

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

December 16, 2003

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, December 16, 2003 was called to order by Mayor/Chair Mark Lewis at 3:00 p.m., in the Council Chambers, 200 East Main Street, El Cajon, California. This meeting was adjourned from the adjourned Regular meeting held at 7:00 p.m., December 2, 2003.

ROLL CALL

Council/Agencymembers present:	McClellan, Ramos, Santos
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Lewis
Other Officers present:	Linn, City Clerk/Secretary Foley, City Attorney/General Counsel Garrett, City Manager/Executive Director Munzenmaier, Director of Public Works Griffin, Director of Community Development

PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Lewis AND MOMENT OF SILENCE and (The Courts have concluded that sectarian prayer as part of City Council Meetings is not permitted under the Constitution)

POSTINGS: The City Clerk posted Orders of Adjournment of the December 2, 2003 Meeting and the Agenda of the December 16, 2003 Meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

Certificate Of Welcome To New Restaurant: Mangia Bene

Mayor Lewis presents a Certificate of Welcome to **Lenny Donato**, representing **Mangia Bene Restaurant**.

Vaunae Hansel, representing the **East County Pregnancy Care Center**, speaks about the support services provided by their agency, including free childbirth classes, parenting classes, and the Secret Garden, a resale boutique featuring baby clothes and furniture, at 677 S. Magnolia Avenue.

Recognition of City Departments – Cedar Fire

City Manager Garrett presents plaques expressing appreciation and gratitude to the following departments: **Fire, Police, Animal Control, Public Works, Building, Parks & Recreation, and Administrative Services**, for outstanding assistance provided to the citizens of the East County, in the aftermath of the Cedar fire. **Mayor Lewis** also presents a plaque to **City Manager Garrett** and his staff.

AGENDA CHANGES:

MOTION BY Lewis, SECOND by Santos, to discuss General Information Item “A” – SANDAG Board Actions under Item 8, as requested by Councilmember McClellan.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY Lewis, SECOND BY Santos, to approve Items 1.1 – 1.7 and 1.9 -1.10, removing Item 1.8 for discussion as requested by Councilmember McClellan.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS:

Approve Minutes of the December 2, 2003 Meetings of the El Cajon City Council/Redevelopment Agency.

1.2 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

1.3 DONATION TO ANIMAL SHELTER (Report: Animal Control Officer)

Accept the donation of \$100 from Maveh Vissers.

CONSENT ITEMS: (Continued)

1.4 LETTERS OF APPRECIATION – WALL OF FAME

Authorize the following letters to be included on the City's *Wall of Fame* and/or letters of appreciation be sent to the appropriate parties.

Letter from Santee City Manager Keith Till, expressing appreciation for El Cajon firefighters for assistance on October 26 during the fires that severely threatened Santee.

Letter from Eleanore H. Wilson expresses appreciation for the City's Housing Rehabilitation Loan Program, employees of the Community Development Department and the contractor that rehabilitated her mobile home.

**1.5 RESOLUTION NO. 220-03: AWARD BID FOR FACTORY LOADED AMMUNITION
(Report: Purchasing Agent)**

Adopt RESOLUTION NO. 220-03 and award the bid to San Diego Police Equipment Company, Inc. in the amount of \$10,306.83.

**1.6 RESOLUTION NO 221-03: AWARD BID – MAGNOLIA CORRIDOR IMPROVEMENTS
FOR WALKABLE COMMUNITIES GRANT (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 221-03 and award the bid to Hanson Aggregates Pacific Southwest, Inc., dba Hanson SJH Construction, in the amount of \$311,717.00.

**1.7 ACCEPTANCE OF PUBLIC IMPROVEMENTS – TENTATIVE SUBDIVISION MAP (TSM)
495 – CORNERSTONE COMMUNITY PROJECT – ENGINEERING JOB NO. 2733
(Report: Director of Public Works)**

Accept the public improvements and authorize the City Clerk to release the bonds guaranteeing the improvements in accordance with the subdivision agreement. Following acceptance, the developer will be required to maintain insurance in force until the release of all bonds for the project.

1.8 PULLED FOR DISCUSSION.

**1.9 NOTICE OF COMPLETION AND ACCEPTANCE, BID NO. 025-03, HVAC RENOVATION
(Report: Purchasing Agent)**

Accept the project and authorize the City Clerk to record a notice of completion and release the bonds according to the agreement for the project.

