

MINUTES

PLANNING COMMISSION MEETING

NOVEMBER 1, 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: RAMIREZ, Principal Planner
GALLAGHER, Staff Attorney
DAVIES, Principal Civil Engineer
ALVEY, Assistant Planner
O'BRIANT, Admin. Secretary

AMBROSE explains the mission of the Planning Commission and the proper procedure for speaking before the Commission. He asks for proper decorum during the meeting and that all cell phones and pagers are turned off.

MINUTES OF 10/18/04 Motion by TURNER, second by HANSON-COX to approve the Minutes of October 18, 2004 pro forma; carries 5-0.

PRESENTATION: Resolution No. 10053, honoring Carol O'Briant for her 25 years of service to the City of El Cajon

PLANNED UNIT DEVELOPMENT 242 – 4532 Dawson LLC

(continued public hearing) Resolution No. 10040

P. C. Meeting 11/01/04

The subject property is located on the west side of Lincoln Avenue between East Camden and East Lexington Avenues, and addressed as 414 S. Lincoln Avenue; APN 488-250-23; existing LUC 1142A, proposed LUC 1142B; General Plan Designation: Medium Density

Residential.

Request to convert an existing 15-unit apartment complex to a common interest development in the R-3 (Multiple Family) zone. *Continued from the meeting of October 4, 2004.*

AND

TENTATIVE SUBDIVISION MAP 557 – 4532 Dawson LLC

(continued public hearing) Resolution No. 10041

P. C. Meeting 11/01/04

The subject property is located on the west side of Lincoln Avenue between East Camden and East Lexington Avenues, and addressed as 414 S. Lincoln Avenue; APN 488-250-23; existing LUC 1142A, proposed LUC 1142B; General Plan Designation: Medium Density Residential.

Request a one-lot subdivision in the R-3 (Multiple Family) zone. *Continued from the meeting of October 4, 2004.*

RAMIREZ advises that at the October 4th meeting, the Planning Commission expressed concern regarding the applicant's proposal for enhanced exterior elevations and, therefore, continued both items to this agenda. A new presentation board is posted to show a revised proposal.

Staff has noted a new color scheme, some new window trim, a new roofline cornice, and a new entryway featuring glass. Staff's recommendation remains approval subject to conditions for both the planned unit development (PUD) and tentative subdivision map (TSM).

In reply to AMBROSE, HANSON-COX likes the green and gray colors and thinks it is attractive.

TURNER wasn't at the previous meeting, so the new proposal looks good with the color scheme and what they did with the different windows and the front door.

WOODS says it is a vast improvement.

The public hearing is still open.

No one comes forward to speak.

Motion by TURNER, second by HANSON-COX to close the public hearings. Motion carries 5-0.

Motion on PUD 242

Motion by HANSON-COX, second by BLACK to RECOMMEND APPROVAL of Planned Unit Development 242 in accordance with the staff report. Motion carries 5-0.

Motion on TSM 557

Motion by HANSON-COX, second by BLACK to RECOMMEND APPROVAL of Tentative Subdivision Map 557 in accordance with the staff report. Motion carries 5-0.

In reply to AMBROSE, RAMIREZ advises that because of the continuance, there is no official City Council agenda date.

AMBROSE states this action is a recommendation to the City Council. Noticed public hearings will be held at that level.

PLANNED UNIT DEVELOPMENT 243 – SS Ridgestone, LLC

(continued public hearing) Resolution No. 10042

P. C. Meeting 11/01/04

The subject property is located on the north side of East Lexington Avenue between Taft and Filbert Streets, and addressed as 524 E. Lexington Avenue; APN 488-233-48; existing LUC 1141A, proposed LUC 1141B; General Plan Designation: High Density Residential.

Request to convert an existing 16-unit apartment complex to a common interest development in the R-4 (Multiple Family / High Density) zone. *Continued from the meeting of October 4, 2004.*

AND

TENTATIVE SUBDIVISION MAP 558 – SS Ridgestone, LLC

(continued public hearing) Resolution No. 10043

P. C. Meeting 11/01/04

The subject property is located on the north side of East Lexington Avenue between Taft and Filbert Streets, and addressed as 524 E. Lexington Avenue; APN 488-233-48; existing LUC 1141A, proposed LUC 1141B; General Plan Designation: High Density Residential.

