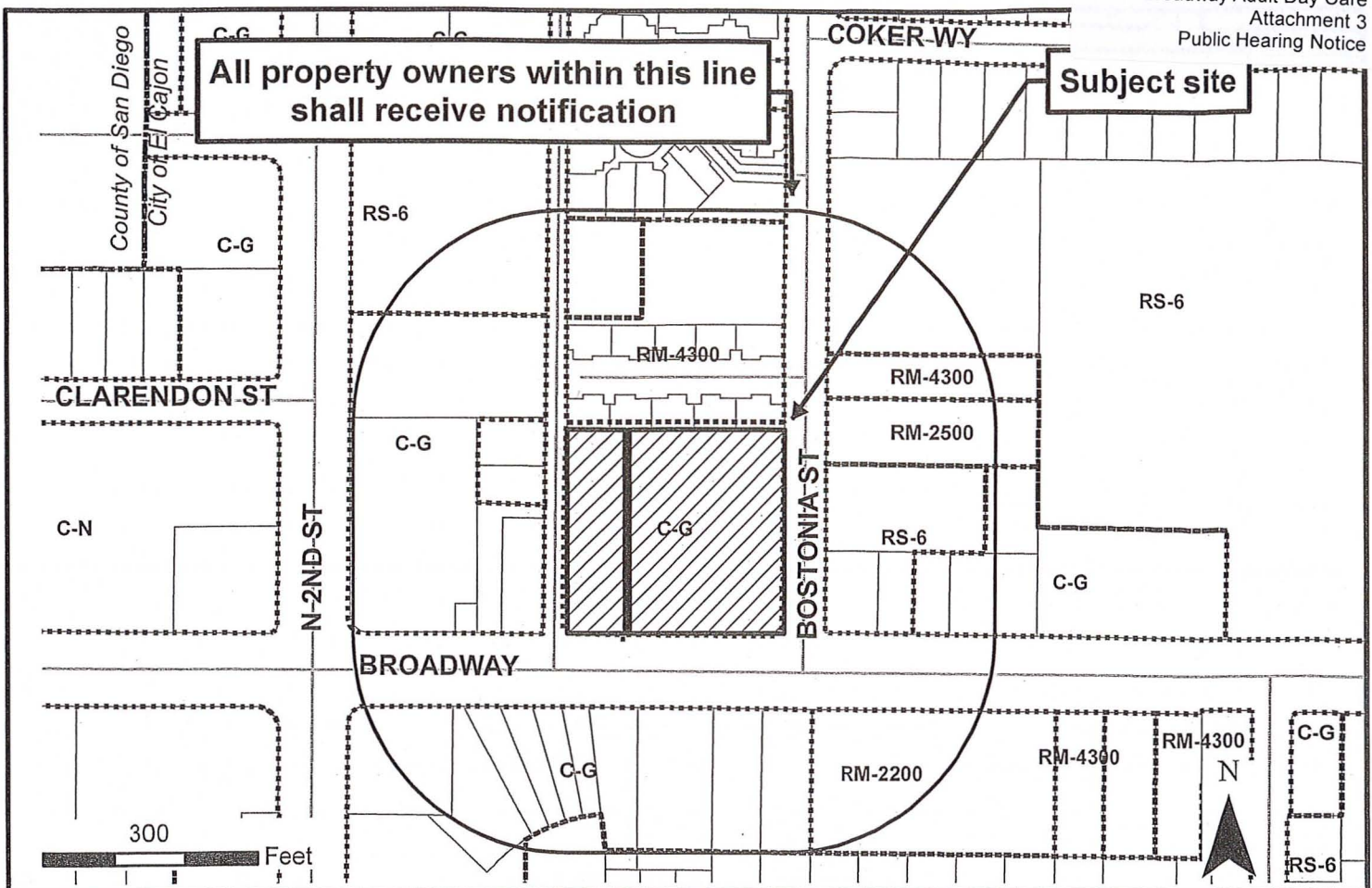
1. This project must comply with currently adopted edition of the CFC.
2. Commercial address numbers shall be visible from the street, contrasting in color from wall surface, and minimum 8 inches in size (individual suite numbers may be 3").
3. Electric vehicle gates require optical device and Knox key override. Pedestrian gates require knox box. Contact Fire Department for application.
4. An approved fire alarm system is required.
5. Fire extinguisher is required. One for every 3000 s.f with max. 75 ft. travel distance. Minimum size 2A10BC with signage.