CONSENT ITEMS: (Continued)

1.10 RESOLUTION NO. 222-03: GROSSMONT UNION HIGH SCHOOL DISTRICT SCHOOL BOND MEASURE

Adopt Resolution No. 222-03 to support the passage of the Grossmont Union High School District school bond measure.

1.8 RESOLUTIONS: INSTALLATION OF STORM WATER FILTERS AT VARIOUS LOCATIONS – ENGINEERING JOB 2794 (Report: Director of Public Works)

Adopt RESOLUTION NO. 223-03 to approve Plans and Specifications, and RESOLUTION NO. 224-03 to direct a Notice Inviting Sealed Bids to be opened on January 13, 2004, for the installation of Storm Water Filters at Various Locations project.

DISCUSSION

In response to **Councilmember McClellan's** questions, **City Engineer Odiorne** indicates the program is directed at improving the quality of water in commercial areas in storm drain inlets. The filters are located just below street level, and will be cleaned out according to regular maintenance procedures. The filters are a requirement of both State and Federal mandates.

MOTION BY Lewis, SECOND BY Santos to approve Consent Item 1.8.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT

David Butler, representing St. Madeleine Sophie's Center, presents a "Partners in Excellence" award to **Bill Brockman, Al Cablay and Director Munzenmaier, of the Public Works Department**, in recognition of their outstanding work and assistance in providing employment opportunities for adults with developmental disabilities.

Deborah Turner, Executive Director, St. Madeleine's Sophie Center, speaks about Sophie's Art Gallery and the services provided by the center to developmentally disabled adults in the community.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, urges people to have compassion and come together as a community. She will be working as an elf during the Holiday Season.

2. WRITTEN COMMUNICATIONS:

2.1 LETTER: ODORICO – REQUEST FOR ENCROACHMENT PERMIT – 248 WEST LEXINGTON AVENUE

RECOMMENDATION: That the City Council allow the encroachment of a fence to be relocated 5.5 feet behind the future curb line subject to a Hold Harmless Agreement at 248 W. Lexington Avenue.

DISCUSSION

City Attorney Foley provides a summary of the Item.

MOTION BY Lewis, SECOND BY Santos, to allow the encroachment subject to a Hold Harmless Agreement.

MOTION CARRIES BY UNANIMOUS VOTE.

2.2 LETTER: EL CAJON HISTORICAL SOCIETY – REQUEST FOR HISTORIC PRESERVATION ORDINANCE

A letter from the El Cajon Historical Society requesting a Planning Commission meeting regarding preparation of a Historic Preservation Ordinance.

DISCUSSION

Mayor Pro Tem Kendrick advises he must abstain from discussion on this item due to a possible conflict of interest and leaves the Council Chambers.

Discussion ensues among **Council** and **Staff** concerning:

- Possible impact to the City
- The number of properties affected
- Future requirements by the property owners
- Referral to the Planning Commission for evaluation and comment

Art Ballantyne, Eldonna Lay and Wayne Bennett speak in support of a Historic Preservation Ordinance.

MOTION BY Lewis, SECOND BY Ramos, to refer to Planning Commission for research and a recommendation.

Ayes: Lewis, McClellan, Ramos, Councilmember Santos
Noes: None
Abstain: Kendrick

MOTION CARRIES.

Mayor Pro Tem Kendrick returns to Council Chambers.

WRITTEN COMMUNICATIONS: (Continued)

2.3 POSSIBLE EXTENSION OF TIME AND ADDITIONAL FUNDING FOR EMERALD ESTATES PROJECT - 391 AND 403 EMERALD AVENUE

DISCUSSION

Redevelopment Manager Cooksy provides a summary of the Item.

Discussion ensues among **Council** and **Staff** concerning rehabilitation costs and potential financial losses.

Building Official Pavao discusses firewall requirements and suggests Council consider an option to change the repayment structure by HomeStart, or an agreement that the units not be occupied until building standards are met.

Tom Wright, representing HomeStart Development, 391 Emerald Avenue, El Cajon, CA, speaks about retrofitting costs and requests additional funds in the form of a grant, in order to complete the units.