Request a one-lot subdivision map in the R-4 (Multiple Family / High Density) zone.

Continued from the meeting of October 4, 2004.

RAMIREZ states that the colored version of elevations was submitted to staff today, and has been posted behind her tonight. Those are consistent with the black and white copies that were included in the commissioners' staff reports.

This is a request to convert an existing 16-unit apartment complex to a common interest development. The companion item, Tentative Subdivision Map 558, is a request for a one-lot subdivision of the property and is on this evening's agenda as well.

To date, this applicant has met city and state requirements for tenant notification of the intent to convert apartments in this development to condominiums. The applicant is required to fulfill additional notice requirements prior to recording the subdivision map. If approved, the property owner will also give each tenant the exclusive right to contract for the purchase of his or her unit at the same terms or more favorable than made to the general public. With regard to the development standards and how this property conforms, the applicant's site plan shows a total of 25 parking spaces currently available on the property. This results in approximately 1 ½ spaces per unit, which is acceptable under the current conversion standards.

There are several acceptable forms of common recreation or open space areas that may be provided in a conversion project in order to meet the requirement for conversion. The existing development on the subject property provides passive open spaces only. The applicant is not proposing to make any changes to the common area. The Commission, with concurrence of Council, must determine the adequacy of those proposed facilities.

RAMIREZ says that Jeff Adragna, a state-licensed contractor, prepared the physical elements report for this development. The report identifies the conditions of the property and states a course of action for each element that was inspected. In addition to the physical elements report, the applicant has submitted a list of planned improvements. In staff's opinion, the upgrades proposed by the applicant are minimal at best. A more detailed list is offered by staff on pages 6 and 7 of the PUD (planned unit development) staff report, and repeated as conditions of approval.

As currently required for all conversions, the applicant's physical elements report preparer will inspect and certify all required upgrades for which no City permit is required. City inspectors must confirm completion of all items that require building permits, including the one-hour firewall separation between units.

Staff's recommendation for this PUD is approval of the conversion of 16 units subject to conditions in the staff report.

The proposed TSM 558 is the typical one-lot subdivision made in conjunction with a request

to convert the existing apartments. It will provide the opportunity for ownership of each air-space unit. The proposed subdivision is in conformance with the General Plan designation of "High Density Residential" for the subject property. Staff is recommending approval of the map as presented, subject to conditions.

AMBROSE is confused with regard to the elevations. The commissioners' packets contained an email that says that this isn't really what they want to do; it is just a concept. What is it that they really want to do?

RAMIREZ responds that staff expressed reservation with the applicant not wanting to be held to the drawings and the design the Commission is being shown. This is not acceptable to the staff and she suggests the Planning Commission ask the applicant those questions.

The public hearing is still open.

AMBROSE tells the approaching applicant that he doesn't know why he submitted these plans if it isn't what he intends to do.

Corbett KERR represents SS Ridgestone, 3456 Camino del Rio North, San Diego CA. When he wrote the email, he was worried that they would be "pigeonholed" into performing exactly what they provided. He spoke with staff and was told he really did have to show what they intend to do. The elevations tonight represent what they propose to do.

AMBROSE will then disregard the email. He was really confused why the elevations were submitted if the intent was not to do them.

In reply to AMBROSE, KERR states they agree with the staff's conditions of approval except for a couple of concerns. They understand that the interior work being requested is a health and safety concern. He asks clarification of how some of the interior renovations staff is requesting fall into line with that.

AMBROSE asks what particular concern he has.

KERR states scraping the popcorn ceilings, putting baseboard in, and putting in new cabinets and countertops.

In reply to AMBROSE, KERR says they usually do all that work but there are circumstances where they will sell "as is" if somebody can't afford the higher price. They will often market the unit to current residents minus the renovation costs, so they can get the same unit for \$40,000 less.

AMBROSE doesn't think this is something that has been done. He asks for comments from

staff. These are things that all applicants have traditionally been asked to do

RAMIREZ thinks the popcorn ceilings and the baseboards are going to become necessary with the installation of one-hour fire-rated separations. Those things that the Planning Commission has been recommending to the City Council that fall into health and safety categories were established many months ago when the Conversion Ordinance was changed to focus on such things as energy-efficient appliances and energy-efficient windows. It has become pretty much the bottom line to do at least those things. The speaker referred to countertops and cabinets. Those are normally on the list of items that are being offered by an applicant to be included as part of their normal renovation package.

