



City of El Cajon

Planning Commission Agenda

Tuesday, May 17, 2016 Meeting

7:00 PM. Council Chambers

DARRIN MROZ, Chairman
 PAUL CIRCO, Vice Chairman
 ANTHONY SOTTILE
 JERRY TURCHIN
 VERONICA LONGORIA

Meeting Location: City Council Chambers, 200 Civic Center Way, El Cajon, CA
www.cityofelcajon.us/your-government/departments/community-development/planning-division

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

Agenda Item:	1
	Planning Commission minutes of April 19, 2016

PUBLIC HEARINGS

Agenda Item:	2
Project Name:	Car 1234 Caretaker Unit
Request:	Second story addition to an existing used auto dealership
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Amendment of Conditional Use Permit (CUP) No. 2128
Location:	982 Broadway
Applicant:	Manochehr Karimi; 619.602.5606
Project Planner:	Lorena Cordova; lcordova@cityofelcajon.us; 619.441.1539
City Council Hearing Required?	No
Recommended Actions:	<ol style="list-style-type: none"> 1. Conduct the continued public hearing; and 2. MOVE to adopt the next resolution in order approving Amendment of Conditional Use Permit No. 2128, subject to conditions

3. OTHER ITEMS FOR CONSIDERATION

4. STAFF COMMUNICATIONS

5. COMMISSIONER REPORTS/COMMENTS

Paul Circo – League of California Cities Planning Commissioner’s Academy

6. ADJOURNMENT

This Planning Commission meeting is adjourned to June 7, 2016 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 27, 2016 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
April 19, 2016**

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
Veronica LONGORIA
Anthony SOTTILE
Jerry TURCHIN

COMMISSIONERS ABSENT: None

STAFF PRESENT: Anthony SHUTE, Deputy Director / Planning Commission Secretary
Dennis DAVIES, Deputy Director / Public Works
Barbara LUCK, Assistant City Attorney
Lorena CORDOVA, Associate Planner
Eric CRAIG, Assistant Planner
Melissa DEVINE, Senior Planner
Patricia Hamilton, Secretary

MROZ explained the mission of the Planning Commission.

CONSENT CALENDAR

Agenda Item:	1
	Planning Commission minutes of March 1, 2016

Agenda Item:	2
	Conditional Use Permit extension of time – Ace Storage

Motion was made by CIRCO, seconded by SOTTILE, to adopt the minutes of the Planning Commission meeting of March 1, 2016 and the next resolution in order approving the time extension for Ace Storage; carried 5-0.

SHUTE introduced Yasmin Arellano, City Engineer and Deputy Director of Public Works.

PUBLIC HEARING ITEMS

Agenda Item:	3
Project Name:	Hoopology
Request:	Indoor facility for teaching and developing youth basketball skills
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Conditional Use Permit (CUP) No. 2229
Location:	1100 North Magnolia Avenue
Applicant:	Hoopology LLC (Jason Perkins); jasonperkins79@gmail.com ; 619.922.1862
Project Planner:	Eric Craig; ecraig@cityofelcajon.us ; 619.441.1782
City Council Hearing Required?	No
Recommended Actions:	<ol style="list-style-type: none"> 1. Conduct the public hearing; and 2. MOVE to adopt the next resolution in order approving proposed Conditional Use Permit No. 2229, subject to conditions

CRAIG summarized the agenda report in a PowerPoint presentation.

MROZ opened the public hearing.

Jason PERKINS, applicant, approached the podium and explained the proposed operation of Hoopology and answered Commissioner’s questions.

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

Motion was made by LONGORIA, seconded by TURCHIN, to adopt the next resolution in order approving proposed Conditional Use Permit No. 2229, subject to conditions; carried 5-0.

Agenda Item:	4
Project Name:	Chipotle On-sale Beer and Wine
Request:	Beer and wine sales in conjunction with a restaurant
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Conditional Use Permit (CUP) No. 2230
Location:	225 Jamacha Road, Suite 105
Applicant:	Chipotle Mexican Grill, Inc.; 303.595.4000
Project Planner:	Lorena Cordova; lcordova@cityofelcajon.us ; 619.441.1539
City Council Hearing Required?	No

CORDOVA summarized the agenda report in a PowerPoint presentation.

CIRCO asked if the drive-thru was Chipotle’s. CORDOVA replied that it is related to Starbucks.

MROZ noticed there was no mention in the conditions of approval that alcohol would not be allowed in the patio area.

MROZ opened the public hearing.

Mike OBOGEANN, representing Chipotle, spoke in support of the project. He agreed to the added condition of no alcohol to be consumed on the patio.

Officer Greg ROBERTSON, spoke next and provided information at the request of the Commission.

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

Motion was made by SOTTILE, seconded by CIRCO, to adopt the next resolution in order approving proposed Conditional Use Permit No. 2230, subject to conditions; carried 5-0.

Agenda Item:	5
Project Name:	Car 1234 Caretaker Unit
Request:	Second story addition to an existing used auto dealership
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Amendment of Conditional Use Permit (CUP) No. 2128
Location:	982 Broadway
Applicant:	Manochehr Carimi; 619.602.5606
Project Planner:	Lorena Cordova; lcordova@cityofelcajon.us ; 619.441.1539
City Council Hearing Required?	No
Recommended Actions:	<ol style="list-style-type: none"> 1. Conduct the public hearing; and 2. MOVE to adopt the next resolution in order approving proposed Amendment of Conditional Use Permit No. 2128, subject to conditions

CORDOVA summarized the agenda report in a PowerPoint presentation.

MROZ opened the public hearing.

Ali MOHAMMADIAN, architect, spoke on the project and answered Commissioners questions.

Ike SAMADI, property owner to the west of the subject site spoke next. He raised off-site parking and vehicle storage issues; specifically, the parking of vehicles for sale on the public street and his lot as well as poor visibility for ingress and egress of his site.

LONGORIA asked staff if the approved CUP from 2010 specified the number of vehicles that could be sold from the site. Observation of an aerial showed approximately 50 vehicles parked on site. An additional concern included a public safety issue whereby there was no emergency access.

CORDOVA responded the original CUP allows seven vehicles for display.

SHUTE added the Municipal Code prohibits storage and selling of vehicles in the right-of-way, and would be a

Code Compliance issue for investigation.

Commissioners agreed to continue the public hearing in order for staff to verify existing parking and vehicle storage conditions, and if the use is compliant with the original CUP. The Commission is expecting the results of staff's inspection and if changes to the proposed resolution are required.

Motion was made by CIRCO, seconded by LONGORIA, to continue the public hearing to May 17, 2016; carried 5-0.

Agenda Item:	6
Project Name:	Main Street Mixed Use Development
Request:	Mixed use development
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Conditional Use Permit No. 2228
Location:	101 East Main Street
Applicant:	Main Street Ventures LLC (Rick Kouza); rkouza@gmail.com ; 734.323.1120
Project Planner:	Melissa Devine; mdevine@cityofelcajon.us 619.441.1773;
City Council Hearing Required?	No
Recommended Actions:	<ol style="list-style-type: none">1. Conduct the public hearing; and2. MOVE to adopt the next resolutions in order approving proposed CEQA exemption and Conditional Use Permit No. 2228, subject to conditions

DEVINE summarized the agenda report in a PowerPoint presentation.

MROZ opened the public hearing.

Paul DE BARTOLO, architect, approached the podium and gave an overview of the proposed project with a PowerPoint presentation and answered questions of the Commissioners.

Eman KOUZA, owner, spoke next. She advised they plan to commence construction in approximately three to four months with completion by mid-2017. They are targeting a younger crowd or singles for the residential units which would be market rate. In addition, they are working with a pharmacy tenant to occupy the corner ground floor.

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

Commissioners praised the project and all agreed it would be a great addition to the downtown area.

Motion was made by MROZ, seconded by SOTTILE, to adopt the next resolution in order approving proposed CEQA exemption and Conditional Use Permit No. 2228, subject to conditions; carried 5-0.

STAFF COMMUNICATIONS

DEVINE gave status of the Housing Element Rezoning Program. The EIR Notice of Preparation was published and a scoping meeting was held on 03-31-16. Planning expects the EIR to be complete by the end of October.

