

MINUTES
PLANNING COMMISSION MEETING
AUGUST 25, 2003

The meeting of the El Cajon City Planning Commission is called to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: HANSON-COX, BURGERT, AGURS, AMBROSE
COMMISSIONER ABSENT: TURNER
OTHERS PRESENT: GRIFFIN, Director of Community Development
GALLAGHER, Staff Attorney
RAPALLO, Principal Civil Engineer
MOSSAY, Minutes Clerk

MINUTES OF 8/11/03: Minutes of 8/11/03 Planning Commission meeting carried over to the 9/8/03 agenda.

PLANNED UNIT DEVELOPMENT 202 – Hertel
(continued public hearing) Resolution No. 9836
P.C. Meeting 8/25/03

The subject property is located on the west side of Bostonia Street between Broadway and Greenfield Drive, and addressed as 1006 Bostonia Street; APN 484-231-10; General Plan Designation: Low Density Residential. *Continued from the meetings of June 23 and July 28, 2003.*

Request a 10-unit residential development in the R-2 (two-family) zone.

AND

TENTATIVE SUBDIVISION MAP 513 – Hertel
(continued public hearing) Resolution No. 9837
P. C. Meeting 8/25/03

The subject property is located on the west side of Bostonia Street between Broadway and Greenfield Drive, and addressed as 1006 Bostonia Street; APN 484-231-10; General Plan Designation: Low Density Residential. *Continued from the meetings of June 23 and July 28, 2003.*

Request an 11-lot subdivision in the R-2 (two-family) zone.

GRIFFIN recommends the Planning Commission have both public hearings open at the same time so that testimony can be taken on both, and then close the hearings and take separate action.

GRIFFIN states this is a 10-unit residential development and an 11-lot subdivision. The reason there is one more lot than units is because the eleventh lot is the common lot, which is the common driveway and the common area along the street. This project was continued twice so that the staff could work with the applicant on its design. The plan before the Commission tonight essentially meets all the ordinance requirements. Staff admits that this plan is not the most imaginative. It is a little "cookie cutter", but the applicant is proposing two-story units with two-car garages. Each unit has a private yard space of over 400 square feet.

The project meets the parking requirements, the setback requirements, and the open space requirements. The driveway goes down the middle of the lot with apparent access to the alley. However, if you look at the plan closely, you will see there is a fence planned at the end of the driveway, so there will not be routine access to the alley. Access will be only for emergency purposes. The Fire Department will have a "knox box" access, but the residents or anyone else will be precluded from driving through to the alley.

There are two elevations, but one floor plan, and the applicant is showing a flip-flop of the elevations, so that presumably, if you are on one side of the private road and look across the street, you won't see your unit, you will see the other elevation.

One area that the staff commented on was the proposed fence at the very front of the property. The applicant is showing that fence as an extension of the sidewall of the two front units. The staff believes that that fence should be at least five feet away from the front units, so that there is some yard space between the fence and the front units on the street side. To create that five feet, all of the units are going to have to be shifted to the west. There appears to be enough room to accommodate that without reducing the separation between any of the other units to a point where it is not acceptable.

Staff hoped for a more imaginative plan, but believes this is a good plan. It provides opportunities for affordable homeownership for ten families. It is a good project and it does meet ordinance requirements. Staff is recommending that the Planning Commission approve the planned unit development and the subdivision map.

AMBROSE says there was discussion in the staff report about elevations along Bostonia Street and asks if staff wishes to discuss this.

GRIFFIN answers yes. With the fence that was mentioned, staff is concerned about the front appearance of the project, because that is what the public is going to see. The

staff is asking the applicant to work with it to improve the exterior elevation that faces Bostonia Street on the front two units.

AMBROSE asks about the units themselves. They look rather bland in the front elevation. Was there any discussion with the applicant about how to give them a little more “punch” and make them more special looking?

GRIFFIN answers that staff talked to the applicant about carrying the architectural features around to the sides and back, because the special treatment around the windows and doors that are on the front elevations are not carried around to the other elevations. As far as adding “punch” to the front, staff did not get into that. Staff believes that it is a good issue for the Planning Commission to gnaw on, rather than have the staff trying to be architectural critics. If that is something the Planning Commission feels needs to be improved, then tonight would be the time to discuss that with the applicant and provide some suggestions to the staff.

AMBROSE asks about individual trash pickup and if there is a community trash container?

GRIFFIN says the only issue with that is size of the trash containers. If you have the big 96-gallon trash containers, is not easy to get three of them in the garage, plus the car. This garage is the minimum width, so it may be tight to get the trash containers inside. However, it may be possible to place the trash cans outside the garage along the side yard, which is probably where the residents would keep them. There isn't necessarily a need for a common trash area.

The two public hearings are still open.

Jan GILBERT, P. O. Box 2395, Valley Center, CA 92082, is here on behalf of her mother, **Irene OLSON** who lives at 1322 E. Broadway. Her mother's property faces onto the alley. They have two concerns. One was the access to the alley. She understands that it is going to be taken care of and there will be none, which becomes a non-issue for them. The remaining concern is drainage, where the subject property is going to drain as far as runoff. The alley becomes a river when there are heavy rains. Her mother's house has been flooded several times. She asks that the Commission be cognizant of the drainage concerns.

AMBROSE states all projects are required to provide a drainage report before they are constructed. He asks if the problem GILBERT is talking about is an existing problem? Has she been flooded out before?