As far as selling a unit "as is", staff was unaware that was going on.

AMBROSE didn't know it was going on either. He thinks the Planning Commission likes the way the condo conversions have been going. KERR is the first to say they would like to just sell them "as is". All the commissioners believe that most of these units need to be renovated. That is why condo conversions have been encouraged. He doesn't understand why the applicant would want to sell them "as is" because most of them are in pretty sorry condition. He has lived in apartments in El Cajon and they weren't very good when they were new.

KERR states that this building was built in the late '80s and is in decent shape. As he said, it doesn't happen a lot. They have had three units where people have bought them "as is". Everybody else bought an upgrade, but those three people got to buy where they wouldn't be able to if they had upgraded their units.

AMBROSE understands they just left everything the way it was.

KERR replies they fixed or repaired whatever needed to be repaired. Essentially, if firewalls had to be put in, they put those in and put new cabinets in, and had to charge for that price. But if firewalls didn't need to be put in, they didn't do that. They didn't replace whatever didn't need to be replaced.

AMBROSE understands where KERR is coming from but he wouldn't recommend that. That is something KERR needs to take to the City Council. He thinks the interiors of all the units should be replaced. They should be gutted and started all over again. People should be given an opportunity to buy something that is new and fresh, something they can rely on for the next 20 years.

HANSON-COX completely agrees. If she were going to spend that much money on something, she would want to be proud of it. A new home should smell new. People should be able to have pride in their home after spending that much money. The only way to have

pride is to have something new, especially when it is being converted from an apartment to condos. It is not like buying an existing condo that was built as a condo.

AMBROSE addresses KERR and says in his opinion this site was one of the marginal ones because there really wasn't any substantial open space to offer. There are no recreation opportunities. It is a marginal apartment complex for conversion. He was a little distressed to see that the person that prepared the physical elements report said that amenities on the site include a freestanding mailbox and a gated trash enclosure. He doesn't consider a mailbox and a trash enclosure amenities. To him, they are necessities and a requirement of the Code. He is concerned if that is reflective of what they consider an amenity.

No one else comes forward to speak on this item.

Motion by TURNER, second by HANSON-COX to close the public hearings. Motion carries 5-0.

TURNER agrees with AMBROSE that all the interiors should be done 100%. Once again, she thinks this is a project that is very marginal, especially without any open space. Until it is decided what to do with the open space, she thinks there is nothing the Planning Commission can do with this planned unit development.

WOODS agrees that "as is" is not acceptable. These units need to be upgraded inside and out.

HANSON-COX compares it to buying a car "as is". You don't really know what you're getting.

AMBROSE states the Planning Commission spends Monday night after Monday night trying to improve the city, and then somebody doesn't want to make improvements.

TURNER thinks also that it is making the public accept an inferior product when they don't have a lot of choice in the matter. Maybe they will save a little in the front end, but it will come back in the back end.

No further comments are offered.

Motion on PUD 243

Motion by TURNER, second by HANSON-COX to RECOMMEND APPROVAL of Planned Unit Development 243 in accordance with the staff report. Motion carries 5-0.

Motion on TSM 558

Motion by TURNER, second by WOODS to RECOMMEND APPROVAL of Tentative

Subdivision Map 558 in accordance with the staff report. Motion carries 5-0.

AMBROSE states this is a recommendation to the City Council. There will be a separate noticed public hearing before the City Council in about a month.

GENERAL PLAN AMENDMENT 2004-04 – Planning Commission

(public hearing) Comprehensive Resolution No. 10044

P. C. Meeting 11/01/04

Joint noticed. CC mtg 11-30-04

Item #1

Change in land use designation for property on west side of Graves Avenue between Broadway and Cedar Street from “Neighborhood Park” to “Low Density Residential (3-10 du/ac)”.

Item #2

Change land use designation for property addressed as 1321 Greenfield Drive from “General Retail Commercial” to “Medium Density Residential (18—20 du/ac)”.

RAMIREZ states that separate tentative votes will be taken after discussion on each item. If there are no further comments, the public hearing will be closed and a motion made to confirm the tentative votes. The staff report should be corrected to indicate that the subject property is on the west side of Graves Avenue between Broadway and Cedar Street.