Dan Pavao



# CUP No. 2218 Aerial Photograph





**NOTICE OF PROPOSED  
CONDITIONAL USE PERMIT  
BROADWAY ADULT DAY CARE**

NOTICE IS HEREBY GIVEN that the El Cajon Planning Commission will hold a public hearing at **7:00 p.m., Tuesday, April 21, 2015**, in the City Council Chambers, 200 Civic Center Way, El Cajon, CA, to consider: **BROADWAY ADULT DAY CARE - CONDITIONAL USE PERMIT NO. 2218**, as submitted by CA Reliable Medical Systems, Inc. (Gregory Braverman), requesting an adult day care facility. The subject property is addressed as 1340 Broadway. 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 meeting at [www.ci.el-cajon.ca.us/dept/cpmm/planning\\_agendas.aspx](http://www.ci.el-cajon.ca.us/dept/cpmm/planning_agendas.aspx). To download a copy, click the *current agenda* link, then the agenda item. In an effort to reduce the City's carbon footprint, paper copies will not be at the public hearing, but will be available at the Project Assistance Center counter 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 at, 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 the Planning Division at 619.441.1742. More information about planning and zoning in El Cajon is available at [www.ci.el-cajon.ca.us/dept/comm/planning.html](http://www.ci.el-cajon.ca.us/dept/comm/planning.html).

If you have any questions, or wish any additional information, please contact **MELISSA DEVINE** at 619.441.1773 or via email at [mdevine@cityofelcajon.us](mailto:mdevine@cityofelcajon.us) and reference "1340 Broadway" in the subject line.



Community Development Department  
Planning Division  
PLANNING PERMIT APPLICATION

Type of Planning Permit(s) Requested

- AZP       CUP       LLA       PRD       PUD  
 Specific Plan       TPM       TSM       VAR       ZR  
 Other: Minor CUP, 2218

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

Company Name: CA Reliable Medical Systems, Inc.  
Contact Name: Gregory Braverman  
Address: 11110 Red Cedar Drive, San Diego, CA 92131  
Phone: 323-333-5383 Email: gregory@shrams.com  
Interest in Property:     Own                       Lease                       Option

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

Company Name: same as above  
Contact Name: Nabil N. Kachi License: \_\_\_\_\_  
Address: 1010 Singing Ridge Rd, e.c. CA 92019  
Phone: (619) 980-5793 Email: nkachi@cox.net

Property Owner Information (if different than applicant)

Company Name: Royal Palace  
Contact Name: Namir Mattia  
Address: 1340 Broadway, El Cajon, CA 92021  
Phone: 619-244-3121 Email: \_\_\_\_\_

**Project Location**

Parcel Number (APN): 484-231-11-00

Address: 1340 Broadway, El Cajon, CA 92021

Nearest Intersection: \_\_\_\_\_

**Project Description (or attach separate narrative)**

see attached

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**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 Signature<sup>1</sup>: [Signature] Date: 01/07/2015

Property Owner Signature<sup>2</sup>: [Signature] Date: 01-07-2015

- 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.
- 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.



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## 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.

<u>Gregory Braverman</u>	<u>1110 Red Cedar Drive, San Diego, CA 92131</u>
<u>Dmitry Braverman</u>	<u>1110 Red Cedar Drive, San Diego, CA 92131</u>

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

<u>Namir Mattia</u>	<u>1340 Broadway, El Cajon, CA 92021</u>
_____	_____

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.

<u>Gregory Braverman</u>	<u>1110 Red Cedar Drive, San Diego, CA 92131</u>
<u>Dmitry Braverman</u>	<u>1110 Red Cedar Drive, San Diego, CA 92131</u>

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.