SHUTE advised the Commissioners that SANDAG responded to their questions regarding the San Diego Forward Plan Implementation presentation on March 1, 2016. Their questions and SANDAG's responses are in an agenda report included in their agenda packet.

ELECTION OF OFFICERS – Motion was made by CIRCO, seconded by MROZ, to nominate SOTTILE as Chairman, voted on and passed unanimously.

Motion was made by SOTTILE, seconded by TURCHIN, to nominate MROZ as Vice Chairman, voted on and passed unanimously.

COMMISSIONER REPORTS/COMMENTS

MROZ asked for a brief summary on marijuana dispensaries in El Cajon. SHUTE advised that the City has been able to close about 13 dispensaries and is close to closing two more. The City's Police and Attorney's office has been working with Planning in this effort. In addition, there have been discussions about potential tools that could help efforts including higher fines.

CIRCO requested space on the next agenda to share his notes from the Planning Conference.

ADJOURNMENT

Motion was made by MROZ, seconded by CIRCO, to adjourn the meeting of the El Cajon Planning Commission at 8:47 p.m. this 19th day of April until May 3, 2016, at 7:00 p.m.; carried 5-0.

Darrin MROZ, Chairman

ATTEST:

Anthony SHUTE, AICP, Secretary



Agenda Item:	2
Project Name:	Car 1234 Caretaker Unit
Request:	Second story addition to an existing used auto dealership
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number:	Amendment to Conditional Use Permit (CUP) No. 2128
Location:	982 Broadway
Applicant:	Car 1234, Inc. (Manochehr Karimi); 619.602.5606
Project Planner:	Lorena Cordova, lcordova@cityofelcajon.us, 619.441.1539
City Council Hearing Required?	No
Recommended Actions:	<ol style="list-style-type: none"> 1. Continue public hearing of April 19, 2016; and 2. MOVE to adopt the next resolution in order APPROVING Amendment to CUP No. 2128, subject to conditions

PROJECT DESCRIPTION

This project proposes to add a second story caretaker unit and storage to an existing used vehicle dealership. The subject property is located on the north side of Broadway between North Mollison Avenue and North Anza Street, and includes a one-story office building, surface parking and a vehicle display area.

BACKGROUND

General Plan:	General Commercial (GC)
Specific Plan:	N/A
Zone:	General Commercial (C-G)
Other City Plan:	N/A
Regional and State Plan:	N/A
Notable State Law:	N/A

The subject site was annexed from the County of San Diego on November 30, 1955. On May 24, 2010, CUP No. 2128 was approved to establish a used motor vehicle sales facility. The facility has a valid Department of Motor Vehicles Vehicle Dealer License approved for the operation of used vehicle retail sales. The original permit contains the following ongoing conditions: the use shall be operated in a way that is compatible with surrounding properties and uses, any change could trigger the need for an amendment to the permit, and vehicle repairs on site are prohibited. There are no conditions pertaining to vehicle storage capacity. However, the Planning Commission agenda

report dated May 24, 2010 on page 2 indicated that the area north of the existing residences on the site could be used for vehicle storage when necessary. The original site plan designated a display area for six to seven vehicles. Please see Planning Commission Resolution No. 10619 for reference.

On April 19, 2016, the Planning Commission (“Commission”) considered the proposed amendment to the CUP. During the public hearing, the Commission voiced concerns regarding employee parking, vehicle display and conditions of approval under the original permit. The Commission voted to continue the item and requested additional information on vehicle capacity, existing conditions of approval and access.

Project Site & Constraints

The subject property is 12,225 square feet and is developed with a one-story 672 square-foot vehicle dealership office. The site includes seven required parking spaces for customers and employees, a designated vehicle display area for six to seven vehicles, and landscaping in the exterior yard. There is one 24-foot wide driveway on Broadway that provides ingress and egress.

Surrounding Context

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

Direction	Zones	Land Uses
North	County of San Diego	Residential
South	C-G	Auto repair shop, tire shop and retail stores
East	C-G, O-P	Restaurant and offices
West	C-G	Glass shop, retail stores, restaurant and automobile fueling station

General Plan

The project site is designated General Commercial (GC) on the General Plan Land Use Map. As described in the General Plan, GC designated areas are intended to include general retail and office uses, among a range of other commercial uses. Pursuant to Goal No. 9, “a strong, competitive region-wide commercial base will be created and retained” is noted to include automotive sales and service areas. Furthermore, pursuant to the General Plan Policy No. 9-3.4, the City shall assist in the relocation or expansion of successful local businesses so they may be retained locally. The request by the applicant to expand the existing Car 1234 vehicle dealership is consistent with the General Plan.

Municipal Code

The site is located within the C-G zone, which is intended to provide for a variety of commercial uses. El Cajon Municipal Code (ECMC) Section 17.145.150 indicates that a vehicle dealership is allowed by CUP in the C-G zone and a caretaker's unit is permitted on a lot associated with an authorized primary use occupying the same property. Proposed modifications to entitlements, such as a CUP, are reviewed against zoning regulations and various planning policies measuring criteria. The proposed addition of a caretaker's unit and changes to the governing site plan require an Amendment to CUP No. 2128. A detailed discussion is included in the "Discussion" section below.

DISCUSSION

Pursuant to ECMC Section 17.105.020, a caretaker's unit is defined as, "a single dwelling unit located on the same lot as an authorized commercial and industrial use." The regulations also specify that the occupant of the caretaker's unit need not be an employee of the commercial or industrial use at the site. The applicant is proposing to add a second story with a 640 square-foot caretaker's unit, storage space of 852 square feet, and a designated vehicle storage/display area. The caretaker's unit is proposed to consist of an open floor plan with kitchen facilities, a closet and a bathroom.

Development Standards

The second-story addition to the existing commercial building is subject to the C-G zone development standards such as building height and setbacks. The C-G zone has no maximum lot coverage, has a maximum building height of 35 feet, and requires a 10-foot exterior yard setback. The proposed addition has a building height of 26 feet. The site has a 10-foot exterior yard landscaped area that will be maintained. Storage addition is limited to no more than thirty-percent of the gross floor area of the building and no additional parking is required. Therefore, the project is consistent with the development standards of the underlying zone.

Architectural Guidelines

The project was reviewed in accordance with the Architectural Guidelines ("Guidelines") in Chapter 17.180. The existing structure is a one-story stucco building. The second-story addition is also proposed to be stucco but will include accent materials with features such as metal awnings, aluminum doors and windows, and a stone veneer at the base that wraps to the southwest tower element from base to roofline. The Guidelines underscore the importance of various design elements such as adequate height, bulk and mass, continuation of design and identifying entry features. In accordance with the architectural guidelines, the height, bulk, and mass of structures shall be compatible with surrounding development and appropriate for the use and site. The project is proposed to be in alignment with the surrounding development in terms of scale and material. The surrounding development consists of one- to two-story primarily stucco buildings. Light fixtures will all be the same, and the awnings will vary

in size and reflect a similar style and material. Furthermore, light fixtures and metal awnings will distinguish the entrances to the building. Overall, the project is consistent with the Guidelines.

Parking

The original CUP was approved with seven parking spaces for customers and employees. The proposed caretaker's unit requires two additional parking spaces. Parking is not required for the storage space as long as it does not exceed 30 percent of the gross floor area of the building or 800 square feet, whichever is less. Based on the general commercial parking ratio of one space per 250 square feet, an area of 1,349 square feet for office and storage would require five parking spaces. In its totality, the building would be required to provide a total of seven parking spaces, which would include two for the caretaker's unit and five for the rest of the uses in the building. With a total of 10 parking spaces being provided by the applicant, staff has determined the proposed parking is sufficient.

The site has an area for the dealership's vehicle display. The required employee/customer parking area is located on the west side of the lot and the vehicle display area is on the east. The originally approved CUP site plan included a vehicle display area for six to seven vehicles. However, governing Resolution No. 10619 does not restrict the number of vehicles that can be displayed or stored on the site. Staff evaluated the site for vehicle capacity, which can accommodate approximately 36 vehicles (18 rows with a two car stack). Historically, the Planning Commission has not regulated the number of vehicles that can be displayed or stored at a dealership as long as building and fire codes are met. If the applicant maintains the required number of parking spaces with the 24-foot back up, including access for emergency services the vehicle display area could extend the depth of the lot and still be consistent with the original conditions of approval.