Discussion ensues among **Council** and **Staff** concerning:

- Affordable housing guidelines and income requirements for applicants
- Providing a loan versus a grant for the additional funds required
- Protecting the interests of the City and those that buy the units

Jenna Cornthwaite, of Sterling Capital Mortgage, informs 5 buyers are ready to close escrow, and the lender is willing to extend the rate lock for 10 to 15 days past Dec. 24th.

MOTION BY Lewis, SECOND BY McClellan, to refer to Staff, with consideration given to comments heard today, and to have the developer contact the City Manager's office to make arrangements for discussions with Staff, to assist in the successful completion of the project.

MOTION CARRIES BY UNANIMOUS VOTE.

3. ADMINISTRATIVE REPORTS (3.1 – 3.3)

3.1 SELECTION OF MAYOR PRO TEMPORE (Report: City Clerk)

RECOMMENDATION: That the City Council select a Councilmember to serve as Mayor Pro Tempore according to the El Cajon Municipal Code.

MOTION BY Lewis, SECOND BY Santos, to appoint Gary Kendrick as Mayor Pro Tempore.

MOTION CARRIES BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

3.2 TRANSNET EXTENSION EXPENDITURE PLAN (Report: Director of Public Works)

RECOMMENDATION: That the City Council request revisions to the proposed Transnet Extension program to match the current level of funding for local (City) streets and to include sufficient highway projects to handle future East County traffic volumes or consider not supporting the proposed program.

DISCUSSION

Director of Public Works Munzenmaier provides a summary of the Item, indicating a need to maintain the funding levels for the City and extending the plan at the current level.

Discussion ensues among **Council** and **Staff** concerning:

- Future East County traffic
- Changing the distribution formula
- Low mass transit ridership

MOTION BY Lewis, SECOND BY Ramos, to send a letter to SANDAG representatives, Mayors and Councilmembers voicing the Council's concerns with the change in the formula for distribution.

MOTION CARRIES BY UNANIMOUS VOTE.

3.3 NOTICE TO TERMINATE LEASE AGREEMENT FOR HEARTLAND COMMUNICATIONS FACILITY AUTHORITY (HCFA) (Report: City Manager)

RECOMMENDATION: That the City Council give formal notice to the Heartland Communications Facility Authority (HCFA) that the lease agreement will be terminated effective at the end of the lease term, January 2005.

MOTION BY Lewis, SECOND BY Ramos, to approve Item 3.3.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARING AND ORDINANCE FIRST READING: (Continued from November 18, 2003 Meeting)

4.1 MANDATORY TRASH SERVICE FOR COMMERCIAL BUSINESSES (Report: Assistant City Manager)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive any testimony.**
- **Closed the Public Hearing.**
- **Introduce the Ordinance for First Reading and request the City Clerk to recite the title and waive full reading of the text to add mandatory service and minimum service levels for commercial businesses.**

PUBLIC HEARING AND ORDINANCE FIRST READING: (4.1 – Continued)

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to be heard.

MOTION BY Lewis, SECOND BY Ramos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Ramos, to introduce the Ordinance for First Reading and request the City Clerk to recite the title and waive full reading of the text to add mandatory service and minimum service levels for commercial businesses.

MOTION CARRIES BY UNANIMOUS VOTE.

4. COMMISSION REPORTS: (4.2 – 4.3)

**4.2 TRAFFIC COMMISSION RECOMMENDATIONS – NOVEMBER 12, 2003 MEETING
(Report: Secretary to Traffic Commission)**

ITEM I. – NO PARKING – 1598 MURRAY AVENUE (Continued)

RECOMMENDATION: That the City Council adopt RESOLUTION NO. 225-03 in order to establish a No Parking Zone along the north curb of Murray Avenue beginning at the curb return at West Main Street, continuing east for 18 feet.

DISCUSSION

Director of Public Works Munzenmaier provides a summary of the Item.

MOTION BY Lewis, SECOND BY Santos, to adopt RESOLUTION NO. 225-03 in order to approve Traffic Commission Item 1.

MOTION CARRIES BY UNANIMOUS VOTE.

COMMISSION REPORTS: (Continued)

4.3 ARTS AND CULTURE COMMISSION PROJECT TO PAINT UTILITY, SIGNAL CABINETS AND FIRE HYDRANTS (Report: City Clerk)

RECOMMENDATION: That the **City Council** approve the concept of painting artwork on utility, signal cabinets and fire hydrants in the downtown area.

DISCUSSION

Mayor Lewis speaks in support of the project.

