

MINUTES
PLANNING COMMISSION MEETING
MARCH 22, 2004

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

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: WOODS, BLACK, TURNER, HANSON-COX, AMBROSE
COMMISSIONERS ABSENT: NONE
OTHERS PRESENT: GRIFFIN, Director of Community Development
GALLAGHER, Staff Attorney
KRULIKOWSKI, City Traffic Engineer
SHUTE, Associate Planner
SIMOS, Associate Planner
MOSSAY, Minutes Clerk

MINUTES OF 3/8/04: Motion by TURNER second by HANSON-COX to approve the Minutes of March 8, 2004, pro forma. Motion carries 5-0.

AMENDMENT OF CONDITIONAL USE PERMIT 1563 – Yako & Palander for Karmo
(continued public hearing) Continue to April 5, 2004
P.C. Meeting 3/22/04

The subject property is located on the south side of Broadway between North First Street and North Mollison Avenue, and addressed as 1031 Broadway; APN 484-294-23; LUC 5920; General Plan Designation: General Retail Commercial. *Continued from the meeting of January 26, 2004.*

Request for renewal of conditional use permit for a liquor store with storage space without providing additional parking, in the C-2 (General Commercial) zone.

GRIFFIN states this item was continued from the January 26, 2004 Planning Commission meeting. The applicant's attorney requested more time because the staff recommendation was for denial. The intent was that during the 60-day continuance, the applicant would meet with both the Police Department to talk about police issues, and the Planning staff to talk about site design issues. The applicant has met with the Police Department, although staff has not received anything from the Police Department, but the applicant has not met with the Planning staff. Because of that, staff

believes this item is still not ready to go forward, although staff's understanding is that the applicants have been working on a revised site plan.

Staff's recommendation is that the Planning Commission continue this for only two weeks to the April 5, 2004 meeting. Hopefully, by that time, the applicant will have everything in line and staff will be in a position to make a recommendation and the Planning Commission will be in a position to make a decision.

No one comes forward to speak.

Motion by TURNER, second by BLACK to CONTINUE the public hearing on Conditional Use Permit 1563 to the April 5, 2004 Planning Commission meeting, without re-noticing. Motion carries 5-0.

AMBROSE states there will be no new noticing on this item.

CONDITIONAL USE PERMIT 1980 – Greek Town Restaurant Buffet, Inc.

(public hearing) Resolution No. 9932

P.C. Meeting 3/22/04

The subject property is located on the southwest corner of West Main Street and South Sunshine Avenues, and addressed as 345 W. Main Street. APN 487-341-05; existing LUC 5811A, proposed LUC 5811D; General Plan Designation: General Retail Commercial / Special Development Area #9.

Request on-premises beer and wine sales and outdoor dining in conjunction with an existing restaurant in the C-2 (General Commercial) zone.

SHUTE states this request is for beer and wine sales and outdoor dining. An awning for the proposed outdoor dining was not shown on the site plan. The outdoor dining area has already been established, although it is not being used at this time. It has been nicely done, with a stucco wall and wrought iron fencing on the north side of the existing shopping center.

The subject suite has been a restaurant ever since the shopping center was constructed. The two previous restaurants at this location had beer and wine sales, although they have either not been renewed or the beer and wine sales license was taken with whoever owned that license.

The awning, as a new structure, has to be approved by the El Cajon Community Development Corporation (ECCDC) design review commission. The ECCDC has approved it and that recommendation will also go on to the City Council.

The existing shopping center is considered legal nonconforming in terms of parking. Additional parking for outdoor dining areas is not required when the outdoor dining area is less than the indoor dining area.

When the Planning Commission considers granting a CUP for alcohol sales, six points need to be considered. Since some of the new commissioners may not be familiar with them, SHUTE lists them as follows:

1. Availability of off-street parking;
2. The hours of operation;
3. The combination of uses in the center or the surrounding area;
4. The crime rate of the area;
5. The total area of all window signs and
6. Any other considerations the Planning Commission feels are necessary to assure that the purpose and intent of the provisions of the Ordinance are met at this establishment.

Staff is of the opinion that the applicant satisfies all six points required by the Ordinance.

