



MINUTES

PLANNING COMMISSION MEETING

JUNE 13, 2011

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 J. MROZ, Chairman
Anthony AMBROSE
Star BALES
Paul CIRCO
Anthony SOTTILE

COMMISSIONERS ABSENT: None

OTHERS PRESENT: Manjeet RANU, Planning Manager
Noah ALVEY, Associate Planner
Eric CRAIG, Assistant Planner
Michael REID, Staff Attorney
Ron Luis VALLES, Administrative Secretary

MROZ explained the mission of the Planning Commission and welcomed comments under Public Comments. No one came forward.

Motion was made by MROZ, seconded by AMBROSE, to move the first agenda item of the appeal of the denial of the Administrative Zoning Permit No. 6 to the end of tonight's meeting, due to the absence of the applicant; carried 5-0.

CONSENT CALENDAR: Motion was made by CIRCO, seconded by BALES, to adopt the minutes of the Planning Commission meeting of May 9, 2011; carried 5-0.

CONDITIONAL USE PERMIT NO. 2146 (MINOR)

This was a public hearing on a request to establish an educational institution described as an independent charter school with a maximum enrollment of 200 students. The subject property is located on the south side of East Main Street between South Magnolia and Claydelle Avenues, and addressed as 237 East Main Street.

APN: 488-211-05

General Plan: General Commercial (GC) / Downtown Redevelopment Special Development Area No. 9 (SDA-9)
Zoning: C-G (General Commercial)
Applicant: South Coast Education Inc. / 661.272.1225
Project Planner: Noah Alvey / 619.441.1773

In a PowerPoint presentation, ALVEY summarized the staff report and noted that this project is consistent with the urban village concept and transit-orientation intended for downtown. Staff recommended a six-month review to examine how the project, which has lower parking ratios, is operating, as the applicant represents that most students will utilize public transportation and that this is not a typical school.

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

No speakers approached the podium. The applicant did not approach the podium to speak.

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

Motion was made by CIRCO, seconded by SOTTILE, to adopt the proposed Resolution No. 10659, recommending City Council approval of Conditional Use Permit No. 2146, subject to conditions; carried 5-0.

AMENDMENT OF CONDITIONAL USE PERMIT NO. 2006

This was a public hearing on a request to add 12 panel antennas and related equipment to an existing 55' faux pine tree with a new prefabricated equipment shelter. The subject property is located on the north side of East Washington Avenue between Jamacha Road and Dorothy Street, and addressed as 1400 East Washington Avenue.

APN: 511-260-72
General Plan: Medium Density Residential (MR)
Zoning: RM-2200 (Residential, Multi-family, 2,200 square foot)
Applicant: Verizon Wireless for El Cajon Elks Lodge No. 1812 / 714.925.6487
Project Planner: Tony Shute / 619.441.1705

RANU said that this afternoon the applicant's representative requested a continuance.

MROZ opened the public hearing and invited the applicant's representative to the podium.

Mr. Mark LINMAN, representing Verizon Wireless, said he received the staff report late Friday afternoon; however, the applicant did not get a chance to review the report or the attached conditions. He requested a continuance to a future Planning Commission meeting.

No other speakers approached the podium.

Motion was made by SOTTILE, seconded by BALES, to continue the public hearing to the Planning Commission meeting on June 27, 2011 at 7 p.m.; carried 5-0.

No re-noticing will be required.

CONDITIONAL USE PERMIT NO. 2147

This was a public hearing on a request for a walk-up ATM kiosk and a drive-through ATM at Parkway Plaza. The subject property is located on the south side of Fletcher Parkway between North Johnson Avenue and State Route 67, and addressed as 415 Parkway Plaza.

APN:	482-270-56
General Plan:	Regional Retail Commercial (SDA-8)
Zoning:	C-R (Regional Commercial)
Applicant:	Chase Bank / 614.248.8610
Project Planner:	Noah Alvey / 619.441.1773

In a PowerPoint presentation, ALVEY summarized the staff report. He noted that the walk-up ATM kiosk will be located outside the mall entrance by the food court. The drive-through ATM will be located by the Office Depot adjacent to the landscape parkway and will eliminate 10 parking spaces. The City's Traffic Engineer had no concerns. He said "stacking" (how many cars would wait in line) will be three car spaces, similar to an ATM kiosk near the Fresh & Easy store on Second Street.

AMBROSE said that the parking area at the proposed site for the drive-through ATM is pretty congested, and said it will be tough for customers. CIRCO said he has seen the ATM drive-through on Second Street, and the stacking capacity of three cars should be sufficient. BALES addressed concerns over parking but noted convenience offered by ATMs. AMBROSE noted he is not opposed to the drive-through ATM but emphasized there are two restaurants and demand for parking is tight. In response to MROZ, ALVEY re-affirmed that 10 spaces would be eliminated to accommodate the drive-through ATM.

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

One speaker addressed the Commission; however, her concerns were under the jurisdiction of the County of San Diego and she was encouraged to contact them. No other speakers approached the podium. The applicant did not approach the podium or speak.

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

Motion was made by AMBROSE, seconded by SOTTILE, to adopt the proposed Resolution No. 10661, approving Conditional Use Permit No. 2147, subject to conditions; carried 5-0.

The appeal period for this item ends at 5 p.m., Thursday, June 23, 2011.

RESOLUTION OF INTENT: AMENDING TITLE 17 TO REGULATE OUTDOOR VENDING MACHINES AND SIMILAR FACILITIES

This was a City-initiated request to discuss and consider accommodating outdoor vending machines and similar uses, to understand how they are regulated by other cities, to consider potential performance standards to apply, and to consider the possible delegation of approval authority to staff.