In response to **Councilmember McClellan's** comments, **City Clerk Linn** informs the Arts and Culture Commission will be developing selection criteria for the artwork as well as a budget.

Tom Black, Arts & Culture Commissioner, speaks about the proposed project, which will enhance the downtown community.

MOTION BY Lewis, SECOND BY McClellan, to approve Item 4.2.

MOTION CARRIES BY UNANIMOUS VOTE.

5. REPORTS OF MAYOR LEWIS - No report.

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM GARY KENDRICK: No report

COUNCILMEMBER BOB McCLELLAN: No report.

COUNCILMEMBER CHARLES SANTOS:

6.1 BLUE RIBBON COMMITTEE

A request from the East County Economic Development Council that the City Council consider creation of a Blue Ribbon Committee to examine the health of the industrial lands in the City of El Cajon.

DISCUSSION

Councilmember Santos speaks in support of the request and suggests the committee be comprised of representatives from banking, finance and industrial real estate professions.

Discussion ensues among **Council** and **Staff** concerning:

- Ensuring an expeditious process to allow owners to develop the properties
- Allowing members of the committee to reside outside City limits

REPORTS OF COUNCILMEMBERS: (6.1 - Continued)

Tony Ambrose, representing the East County Development Council, speaks in support of the request and recommends the committee evaluate usage trends of the employment/ industrial lands.

MOTION BY Lewis, SECOND BY Kendrick, to approve Item 6.1, and have Councilmember Santos and Mr. Ambrose chair the committee, and each of the Council to select members.

MOTION CARRIES BY UNANIMOUS VOTE.

COUNCILMEMBER DICK RAMOS: No report.

7. LEGISLATIVE REPORT

7.1 League of California Cities Legislative Bulletin - *Priority Focus*

DISCUSSION

Councilmember Ramos discusses two bills that were recently defeated along the party lines, concerning the Vehicle License Fees, and reminds that cities and counties are losing \$12 million dollars a day.

In response to **Councilmember Ramos'** question, **City Manager Garrett** indicates he will be providing information on how the City plans to respond to the lack of funds in the Mid-Year Review, shortly after the first of the year.

8. GENERAL INFORMATION ITEMS FOR DISCUSSION

A. SANDAG BOARD ACTIONS

Actions of the Board outlined in a newsletter dated November 21, 2003.

DISCUSSION

In response to **Councilmember McClellan's** question, **Mayor Lewis** indicates discussions will be taking place at the County level, and he will carry back comments heard today concerning increasing firebreaks and waivers for endangered species habitats.

NO ACTION TAKEN.

9. ORDINANCE: FIRST READING

RECOMMENDATION: That the City Council introduce the Ordinance and request the City Clerk to recite the title and waive full reading of the text.

9.1 AMENDMENT OF EL CAJON MUNICIPAL CODE - RESIDENCY REQUIREMENTS FOR PARKS & RECREATION COMMISSIONERS

First Reading of Ordinance deleting the requirement that certain members of the Parks and Recreation Commission be resident electors of the City of El Cajon.

MOTION BY Lewis, SECOND BY Ramos, to introduce the Ordinance and request the City Clerk to recite the title, waive full reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

ORDINANCE: SECOND READING AND ADOPTION

RECOMMENDATION: That the City Council request the City Clerk to recite the title, waive full reading of the text and adopt the Ordinance.

9.2 ZONE RECLASSIFICATION 2218 – WEST SIDE OF RICHARDSON AVENUE BETWEEN WEST MAIN STREET AND PALM AVENUE

Adopting Ordinance No. 4759 approving Zone Reclassification 2218 to rezone property on the West Side of Richardson Avenue between West Main Street and Palm Avenue, from the R-3 Zone to the C-M Zone.

MOTION BY Lewis, SECOND BY Ramos, to request the City Clerk to recite the title, waive full reading of the text and to adopt Ordinance No 4759.

MOTION CARRIES BY UNANIMOUS VOTE.

10. CLOSED SESSION:

RECOMMENDATION: That the City Council/Redevelopment Agency adjourn to Closed Session as follows:

- **Under Government Code Section 54956.9 (a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Name of Case: Citizens Concerned for El Cajon v. City of El Cajon, et al.
Case No. GIE018212

MOTION BY Lewis, SECOND BY McClellan, to adjourn to Closed Session at 5:18 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

11. RECONVENE TO OPEN SESSION AT 5:30 P.M. - Nothing to report.

Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 16th day of December 2003 at 5:31 p.m. to Tuesday, December 16, 2003 at 7:00 p.m.

