



MINUTES

PLANNING COMMISSION MEETING

June 24, 2013

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: Anthony SOTTILE, Chairman
Star BALES
Adel DANKHA
Darrin J. MROZ

COMMISSIONERS ABSENT: Paul CIRCO, Vice Chairman

STAFF PRESENT: Manjeet RANU, Planning Manager / Planning
Commission Secretary
Michael REID, Staff Attorney
Noah ALVEY, Associate Planner
Patricia HAMILTON, Secretary

SOTTILE explained the mission of the Planning Commission.

CONSENT CALENDAR

Motion was made by BALES, seconded by SOTTILE, to adopt the minutes of the Planning Commission meeting of May 6, 2013 and the minutes of the Special Meeting of the El Cajon City Council and Planning Commission of May 28, 2013; carried 3-0 (Mroz abstained, Circo absent).

PUBLIC HEARING ITEMS

AGENDA ITEM NO. 2 – RAZUKI MALL – AMENDMENT OF CONDITIONAL USE PERMIT NO. 2169

This was a public hearing on a request to modify project phasing requirements. The subject property is addressed as 861 East Main Street. This project is exempt from the California Environmental Quality Act (CEQA).

In a PowerPoint presentation, ALVEY summarized the staff report.

SOTTILE confirmed with ALVEY that the occupancy certificate would not be issued for the new building until the existing liquor store building is demolished.

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

Robert BERGSTROM, owner of Quality Thrift, approached the podium and spoke in opposition to the project. He said he was originally told there would be a wall constructed between the two properties, but didn't believe at the time the wall would be 35' high and extending the length of his property almost 300 feet to the rear. This wall would completely block off all visibility and air flow to his property because he already has a 30 foot wall on the opposite side. He also had issues with the five foot rise of dirt extending the entire length of the property. He was told the building would be 29 feet, but the raised ground level would now put the building wall height to 35 feet.

SOTTILE asked staff if the proposed wall is to be 35 feet.

ALVEY responded the originally approved project has conditions of approval from the Public Works Department, which include typical storm water compliance issues. One area they are required to analysis is the drainage on the property to make sure all drainage that falls on any new buildings and new parking lots goes into the storm water filtration mechanisms. This water needs to be treated before it enters the storm drain system. So the solution the applicant proposed was to increase the elevation of the site in order to allow those treatment areas to proceed throughout the site and down to the storm drain system.

SOTTILE asked if the elevation of 35 feet was for the wall or the building.

ALVEY answered the grading and drainage plan that was authorized did include fill material being brought onto the site in order to address those drainage issues. ALVEY then displayed the exterior elevations showing the position of the building to the adjacent property.

SOTTILE stated that from looking at the elevations, it appeared the wall is actually the rear wall of the building.

ALVEY answered in the affirmative. The wall of the building will be directly on the property line. Commercial zoning regulations for this site do not require a setback from the adjacent commercially zoned property. In his review of the original staff report, it indicated the height for the building would be 29 feet and with the additional topography it would be within the 35 foot height limitation.

ALVEY added the applicant was in attendance and may be able to address some of the required storm water conditions put in place prior to approval of their project.

RANU also added that the City did issue a grading permit for the project under which the applicant performed the work.

MROZ asked if BERGSTROM'S property line went all the way back to the residential houses.

BERGSTROM answered that the line does go back 275 feet, which includes the length of his property. He owns the residences with four apartment units as well. He added that originally he was told they would build a retaining wall; therefore, he agreed they could remove his fence and construct the new wall between the properties. They could also have access to his property for that purpose. Now, he finds the wall will be a 35 foot solid wall going all the way down the property line. He also doesn't believe there is a need for the five foot dirt rise for drainage. He requested the Commissioners to take into consideration his concerns.

SOTTILE confirmed with BERGSTROM that he understood that most of the wall was actually the building itself and assured him the Engineering Department knows their business in regards to drainage.

MROZ confirmed with BERGSTROM that he did receive the original notice sent out last year when this project first came before the Planning Commission and City Council. However, the applicant told him at that time he was told they were going to build three small buildings, not a 35 foot wall with five feet of dirt underneath. If he was aware of this at the time, he would have objected to the plan right away.

Chris MORRIS, attorney representing the applicant, spoke next. He said he was willing to answer any questions; however, this part of the application had already been approved. He did sympathize with the adjacent property owner and he has talked to the applicant who will try to mitigate any issues affecting the adjacent property's view. But, the elevations and grading plan were already approved and acted on. The only issue before the Commission was on the phasing of the project.