GILBERT answers that she has been flooded out before. They have done some corrective work on that. The water runs right down the middle of the alley now. But if you add more runoff to it, it will be a problem.

AMBROSE asks staff if there has been any preliminary drainage work on this project?

RAPALLO states a drainage study was not provided with the tentative map, but one of the conditions of approval from the Public Works Department is for the applicant's engineer to submit a drainage study and a grading and drainage plan. With that, they will analyze the existing conditions. They will need to meet the Clean Water Act requirements as well. These types of issues will be considered at that time.

GILBERT noticed that that was one of the requirements. She just wanted to make sure that someone was aware of the drainage issues.

Phil HERTEL, 2305 Euclid Avenue, is the applicant. What he is attempting to do is provide good quality housing at a reasonable price and to take advantage of the proximity to the City recreation center across the street for young families, as well as a nearby brand new elementary school that has just been completely redone and a junior high school around the corner.

He feels that young families need four bedrooms and have access to schools, recreation centers, and where they don't have to necessarily get in their car to go to the market or drugstore. He has tried to craft a project that trades a few of the amenities for that fourth bedroom that is so important to young families.

Secondly, he hopes he can keep the trashcans in the side yards, which would be at a gate to the side of the house by the garage, because a lot of times the trash truck comes early in the morning when they dump dumpsters and that wakes people up. Normal trash collection is done during the day when it would not be as much of a problem with young families with young children.

AMBROSE asks the applicant what the size of the units is?

HERTEL answers 1820-30 square feet. The difference is that fourth bedroom.

AMBROSE states it has been a policy of the Planning Commission to require something more than asphalt composition shingles. Going with a higher-quality roof material adds value to the units and adds value to the community. The Planning Commission still believes that is an important aspect that should be carried through and the City Council has felt that way for quite awhile. He encourages the applicant to install concrete or tile roofing or something that would be higher quality.

HERTEL responds that is not a problem. He just felt that in an effort at keeping the units affordable he would propose composition roofing.

AMBROSE lauds the applicant's intent of trying to provide affordable housing, but at the same time, it is not a real creative plan. There are 10 units in the development and perhaps the applicant should have had nine units with a nice recreation area. He thinks there are some tradeoffs that the applicant can do for the City in return for getting an extra unit. Just a little quid pro quo. AMBROSE asks if the applicant has a problem

with working with staff on doing something a little more interesting on the elevations on Bostonia Street?

HERTEL will do that. He has already worked with staff to assure they could get as close to meeting their needs. There is no problem.

AMBROSE thinks adding a small porch on the front of these units would really help out the front elevation. He doesn't know what the rest of the commissioners feel about this. El Cajon gets very toasty and having a little area on the front where people can sit down outdoors, see their neighbors and talk with their neighbors would help make a friendlier environment. Since there will probably be kids playing in the street, it is also a good place to be able to have some shade and have neighbors see what is going on.

HANSON-COX asks about the roofing materials. She knows that composite materials are a lot less expensive. Does the applicant have any objection to change the roof to tile? Tile makes a better roof.

HERTEL has no objection. It does make a better roof. As he said earlier, he thought in the interest of providing affordable housing he would do his part and the Commission would do its part, and the product would be some of both items. He did look at the front yards as well—his take on it was if they are young families, they are also going to spend time in the back yard and that couple of feet that he would add to the front setback to provide a porch and some posts and a nice element there, would take a couple feet out of the backyard, which is sometimes where young families have their kids during the day when they are not supervised out front.

AMBROSE comments that as kids get a little older, they are out playing in the street and need a little more space than a little backyard.

AGURS likes the project. He thinks the nicest looking thing on that block right now is the recreation center. Once this project goes in, it should substantially enhance the community. He asks staff if the applicant will be undergrounding utilities, because right now everything is on poles?

HERTEL thinks the policy is if you reduce the number of poles, you underground. He hasn't specifically studied that, because there is major electrical line that goes through there.

GRIFFIN advises that within the project everything would have to be underground. The subdivision ordinance deals with utilities along the perimeter and there is a process for that. He thinks Mr. Hertel explained the way that has been interpreted. If there are poles along Bostonia Street or even along the alley, then Hertel could be required to put them underground. If they aren't going to reduce the number of poles, then Hertel can get a waiver.

AGURS states at 1825 square feet, that is a very nice unit for families. The fourth bedroom was a great idea. Hopefully, once everything is said and done, there will be a project that the applicant can be proud of, the City can be proud of, and ten new families will enjoy.

No one else comes forward on this item.

Motion by AGURS, second by BURGERT to close the public hearings on Planned Unit Development 202 and Tentative Subdivision Map 513. Motion carries 4-0, TURNER absent.

Under discussion, AMBROSE states this is straightforward. The applicant is ready to upgrade to tile roofs. He doesn't know if this needs to be made a condition.

GRIFFIN would prefer it be a condition. That way, it is conveyed to the City Council, rather than just in the minutes. He thinks it could be added as Condition 2f(9), which requires a revised plan with a number of changes, now including a tile roof. He asks if the Commission would limit it to tile or concrete?

AMBROSE would like to give the applicant some flexibility, and asks the commissioners how they feel.

The Commissioners concur with a roofing upgrade requirement.

AMBROSE asks if the side elevations fronting on Bostonia Street need to be included.

GRIFFIN answers that is Condition 2b.