City Clerk/Secretary

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

DECEMBER 16, 2003

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, December 16, 2003, was called to order by Mayor/Chair Mark Lewis at 7:00 p.m., in the Council Chambers, 200 East Main Street, El Cajon, California. This meeting was adjourned from the Adjourned Regular Joint Meeting held at 3:00 p.m., Tuesday, December 16, 2003 by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	McClellan, Ramos, Santos
Council/Agencymembers absent:	
Mayor Pro Tem/Vice Chair absent:	Kendrick
Mayor/Chair present:	Lewis
Other Officers present:	Linn, City Clerk/Secretary Foley, City Attorney/General Counsel Garrett, City Manager/Executive Director Griffin, Director of Community Development Odiorne, City Engineer

PLEDGE OF ALLEGIANCE TO FLAG and MOMENT OF SILENCE.
Pastor Beau, of Set Free Ministries, recites a prayer.

AGENDA CHANGES: None

PUBLIC COMMENT:

Joe Garzanelli, 1776 Nasranca Avenue, speaks about the efforts of **Citizens Concerned for El Cajon** and the proposed Transition Service Center on E. Main Street.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, dressed in an elf costume, wishes all a prosperous New Year.

PUBLIC HEARINGS: (100 – 105)

100 APPEAL BY CHILDS: PLANNING COMMISSION DENIAL OF AMENDMENT TO CONDITIONAL USE PERMIT 86 – 1465 E. MADISON AVENUE (Volunteers in Medicine, San Diego, Inc.) (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order to approve the Negative Declaration.**
- **Adopt the next RESOLUTION in order to Grant, Partially Grant or Deny the appeal of the Planning Commission denial by Resolution No. 9865 to amend Conditional Use Permit 86 to establish a nonprofit medical clinic and other health services devoted to the service of the general public in conjunction with an existing religious facility (church) in the R-1-6 Zone at 1465 E. Madison Avenue.**

DISCUSSION

City Attorney Foley informs of the presence of a Court reporter for this Public Hearing item, for the purpose of recording all statements and comments made during this proceeding.

Director of Community Development Griffin provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

The following people speak in favor of the project: **Rebecca Calsmer, Carole LePage, Eugene Bigay, Garry Bradt, Doug Childs (architect for the project), George Wood, Sue Sawyer, Peter Moore-Kochlacs, James Beavers, Gregg Barnes, Father John Conrad, Jim Kelly, Gary Cass, John Gibson, George Hale, Gresham Bayne, Mario Tilaro.**

***RECESS CALLED AT 7:55 P.M.
MEETING CALLED BACK TO ORDER AT 8:01 P.M.***

The following people speak in opposition to the project: **Pat Riley** (deny the Negative Declaration and require an Environmental Impact Report – and delay up to 180 days), **Janet Carlson, and Kim Sabala.**

PUBLIC HEARINGS: (100 – Continued)

The following people speak, neutral to the project: **Tracy Ream, Jeanette Clemesha, Nelson Millesberg, and Sunshine Horton.**

MOTION BY Lewis, SECOND BY Santos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

***RECESS CALLED AT 8:53 P.M.
MEETING CALLED BACK TO ORDER AT 9:00 P.M.***

Councilmember Ramos speaks concerning protecting residential communities and the potential impact of allowing this 2-story building in the neighborhood.

Mayor Lewis, Councilmember McClellan, Mayor Pro Tem Kendrick and Councilmember Santos speak in support of the project.

City Attorney Foley informs there was no appeal of the Negative Declaration that was approved by the Planning Commission. Council will not be taking action to approve the environmental document. The resolution will include, as required by CEQA, an acknowledgement that the Planning Commission previously approved a Negative Declaration. The action should only relate to the appeal of the denial of the Conditional Use Permit.

City Manager Garrett requests Council review the list of the potential conditions of approval, as provided by **Director of Community Development Griffin.**

Discussion ensues among **Council** and **Staff** concerning:

- Hours of operation
- A review in 6 months of the impact of Saturday hours
- Minimizing noise from the clinic by enhancing landscaping with trees and construction of a 6-foot high wall or very dense, hedge-like planting.