The text of the city’s General Plan permits private development of a property designated on the General Plan land use map for future public use when the respective public entity declares that it is not able to acquire the property for public use. The subject property has been designated as “Neighborhood Park” on the General Plan for many years. In March 2000, the site was approved for development of a 14-unit planned residential development and a separate single-family home. Now that this project has been completed, it is appropriate to change the land use designation to “Low Density Residential”, which is the density at which the property was redeveloped. Since there is no new development resulting from this General Plan amendment, staff has determined that this consideration is exempt from environmental review.

Staff notified all the properties on Laffey Lane of this consideration. For those who called with questions, staff explains that this is basically a housekeeping item.

This item has been joint noticed for a City Council public hearing on November 30. Staff

recommends that the Planning Commission recommend approval of the change from "Neighborhood Park" to "Low Density Residential".

AMBROSE states this is basically a housekeeping item.

The public hearing is now open.

No one comes forward to speak on Item #1.

Motion by TURNER, second by WOODS to tentatively RECOMMEND APPROVAL of General Plan Amendment 2004-04, Item #1 in accordance with Exhibit "A" of the staff report. Motion carries 5-0.

RAMIREZ advises that Item #2 is a similar issue where the General Plan shows a designation that is different than the development currently occupying the property. In this case, the subject property is shown as "General Retail" on the General Plan. This property was the subject of a recent approval by the City, in August of 2004, for conversion of the existing apartments to condominiums. Since no new construction or change in the zoning is involved, the staff recommended that the General Plan be addressed at the first appropriate time.

The existing zoning for the subject property is R-3, which is consistent with the proposed General Plan designation of "Medium Density Residential". Staff is recommending a change from "General Retail Commercial" to "Medium Density Residential" for this property.

No one comes forward to speak on Item #2.

Motion by HANSON-COX, second by TURNER to tentatively RECOMMEND APPROVAL of General Plan Amendment 2004-04, Item #2, in accordance with Exhibit "A" in the staff report.

Motion by TURNER, second by BLACK to close the public hearing. Motion carries 5-0.

Motion by TURNER, second by HANSON-COX to reaffirm the previous tentative votes to RECOMMEND APPROVAL of General Plan Amendment 2004-04, Item #1 and Item #2. Motion carries 5-0.

AMBROSE states the City Council will hold a public hearing on General Plan Amendment 2004-04, Item #1 and Item #2 on November 30, 2004.

PLANNED UNIT DEVELOPMENT 247 – Island Group LLC by Tres Palmas

(public hearing) Resolution No. 10045

P. C. Meeting 11/01/04

Joint noticed. CC mtg 11-30-04

The subject property is located on the north side of East Lexington Avenue between South First and Ballard Streets, and addressed as 1114-1118 E. Lexington Avenue; APN 489-221-03 & -04; existing LUC 1141A, proposed 1141B; General Plan Designation: Medium Density Residential.

Request to convert two existing four-unit apartment buildings into an eight-unit common interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 562 – Island Group LLC by Tres Palmas

(public hearing) Resolution No. 10046

P. C. Meeting 11-01-04

Joint noticed. CC mtg 11-30-04

The subject property is located on the north side of East Lexington Avenue between South First and Ballard Streets, and addressed as 1114-1118 E. Lexington Avenue; APN 489-221-03 & -04; existing LUC 1141A, proposed 1141B; General Plan Designation: Medium Density Residential.

Request a one-lot subdivision map in the R-3 (Multiple Family) zone.

RAMIREZ states this planned unit development and tentative subdivision map are for an eight-unit apartment complex conversion to condominiums. The applicant to date has met city and state requirements for tenant notice, and will provide future notice to tenants with the exclusive right to contract for the purchase of their unit at a price that is equal to or more favorable than the offering made to the general public.

Regarding conformance with development standards, the applicant's plan shows that four double garages provide eight parking spaces, and there are eight more spaces in the driveway. The applicant wishes to divide the double garage spaces to create eight single-car garages. Staff supports this change.

As for the existing spaces in the driveway, the City Traffic Engineer has expressed concern about the continuing use of those spaces since backing up into the street is not permitted. From the Planning perspective, the driveway spaces cannot be counted as required parking because they are partially located in the front setback, which is prohibited. In response, a

condition 5.j) recommends that “No Parking” signs be installed.