AMBROSE would like to see that expanded to work on the front elevations with staff. He doesn't want to dictate how that should be worked out, but he would like to encourage the applicant to work out the front elevations with the staff, in order to give the front elevations a little more "punch". He doesn't mean that the applicant must put in porches, but he would like to encourage him to think about it. He asks the other commissioners how they feel.

HANSON-COX says the front porches would be a nice option. She believes since he is willing to work with staff to make some of the changes with some of the issues the Commission was concerned about, and she feels it will be a wonderful project.

No further comments are offered.

Motion by HANSON-COX, second by BURGERT to RECOMMEND APPROVAL of Planned Unit Development 202 in accordance with the staff report, and adding a Condition 2f(9) to upgrade roof with roofing materials such as tile or concrete. Motion carries 4-0, TURNER absent.

AGURS asks if the subdivision request should be for an 11-lot subdivision instead of a 10-lot subdivision, as stated in the staff report.

Staff states it is 11 lots.

Motion by HANSON-COX, second by BURGERT to RECOMMEND APPROVAL of Tentative Subdivision Map 513 in accordance with the staff report. Motion carries 4-0, TURNER absent.

These are recommendations to the City Council. There will be separate noticed public hearings at the City Council. The hearings will take place in about a month.

AMENDMENT OF SPECIFIC PLAN 182 – Planning Commission

(public hearing) Continue to September 8, 2003 meeting
P.C. Meeting 8/25/03

Propose revisions of Specific Plan 182 to include, but not limited to, its boundaries, development standards and uses within the Downtown Area.

GRIFFIN states that Specific Plan 182 is a very important specific plan for the City, because it covers development and redevelopment in the downtown area. In 2002, the Downtown Business Improvement District had to re-up itself after having originally been approved five years prior to that. The Business Improvement District is created by state law, which mandates a new vote every five years among the property owners that make up the district. When the most recent vote was held, not only was there a request to continue the district, but also to expand the district. That vote was successful. As a result, the boundaries of the district were extended westerly along Main Street, all the way to Marshall; easterly along Main Street out to Lincoln and then southerly down to Lexington, between Van Houten and Avocado. The district was expanded quite a bit. A further extension was along W. Madison Avenue, west of Magnolia, all the way over to Chambers.

One of the issues tonight is to amend Specific Plan 182 so that its boundaries are consistent with the boundaries of the district, because the purpose of the specific plan is to enhance activities in the district, provide for special development opportunities and development standards.

A second issue is that as a result of that expansion to the west on Main Street to Marshall, a lot of property in the C-M (heavy commercial/light industrial) zone has been included. That area along W. Main Street includes a number of auto service uses. As the Commission will recall, in the existing SP 182, auto service uses are prohibited.

Two of the exhibits to SP 182 – Exhibit ‘A’ and Exhibit ‘B’, lists uses that otherwise would be allowed in the C-2 and C-R zones, but are prohibited in the downtown area. The prohibited uses were determined by the City Council to not be consistent with the pedestrian- oriented cultural zone concept that the downtown area was based on. The prohibitions were requested by Downtown El Cajon, now the Community Development Corporation.

These uses on the west end of Main Street are, in staff’s opinion, outside of the culture zone area and they are virtually all auto service uses. Unless they are all made nonconforming, which means they are basically fixed the way they are forever, the staff believes it would be appropriate to recognize those auto service uses that are in the C-M zone. Staff is not recommending that the Commission add auto repair and service uses to the C-2 or C-R zoned portions of downtown, only to the C-M zoned areas which would only be on the westerly end of the specific plan.

In addition to that, staff is recommending a number of language changes in the development processes; specifically adding the PRDs and PUDs to development choices as some of the new, expanded area, especially the area to the south toward Lexington, which is mostly residential. Many of those properties are smaller lots, but there may be opportunities there to build common interest developments like condominiums. Having the PUD process in the specific plan would enhance that type of development.

In addition to that, staff is recommending that the current design review process be expanded to the extent that it would include changes in exterior colors or materials. Currently, that is not addressed in the specific plan or the design guidelines and there have been a few buildings downtown that have turned out to have colors that are unacceptable. There isn’t any current process to require businesses to go through to change the exterior colors or materials. The city does not require permits to paint a building or change the exterior materials, but at least this amendment will allow for a review of proposed exterior changes by the Community Development Corporation. For example, if a business has the idea of painting their building or changing the exterior, they can visit with the CDC and work with them on something that is beneficial to the City as well as to the business or property.

As the Commission knows, we have used one other provision in the specific plan, which is the parking reduction, in many cases on Main Street. Most of the restaurants that are there now were all approved with conditional use permits that allowed them to have reduced parking or even no parking in some cases. That is still in the specific plan. The CDC has done one parking study that was basically a tally of all of the spaces that exist downtown. There will be a City Council workshop next Tuesday to discuss a second parking study. One of the possibilities down the road, is there may be the need to create a parking district or possibly an in lieu fee for parking that is not required, to generate revenues, in order to create a community parking lot, or a parking structure, for example. GRIFFIN thinks everyone agrees that at some point in time, parking will become an issue if downtown continues to redevelop, more activity is there and

businesses are thriving—all the positive things we are hoping for. Some type of common parking area and how to fund it may be something the Council is going to have to look at.