Landscaping

The existing property has the required ten-foot landscaped exterior yard that is a total of 632 square feet. The applicant will be required to rehabilitate and maintain the landscaping as approved under the original CUP.

FINDINGS

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

The General Plan indicates that the City is to assist in the expansion of successful businesses so they may be retained locally. The General Plan also indicates that all commercial development shall be subject to sound design requirements and strict standards of performance. In conformance with General Plan policies, the addition of a caretaker's unit and storage at the existing used vehicle dealership provides on-site security and storage space to a growing business, as long as emergency access is

maintained, vehicle storage is conducted on the subject site only, and the required parking is provided and available.

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

Within the C-G zone, the caretaker's unit and storage are permitted as ancillary uses to the existing used vehicle dealership. The second story addition conforms to the applicable development standards, and the project is consistent with the original permit.

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 caretaker's unit and storage space for the vehicle dealership on the property are congruent with the commercial uses that surround the property. Uses along Broadway include restaurants, retail stores, and other similar auto-related uses. The conditions of approval are intended to ensure continued compatibility by requiring the provision of required parking, adequate lighting, emergency access, onsite vehicle storage only, and that any future changes to the property will require City review of the amended permit. Moreover, Zoning Code regulations and conditions are in place to ensure a seamless integration with neighboring businesses as well as adjacent residential uses.

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.

The proposed use will be required to continue to adhere to the standards for caretaker's units and vehicle dealerships in order to avoid the establishment becoming a nuisance. Moreover, the City has performance standards for impacts, which are addressed through Code Compliance actions if complaints are received.

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

Adding a caretaker's unit for on-site security is part of the operations necessary for providing and maintaining a commercial service in an urban environment. The proposed addition is a benefit that maintains a safe and secure environment for the business owner, adjacent property owners and residents in the vicinity.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed project is exempt from the California Environmental Quality Act (CEQA) subject to Section 15303 of the CEQA Guidelines. Section 15303 provides an exemption for the construction and location of limited numbers of new, small facilities or structures as well as the conversion of small structures. In urbanized areas, the exemption applies to up to four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such a use where all necessary public services and

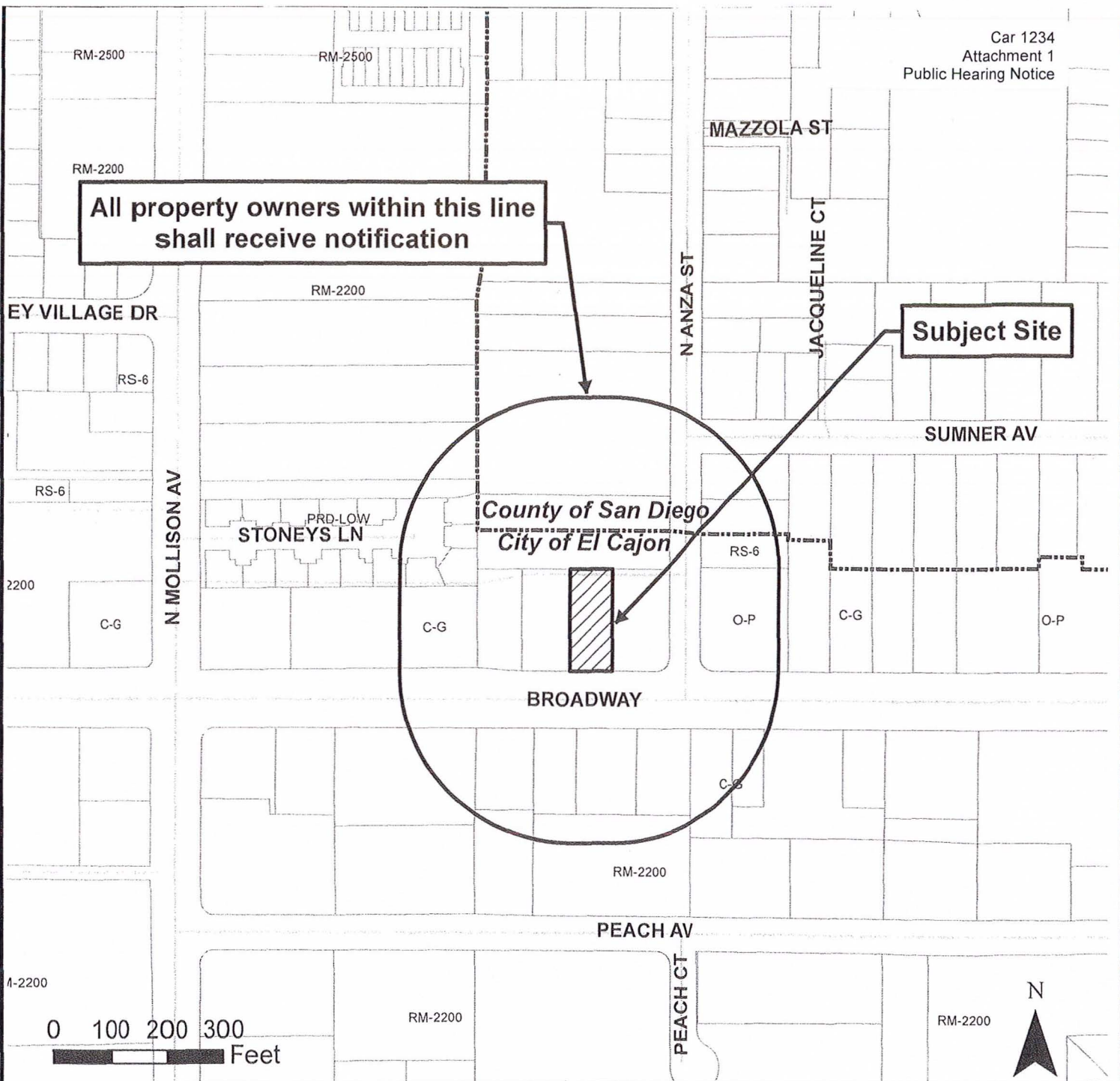
facilities are available and the surrounding area is not environmentally sensitive. None of the exemption exceptions listed under CEQA Guidelines Section 15300.2 exist.

PUBLIC NOTICE & INPUT

Notice of this public hearing was mailed on April 8, 2016 to all property owners within 300 feet of the project site and to anyone who requested such notice in writing, in compliance with Government Code Sections 65090, 65091, and 65092, as applicable. Additionally, as a public service, the notice was posted in the kiosk at City Hall and on the City's website under "Public Hearings/Public Notices." The notice was also mailed to the two public libraries in the City of El Cajon, located at 201 East Douglas Avenue and 576 Garfield Avenue. No additional public notice was required for this continued hearing since this hearing date is less than 30 days from April 19, 2016.

ATTACHMENTS

1. Public Hearing Notice/Location Map
2. Proposed REVISED Resolution APPROVING Amendment of CUP No. 2128
3. Existing Resolution No. 10619 for Original CUP No. 2128
4. Copy of Planning Commission Agenda Report dated 5-24-10
5. Aerial Photograph of Subject Site
6. Application & Disclosure statement
7. Reduced Plans
8. Full-sized site plan (*Commissioner's Binders*)



NOTICE OF PROPOSED
AMENDMENT OF CONDITIONAL USE PERMIT
FOR CAR 1234 CARETAKER UNIT

NOTICE IS HEREBY GIVEN that the El Cajon Planning Commission will hold a public hearing at **7:00 p.m., Tuesday, April 19, 2016**, in the City Council Chambers, 200 Civic Center Way, El Cajon, CA, to consider: **CAR 1234 CARETAKER UNIT – AMENDMENT OF CONDITIONAL USE PERMIT NO. 2128**, as submitted by Car 1234 (Manochehr Karimi) requesting a second story addition to an existing commercial building for caretaker unit and storage. The subject property is addressed as 982 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 <http://cityofelcajon.us/your-government/calendar-meetings-list>. 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 <http://www.cityofelcajon.us/your-government/departments/community-development/planning-division>.

If you have any questions, or wish any additional information, please contact **LORENA CORDOVA** at 619.441.1539 or via email at lcordova@cityofelcajon.us and reference "Car 1234" in the subject line.

PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION APPROVING THE AMENDMENT TO CONDITIONAL USE PERMIT NO. 2128 FOR THE ADDITION OF A CARETAKER'S UNIT AND STORAGE AT AN EXISTING VEHICLE DEALERSHIP IN THE GENERAL COMMERCIAL (C-G) ZONE, APN: 484-291-09, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (GC)

WHEREAS, the El Cajon Planning Commission duly advertised and held a public hearing on April 19, 2016, to consider the Amendment to Conditional Use Permit (CUP) No. 2128, as submitted by Manochehr Karimi on behalf of Car 1234, Inc., requesting to establish a caretaker's unit and storage at the existing vehicle dealership in the C-G zone, on property located on the north side of Broadway between North Mollison Avenue and North Anza Street, and addressed as 982 Broadway;

WHEREAS, at the public hearing the El Cajon Planning Commission received public testimony and comment, reports prepared and presented to the Planning Commission, and then continued the hearing to May 17, 2016;

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

- A. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) according to section 15303, Class 3 (New Construction or Conversion of Existing Facilities) of the CEQA Guidelines. Section 15303 provides an exemption for the construction and location of limited numbers of new, small facilities or structures as well as the conversion of small structures. None of the exemption exceptions listed under CEQA Guidelines Section 15300.2 exist;
- B. The General Plan indicates that the City is to assist in the expansion of successful businesses so they may be retained locally. The General Plan also indicates that all commercial development shall be subject to sound design requirements and strict standards of performance. In conformance with General Plan policies, the addition of a caretaker's unit and storage at the existing used vehicle dealership provides on-site security and storage space to a growing business, as long as emergency access is maintained, vehicle storage is conducted on the subject site only, and the required parking is provided and available.

- C. Within the C-G zone, the caretaker's unit and storage are permitted as ancillary uses to the existing used vehicle dealership. The second story addition conforms to the applicable development standards, and the project is consistent with the original permit;
- D. The caretaker's unit and storage space for the vehicle dealership on the property are congruent with the commercial uses that surround the property. Uses along Broadway include restaurants, retail stores, and other similar auto-related uses. The conditions of approval are intended to ensure continued compatibility by requiring the provision of required parking, adequate lighting, emergency access onsite, vehicle storage only, and that any future changes to the property will require City review of the amended permit. Moreover, Zoning Code regulations and conditions are in place to ensure a seamless integration with neighboring businesses as well as adjacent residential uses.
- E. The proposed use will be required to continue to adhere to the standards for caretaker's units and vehicle dealerships in order to avoid the establishment becoming a nuisance. Moreover, the City has performance standards for impacts, which are addressed through Code Compliance actions if complaints are received;
- F. Adding a caretaker's unit for on-site security is part of the operations necessary for providing and maintaining a commercial service in an urban environment. The proposed addition is a benefit that maintains a safe and secure environment for the business owner, adjacent property owners and residents in the vicinity.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon Planning Commission hereby APPROVES the Amendment to CUP No. 2128 for the addition of second story caretaker's unit and storage space at the existing vehicle dealership, in the C-G zone, on the above described property, subject to the following conditions:

Planning

1. Prior to the issuance of building permits:
 - a. Submit a revised, one-page Mylar site plan to Planning that includes the notes required by Engineering as described in the conditions below and with the following notes:
 - i. The use shall be operated in a manner that is compatible at all times with the surrounding properties.
 - ii. Any change in use or expansion to the dealership may require City approval, including an amendment to this Conditional Use Permit.

Proposed Planning Commission Resolution

- iii. The minimum number of striped parking spaces shall be 10 and those shall be reserved for customers, employees, and the caretaker as indicated on the approved site plan.
 - iv. The use shall be operated in a manner that complies at all times with the performance standards of the Zoning Code.
 - v. All landscaping at the site 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.
 - vi. The approved storage space shall be used and maintained as storage, and shall not be converted to any other use without prior City approval.
 - vii. The vehicle display area shall not compromise compliance with any applicable building or fire codes, including a minimum 20-foot fire lane within the 24-foot vehicle back-up space.
 - viii. The minimum number of required parking spaces shall be maintained at all times available for employee and guest parking as shown on the approved site plan.
 - ix. Vehicle storage and display shall only occur on the subject site.
2. Prior to a certificate of occupancy for the remodeled building:
 - a. Construct the trash enclosure.
 - b. Complete the building improvements according to the approved project elevations.
 - c. Comply with the comments from Helix Water District in a document dated December 10, 2015.
 3. All original operational conditions of approval for CUP No. 2128 shall continue to apply.

Engineering & Storm Water

4. Storm Water Requirements and Comments with this Action:
 - a. Add the following notes to the Amended Conditional Use Permit (CUP) Site Plan and implement the Best Management Practices as a condition of the CUP:
“All operations shall comply with the City’s Jurisdictional Runoff Management Program (JRMP) 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 Best Management Practices (BMPs) as follows:

Proposed Planning Commission Resolution

- 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. *Provide spill response kits for vehicle fluid leaks.*
- c. *Sweep or vacuum to clean outdoor areas (trash enclosures, sidewalks and parking lots).*
- d. *Capture, contain, and collect any power wash water and dispose of in the sanitary sewer.*
- 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. All dumpsters shall be properly stored inside of a building or trash enclosure.*
- i. *All trash enclosures must be secure, constructed with a grade-break across the entire entrance, and drained to a sufficiently sized and stabilized landscaped area in accordance with the requirements of Public Works Storm Water Attachment No. 2 (Available to the public through Public Works on the 4th floor of City Hall).*
- j. *Vehicle washing liquids must be contained and disposed of in the sanitary sewer. All onsite drains in the vicinity shall be blocked during washing activities.*

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."

5. Storm Water Requirements and Comments Prior to the Issuances of Any Building Permit:

- a. In accordance with the City's lot grading ordinance, no grading or soil disturbance, including clearing of vegetative matter and demolition activities, shall be done until all necessary environmental clearances are secured and an Erosion Control Plan (ECP) has been reviewed and approved by Public Works.

Proposed Planning Commission Resolution

- i. The ECP shall control sediment and pollution and be in compliance with the City's 2015 Jurisdictional Runoff Management Plan (JRMP). The plan should show measures to ensure that pollutants and runoff from the development are reduced to the maximum extent practicable.
- ii. The ECP shall be submitted to the Public Works Department, Storm Water Division, on the 4th floor of City Hall, and shall include:
 - a) Review fees for ECPs.

Note: Pertinent sections of the JRMP document are available to the public on the City of El Cajon website or through the Public Works Department on the 4th floor of City Hall. The architect or engineer shall obtain applicable notes and instructions from Public Works prior to submittal of plans.

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

6. Engineering Requirements

- a. General - Use the existing sewer laterals.

Building and Fire Safety

7. Comply with the following requirements from Building and Fire Safety:

- a. Comply with Currently adopted edition of the California Building Code, California Fire Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and Green Building Standard Code.
- b. A Building permit is required for this project.
- c. Title 24 energy efficiency compliance and documentation is required.
- d. An automatic sprinkler system is required by CBC or local ordinance.
- e. Undergrounding of all on-site utilities is required.
- f. 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").

8. The Planning Commission may at any time during the life of this use permit, after holding a properly noticed public hearing, 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

Proposed Planning Commission Resolution

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. At such hearing the applicant may appear and object under applicable law to any potential revocation or modification of the conditions of approval.

9. The existence of this amended conditional use permit shall be recorded with the County Recorder.
10. The proposed use shall be developed and operated in substantial conformance with conditions as presented in the Planning Commission staff report titled Amendment to Conditional Use Permit No. 2128, dated April 19, 2016, except as modified by this resolution. Operation of the use in violation of the conditions of approval is grounds for revocation.
11. 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 and subsequently approved by the Planning Secretary within the same time period, this conditional use permit shall be considered null and void pursuant to El Cajon Zoning Code section 17.35.010.
12. All projects approved by the Planning Commission shall comply with the following standard conditions, unless specifically exempted by the Commission or Council:

General

- a. 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.
- b. 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.

Project Site

- c. 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.