The subject property provides a swimming pool and large grass area as common open space and recreation amenities. Staff is recommending the addition of planters in front of the block wall north of the pool to soften its appearance. In staff’s opinion, the existing amenities are acceptable for this conversion.

RAMIREZ continues, saying that a physical elements report for the development was prepared by JCEP Huang Consulting. The report identifies the condition of the property and states a course of action for each element that was inspected. In addition, the applicant has submitted a list of planned improvements that include upgrades in exterior and unit interiors. Most of the improvements are considered health and safety items so they are included as conditions of approval as well.

Due to the age of the development, it is likely that these units do not have the required one-hour fire-rated separation between units. This is a standard requirement and is included in the conditions of approval.

As is currently required for all conversions, the applicant’s physical elements report preparer will inspect and certify all required upgrades for which no City permit is required. City inspectors must confirm completion of all items that require building permits, including the one-hour fire separations. Staff’s recommendation on this PUD (planned unit development) is for approval of the conversion of eight units, subject to conditions in the staff report.

RAMIREZ advises that the proposed Tentative Subdivision Map 562 is the typical one-lot subdivision made in conjunction with a request to convert units. It will provide the opportunity for ownership of each air space unit. The proposed subdivision is in conformance with the General Plan “Medium Density Residential” category and staff is recommending approval of the map as presented, subject to conditions.

The public hearings are now open.

Ed SCHLESIER, 10601 Tierrasanta Blvd., San Diego CA 92124, represents Island Group LLC and appreciates the opportunity to speak. The principals of Island Group LLC are long-time residents of the East County and have been in the El Cajon / La Mesa area for over 40 years. They appreciate the Commission’s efforts for continuing the improvement of the El Cajon area. They appreciate the staff’s recommendations on this project, but would like to propose a couple of amendments.

He refers to the mounted chart and says they propose a privacy wall between the two buildings closest to the street, with a planter in front of that location to provide a softer view

from the street instead of putting either a planter or a mural behind the pool area.

AMBROSE wants to make sure everyone on the Planning Commission understands. What he heard the speaker say might not be what everyone else heard. He heard SCHLESIER say they want to put a wall closer to the street, perhaps about the same location as the two wing walls, and a privacy wall connecting those two wing walls and a planter in front of it to soften the effect and create more private recreational space between the two buildings.

SCHLESIER agrees. That is their first proposal. The principals of Island Group LLC had proposed a couple of improvements that they would now like to not go through with. One is replacement of rain gutters and downspouts, and the other is replacing popcorn ceilings in the interior of the units. The reason is that after reviewing these elements they didn't feel that this was something that was absolutely necessary, so they would like to eliminate those improvements from the project. The fourth item, and of most concern to the Island Group, is the parking restrictions. The existing parking for the project is the garage space as well as one vehicle in front of each garage space. That parking arrangement has existed at that site for over 40 years. The staff has noted that to make it a requirement that there be no parking in front of the garages is likely to be very difficult to enforce. They feel that eliminating that parking will cause more difficulty and trouble on East Lexington because each unit, which typically will have two vehicles, will be forced to park one of those vehicles on the street. The street parking is very limited as it is, and about eight vehicles would be added to it, which only compounds the current problem.

Other than that, they agree with the staff's conditions.

AMBROSE personally likes the planter idea. Regarding the popcorn ceilings, they may not have any choice in some instances. When a lot of the popcorn ceilings went in, they contained asbestos.

BLACK noticed a sign that says the building contains hazardous materials. Does SCHLESIER know the sign he is talking about?

SCHLESIER does not.

BLACK states it is on the 1114 side at the entrance, just below the tree. It is a notice that there could be hazardous materials, he guesses because it was built 40 years ago. He wonders what that hazardous material is.

Robert SCHLESIER comes forward and states that all the apartment buildings that they manage have that sign on them because it was determined about three years ago that secondhand smoke is considered hazardous to people's health. Therefore, every building, if there is a person on the property that smokes, has hazardous material on the property.

That is why all their buildings are posted that way. In the Los Angeles area, an attorney was suing the owners of apartment buildings for that. The Proposition 65 measure was not intended to be that, but that is what it has become. Any building that has people smoking outside the building is hazardous because of the secondhand smoke.