In addition to that, the CDC is working with the staff on a significant review of the sign regulations that are in the specific plan. Staff is recommending one change on signage tonight that simply reflects the sizes of monument signs to increase them to 120 square feet. There are some other aspects of signs which staff have been working on with the CDC, but are not ready to bring them forward yet. The signs and the parking issue will probably be coming back to the Commission in the near future.

Use restrictions are probably the most significant part of this amendment. One of the uses, in addition to the auto repair uses mentioned earlier, was a request the City received earlier this year, for a business called Act II, which is both new and used women's clothing. Because Specific Plan 182 prohibits secondhand merchandise sales and thrift stores, ACT II could not be approved. The City Council, however, referred the issue to this amendment, so staff has been looking at that since that time to try to figure out a way, if there is one, to accommodate them. Staff looked at this every way possible to try to make it possible, but by the same token, make it defensible from a legal standpoint and implementable for the staff, because ultimately staff has to be able to determine, "You have more square footage devoted to used merchandise than you are allowed", or "Your actual sales are more than the maximum allowed", if those kinds of restrictions are imposed. That kind of restriction, however, is not easily enforceable. Staff's position is that if the Planning Commission and the City Council want the staff to try to enforce those kinds of restrictions on used merchandise sales, staff would rather there not be any restrictions, because staff will not be able to enforce them. The City just does not have the personnel to monitor that kind of restriction. If that is where the Planning Commission wants to go with this, he thinks it would be unfair to say that staff would be able to enforce those restrictions, because he doesn't think staff could.

That is one issue staff was not able resolve--how to accommodate Act II with the kinds of merchandise they wish to sell, versus anybody else who wants to sell secondhand merchandise. Staff had a very difficult time saying this one will be okay, but that one won't be okay. That is something the City Attorney's office is concerned about as well.

Another use issue raised by the CDC was to prohibit check-cashing services downtown. The staff has not noticed any problems with check-cashing businesses. There are at least two in the downtown area now. Staff is not aware that they have generated any problems. In fact, they have become de facto banks. Staff doesn't see the problem with the check cashing, so staff is recommending that the Planning Commission not prohibit them in the downtown area.

The third use category is called Women and Infants and Children (WIC) that provide food commodities and vouchers to lower income women that are either pregnant or have young children in order to give them nutritional meals. WIC is part of the Department of Agricultural and there are at least two, maybe three, programs in El

Cajon now. One is on Second Street near Madison Avenue, one near the post office on Lexington Avenue, and one on Magnolia Avenue near the park. Again, staff has not noticed problems with the WICs and recommends that not be prohibited. Claire Carpenter, who wrote the letter from the CDC, can explain what their concerns were.

In summary, the staff's recommendation is that the Planning Commission adopt the negative declaration and recommend approval of the Amendment per Staff Attachment 'A'. Staff Attachment 'A' is set up where new language is shown in *italics* and existing language to be deleted is ~~crossed-out~~. There is an Exhibit 'A' and 'B' which are the lists of uses that are prohibited in the downtown area. There is also an Exhibit 'C', which the Planning Commission does not have. Exhibit 'C' is the design guidelines that are already in the Specific Plan and are not proposed to be changed.

AMBROSE thanks staff for their great job in dealing with these issues. It can get very complex regarding secondhand clothes and items. He doesn't know how to handle that, other than with a CUP, but then if you are going to do that with a CUP, you have to have some sort of development standards or policy that governs how that CUP would be evaluated. Otherwise, it is just an open ended proposal.

GRIFFIN concurs and states staff would have to have something objective to make a distinction between one type of re-sale or used merchandise and another. Otherwise, the staff would be subject to challenge, by saying it is okay if you sell used women's clothing, but if you sell jeans that have rips in the knees, that is not okay. He thinks that is where it gets a little ticklish in trying to make that decision on an objective basis rather than a subjective basis. That is where staff could not come up with language that it thought would be valid. Hopefully, if the Planning Commission wants to go there tonight, they can give staff some suggestions. Claire Carpenter may have comments on that as well.

BURGERT says there are already some of the prohibited uses in the downtown area. Are we saying we are keeping it within this area or is this part of the problem as discussed with the Act II business?

GRIFFIN answers that what is here can continue, unless they discontinue for a period of at least a year then they have abandoned the use. The existing prohibited uses are considered to be what are called legal, nonconforming, because they predated this provision that said they are prohibited. The prohibition only applies to new locations. Those existing nonconforming businesses could actually be sold to someone else and that person could operate the same business pursuant to that nonconforming status. This is only for new businesses, not existing businesses.

AGURS would like to know why the El Cajon Transit Center wasn't included within this expansion of Specific Plan 182.

GRIFFIN suggests having Claire Carpenter answer that. He believes they surveyed the property owners that were interested in participating in the district and they attempted to

include those that appeared to be more in favor rather than not in favor. He thinks the transit facility, although it is important to the City and potentially important to downtown, is really more of a governmental activity. He thinks the CDC felt that wasn't going to change, whether it was in the district or not.

The public hearing is now open. AMBROSE asks Claire Carpenter to come to the podium.

Claire CARPENTER, President and CEO of El Cajon Community Development Corporation, 168 E. Main Street, says this is a lot to cover and it took them a long time to get here. She doesn't know if the Commission is aware, but they do have a lot of projects that are anxiously awaiting in the wings for this amendment to pass. In particular, the boundary expansion. It offers some really exciting projects for some parcels that have been previously just outside the target area.