- d. 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.
- e. 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.
- f. 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.
- g. 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.
- h. All retaining walls visible from public right-of-ways shall include decorative elements, subject to approval by the Planning Division.
- i. The design of any masonry sound wall shall be approved by the Planning Division. Such walls shall match or be architecturally compatible with existing sound walls of neighboring projects along that street. All masonry walls shall have a trim cap.

Architecture

- j. 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.
- k. All mechanical, and/or roof mounted equipment shall be architecturally screened from public view.
- l. 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.
- m. 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.
- n. 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.

Proposed Planning Commission Resolution

- o. Finish quality of approved exterior design elements shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.
- p. Any decorative elements around the base of a building (stone veneer or tile, etc.) shall be finished with a decorative cap or trim piece.

Landscaping

- q. 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.
- r. All existing trees to remain shall be shown on the grading plan.
- s. 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.
- t. 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.
- u. 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.

Miscellaneous

- v. 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.
- w. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.
- x. All signs shall be submitted to the Planning Division for review and approval

Proposed Planning Commission Resolution

- pursuant to 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.
- y. The site shall be maintained in a neat and clean manner free of trash and debris.
 - z. 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.
 - aa. 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.
 - bb. 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.
13. 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.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Proposed Planning Commission Resolution

PASSED AND ADOPTED by the El Cajon City Planning Commission at a regular meeting held May 17, 2016, by the following vote:

AYES:
NOES:
ABSENT:

Anthony SOTTILE, Chairperson

ATTEST:

Anthony SHUTE, AICP, Secretary

PLANNING COMMISSION RESOLUTION NO. 10619

A RESOLUTION GRANTING CONDITIONAL USE PERMIT NO. 2128 TO ESTABLISH A MOTOR VEHICLE SALES FACILITY ON THE NORTH SIDE OF BROADWAY, BETWEEN NORTH ANZA STREET AND NORTH MOLLISON AVENUE IN THE GENERAL COMMERCIAL (C-2) ZONE, APN: 484-291-09, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL.

WHEREAS, the El Cajon City Planning Commission duly advertised and held a public hearing on May 24, 2010, to consider Conditional Use Permit No. 2128, as submitted by Manouchehr Karimi, requesting to establish a motor vehicle sales facility in the General Commercial (C-2) zone, on the north side of Broadway, between North Anza Street and North Mollison Avenue, addressed as 982 Broadway, APN: 484-291-09; and

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

- A. The proposed use is categorically exempt from environmental review in accordance with 15303, Class 3 (Conversion of Small Structures), of the CEQA Guidelines;
- B. The proposed motor vehicle sales facility is consistent with the General Plan designation of "General Commercial" because the applicant's proposal includes the addition of landscaping adjacent to Broadway that will help beautify the existing older commercial area;
- C. The proposed motor vehicle sales facility is consistent with the C-2 zone if a conditional use permit is granted. The applicant has proposed to install a masonry wall along the northerly property line to separate the dealership from the residential property to the north, as required for commercial properties that are adjacent to residentially zoned properties;
- D. The proposed motor vehicle sales facility will be operated in a manner that is compatible with the particular use, project site, and other existing and potential uses within the general area in which such use is proposed if sufficient parking for customers and employees is provided at the site. Based upon the size of the dealership and the amount of vehicle display area, seven parking spaces will be sufficient for customers and employees. The design and location of the motor vehicle sales facility will be compatible with existing and future land uses at the subject site and in the vicinity, in terms of aesthetic character and scale if the exterior upgrades to the buildings are approved by the Director of Community Development;
- E. The establishment, maintenance, and operation of the motor vehicle sales facility will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use with respect to the factors of

noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentration of traffic if vehicle repairs are prohibited at the site. The proposed dealership will not generate excessive amounts of noise beyond that which is already generated by adjacent commercial activities. The proposed dealership is relatively small and is not expected to create excessive amounts of traffic; and

- F. The proposed use is in the best interest of public convenience and necessity and will not be contrary to the public health or welfare. The modifications to the site will convert older residential structures to commercial use, and put to productive use a vacant piece of land that might otherwise become a public nuisance.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon City Planning Commission hereby GRANTS Conditional Use Permit No. 2128 for a motor vehicle sales facility, subject to the following conditions:

1. Within 30 days of City Council approval the applicant shall submit a revised, one-page, 24" by 36" mylar site plan to the Planning Division that reflects the following specific notes and changes:
 - a. Under the heading "Public Works Department Notes," add the items listed in condition A-1 of the Public Works Department comments labeled "Exhibit C" and dated 05-05-10.
 - b. Under the heading "Planning Division Notes," add the ongoing conditions of approval listed in condition 4.
 - c. Revise the site plan to indicate that the lot depth at the site is 183 feet.
 - d. Indicate a masonry wall with trim cap along the northerly property line.
2. In addition to complying with the notes and site configuration of the approved CUP No. 2128 site plan, the following conditions shall be satisfied:
 - a. The applicant shall comply with the building requirements of the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit A" dated 04-19-10.
 - b. The applicant shall comply with the fire safety requirements of the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit B" dated 04-19-10.
 - c. The applicant shall comply with the requirements of the Public Works Dept. as noted in the attached letter labeled "Exhibit C" dated 05-05-10.
 - d. The applicant shall comply with the requirements of the Helix Water District as noted in the attached letter labeled "Exhibit D" dated 04-09-10.
3. Prior to the issuance of building permits, the applicant shall complete the following:
 - a. The revised CUP site plan required in condition 1 shall be approved by the Planning Division and incorporated into the final plans.
 - b. The Director of Community Development shall review and approve proposed building elevations and exterior materials prior to the issuance of building permits. The upgrades to the buildings shall be applied in a consistent


manner to each building and be shown on the construction drawings submitted for building permits. All building elevations shall be in substantial conformance with the building elevations and exterior materials approved by the Director of Community Development.

- c. Submit two sets of a complete landscape and irrigation plan to the Planning Division for approval. The plan shall indicate all proposed landscaping, and shall be prepared in accordance with the City's Landscape Policy. The final approved landscaping plan shall be approved by the Planning Division prior to the issuance of building permits.
4. The following are ongoing conditions of approval for this conditional use permit and shall be noted on the CUP site plan.
 - a. The use shall be operated in a manner that is compatible at all times with surrounding properties and uses.
 - b. Any change in use or expansion of the facility may require prior City approval, including an amendment to this conditional use permit.
 - c. No vehicle repairs are allowed at the site.
 5. The existence of this conditional use permit shall be recorded with the County Recorder.
 6. The Planning Commission may at any time during the life of this use permit, after holding a new public hearing and considering testimony as to the operation of the approved use, add additional conditions as it deems necessary, to ensure that the approved use continues to be compatible with surrounding properties and continues to be operated in a manner that is in the best interest of public convenience and necessity and will not be contrary to the public health, safety or welfare.
 7. The proposed use shall be operated substantially as presented in the Planning Commission staff report titled Conditional Use Permit No. 2128, dated May 24, 2010, except as modified by this resolution. Operation of the use in violation of the conditions of approval is grounds for revocation.
 8. If all conditions of approval have not been satisfied or if the uses approved by this conditional use permit have not been commenced, and if no request for an extension of time has been received, within two years of the approval Planning Commission or by May 24, 2012, this conditional use permit shall be considered null and void per El Cajon Zoning Ordinance Section 17.78.020.

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PASSED AND ADOPTED by the El Cajon City Planning Commission at a regular meeting held May 24, 2010, by the following vote:

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



Anthony SOTTILE, Chairman

ATTEST:



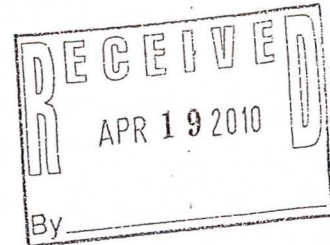
Melissa AYRES, Secretary

APPROVED
MAY 24 2010
AS PRESENTED

CITY OF EI CAJON



MEMORANDUM



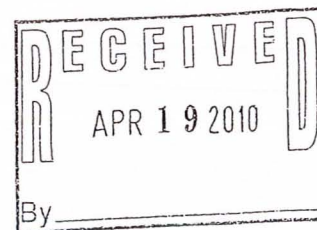
Monday, April 19, 2010

To: Planning Division
From: Building and Fire Safety Div., Dan Pavao
Subject: Building Comments for CUP 2128
982 Broadway

Building Comments for this planning application are as follows:

1. Permit record does not show conversion of the dwelling to a commercial use. The conversion must be permitted in conjunction with this project. In addition, the buildings are in a poor state of repair and may be in substandard condition.
2. Please be advised that conversion of a dwelling unit to a commercial use will require that the buildings meet all of the code requirements for the new use.
3. Comply with Currently adopted edition of the CBC, CMC, CPC, and CEC.
4. A Building permit is required for this project.
5. Project must comply with Title 24 disabled access regulations.
6. Title 24 energy efficiency compliance and documentation is required.
7. Separate permits are required for signs, retaining walls, pools, etc.
8. Undergrounding of all on-site utilities may be required based on project valuation.