BLACK refers to the popcorn ceiling. His house was built in 1956 and when they had their popcorn ceiling taken off, they had to wear masks and were very worried about what was in it because it might have contained asbestos. That is a fear he has. He doesn't know if these apartments go back far enough to have asbestos in the popcorn ceiling.

Ed SCHLESIER returns and states BLACK raises a very valid point that buildings constructed in this time period probably have asbestos. But from his experience and knowledge (he worked for an engineering environmental company for eight years), asbestos is a problem when it is airborne. So long as it's not airborne and is in a solid state, it's not a health risk. To remove all asbestos from buildings built prior to then is impossible without basically tearing them down.

BLACK says if the asbestos is sitting on the ceiling, it is like a little time bomb. It could be "busted off" when the ceiling is being cleaned with a broom. That is why he is still concerned about letting that slip by. It could be a real hazard to the new homeowner who has no idea what asbestos is because they are younger people.

TURNER thinks the new homeowners should have an opportunity to have face-lifted condos, and the asbestos is an old situation. Most new housing does not have popcorn ceilings. She thinks it should be removed to give the condos a face-lift.

AMBROSE doesn't remember seeing any rain gutters on those buildings. Flat roofs usually don't have them; they have downspouts. He doesn't have a problem with the gutter issue. It doesn't seem to be a problem for his fellow commissioners either.

AMBROSE thinks this has historically been an area where people park in front of the garage. He knows what the ordinance says, and he doesn't think the Planning Commission can waive the ordinance, but the City Council can. He recommends that, since it has been used historically for parking, it be allowed to continue.

In reply to AMBROSE, RAMIREZ agrees that parking is prohibited within the first 10 ft. She says that the City Council could not waive that requirement. Staff is asking that those spaces be removed from the approved site plan and not shown as allowed to count towards meeting this project's minimum parking requirement. That minimum requirement refers to the development as is. Practically speaking, because it has been a habit to park there, people will likely continue to do so. Staff just doesn't want it to be shown as meeting the parking requirement counting those eight spaces in the driveway.

AMBROSE says then it is a paper shuffle.

In reply to AMBROSE, SCHLESIER does not think that is clear.

AMBROSE explains that what RAMIREZ told him was that the City doesn't want to use those parking spaces in front of the garage doors as meeting the parking requirement but, for all practical purposes, they will be used. It is not something the City is going to ticket people for.

SCHLESIER states one of the staff requirements is to post "No Parking" signs there. Considering the spaces are expected to be used anyway, do they need to post those signs?

AMBROSE would be opposed to posting it. He thinks people would take the signs down and park there anyway.

RAMIREZ advises that condition 5.j) requires "No Parking" signs to be posted. There is also discussion in the staff report that recognizes that the enforcement of that "No Parking" provision would probably be very difficult. It is on private property and would be up to the homeowners association to deal with it.

AMBROSE thinks that because of the limited amount of parking on the street on Lexington, and knowing historically that these spaces have been parked in, it is an unreasonable request to prohibit parking in the driveways.

No one else comes forward to speak on this item(s).

In reply to AMBROSE, RAMIREZ states the motion maker could ask that condition 5.j) be deleted, or the minutes of this meeting could reflect the Commission's varying opinions and the applicant could again broach this subject when it comes to the City Council for the final public hearing.

Motion by TURNER, second by WOODS to close the public hearing. Motion carries 5-0.

TURNER states it sounds like the Planning Commission covered a lot of issues that were facing this project.

Motion on PUD 247

Motion by TURNER to RECOMMEND APPROVAL of Planned Unit Development 247 in accordance with the staff report, deleting condition 5.j), and deleting condition 6.a)8 to install the roof gutters, leaving in the ceilings - - -

She asks direction as to where to include the planter in the motion.

AMBROSE states it could be left in as part of the public discussion. He asks staff if that is correct.

RAMIREZ replies she did not formulate wording for a condition. She offers, because the motion maker has asked that condition 6.a)8 be deleted, that condition is the one that requires installation of roof gutters and downspouts on both buildings. That actually came out of the physical elements report and was recommended by that preparer regardless of the design of the roof. He suggested that it is appropriate for better control of rainwater.

TURNER will leave that in since it was a physical elements report recommendation. She asks where a condition for the planter wall should go.