<u>N/A</u>	_____
_____	_____

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

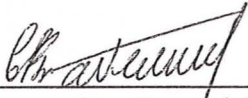
If yes, please indicate person(s), dates, and amounts of such transactions or gifts.

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



Signature of applicant / date

G. BRAVERMAN

Print or type name of applicant

NOTE: Attach appropriate names on additional pages as necessary.

**Nabil N. Kachi P.E.**  
**1010 Singing Ridge Road**  
**El Cajon, Ca. 92019**  
**(619) 980-5793 cell**  
**(619) 440-6533 fax**

## **ROYAL PALACE**

1340 Broadway  
El Cajon, CA. 92021

### **Proposed Project (Narrative)**

**This CUP application is for the following purpose:**

### **Community Based Adult Services (CBAS)**

**To be operable all week days and all weekends.**

**Hours of Operation: 7:00 am till 3:00 pm every day.**

**No other events will take place during the hours of operation for the Adult Day care**

### **Activities**

**See attached sheet for all activities and services including transportation to and from participant residence.**

**Royal Palace**  
**CUP 2218**  
**Received 03-02-15**

**Nabil N. Kachi P.E.**  
1010 Singing Ridge Road  
El Cajon, Ca. 92019  
(619) 980-5793 cell  
(619) 440-6533 fax

**ROYAL PALACE**

1340 Broadway  
El Cajon, CA. 92021

**Proposed Project (Narrative)**

**This CUP application is for the following purpose:**

**Community Based Adult Services (CBAS)**

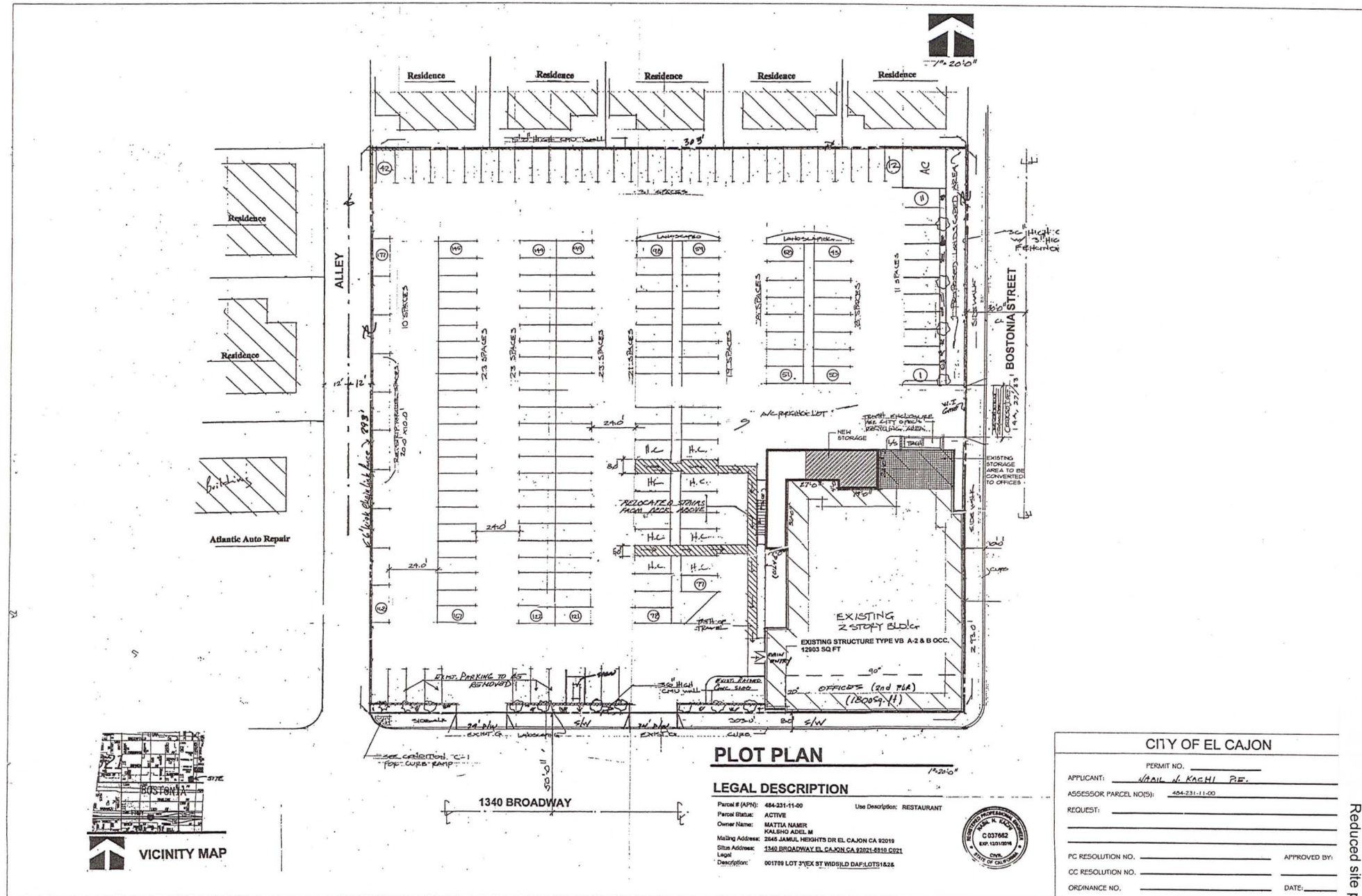
**To be operable all week days and all weekends.  
Hours of Operation: 7:00 am till 3:00 pm every day.**