CARPENTER submits a letter to the Assistant City Attorney that she hopes offers some points for discussion about the idea of the Act II proposal. The CDC has been working on it quite a bit for the last two or three months. She has an idea to present for discussion.

CARPENTER addresses some of the questions brought up by the Commission. The transit center was a really complicated process to actually put into the district itself. They got as close as they could possibly go with the borders for the very reasons that AGURS is asking the question. It is critical to the CDC in the long run and in terms of all their strategies that they somehow try to make the connection with the transit center. The CDC would love it if they would eventually be "brought into the fold" and they will always try to do that with the transit center. But because there are so many entities that all converge right there—it wasn't just one governmental entity, it was several—and it was just more complicated than they could really pull off. The CDC didn't have a formal strategy to include them in. Once they get further in their planning, it will be a much better dialogue and they might be more apt to want to join the CDC's effort.

CARPENTER talks about the idea of regulating the exterior changes of buildings. She understands the difficulty of trying to make those proposals come in for review, but she would like to think that now that the Redevelopment Agency has funded their façade program again and it has refunded their business recruiting and retention program, that the CDC actually has something to offer, in order to try to get compliance from the businesses that are just doing an exterior renovation that may not have normally required a design review. Ideally, if this is something that can be included and the City staff is spreading the word and the CDC staff is spreading the word and they are communicating as well as they should with the stakeholders, she thinks will work.

Parking is on everyone's mind. She appreciates the thought of the staff that more research is needed before we pin ourselves down to anything. She thinks that one of the reasons there has been such success so far is because they have had the relaxed parking. The future shortage of parking is not out of mind at all and is becoming an

issue with every project that they do. The CDC is comfortable with nothing changing for now, while they get a better handle on that. Although she thinks everyone shares the same concerns regarding parking, she is happy to see that is not going to be addressed quite yet and that maybe they could come back with a more thoughtful plan for how to address that in the long run.

CARPENTER addresses the letter she submitted regarding used or re-sale merchandise. There have been many committee meetings, the CDC has talked to a lot of board members, and they have brainstormed the idea of the change in the retail marketplace that resale stores bring about. In the letter, she mentions the Cedros District in Solana Beach is almost all resale merchandise. Would we not want a Cedros in Downtown El Cajon? From the CDC's perspective, the answer is "yes". Would we not want architectural salvage here? She thinks her office would agree that an architectural salvage store would be a nice thing to have. A few other resale uses that come to mind were Computer Renaissance, which is recycled computer equipment. It is a very nice store.

As the CDC started to try to figure out how they could do this, they started thinking that maybe it is not a matter of relaxing the existing uses and allowing more thrift stores or secondhand stores in, but maybe the approach should be coming from the other direction---which is to create a category with some controls to allow these newly emerging retail uses. She thinks that one of the things that these re-sale stores can do is bring unique "mom and pop" kinds of businesses into the downtown area. They put Act II in that category. The letter includes some suggestions that the committee members came up with to distinguish these uses. She realizes that they may not be 100% enforceable, and they understand the enforcement issues for staff. These are things to consider that make a resale business different than a thrift store. She thinks the fact that a thrift store takes donated merchandise, and we all know the problems that we have had with some of the larger thrift stores in the downtown area, and what donations mean and pickup and trash, etc. They would never want to encourage that. At the same time, if there are markets for slightly used merchandise where the resale store actually buys it and resell it, that changes that dynamic a lot, from the CDC perspective.

The CDC also thought that there should be a part of the business that does sell new merchandise. Again, it is an enforcement issue, but if you don't use percentages of sales and don't do square footages of display having some new merchandise on a rack like jewelry as in Act II's case, that that might be a good criteria, so that it is not all resale merchandise.

Lastly, if it could be limited to a single-product category; i.e., ladies apparel, computers, sporting goods. They think those three restrictions in conjunction with a conditional use permit, might be at least a start at trying to come up with some manageable controls, if the City wanted to permit resales. The CDC is in favor of trying to figure out a way to do that, although they don't want to see that hold up this SP182 amendment to expand the boundaries either. They are hoping, if the Planning Commission likes this idea or wants

to pursue this idea, that the direction could be to have staff work with the CDC. The CDC thinks that would be a way to go because they see this use as an emerging trend, but they don't want to see it denied because it doesn't really fit into the categories that we have.

Regarding check cashing and the WIC stores, the CDC is a little concerned that these businesses were a little shaky in terms of how they were run. They are concerned that if the door is left wide open to allow those two businesses especially we could be losing retail space to uses that don't necessarily enhance the arts and pedestrian synergy they are trying to encourage. They are marginal businesses at best. Albertson's takes WIC coupons. It is not as though they would be eliminating a supply for somebody who couldn't get it anyplace else within walking distance. With the increase in lease rates in the downtown, she is not sure how long these uses would be able to stay anyway. She is here to answer any questions about their original letter or anything she has said tonight.

AMBROSE tends to agree with CARPENTER about prohibiting the WIC stores and the check cashing stores. At some point we just have to draw the line and say 'no more'. He just doesn't think they are a good mix in the downtown. He doesn't think they fit well.