RAMIREZ thinks it would be appropriate to add that under condition #5 (which is staff's recommendation for the applicant to submit a revised site plan) and call that condition #5.m).

The motion is now:

Motion by TURNER, second by WOODS to RECOMMEND APPROVAL of Planned Unit Development 247 in accordance with the staff report, deleting condition 5.j), and adding condition 5.m) to read, "Note a new masonry screening wall to be located approximately 20 feet from the front property line." Motion carries 5-0.

Motion on TSM 562

Motion by TURNER, second by WOODS to RECOMMEND APPROVAL of Tentative Subdivision Map 562 in accordance with the staff report. Motion carries 5-0.

PLANNED UNIT DEVELOPMENT 248 – Peach Gardens LLC

(public hearing) Resolution No. 10047

P. C. Meeting 11/01/04

Joint noticed. CC mtg. 11-30-04

The subject property is located on the south side of Peach Avenue between N. Third and Grape Streets, and addressed as 1491 Peach Avenue; APN 507-282-16; existing LUC 1141A, proposed LUC 1141B; General Plan designation: Low Density Residential.

Request to convert an existing 10-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 563 – Peach Gardens LLC

(public hearing) Resolution No. 10048

P. C. Meeting 11/01/04

Joint noticed. CC mtg. 11-30-04

The subject property is located on the south side of Peach Avenue between N. Third and Grape Streets, and addressed as 1491 Peach Avenue; APN 507-282-16; existing LUC 1141A, proposed LUC 1141B; General Plan designation: Low Density Residential.

Request a one-lot subdivision map in the R-3 (Multiple Family) zone.

RAMIREZ advises these items were jointly noticed for a City Council public hearing(s) on November 30, 2004. The proposal is to convert a 10-unit complex. The applicant to date has met city and state requirements for tenant notice to convert apartments in this development to condominiums. The applicant and the City will each fulfill additional requirements throughout the procedure.

The applicant will give tenants the exclusive right to purchase his or her unit at terms equal to or better than the initial offering made to the general public.

With regard to compliance with development standards, RAMIREZ says the applicant's plan shows 16 parking spaces currently available on the property. This results in approximately 1.6 spaces per unit, which is acceptable under the current ordinance.

Several forms of common recreation or open space areas may be provided in a project in order to meet the ordinance requirement for conversion. The existing development on the subject property provides passive open space areas, including a gazebo. Staff believes that the landscaping in this area needs to be improved, that the gazebo needs to be repaired and painted, and that the fencing needs to be repaired or replaced. As a side note, each unit has a private rear yard containing no less than 160 sq. ft. The Planning Commission, together with the City Council, must determine the adequacy of the proposed facilities.

RAMIREZ says that in conjunction with the conversion, the City has required a physical

elements report. In this case, National Assessment Corporation prepared it and a subsequent addendum. The report identifies the condition of property and states which items need to be repaired or replaced in the long-term and short-term.

At issue with this project are the repair and / or replacement of HVAC units and roofing for which replacements in some cases were installed but have not been substantiated with proper permits and inspections.

As is currently the practice, the applicant's physical elements report preparer will inspect and certify all upgrades which require no city permits. City inspectors must confirm completion of items that do require building permits, including one-hour fire-rated separation walls between units. Staff's recommendation on Planned Unit Development 248 is to recommend approval of the 10-unit conversion.

Proposed Tentative Subdivision Map 563 is a typical one-lot subdivision made in conjunction with the request to convert units. The subdivision conforms to the "Low Density Residential" General Plan category. Staff is recommending approval of the map as it was presented, with conditions of approval as stated in the report.

The public hearings are now open.

Don MUELLER, 1113 Via Loma Vista, El Cajon CA 92019, owns rental property on 1474, 1476 & 1478 Marline, which is just to the back of the subject apartments. There are three illegal lean-tos on the back of the apartments that are not shown on the proposal as conditions to be taken care of. These probably were never permitted when they were built. They are in bad disrepair, as is the fence on the back of the property between Marline and Peach. He thinks they should be torn down or permitted and rebuilt, whatever is required. He doesn't think the property should be sold with the new owners having the idea these are legal if they are not.

In reply to AMBROSE, RAMIREZ states staff has no knowledge of the referenced structures, but is prepared to address them in an added condition if that would be the desire of the Planning Commission.

