



## CITY OF COMMERCE AGENDA REPORT

**TO:** Honorable City Council

Item No. \_\_\_\_\_

**FROM:** City Manager

**SUBJECT:** Extension of Temporary Use Permit No. 2025-025 to Allow Temporary Uses in Conjunction with an Existing Restaurant (“Dirt Dog”) at 2909 Supply Avenue.

**MEETING DATE:** June 9, 2026

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### **RECOMMENDATION:**

That the City Council consider extending Temporary Use Permit No. 2025-025 (“TUP-2025-025”) to allow temporary event programming at an existing restaurant site located at 2909 Supply Avenue (“Subject Property”) in the Heaving Manufacturing Zone (“M-2”) and direct the Director of Community Director as follows:

1. Approve a 6-month extension of TUP-2025-025 until December 24, 2026;
2. Deny a 6-month extension of TUP-2025-025. If the extension request is denied, the TUP-2025-025 will expire on June 24, 2026; or
3. Take any additional related action that may be deemed necessary.

### **ENVIRONMENTAL ASSESSMENT:**

This project has been determined to be exempt from the environmental review under the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9)); Administrative Code, Title 14, Chapter 3 §15301, Class 1, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. Examples include but are not limited to: (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances; and (b) Additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

### **BACKGROUND:**

The Subject Property located at 2909 Supply Avenue contains 65,275 square feet in land area and is developed with an approximately 36,000 square foot building occupied by a

warehouse and restaurant use, known as Dirt Dog, and contains approximately 46 parking spaces to serve these uses.

On June 24, 2025, the City Council reviewed and approved TUP-2025-025 to allow temporary events at Dirt Dog for an initial 6-month period with an option to extend the approval for an additional 6-months. The initial approval for TUP-2025-025 was valid until December 24, 2025 and under the authority of the Director of Community Development (“Director”) granted by the conditions of approval for TUP-2025-025, an extension was granted until June 24, 2026.

On June 3, 2026, the Applicant, Timothy Cam, founder and CEO of Dirt Dog, submitted a request for an additional 6-month extension for TUP-2025-025 to allow him to continue hosting temporary events at Dirt Dog in order to provide him with additional time to prepare a parking study and other required documents that are required for his applications to establish a permanent entertainment establishment (Attachment 1). The Applicant applied for a Conditional Use Permit (“CUP”) and Development Agreement (“DA”) to allow an entertainment establishment and amend their CUP for on-site alcohol sales to expand into additional portions of the property. The 6-month extension of TUP-2025-025 is requested to allow the business to remain operational while they continue to work towards long-term stability.

Pursuant to the Commerce Municipal Code (“CMC”), Division 11. *Temporary Use and Special Event Permits*, certain temporary uses may be allowed for defined periods provided that the uses are regulated to prevent adverse impacts to neighborhoods. TUP’s may be approved administratively by the Director with conditions of approval as deemed necessary.

Pursuant to CMC Section 19.39.740.C.1, a TUP may be granted for an event, activity or use up to three-day period, but in an “emergency situation”, and on a case-by-case basis, the Director may extend the approval period to more than thirty calendar days and up to one year, with extensions allowed if the emergency persists. For purposes of clarification, “emergency situation” is not defined in the CMC.

The City Council previously determined that the Applicant’s request was an “emergency situation” due to operational and financial challenges risking a potential closure of the restaurant. In the Applicant’s letter dated June 3, 2026, he indicated that the “emergency situation” persists and without the permitted events, they would be forced to cease operations, resulting in loss of jobs and closure of Dirt Dog.

**ANALYSIS:**

Between the dates of August 2026 to the present, the City approved the following temporary events at Dirt Dog:

Type of Event	Number of Events
Community Events	17
Conventions	1
Live Music Events	57

Live Sporting Events	15
Private Events	4
<b>TOTAL</b>	<b>94</b>

In cases where outdoor events are held, this results in temporary elimination of on-site parking stalls. During these events, the Applicant uses three off-site parking locations within proximity of Dirt Dog which provide approximately 141 parking stalls for temporary events and potentially more through a valet service.

Additionally, Staff requested calls for service from Sherriff's Department for Dirt Dog between June 24, 2025 – present. No calls for service were received for this period.

During the past year, the Applicant has remained in compliance with the approved conditions of approval and has not posed any public safety issues due to their temporary events. Should the City Council direct the Director to approve a 6-month extension for TUP-2025-025, the Applicant would be subject to the previously approved conditions of approval contained in Attachment 3. Should the City Council direct the Director to deny the 6-month extension, the Applicant would need to discontinue hosting future temporary events.

**FISCAL IMPACT**

This activity can be carried out without additional impact on the current operating budget.

**ALTERNATIVES:**

1. Approve recommendation
2. Reject recommendation
3. Provide staff with further direction

**RELATIONSHIP TO STRATEGIC GOALS:**

This agenda item relates to the 2016 Strategic Plan:

Community Quality of Life

Guiding Principle 4, Support and evaluate community services, programs and events that promote healthy and quality lifestyles for our residents. Enhance public safety and social services through innovative programs that meet the needs of the residential and business communities.

Recommended by: Jessica Serrano, Director of Community Development  
 Fiscal Impact Reviewed: Alvaro Castellon, Director of Finance  
 Approved as to form by: Noel Tapia, City Attorney  
 Respectfully submitted by: Ernie Hernandez, City Manager

**ATTACHMENTS:**

1. Letter Requesting an Extension from Timothy Cam, dated June 3, 2026

2. Temporary Use Permit Application for 2909 Supply Avenue
3. Conditions of Approval for TUP-2025-025 at 2909 Supply Avenue