Regarding the letter about Act II, he is just not ready to make a decision on this item tonight. He thinks this needs to be fine-tuned a little bit more. He thinks this is a very good start. What if somebody wants to do a boutique auto store, where they sell very expensive cars inside a building? We don't have auto sales downtown either (*sic*), but he has seen in San Francisco and other places where one can buy a very expensive antique car, for example, in a very nice place in a very nice part of town. He doesn't see a big problem with some of these uses but he thinks the details need to be worked out a little bit more. He does think we want to be on top of the curve as far as being able to attract those kinds of businesses.

Regarding parking, that has been his issue for quite awhile. Parking structures are really expensive. They are about \$7500 per space, at a minimum. The longer the delay in implementing some kind of planning process to take care of the parking, the worse it will be later, and the more expensive. He hopes we will start thinking about this sooner and start planning for the future. Maybe it will not be as expensive if we start requiring some in lieu parking fees or something like that instead of waiting until later and have to raise the rates even higher on our businesses.

AMBROSE asks for comments from the other commissioners.

AGURS has a couple of questions. He says GRIFFIN covered the recommended changes for exterior materials and colors. As far as having control on the color people can paint and things like that, he can see that being essential along the main corridor of downtown, but he would like to hear why the City should have the same control on the outlying areas, even though they may be part of SP 182. He knows that some design

review committees use their authority as a lever of control and it alienates businesses in some cases.

CARPENTER thinks the area that is different is the west end of Main Street heading toward the transit center. She thinks the only hope there would be to start some sort of continuity to make that connection to downtown. They give people lots of choices, as can be seen by what has been approved already. It is a pretty big range of colors, but at least they are trying to connect things so it seems like they are in fact a part of downtown. She would like to think that although not everybody likes design review, that the CDC design review commission is really very helpful. Now that the façade program is funded to help pick up the costs, they are hoping that will ease the pain a little bit. The idea, in the long run, is to have some design continuity to connect the transit down to the heart (of downtown).

AGURS asks if there is a major disagreement over design review, is there an appeals process?

GRIFFIN replies yes. In fact, the CDC just makes a recommendation on architecture and design. The CDC does the design review and then that recommendation comes forward, depending on what the application is, to the Planning Commission or to the Planning Commission and City Council. CDC is not the final authority, and so far there haven't been any major problems with any of the businesses that have gone through it. The Design Review Committee has worked to make things work both for the applicants and for the objectives of the design review process, but there is a safety valve.

AGURS refers to the Act II discussion and says that La Mesa has something like that in its downtown area.

CARPENTER replies that is the same business they are talking about. Act II is looking for an El Cajon location.

AGURS would like to see the CDC work that out with staff so that staff would have a level of satisfaction. He would like to see something like that happen because he knows it is a very key part to what happens in La Mesa. If we can capture some of that revenue by having it in El Cajon, he is all for it.

Another thing mentioned was parking. Being a victim of downtown San Diego parking problems and parking meters, he knows parking is starting to become an issue in El Cajon, too. Has CDC staff looked at undergrounding any parking in the SP 182 area when thinking about future parking issues, rather than just aboveground structures?

CARPENTER responds only on individual projects. They actually have two projects that are still in sort of a schematic phase that both propose some sort of underground parking. Downtown El Cajon has a really high water table so it is touchy in a lot of areas, and also very expensive. It looks like the market place might be able to allow underground parking to work for some of these developers, especially on the smaller

lots where they really have no choice if they want to build more dwelling units. Something will have to be done with the parking. It is starting to make financial sense to them to go underground, where just a year ago it probably wouldn't have.

AMBROSE asks if CARPENTER wants to comment about landscaping. Is she comfortable with the direction the amendment is going?

CARPENTER would put landscaping standards in the same category as residential design review. She thinks more time needs to be spent looking at it. There are some challenges, but she doesn't think they are as pressing as some of the other issues. If the Planning Commission wants to work on that with CDC, and the same with residential design review, she thinks the time is right. They just aren't able to do all of this now.

AMBROSE thinks the Planning Commission would like to work with CDC on landscaping as well as the issue of the secondhand stores. Some more time needs to be spent to craft an ordinance that is going to work for El Cajon as well as the businesses. He doesn't want to rush into these things. If CARPENTER feels comfortable with the proposed amendment, and if it will help get some businesses into town and get them going, he is fully prepared to recommend this on to the City Council so we can get it going and revisit the other issues later.

CARPENTER thinks that would be great.

HANSON-COX is very familiar with Act II. She was really looking forward to them coming to El Cajon. When they say "upscale, gently worn", they mean it. You walk in there and it looks like all new clothing. Looking at the CDC letter, she has some comments on the proposed criteria that she would like to recommend.

CARPENTER thinks the owners (of Act II) are here tonight and might want to comment as well.

AMBROSE thinks the Commission is supportive of that business. He thinks it's going to take more time to do this right. He doesn't want to be opening up the door to uses that have been prohibited. He thinks there is definitely a place for an Act II in our downtown, and similar types of stores. He is very excited about the fact that they want to come here.

BURGERT likes what is going on and the parameters that are being set. In recent months, applicants have come forward wanting to include everything but the kitchen sink in their business. He would like for the Commission to specify the criteria to be used to allow resale uses. He doesn't want us to go backwards though. He likes the Cedros District. He likes the idea of specialty shops. He is in favor of allowing them.