On-sale alcoholic beverage establishments that are in conjunction with a restaurant are exempt from the separation requirements from sensitive uses such as churches, schools, and residential.

Because the property is in the downtown area, it is subject to the El Cajon Master Design Plan, which stipulates certain pedestrian-oriented uses be facilitated in the downtown area. Staff believes the outdoor dining use satisfies those criteria.

Staff has not received any response to the public hearing notices for this item.

Staff recommends that the Planning Commission grant the conditional use permit for outdoor dining and beer and wine sales in conjunction with an existing restaurant.

The public hearing is now open.

No one comes forward on this item.

Motion by HANSON-COX, second by WOODS to close the public hearing on Conditional Use Permit 1980. Motion carries 5-0.

Motion by HANSON-COX, second by TURNER to GRANT Conditional Use Permit 1980 for outdoor eating and drinking and for on-premise beer and wine sales in conjunction with an existing restaurant, in accordance with the staff report. Motion carries 5-0.

AMBROSE states this action is not final. This item will go to City Council for another public hearing on April 13, 2004.

CONDITIONAL USE PERMIT 1981 – Crossroads Church / Mark Kroeger for Turk
(public hearing) Resolution No. 9933
P.C. Meeting 3/22/04

The subject property is located on the south side of Greenfield Drive between East Main Street and Tres Lomas Drive, and addressed as 1663 Greenfield Drive; APN 507-200-59; existing LUC 6517, proposed LUC 6517 / 6910; General Plan Designation: Office/Non-retail.

Request religious activities in the O-P (Office Professional) zone.

SIMOS states this request is for a church in an existing office building, so there is no new construction requested. The building is two stories high and the church would like to locate on the second floor. There is x-ray imaging and physical therapy office on the first floor.

There are 81 parking spaces and the two tenants that are there now have normal working hours of Monday-Friday until 5PM. The church is requesting to occupy this site on Sundays from 9AM to 9PM and on Tuesdays, Wednesdays, Thursdays and Saturdays from 7PM to 9PM. Since there would be no use conflict, staff does not see parking as a problem--there should be adequate parking.

The parking lot definitely needs to be re-stripped and staff has been informed that the parking lot will be repaved and re-stripped within the year.

Staff's other concern is the proximity of the residential property on the west side of this property. Because of the hours that the church is requesting, and if the church adheres to the conditions of approval that staff is recommending and that are listed in the staff report, then staff thinks that this use will be compatible.

Requirements from other City departments are attached to the staff report and are included as conditions of approval.

Staff recommends approval of this conditional use permit, subject to the conditions of approval listed in the staff report.

TURNER asks if there have been other churches in this space before?

SIMOS answers not on this property. There was a request for a church on the adjacent properties to the west before they were subdivided and developed with residences. That CUP request was denied due to substantial neighborhood opposition.

The public hearing is now open.

Mark KROEGER, 2376 Euclid Avenue, El Cajon, is the applicant for Crossroads Church. Since there is no opposition tonight, he would like to say they have no problems with the conditions that were in the staff report. He asks that the Planning Commission approve this conditional use permit.

AMBROSE thinks if the applicant is agreeable to all the conditions, he doesn't see any issues here.

No one else comes forward on this item.

Motion by TURNER, second by HANSON-COX to close the public hearing on Conditional Use Permit 1980. Motion carries 5-0.

Under discussion, AMBROSE thinks the staff has called it right. He thinks this is an appropriate use and he thinks if they can maintain their hours and try to be compatible with the neighbors, there shouldn't be any issues.

WOODS has a question on the Saturday hours from only 7PM to 9PM. The applicant did not ask for afternoon hours?

AMBROSE says the applicant cannot return to the podium unless the Commission reopens the public hearing.

SIMOS did discuss with the applicants about changing their hours a little and she told them staff may be able to approve that administratively if the changes were very minor. If the Commission wants any request to change the hours to come back to them, it will come back.

Motion by BLACK, second by WOODS to GRANT Conditional Use Permit 1981 for religious activities in the O-P zone, in accordance with the staff report. Motion carries 5-0.