CITY OF EL CAJON



MEMORANDUM

Monday, April 19, 2010

To: Planning Division
From: Building and Fire Safety Div., Dan Pavao
Subject: Fire Comments for CUP 2128
982 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. Fire extinguisher is required. One for every 3000 s.f with max. 75 ft. travel distance. Minimum size 2A10BC with signage.

Dan Pavao

APN: 484 291 09

Street Name	Right-of-Way		Curb		Street Class	General Plan Class
	Exist	Prop	Exist	Prop		
BROADWAY	100'	100'	84'	84'	PRIMARY THOROUGHFARE	GENERAL COMMERCIAL

TO: PLANNING DIVISION
FROM: DEPARTMENT OF PUBLIC WORKS
RE: CONDITIONAL USE PERMIT 2128
LOCATION: 982 BROADWAY



PUBLIC WORKS REQUIREMENTS AND COMMENTS WITH THIS ACTION

A. STORM WATER REQUIREMENTS AND COMMENTS WITH THIS ACTION

A-1. Add the following notes to the Conditional Use Permit (CUP) Site Plan and implement the Best Management Practices as a condition of the 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 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. *Provide spill response kits for vehicle fluid leaks.*
- c. *Sweep or vacuum to clean outdoor areas (trash enclosures, sidewalks and parking lots).*
- d. *Capture, contain, and collect any power wash water and dispose of in the sanitary sewer.*
- 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. All dumpsters shall be properly stored inside of a building or trash enclosure.*

- i. *All trash enclosures must be secure, constructed with a grade-break across the entire entrance, and drained to a sufficiently sized and stabilized landscaped area in accordance with the requirements of Public Works Storm Water Attachment No. 2 (Available to the public through Public Works on the 4th floor of City Hall).*
- j. *Vehicle washing liquids must be contained and disposed of in the sanitary sewer. All onsite drains in the vicinity shall be blocked during washing activities.*

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.”

- A-2. The plans shall show that all roof drains and parking areas (where feasible) and any other new or redeveloped impervious areas will drain to sufficiently sized and designed landscaped areas so as to incorporate Low Impact Development (LID) BMPs for compliance with the California Regional Water Quality Control Board (San Diego Region) Order No. R9-2007-0001. See Section D.1.c(2) of Order No. R9-2007-0001, located at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf

Low Impact Development BMP details must be included as a separate section of the Building Permit Plan Set. The project must include a comprehensive review and consideration of LID BMPs and a determination of feasibility and practicality for all mandatory LID BMPs. The LID section must include implementation of Source Control BMPs, Treatment Control BMPs and other LID BMPs where practical and feasible. An electronic copy of the County of San Diego Low Impact Development Handbook can be found online at:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

- A-3. Submit a Conceptual Storm Water Site Plan (Conceptual SWSP) that incorporates Low Impact Development (LID) requirements and shows proposed drainage patterns (including inlets and catch-basins onsite and directly offsite) and any proposed Treatment Control Best Management Practices (BMPs). The Conceptual SWSP must be approved by Storm Water personnel prior to purchase and installation of said BMPs. The SWSP must include at least the following:
 - a. Proposed Treatment Control BMPs (e.g., vegetated swales, bioretention basins, proprietary hydrocarbon filters) to be installed for the treatment of runoff in all parking lots. LID and Treatment Control BMPs must be detailed (designs, product numbers, and treatment rates) and shown on the Conceptual SWSP.
 - i. Install structural BMPs (i.e. hydrocarbon filters) in all storm drain inlets in the areas to be used for this CUP and any inlets that accept runoff from the areas to be used by the project.
 - b. Details of any proposed trash enclosures. Any and all enclosures must be designed to be secured, constructed with a grade-break across the entire enclosure entrance, and drained to a sufficiently sized and stabilized landscaped area in accordance with the requirements of Public Works Storm Water Attachment No. 2 (Available to the public through Public Works on the 4th floor of City Hall).

The SWSP must be approved by Storm Water personnel and attached to the final Building Permit plan set prior to purchase and construction/installation of said BMPs.

NOTE: FAILURE TO COMPLY OR IMPLEMENT CUP 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.

B. PRIVATE DEVELOPMENT REQUIRMENTS AND COMMENTS (PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT):

- B-1. Reconstruct the existing driveway on Broadway per San Diego Regional Standard Drawings (SDRSD) G- 26, including 2:1 sidewalk transitions per SDRSD G-14A for ADA compliance. Edge of driveways shall be a minimum of 3-feet from the property line and all obstructions. The driveways shall be a minimum 24'/36' 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 a detailed scaled drawing with dimensions of the proposed driveway and sidewalk installation showing the location of the public street right-of-way, property lines, face of curb, all physical obstructions, including but not limited to, utility poles, telephone and cable TV equipment, fencing, etc. along with any required offsets in accordance with San Diego Regional Standard Drawings (SDRSD) G-15 and G-16. (These details shall be shown on the Storm Water Site Plan and the Conditional Use Permit Site Plan).

- B-2. The site Plans must show the correct dimensions for the right-of-way on Broadway: the distance from centerline to face-of curb is 42-feet; the distance from face-of-curb to property line is eight-feet and the distance from centerline to property line is 50-feet.

C. GENERAL:

- C-1. An Encroachment Permit is required for any work within the public right-of-way.
C-2. Repair all damaged curb and gutter and sidewalk.
C-3. Use the existing sewer laterals.



DENNIS DAVIES
Deputy Director of Public Works

5/5/10

Date



Helix Water District

Setting standards of excellence in public service

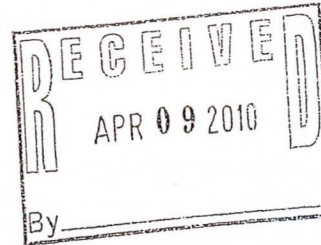
Exhibit D – P.C. Reso. 10619
Helix Water Comments

7811 University Avenue
La Mesa, CA 91941-4927

(619) 466-0585
FAX (619) 466-1823
www.hwd.com

April 7, 2010

Barbara Ramirez
Principal Planner
City of El Cajon
200 Civic Center Way
El Cajon, CA 92020



Subject: Conditional Use Permit No. 2128
APN: 484-291-09
982 Broadway E I Cajon, Auto Sales Lot

Dear Ms. Ramirez:

Thank you for the opportunity to comment on the subject project. Helix Water District serves the subject parcel with one .75 inch water service. The nearest fire protection is provided by a fire hydrant which has 1-4 and 2-2.5 inch outlets and is located at the Northeast corner of Anza & Broadway. Water pressure in the area is approximately 90 psi.

We will require that our staff review any improvement plans including grading, drainage and street improvement plans, which may affect Helix Water District facilities and the signature of Helix Water District may be required if such plans are required by the City of El Cajon. We may require the location of the existing water services be brought up to current district standards, which is behind the existing sidewalk and backflow devices will be required for existing water meters.

Backflow devices will be required for any new water services or fire services installed per current Water Agencies' Standards. The new backflow devices will be tested by a certified backflow tester and a copy of the passing test results must be forwarded to Helix Water District to the attention of Darrin Teisher.

If landscaping of the parcels exceeds 5,000 sq ft., a dedicated irrigation meter will be required and the property entered into our water conservation program.

The El Cajon Fire Dept. may require additional or upgraded fire protection facilities for this project. All costs for new fire protection facilities shall be paid by the Owner/Developer. Easements will be required if new or existing facilities cannot be installed within existing public right of way.