Deanne BULLER, 4684 Nebo Drive, La Mesa CA 91941, owns Act II and submits some pictures to the Assistant City Attorney. She is really happy that the Commission is in

favor of working with them (Act II) to come to the City's downtown area. They have been in business for 21 years. As the years go on, resale is becoming more and more a part of everyone's lives. Most of the stores on La Mesa Boulevard are resale. They may be considered antique stores, but they are also considered resale because the owners handpick everything to be sold in their stores. They (Act II) also have a men's resale store, a ladies' resale store, and a children's resale store. She hopes that it will all work out. They want to do this as soon as possible because the location that they are looking at has been held for them for a very long time, and the owners are getting a little tired of waiting for them.

AMBROSE asks staff how soon this item will go to the City Council.

GRIFFIN replies it depends on the Planning Commission's action. If the Planning Commission continues this item, it will go forward when action is taken. If it recommends approval tonight, it will probably be four weeks.

AMBROSE asks if it would be possible to bring this back at the next Planning Commission as a discussion item and flesh this out a little more with the secondhand stores, and then make a recommendation on that to go to the City Council. He would like to move this along. He doesn't really want to continue it.

GRIFFIN responds that the Planning Commission can have a discussion item any time. But, if it wants to include that discussion in this amendment, the hearing couldn't be closed because once the hearing is closed, nothing can be added to the recommendation. The Commission will have to choose: either continue this and discuss it some more and then take action; or take action tonight without the resale uses but come back with another amendment down the road. He points out that this public hearing was quite expensive for the staff to advertise. Over 500 public hearing notices were mailed out. He would like to try to keep some control on the total number of amendments of SP 182, but if that is the Commission's preference, it can certainly be done that way.

AMBROSE would rather continue this so that another noticed public hearing is not necessary. It is possible this item could be continued to the next meeting in two weeks. Maybe staff can come back with some suggestions on how to accommodate Act II, and then this can be sent on to City Council.

GRIFFIN thinks that would be the easiest way. The Commission has received the CDC's recommendations. Unfortunately, September 8 is a fairly full agenda, but he thinks this can be squeezed in and just focus on the resale issue, unless there are other aspects of this amendment the Commission doesn't agree on tonight.

In reply to AMBROSE, AGURS thought we were ready to go forward tonight.

AMBROSE states there isn't a decision on how to handle the secondhand stores.

AGURS thought that was going to be up to staff to work out.

AMBROSE replies that option wouldn't be part of this action as a recommendation to the City Council. He wants to get this worked out so that the Commission can send a recommendation to the City Council and say this is how we can accommodate Act II and stores like it. Then the City Council can take action on it and approve it. He is suggesting that continuing this will not hold them up because they won't go to City Council for four weeks anyway.

GRIFFIN doesn't think two more weeks are onerous to anyone. He is hearing that the Planning Commission wants to see what it is recommending. It can certainly delegate that to the staff, but sometimes staff doesn't always go exactly the way the Commission thinks it should. Rather than making a mistake, he would prefer the Planning Commission be happy with the recommendation instead of having staff assume it has heard exactly what the Commission wants.

AMBROSE agrees. He thinks this is a very important issue to downtown. He would like for all the commissioners to have a chance to look at the actual verbiage recommended.

HANSON-COX agrees with AMBROSE. We have to be really careful. Just reading the three CDC criteria, she sees loopholes already.

GRIFFIN agrees with HANSON-COX. There are always going to be loopholes and, of course, that is up to GALLAGHER and the City Attorney's office to protect the City, so the City Attorney's office needs to look at this, too, and offer their advice to the staff and to the Commission on whether or not they think this is enforceable with these specific criteria.

AMBROSE states the Planning Commission is really trying to push this along in the right way. It wants to accommodate Act II's business. It just doesn't want to open the door to other kinds of secondhand businesses that the City has spent a long time getting rid of in the downtown area. The Commission would like to have the City Attorney and staff look at the language of how to accomplish this.

No one else comes forward to speak on this item.

Motion by AGURS, second by HANSON-COX to close the public hearing.

GRIFFIN thought the Commission wanted to continue this item for further review of this issue?

He still has a little difficult in understanding why a single line of resale business is okay but if you sell shoes and socks it would not. This has to be easily understood and enforced or it won't work. Right now, he can't support this proposal even with the three CDC criteria.

No further comments are offered.

Motion and second are withdrawn.

New Motion by AGURS, second by HANSON-COX to continue the public hearing on Amendment of Specific Plan 182 to the meeting of September 8, 2003. Motion carries 4-0, TURNER absent.

AMBROSE advises there will be no notice for this continued public hearing.

GRIFFIN asks if there is anything else in this amendment that the Planning Commission would like staff to look at, or is this pretty much the key issue.

AMBROSE doesn't know how the rest of the Commission feels. He thinks we should prohibit check cashing and the WICs.

BURGERT emphasizes that there should be some sort of definition of resale or something that can be articulated to whoever might come up in the future as an applicant regarding the secondhand store issues. There are pawnshops in El Cajon now, but we don't want to put one downtown. As GRIFFIN said, how do you differentiate between telling an applicant they can only sell one used item but not three items? Talking about retrosports, who is going to say how to differentiate between which is a sport, which is a hobby and which is a pastime? He thinks we need to be definitive, and yet this is a very subjective issue. He also doesn't want to see secondhand stores return to downtown.

No further comments are offered.

In response to AMBROSE, GRIFFIN is okay with that direction.