In a PowerPoint presentation, CRAIG summarized the staff report, which resulted from representatives and customers' concerns about the elimination of Red Box video dispensing machines in the City of El Cajon which were addressed at the last Planning Commission meeting. The Commission recommended that staff conduct research on the location of current outdoor vending machines in El Cajon, plus determine the policies of other cities. Photos of various outdoor vending machines, including water and soda dispensers, newspaper racks and collection boxes for donated items, were presented.

Staff asked the Planning Commission for direction and provided three options: 1) Impose performance standards on outdoor vending machines; 2) Take no action; or, 3) Prohibit outdoor vending machines in El Cajon. Staff also suggested that collection boxes require a Minor CUP.

Discussion ensued about ADA-compliance, architectural overhang, electrical outlets and requiring a conditional use permit application for some vending machines. Performance standards similar to the City of Citrus Heights, as presented in the staff report, were discussed. Performance standards would include assuring storefronts were not completely blocked, ADA access maintained, encourage but not require that these machines be under architectural overhangs, and screening for wiring be reasonable in proportion to visual impact.

MROZ noted that the collection boxes should be a separate problem and should not be under the Zoning Code Amendment pertaining to outdoor vending machines. Commissioners noted that collection boxes sometimes result in nuisance issues, such as dumping.

SOTTILE noted the Red Box machines offer movies that are rated G through R; however, he was concerned about accessibility of pornographic or adult entertainment items to youngsters, and wanted staff to consider those concerns in their analysis.

AMBROSE and other Commissioners wanted staff to impose performance standards to regulate the location and visual impacts of vending machines; however, they did not want donation boxes to be included with the vending machine Zoning Code Amendment.

MROZ invited any speakers to the podium. No speakers approached the podium.

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

Motion was made by CIRCO, seconded by SOTTILE, to adopt the proposed Resolution No. 10662, directing staff to prepare a Zoning Code Amendment establishing regulations for outdoor vending machines and similar facilities; carried 5-0.

No Planning Commission date was set.

ADMINISTRATIVE ZONING PERMIT NO. 6

This was a public hearing for an appeal of the denial of an administrative zoning permit request to establish a temporary shade structure in the front and side yard setback areas of an existing single-family residential lot located on the east side of El Monte Road, between Wagner Drive and Russell Road and addressed 353 El Monte Road.

APN:	487-091-01
General Plan:	Low Density Residential (LR)
Zoning:	RS-6 (Residential, Single-family, 6,000 square-foot)
Applicant:	Howard Van Arum (property owner and resident)
Project Planner:	Eric Craig / 619.441.1782

In a PowerPoint presentation, CRAIG summarized the staff report. He informed that the appellant Mr. Howard VAN ARUM submitted a letter in support of his appeal earlier this afternoon as he was not going to be present at tonight's meeting. He also mentioned that another resident submitted correspondence urging denial of the appeal, expressing concern about the visual impact of the carport. [Copies of both letters were distributed to Planning Commissioners and staff before tonight's meeting.]

CRAIG noted the carport exceeds 120 square feet and requires a building permit, which the appellant did not obtain. It also violates the front and side yard setback requirements and the separation requirements between residential accessory structures.

Staff recommended the Planning Commission find the carport is not a temporary shade structure due to the methods and materials of construction and size of the structure. Staff recommended that the Planning Commission deny the applicant's request.

AMBROSE sought clarification on the 120 square feet requirement and CRAIG replied that anything over 120 square feet requires a building permit. RANU added that the temporary shade structure requires an administrative zoning permit that is distinct from the building permit. SOTTILE asked if there was a square foot requirement on the temporary structure, and RANU replied that there is nothing specifically, but the intent was for the shade structure to reasonably relate to the size needed to cover a parking space.

CIRCO emphasized that if the carport is considered a temporary structure, could they ask the applicant to take it down? CRAIG replied the zoning code does not define "temporary." However, he emphasized that this carport has been there for 17 years.

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

Mr. Richard BEERS, 548 El Monte Road, El Cajon, CA 92020, noted that he also received a violation notice and expressed concern about having to remove his carport. He emphasized that the carport has existed over 21 years and asserted that two City Building inspectors approved it in July 1990. He asked why this wasn't this addressed 21 years ago. He wanted to be exempt from the City's "witch hunt."

No other speakers approached the podium.

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

Motion was made by CIRCO, seconded by MROZ, to adopt the proposed Resolution No. 10658, approving denial of Administrative Zoning Permit No. 6; carried 5-0.

The appeal period for this item ends at 5 p.m., Thursday, June 23, 2011.

OTHER ITEMS FOR CONSIDERATION:

There were none.

STAFF COMMUNICATIONS

RANU reminded Commissioners to complete their Ethics Training that is due by the end of the month.

COMMISSIONER REPORTS/COMMENTS

CIRCO noted that there is a drug called "spice" which is being sold on store shelves and is accessible to anyone. He was concerned about the negative effects of the drug. MROZ added that he also spoke with Councilmember Bill WELLS about this drug which apparently causes psychotic episodes. They encouraged that the City adopt an ordinance opposing the sale of this drug.

ADJOURNMENT

Motion was made by CIRCO, seconded by BALES, to adjourn the meeting of the El Cajon Planning Commission at 8:30 p.m. this 13th day of June, 2011 until June 27, 2011 at 7:00 p.m.; carried 5-0.

Darrin J. MROZ, Chairman

ATTEST:

Manjeet RANU, AICP, Secretary