No further comments are offered.

MOTION BY Lewis, SECOND BY Kendrick to adopt RESOLUTION NO. 226-03, to uphold the appeal and approve the non-profit medical clinic according to conditions outlined by the Director of Community Development, with the hours to be Monday – Friday from 9:00 a.m. to 8:00 p.m. and Saturday from 9:00 a.m. to 6:00 p.m., with a review in 6 months of being open on Saturday.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Continued)

**RECESS CALLED AT 9:31 P.M.
MEETING CALLED BACK TO ORDER AT 9:37 P.M.**

101 SPECIFIC PLAN 495 AND CONDITIONAL USE PERMIT 1973 – VACANT LOT ON THE EAST SIDE OF EAST MAIN STREET BETWEEN GREENFIELD AND PEPPER DRIVE (VELOCITEL for AT&T for Rink) (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearings and receive testimony.**
- **Close the Public Hearings.**

SPECIFIC PLAN 495:

- **Approve, Modify or Disapprove Planning Commission Resolution No. 9872 recommending approval of Specific Plan 495 for a 52-foot high unmanned wireless communications facility on the subject property. (C-2 Zone)**

CONDITIONAL USE PERMIT 1973:

- **Adopt RESOLUTION NO. 227-03 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9873 granting Conditional Use Permit 1973 for an unmanned wireless communications facility in conjunction with a 52 foot high faux palm tree on the subject property. (C-2 Zone).**

DISCUSSION

Director of Community Development Griffin provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

Anne Ford, 4909 Murphy Canyon Road, Suite 230, San Diego, CA, representing the applicant, speaks concerning the composition of the faux palm tree.

No further comments are offered.

MOTION BY Lewis, SECOND BY McClellan, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to approve Specific Plan 495 according to Planning Commission Resolution No. 9872 and refer to the City Attorney for an Ordinance upon completion of specified conditions and adopt RESOLUTION NO. 227-03 in order to approve Conditional Use Permit 1973 according to Planning Commission Resolution No. 9873.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Continued)

102 AMENDMENT OF PLANNED UNIT DEVELOPMENT 190 - WESTONE MANAGEMENT CONSULTANTS – 1000 ESTES STREET (CONDO CONVERSION)

RECOMMENDATION:

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt RESOLUTION NO. 228-03 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9882, recommending approval of Amendment to Planned Unit Development 190 to delete the requirement to provide separate water meters for each unit for a previously approved Common Interest Development in the R-3 (multiple family) Zone at 1000 Estes Street.**

DISCUSSION

Director of Community Development Griffin provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

Joseph Scarlatti, Westone Management Consultants, 710 Camino de la Reina, San Diego, CA, requests to find a way to have the map recorded in January, and to address the requirement to underground utilities at a later date.

Discussion ensues among **Council, Staff** and **Mr. Scarlatti** concerning:

- The option of posting of a security to allow the developer to proceed with the project
- Compliance with the requirement to provide tenant relocation assistance
- Steps required in order to have the Final Map recorded in January

MOTION BY Lewis, SECOND BY Santos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

City Attorney Foley provides clarification on the requirement to underground utilities.

No further comments are offered.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 228-03 to amend Planned Unit Development 190 to delete the requirement to provide separate water meters for each unit for the development at 1000 Estes Street and amend the requirement that the developer underground the utilities as described in the comments by the Public Works, only if the Tentative Subdivision Map requires that of the developer.

Ayes: Kendrick, Lewis, McClellan, Santos
Noes: Ramos

MOTION CARRIES.

PUBLIC HEARINGS: (Continued)

103 AMENDMENT OF PLANNED UNIT DEVELOPMENT 198 - WESTONE MANAGEMENT CONSULTANTS – 451 BALLANTYNE STREET (CONDO CONVERSION)

RECOMMENDATION:

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Adopt RESOLUTION NO. 229-03 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9883, recommending approval of Amendment to Planned Unit Development 198 to delete the requirement to provide separate water meters for each unit for a previously approved Common Interest Development in the R-4 (multiple family, high density) Zone at 451 Ballantyne Street.

DISCUSSION

Director of Community Development Griffin provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

Joseph Scarlatti, Westone Management Consultants, 710 Camino de la Reina, San Diego, CA, indicates his client is in agreement with the Recommendation.