SOTTILE confirmed with MORRIS the building height would actually be less than 35 feet. The roof of the building will be lower than the wall height to accommodate heating and air conditioning equipment, but because of the grading condition imposed, the property is going to be higher than BERGSTROM'S property at ground level.

In answer to MROZ, MORRIS advised that they agree to all conditions of approval.

Motion was made by MROZ, seconded by BALES, to close the public hearing; carried 4-0.

SOTTILE noted the height of the building is high and the Commission was considering heights in the Housing Element to include even higher high-rise buildings, however, this property does not fall within the Specific Plan 182 boundaries. It does, however, meet all the zoning codes.

BALES noted that from her observance of the area, there are mostly walls separating properties. She also felt bad for the adjacent property owner; however, it did appear that raising the ground level for the wall was the only solution. Once the wall was up, possibly trees and new landscaping would help make the project more attractive.

MROZ reminded all that they were only able to act on the phasing of the project, but suggested that the adjacent property owner could bring his case before City Council.

DANKHA agreed with other Commissioners.

SOTTILE also wanted to sympathize with the adjacent owner; however they needed to do the right thing relative to drainage, since El Cajon has been prone to flooding in the past from heavy rains. He added that this project would be an improvement to the area, and that the Commissioners could not decide on the height of the wall, only the phasing issue.

Motion was made by MROZ, seconded by BALES, to adopt the proposed Resolution No. 10728, granting Conditional Use Permit No. 2169, subject to conditions; carried 4-0.

The appeal for this item ends at 5:30 p.m., Thursday, July 8, 2013.

AGENDA ITEM NO. 3 – OFF-SITE EXCESS AUTO SALES INVENTORY STORAGE LOTS - AMENDMENT OF ZONING CODE NO. 424

This was a public hearing on a City-initiated proposal to amend Title 17 (Zoning) of the El Cajon Municipal Code to allow used vehicles in addition to new vehicles to also be stored off-site on a temporary basis.

RANU summarized the staff report.

MROZ mentioned that two years is a long time and asked if the storage could be at various locations throughout the City.

RANU responded that there are a lot of underutilized properties throughout the City in our commercial corridors where this can be done. One area where staff felt it would not be appropriate is the neighborhood commercial zone because it is intended to serve neighborhoods with housing.

MORZ asked if the lots needed to be paved.

RANU answered that under the current code the lots could be either paved or unpaved. For storm water purposes it sometimes is better to have the lot unpaved as long as it is stabilized so no air quality issues arise. This determination is made by the City Engineer.

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

No speakers approached the podium to speak on this item.

MROZ asked if vacant land in the redevelopment area could be used.

RANU said it could be done in the redevelopment project area, but the City does not have any resources to contribute, nor from a policy standpoint the City would find it beneficial to do that.

MROZ added the reason he was asking is the KIA dealership is right across the street from a large vacant land parcel in the redevelopment area and could the car dealership take advantage of this land, or was it on the market for sale.

RANU responded that the City would have to go through the disposal process for former Redevelopment Agency properties that the Successor Agency now owns. The Agency must wait for the State of sign off on our property management plan in order to advise us when we can commence to dispose of these properties. Any use of the property in the interim would have to be presented to the State Department of Finance through full disclosure. He disclosed that he sits on the Oversight Board.

Motion was made by MROZ, seconded by BALES, to close the public hearing; carried 4-0.

Motion was made by BALES, seconded by MROZ, to adopt the proposed Resolution No. 10727, as presented recommending City Council approval of Amendment of Zoning Code No. 424, subject to conditions; carried 4-0.

OTHER ITEMS FOR CONSIDERATION

STAFF COMMUNICATIONS

RANU mentioned the Housing Element community notices were sent out to 996 property owners and staff has been successful in fielding calls from the public. Also the negative declaration is to be published in the next couple of days. He reminded the Commissioners that the alcohol sales land use workshop meeting is scheduled for July 8, 2013 and it will be a public hearing.

COMMISSIONER REPORTS/COMMENTS

BALES commented on the East County Arts Association upcoming event.

ADJOURNMENT

Motion was made by SOTTILE, seconded by BALES, to adjourn the meeting of the El Cajon Planning Commission at p.m. this 24th day of June, 2013 until July 8, 2013, at 7:43 p.m.; carried 4-0.

Anthony SOTTILE, Chairman

ATTEST:

Manjeet RANU, AICP, Secretary