If you have any questions, please call me at (619) 667-6239.

Sincerely,

Carlos Perdomo
Senior Engineering Technician

c: Smith, Anub,— Helix Water District

Elected Board
of Directors:
Richard K. Smith
President

DeAna R. Verbeke
Vice President
John B. Linden
Kathleen Coates Hedberg
Charles W. Muse

Staff:
Mark S. Weston
General Manager

Donna Bartlett-May
Board Secretary

Legal Counsel:
Scott C. Smith

**STAFF REPORT
PLANNING COMMISSION MEETING
MAY 24, 2010 - 7:00 P.M.**

COUNCIL CHAMBER
200 CIVIC CENTER WAY
EL CAJON, CA 92020

AGENDA ITEM NO. 4

SUBJECT: CONDITIONAL USE PERMIT NO. 2128

This is a public hearing on a request to establish a motor vehicle sales facility. The subject property is located on the north side of Broadway between North Anza Street and North Mollison Avenue, and is addressed 982 Broadway.

APN: 484-291-09
General Plan: General Commercial (GC)
Zoning: General Commercial (C-2)
Applicant: Manouchehr Karimi / 619.602.5606
Project Planner: Noah Alvey / 619.441.1773
Email: nalvey@ci.el-cajon.ca.us and include "CUP 2128" in Subject Line.

RECOMMENDED ACTION: Move to adopt the proposed Resolution No. 10619 granting Conditional Use Permit No. 2128, subject to conditions.

BACKGROUND

Records from the County Assessor's office indicate that the subject site was originally developed with a dwelling and garage in 1941. A second garage was then constructed in 1950. The site was annexed from the County of San Diego to the City of El Cajon on November 30, 1955. There are no records that indicate what improvements existed on the subject site at the time of annexation. Building permit records indicate that the subject site was connected to the City's sewer system in 1958. In 1974, a business (Pot City) obtained building permits to install a monument sign and apply stucco to a garage and a portion of the house. In 1981, a business (Shell City) obtained permits to upgrade the electrical service at the site. Although businesses have operated at the site for many years, there are no permits that indicate that the dwelling was legally converted to a commercial use.

PROJECT DESCRIPTION

Existing Conditions: The subject property has 75 ft. of frontage on the north side of Broadway and a lot area of approximately 14,000 sq. ft. The subject site is developed with an 880-sq. ft. dwelling and a 660-sq. ft. accessory storage building. The buildings are in poor condition. The remainder of the site is paved and surrounded by a six-foot high chainlink fence.

To the south of the subject property, across Broadway, are various retail commercial uses (retail grocery store, automotive repair, etc.). To the west of the subject site is an electric device repair shop and camper shell sales. To the east of the site is restaurant. The properties to the east, west and south of the site are located in the General Commercial (C-2) zone. The property to the north of the site is developed with a single-family dwelling that is located in the Residential, One-family (R-1-6) zone.

Project Proposal: The applicant is requesting to establish a motor vehicle sales facility for new and used cars. The primary vehicle display area will be located along the easterly property line and will be able to accommodate six to seven vehicles. To the west of the vehicle display area there will be a total of seven parking spaces for customers and employees. A 24-ft. fire lane will separate the parking and vehicle display areas. The area north of the existing buildings is currently paved. The applicant does not have an intended use for this area, but has indicated that it may be used for additional vehicle parking and storage when necessary. Paving adjacent to Broadway will be removed and new landscaping will be installed. The applicant is also proposing to construct a new trash enclosure and to install new security lighting. The existing chainlink fence adjacent to the public right of way will be removed and a new fence will be installed behind the landscaped area.

The proposed dealership will be open from 9:00 a.m. to 7:00 p.m., seven days a week. There will be approximately three employees on site during business hours. The applicant estimates that four to five customers will visit the site on a daily basis.

Renovations to the existing buildings will include new roofing, siding and windows. The applicant has not indicated the type of materials that will be used to upgrade the exteriors of the buildings. The applicant will be upgrading the dwelling by installing a new bathroom and a handicapped accessible ramp. The applicant has also indicated that the necessary upgrades to convert the structures from residential use to commercial use will also be completed.

GENERAL PLAN/CODE COMPLIANCE

General Plan: The proposed project is consistent with the General Commercial (GC) land use designation of the General Plan, and will implement the following General Plan policies if the proposed conditions of approval are satisfied.

Policy 9-4.8 states that the “provision of landscaping shall be encouraged to help beautify older commercial areas.” The subject site is currently paved. The applicant’s proposal includes landscaping adjacent to Broadway that will help beautify the existing older commercial area. The City Council’s landscape policy requires all landscaped areas to consist of a mixture of trees, shrubs and ground cover.

Policy 9-4.10 states that, “retail commercial uses shall be encouraged to locate within retail commercial areas as designated by the General Plan.” The General Plan designation for the subject site is General Commercial, and the proposed use is a retail commercial use.

Zoning: The proposed use is consistent with the General Commercial (C-2) zoning regulations that govern development on the project site if Conditional Use Permit No. 2128 is granted and if the proposed conditions of approval are satisfied.

Walls: Section 17.40.140 of the Zoning Ordinance states that “a six-foot-high solid masonry wall shall be required along all interior property lines that form a district boundary with any residential zone district unless already separated by a public alley.” The northerly property line is adjacent to residentially zoned property. The proposed resolution requires the installation of a six-foot high masonry wall with trim cap.

Parking: The Zoning Ordinance does not specify a parking requirement for vehicle sales. Section 17.64.160 of the Zoning Ordinance states, “where a special use is not specifically listed within this title, the parking requirements for such use shall be determined by the planning commission...” The Project Description & Justification provided by the applicant indicates that there will be three to four employees at the site during business hours and approximately four to five customers per day. The applicant has proposed that seven parking spaces be designated for customers and employee parking.

Design Guidelines: In 1990, the City Council adopted design guidelines intended to improve the appearance of buildings in the community, using quality and compatibility with surroundings as primary considerations. The policy provides some simple, basic principles to guide both the applicant and the staff in making design decisions. The applicant has proposed renovations to the existing buildings will include new roofing, siding and windows. In order to ensure that the exterior upgrades are comprised of quality materials that are compatible with surrounding properties, the proposed Planning Commission resolution recommends that the Director of Community Development review and approve the proposed building elevations and exterior materials prior to the issuance of building permits. The proposed resolution also recommends that the upgrades to the buildings be applied in a consistent manner to each building and be completed prior to the commencing vehicle sales at the site.

Required Findings: In order for the Planning Commission to recommend approval of the proposed project, the Commission must make the following findings:

- A. The proposed motor vehicle dealership will be operated in a manner that is compatible with the particular use, project site, and other existing and potential uses within the general area in which such use is proposed to be located.
- B. The proposed motor vehicle dealership will not be detrimental to the public health, safety, and welfare with respect to noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentrations of traffic.
- C. The proposed motor vehicle dealership is in the best interest of public convenience and necessity and will not be contrary to the public health or welfare.

CEQA: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) according to Section 15303 (Class 3) of the CEQA Guidelines. Section 15303 provides an exemption for the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. The exemption may be applied to the establishment of permitted or conditionally permitted uses in urbanized areas within buildings of up to 10,000 square feet in which hazardous materials are not used or stored.

Noticing Requirements: Notice of this public hearing was mailed to all property owners within 300 feet of the project site on May 13, 2010, 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 and 576 Garfield Avenue.

ANALYSIS

Staff believes that the Commission can make the required findings to grant the proposed use based on the following project analysis.

The proposed use of the subject property for motor vehicle sales is consistent with the General Plan and previously stated objectives and policies, if the applicant adds a mixture of trees, shrubs and ground cover in the landscaped area adjacent to Broadway. The addition of drought-tolerant trees and shrubs to the subject site will help to beautify the existing commercial development.

The proposed use is permitted in the C-2 zone subject to the issuance of a conditional use permit. The proposed vehicle sales facility will satisfy Zoning Ordinance development standards if a six-foot high masonry wall with trim cap is constructed along the northerly property line. A new trash enclosure will be constructed in accordance with Zoning Ordinance requirements.