This is final action unless appealed to the City Council. The appeal period ends on April 5, 2004 at 5PM at the City Clerk's Office.

PLANNING COMMISSION REVIEW OF "ENVIRONMENTAL IMPACT REPORTS"

(discussion item)

GRIFFIN states this was put on the agenda because staff has been talking to several applicants for big projects that will probably involve Environmental Impact Reports and some of the commissioners have not had to deal with those reports at this point.

Environmental Impact Reports (EIRs) are part of the California Environmental Quality Act, which is also called CEQA. Their intent is to provide information to decision makers as well as to the public about a project. They are not intended to tell you how to vote. The Commission can certify an EIR and basically say it has identified and addressed all the environmental issues, and can still deny the project because it is incompatible, it is not the right location, or whatever. It doesn't necessarily mean that because the Commission has certified the EIR that the project has to be approved.

EIRs are informational and are fairly detailed. There have been several in the city. Mostly they are related to major projects where some issue has risen to the point of being called a "significant impact"—for example, a traffic issue is very common, noise, and odors—that type of thing. The City doesn't have as many issues dealing with habitat loss, because most of El Cajon is already developed. If you are out in the backcountry, that is probably a big issue. Sometimes "growth inducement" is an issue, where you may be proposing a new shopping center at the edge of the city and if that is going to affect the surrounding area, causing new houses to be built, new schools, new roads, things like that. So there are a number of issues that can be discussed as part of an EIR.

Staff wanted to let the newest commissioners know about EIRs and if any of the commissioners have any questions, to let staff know. Staff's procedures with an EIR is to try to get it to the Commission two weeks before the meeting that it would be scheduled for, so that the Commission has a chance to review it, instead of trying to read and understand it over one weekend. Staff promises to do their best to make sure the Commission has at least two weeks to review any EIR that comes forward to the Planning Commission.

There are other types of environmental documents. There are negative declarations—there have been a few of those on the agenda. And there are exempt projects. What that means is by California statute certain projects are exempt from environmental review. We don't have to make any specific findings or determinations. That list is fairly complex. There are different categories—that is why there are those numbers listed on the staff report. That is "plannerese" for being able to cite that particular exemption section. If any of the commissioners want a copy of the California Environmental Quality Act, the CEQA law, staff will make a copy. It can also be accessed on the State's website, if a commissioner is reading staff reports at home and runs into a bump and is not sure what the answer is.

GRIFFIN reminds the Commission if they ever have any questions on environmental issues, to not hesitate to call the staff. Staff will be bringing these EIRs forward—probably by the end of the summertime. There are at least three projects staff has been talking to applicants about and they are working with staff on their EIRs, so he is assuming they will want to bring them in and have some decisions made. The only issue that may come into play is that the closer they push them to November, we know what happens in that month. If you have a controversial item coming through the process in November, it is probably not too wise, because that is when decisions are

not always made based upon just the technical aspects of it—politics comes into play during election time. Staff tries to let applicants know what to be aware of and be concerned about, but the applicants have to decide for themselves what is best for them.

GRIFFIN asks if there are any questions on CEQA or EIRs?

There are no questions from the Commission.

GRIFFIN adds that Barbara RAMIREZ, who is usually at the first Planning Commission meeting of the month, is the staff expert on environmental review. If the Commission has any questions, they can give her a call or they can call him.

PREDRAFTED RESOLUTIONS

To reflect the actions of the Planning Commission on tonight's agenda items.

Motion by TURNER, second by HANSON-COX to adopt Resolution Nos. 9932 and 9933 pro forma. Motion carries 5-0.

ORAL COMMUNICATIONS

GRIFFIN reminds the Commission about submitting their Statements of Economic Interest. They are due April 1, 2004.

GRIFFIN informs the Commission that staff will be bringing forward the consideration of an amendment to the City's Housing Element at the April 5, 2004 Planning Commission meeting.

CORRESPONDENCE

There is none.

ADJOURNMENT

The meeting of the El Cajon City Planning Commission adjourned at 7:26 PM this 22nd day of March 2004.

Anthony AMBROSE, Chair

ATTEST:

James S. GRIFFIN, Secretary