No further comments are offered.

MOTION BY Lewis, SECOND BY McClellan, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 229-03, in order to approve Planning Commission Resolution No. 9883, recommending approval Amendment to Planned Unit Development 198, to delete the requirement to provide separate water meters for each unit for a development at 451 Ballantyne Street.

Ayes: Kendrick, Lewis, McClellan, Santos

Noes: Ramos

MOTION CARRIES.

PUBLIC HEARINGS (Continued):

104 REQUEST FOR REVIEW BY MAYOR LEWIS (APPEAL): PLANNING COMMISSION DENIAL OF GENERAL PLAN AMENDMENT 2003-02 AND ZONE RECLASSIFICATION 2238 – 1120 BROADWAY (Report: City Clerk)

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony
- Close the Public Hearing

GENERAL PLAN AMENDMENT 2003-02

- Adopt RESOLUTION NO. 230-03 in order to approve the Negative Declaration.
- Adopt RESOLUTION NO. 231-03 in order to Grant, Partially Grant or Deny the appeal of Planning Commission Resolution No. 9860, denying General Plan Amendment 2003-02 to change the General Plan land use designation on property at 1120 Broadway from General Retail Commercial to Light Industrial.

ZONE RECLASSIFICATION 2238

- Adopt RESOLUTION NO. 232-03 in order to approve the Negative Declaration.
- Grant, Partially Grant or Deny the appeal of Planning Commission Resolution No. 9861 to rezone property at 1120 Broadway from the C-2 (general commercial) Zone to the C-M (heavy commercial/light industrial) Zone.

DISCUSSION

Mayor Lewis indicates he has visited the property and has spoken with the applicant.

Director of Community Development Griffin provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

Mike Mansour and **J. Joseph Hannaney**, speak in support of the project and the appeal.

Discussion ensues among **Council** and **Staff** concerning:

- Intended uses for the property
- Compliance with Conditional Use Permit requirements
- Zoning options
- Amending the C-2 Zone and allowing the towing service by Conditional Use Permit
- Permitted uses in the C-M Zone

City Manager Garrett clarifies an amendment to the C-2 Zone to allow the towing service by Conditional Use Permit, would need to go through the Planning Commission and then come back for Council approval. If approved, the applicant would then need to apply for a Conditional Use Permit under the C-2 Zone.

No further comments are offered.

PUBLIC HEARINGS (104 - Continued):

MOTION BY Lewis, SECOND BY McClellan, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 230-03 in order to approve the Negative Declaration for the General Plan Amendment 2003-02 and RESOLUTION NO. 232-03 in order to approve the Negative Declaration for Zone Reclassification 2238.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 231-03 to deny the appeals.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to direct the Planning Commission to review the C-2 Zone for the purpose of allowing a towing service and impound yard by Conditional Use Permit.

MOTION CARRIES BY UNANIMOUS VOTE.

105 AMENDMENT OF CONDITIONAL USE PERMIT 213 – 1090 BROADWAY (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt RESOLUTION NO. 233-03 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9874 granting Amendment of Conditional Use Permit 213 to redevelop an existing gasoline service station with a mini-market, outdoor dining and an office with caretaker unit above, in the C-2 Zone at 1090 Broadway.**
- **If Granting the Amendment, Council will make a finding that the proposed use is substantially compatible with the surrounding properties.**

DISCUSSION

Director of Community Development Griffin provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

PUBLIC HEARINGS (105 - Continued):

Hani Toma, representing Super Star Stations, and Allen Duber, Architect, speak in support of the project.

No further comments are offered.

MOTION BY Lewis, SECOND BY McClellan, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 233-03 in order to approve Planning Commission Resolution No. 9874, granting Amendment of Conditional Use Permit 213 to redevelop an existing gasoline service station with a mini-market, outdoor dining and an office with caretaker unit above, in the C-2 Zone at 1090 Broadway.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to find that the proposed use is substantially compatible with the surrounding properties.

MOTION CARRIES BY UNANIMOUS VOTE.

106 ITEMS CONTINUED FROM THE 3:00 P.M. MEETING: None

ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 16th day of December 2003 at 10:36 p.m.

NOTE: The next meetings of the El Cajon City Council and Redevelopment Agency will be held on Tuesday, January 13, 2004 at 3:00 p.m.

City Clerk/Secretary