The proposed vehicle display areas will not negatively impact the surrounding neighborhood because the applicant will provide onsite parking for customers and employees. Based upon the size of the dealership and the amount of vehicle display area, seven parking spaces will be sufficient for customers and employees. The proposed renovations to the existing structures will be compatible with surrounding properties if the Director of Community Development reviews and approves the proposed building elevations and exterior materials prior to the issuance of building permits.

The proposed dealership will not result in noise, smoke, dust, fumes, vibration, odors, hazards or excessive concentration of traffic because vehicle repairs will not occur at the site. All sales activities will be conducted within the enclosed building. The proposed dealership will not generate excessive amounts of noise beyond that which is already generated by adjacent commercial activities. The proposed dealership is relatively small and is not expected to create excessive amounts of traffic.

The proposed use is in the best interest of public convenience and necessity and will not be contrary to the public health or welfare. The modifications to the site will convert older residential structures to commercial use, and put unoccupied structures to productive use that might otherwise become a public nuisance.

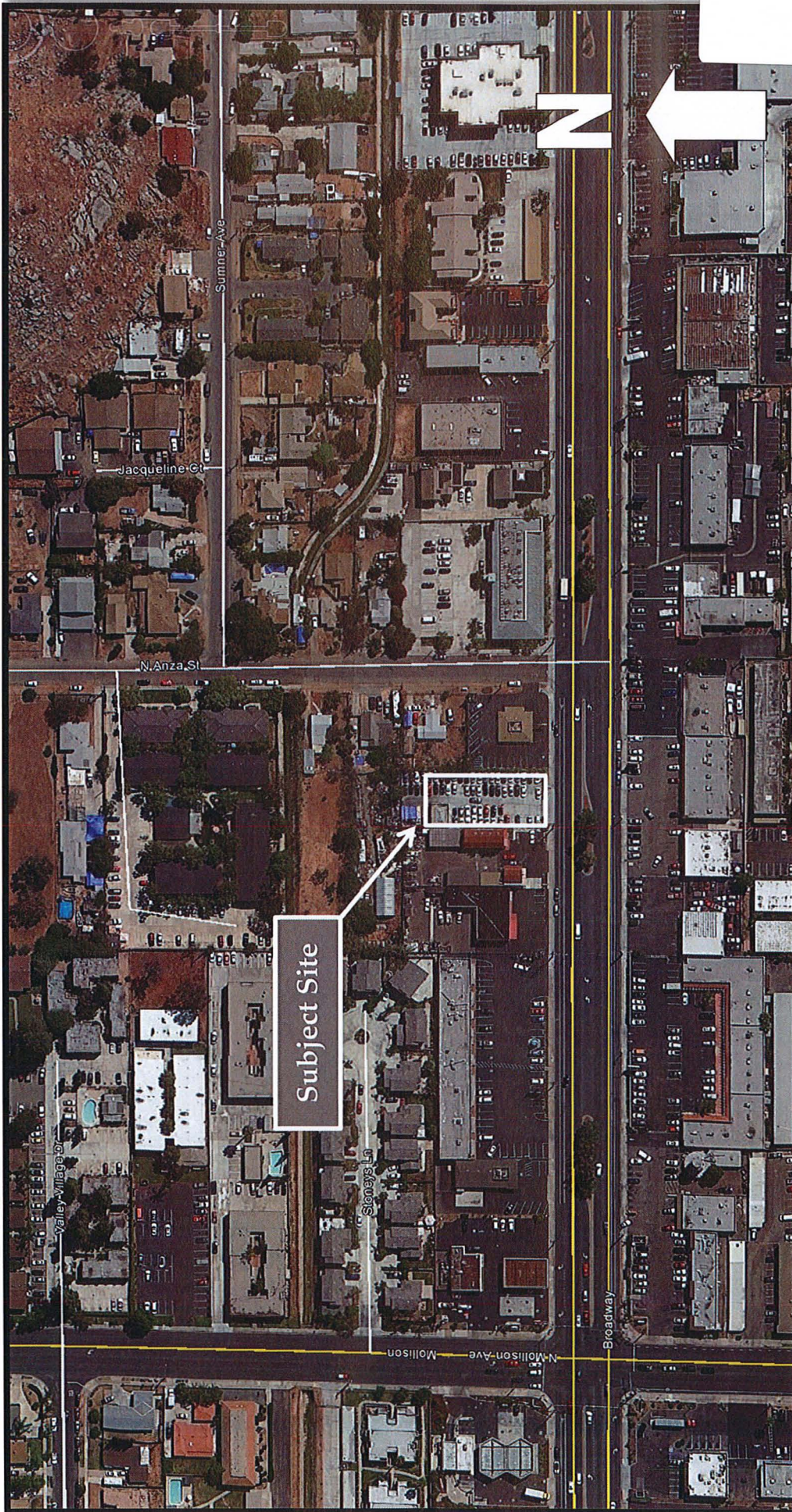
Staff received comments from several departments and divisions, and these comments have been incorporated into the recommended conditions of approval found in the attached proposed resolution. Comments from the Building and Fire Safety Division require the applicant to obtain permits to convert the residence to a commercial use. Comments from the Public Works Department require improvement to the public right of way and the comments from the Helix Water District require the installation of backflow prevention devices.

ATTACHMENTS:

1. Proposed Resolution No. 10619
 - Exhibit A – P.C. Res. 10619: Building comments 04-19-10
 - Exhibit B – P.C. Res. 10619: Fire comments dated 04-19-10
 - Exhibit C – P.C. Res. 10619: Public Works Department comments 05-05-10
 - Exhibit D – P.C. Res. 10619: Helix Water District comments 04-09-10
2. Aerial photograph of subject property
3. Public hearing notice
4. Application
5. Disclosure statement
6. Project Description & Justification
7. Reduced site plan (not to scale)

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Aerial Image
982 Broadway





Project Assistance Center
Planning Group
PLANNING PERMIT APPLICATION

Type of Planning Permit(s) Requested

- | | | | | | |
|------------------------------|---|------------------------------|------------------------------|------------------------------|------------------------------|
| <input type="checkbox"/> AZP | <input checked="" type="checkbox"/> CUP | <input type="checkbox"/> LLA | <input type="checkbox"/> PRD | <input type="checkbox"/> PUD | <input type="checkbox"/> SDP |
| <input type="checkbox"/> SP | <input type="checkbox"/> SCR | <input type="checkbox"/> TPM | <input type="checkbox"/> TSM | <input type="checkbox"/> VAR | <input type="checkbox"/> ZR |

Other: AM CUP 2128

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

Company Name: Car 1234

Contact Name: Manochehr Karimi

Address: 982 Broadway El Cajon CA 92021

Phone: (619) 602-5606 Email: _____

Interest in Property: Own Lease Option

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

Company Name: ASM Design inc

Contact Name: Ali Mohammadian License: _____

Address: 7524 Jennite Dr. S.D CA 92119

Phone: (619) 518-3475 Email: ASM927@Hotmail.com

Property Owner Information (if different than applicant)

Company Name: _____

Contact Name: _____

Address: _____

Phone: _____ Email: _____

Project Location

Parcel Number (APN): # 484-291-09

Address: 982 Broadway El Cajon CA 92021

Nearest Intersection: Mission

Project Description (or attach separate narrative)

Addition of new second story to existing commercial building for care taker area & storage

Hazardous Waste and Substances Statement

Section 65962.5(f) of the State of California Government Code requires that before the City of El Cajon accepts as complete an application for any discretionary project, the applicant submit a signed statement indicating whether or not the project site is identified on the State of California Hazardous Waste and Substances Sites List. This list identifies known sites that have been subject to releases of hazardous chemicals, and is available at <http://www.calepa.ca.gov/sitecleanup/corteselist/>. Check the appropriate box and if applicable, provide the necessary information:

The development project and any alternatives proposed in this application:

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

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

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

Authorization

Applicant Signature¹: [Signature] Date: 10/24/15

Property Owner Signature²: [Signature] Date: _____

- 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.



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.

Manochehr Karimi
982 Broadway EL Cajon CA 92021

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

Manochehr Karimi
982 Broadway EL Cajon CA 92021

- 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.

N/A _____

- 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.

N/A _____

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 no

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

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



Signature of applicant / date

9/28/15

Print or type name of applicant

NOTE: Attach appropriate names on additional pages as necessary.