**Activities**

**See attached sheet for all activities and services including transportation to and from participant residence.**

CUP 2218 – minor  
1340 Broadway Adult Day Care  
Received 01-07-15





**VICINITY MAP**

**PLOT PLAN**

**LEGAL DESCRIPTION**

Parcel # (APN): 484-231-11-00 Use Description: RESTAURANT  
 Parcel Status: ACTIVE  
 Owner Name: MATTIA NAMER  
 Mailing Address: 2846 JAMUL HEIGHTS DR EL CAJON CA 92019  
 Site Address: 1340 BROADWAY EL CAJON CA 92021-8919 0211  
 Legal Description: 001709 LOT 3 (EX ST WILD DAF) LOTS 1&2&3



<b>CITY OF EL CAJON</b>	
PERMIT NO. _____	APPROVED BY: _____
APPLICANT: <u>NAJIB AL KACHI PE.</u>	DATE: _____
ASSESSOR PARCEL NO(S): <u>484-231-11-00</u>	
REQUEST: _____	
PC RESOLUTION NO. _____	
CC RESOLUTION NO. _____	
ORDINANCE NO. _____	

Condition of Approval	Timeline	Status
Revised Mylar Site Plan	Prior to building permit issuance	Will be done
Landscape and Irrigation Plan	Prior to building permit issuance	Owner wants to protest!
Building repair and removal of illegal parking spaces in building permit	Include with building permit	Will be included
Removal of cabinet sign	Prior to building permit issuance	Will be done, it is in progress
Landscape Installation	Prior to occupancy	Minor will be ok, by owner
Pave bare soil east of building to match sidewalk	Prior to occupancy	Will be done, in progress
Repair or replace parking light fixtures	Prior to occupancy	Will be done, in progress
Remove parallel parking spaces	Prior to occupancy	Can't since light poles block path
Retrofit trash enclosure	Include with building permit	Will be done
Replace grease trap	Include with building permit	Need to know reasoning
Upgrade alley curb ramp	Prior to building permit issuance	SDG&E Power pole in that location!
Replace uplifted sidewalk	Prior to building permit issuance	Will be done, in progress
Sewer DVD	Prior to building permit issuance	Will be done, Russell plumbing
Reconstruct driveways on Broadway	Building permit over \$80,000	Will wait for remodel evaluation
Reconstruct driveway on Bostonia	Building permit over \$80,000	Will wait for remodel evaluation