PLANNED UNIT DEVELOPMENT 207 – Westone Management Consultants for Pacifica El Cajon Three, LLC

(public hearing) Resolution No. 9839
P.C. Meeting 8/25/03

The subject property is located on the north side of E. Madison Avenue between N. Second and Grape Streets, and addressed as 1386 E. Madison Avenue; APN 489-123-69; Existing LUC 1142A, proposed LUC 1142B; General Plan designation: Medium Density Residential.

Request to convert an existing 48-unit apartment complex to a common interest development in the R-3 (multiple-family) zone.

AND

TENTATIVE SUBDIVISION MAP 518 – Westone Management Consultants for Pacifica El Cajon Three, LLC

(public hearing) Resolution No. 9840
P.C. Meeting 8/25/03

The subject property is located on the north side of E. Madison Avenue between N. Second and Grape Streets, and addressed as 1386 E. Madison Avenue; APN 489-123-69; General Plan designation: Medium Density Residential.

Request a one-lot subdivision map in the R-3 (multiple-family) zone.

GRIFFIN states this item is in two parts, the tentative map and the PUD.

The item tonight is the conversion of the existing 48-unit apartment complex to common interest. The applicant has prepared and submitted the physical elements report, which addresses all of the issues and identified some things that need to be fixed. Those are things the staff has included in its recommendation for repair/replacement including the roofs, some of the exterior painting needs to be upgraded, there is a need to modify some of the sidewalk areas where they have shifted and there is a differential in the surface, the irrigation system needs to be adjusted, the air-conditioning units need to be replaced, the swimming pool needs to be resurfaced, and the landscape areas need to be refurbished. That sounds like a lot but he thinks those are all doable and the kinds of things that the applicant has included in previous projects. The other requirements deal with interior features such as upgrades to the kitchens and bathrooms, and that is something that the Commission has asked for based upon the need to be energy-efficient or water efficient. Those things that are health and safety related have been required in other projects.

Staff is recommending that the Planning Commission recommend approval of the PUD for the 48-unit conversion, and also recommends approval of the map to allow the conveyance of the ownership of each of those units.

The public hearing is now open on Planned Unit Development 207 and Tentative Subdivision Map 518.

Joseph SCARLATTI, 710 Camino de la Reina, Suite 129, San Diego CA 92108-3216, wants to know if his client can guarantee the upgrades prior to recording the map? He didn't see it.

GRIFFIN responds that is in Condition 5, "Prior to recording the final subdivision map, the applicant shall complete or guarantee the following:"

SCARLATTI asks if that includes a restrictive covenant?

GRIFFIN says yes.

SCARLATTI states then they have no problems.

AMBROSE asks what will be done with the interiors of the units. Are they planning to remove all the existing cabinets and replace all that?

SCARLATTI states a good part of the condo conversion process is market driven. They usually replace the kitchen counters, sinks, tubs and toilets, new carpeting and lighting packages. In a lot of instances, they are installing new windows. They are spending an average of \$15,800 in upgrades per unit.

AMBROSE refers to the existing ceiling heaters in this project that didn't work. What will be done with the heating?

SCARLATTI replies they will be putting in new heating systems.

AGURS refers to condition 5.f)3) on replacing plumbing fixtures and assumes that will include new drains and traps.

SCARLATTI says absolutely. These days, that is what sells: the kitchen and bathroom upgrades.

AGURS says in walking through this project he noticed the patio enclosures look relatively new. We are not talking about repainting those are we?

SCARLATTI says it is cheaper to replace them brand new than to paint them.

GRIFFIN says staff was referring to the repainting exterior fencing and not the patio fencing.

SCARLATTI states their client intended to do that, and to put in a new gate in as well.

BURGERT says neither entrance gate works.

No one else comes forward to speak on this item.

Motion by HANSON-COX, second by BURGERT close the public hearings on Planned Unit Development 207 and Tentative Subdivision Map 518. Motion carries 4-0, TURNER absent.

HANSON-COX thinks this project is straightforward.

Motion by HANSON-COX, second by BURGERT to RECOMMEND APPROVAL of Planned Unit Development 207 in accordance with the staff report. Motion carries 4-0, TURNER absent.

Motion by HANSON-COX, second by BURGERT to RECOMMEND APPROVAL OF Tentative Subdivision Map 518 in accordance with the staff report. Motion carries 4-0, TURNER absent.

AMBROSE states these are both recommendations to the City Council. There will be further noticed public hearings at that level. He expects they will be in about four weeks.

PREDRAFTED RESOLUTIONS

To reflect the actions of the Planning Commission on tonight's agenda items. Motion by AGURS, seconded by HANSON-COX to adopt Resolution Nos. 9837, 9837, 9839 and 9840 pro forma. Motion carries 4-0, TURNER absent.

ORAL COMMUNICATIONS

GRIFFIN invites the Commission to attend the Second Round of SANDAG Regional Comprehensive Plan Workshops. It will be held at the El Cajon Community Center on Thursday, September 4, 2003 from 6 – 9 PM. SANDAG has urged Commissioners and Councilmembers to attend in order to share their knowledge with citizens who will be there and to also participate in the program.

GRIFFIN reminds the Commission that Commissioner TURNER will not be at the next Planning Commission meeting (September 8, 2003).

CORRESPONDENCE

There was none.

ADJOURNMENT

The meeting of the El Cajon City Planning Commission adjourned at 8:30 PM this 25th day of August 2003.

Anthony AMBROSE, Chair

ATTEST:

James S. GRIFFIN, Secretary