MUELLER states the fence has been patched for the last 15 years. He has patched it himself. The lean-tos are probably 8' or 10' square with flat roofs.

In reply to AMBROSE, MUELLER feels good about the condo conversion. He thinks the property owners would take better care of it than the rental tenants have over the years.

WOODS asks what type of fence Mr. Mueller would like to see between his property and the proposed condominiums.

MUELLER thinks a proper wooden fence would be adequate. It has to be taken care of. It can't go 15 years with just patch jobs.

In reply to WOODS, MUELLER guesses it is about 5' or 6' high.

AMBROSE remembers that the fencing does look old.

RAMIREZ refers to condition 8.d)7 at the top of page 13 of the PUD (Planned Unit Development) staff report to repair the gazebo and replace wood fencing. Although she believes that was meant to be limited to the fencing near the gazebo, it could be expanded to include something about the perimeter fencing as determined necessary by staff. The new condition #8.d)7 would read: "Repair gazebo and replace wood fencing, and repair or replace perimeter fencing as determined necessary by staff."

AMBROSE asks if RAMIREZ has a condition for the sheds.

RAMIREZ proposes adding a condition at the end to be numbered 13, and suggests the wording: "Prior to obtaining building permits to convert, the applicant shall meet with the Building Division staff to discuss the status of temporary structures located on the south side of Building B." The theory is that the Building Division would probably have to make an inspection as part of their normal inspection for the conversion and include in their scope of work that results in a report to the applicant, whether those things can be made legal or must be demolished.

AMBROSE asks if the applicant is in the audience.

Scott PETERS, 2531 State Street, Ste. E, San Diego CA 92101, comes forward. He is the land surveyor doing the map for the applicant. He can't speak for his client as far as a lot of the improvements he has done internally. He does know the applicant is planning on doing the fencing, regarding, landscaping, and upgrade the exterior completely. It involves removing those "lean-tos". Actually, someone set up a laundry room.

BLACK is bothered because the property condition report has quite a few pictures in the back, but it seems those structures were not photographed. It makes him wonder what else is not included.

PETERS can't speak for the company that did the physical inspection on the interior. His company's focus was on the exterior. As far as they are concerned, the structures are temporary and something they wouldn't even bother to locate. It is a lean-to, a tarp coming out from the fence. It is not like it is difficult to take down. It is attached to the fence and part of the building. They never viewed it as a permanent addition.

BLACK says those are health and safety issues to him because those little lean-tos serve as "rat farms".

PETERS states there are stackable washers and dryers under them.

BLACK states in this day and age, the place has to be kept clean.

AMBROSE states it has been caught now, and the fencing is going to be replaced. The building inspector will catch a lot.

PETERS' impression was that a particular tenant created that and no one told him to take it down.

AMBROSE states it seems that the applicant hasn't made any effort to dress up the area in front of Building B. It looks like it has been paved over landscaping over the years until there are only two palm trees sticking up and that's it. It looks pretty pathetic. This is an opportunity to really take the mess out and clean it up.

BLACK refers to a little building there. He thinks there is a wonderful opportunity to improve it for a common use area. It is all cement now, but there is a great opportunity to make it into something that would benefit everybody.

AMBROSE would like to see the applicant take some time to address that area. He doesn't know if it should be sent back to staff to work out. He thinks some of the concrete needs to be addressed, there are some planters that look like they have been leveled, and there were some issues about tripping hazards in that area where the raised planters have been taken out in front of Building B. He thinks some of the concrete needs to be taken out and the entrances to those individual units could be polished up with some landscaping and attractive paving. An opportunity will be missed if that is not done.

RAMIREZ thinks the issue is what level of comfort does the Commission have in passing this on to the City Council with a recommendation that basically is silent on that issue? Is the Commission sensitive to every applicant's desire to move everything forward to the City Council as soon as possible? She doesn't see a way this can go on without some kind of delay. Unfortunately, condo conversions can't be continued from tonight's agenda to anything sooner than the end of January 2005.

BLACK states all the little things that keep popping up makes him think maybe this applicant should be asked to come back with a clearer idea of what they are going to do.

HANSON-COX would like to see it continued, but the end of January is about three months

away. That is a long time.

RAMIREZ replies if this lack of improvement in that area north of Building B is as important to the commissioners as inadequate exterior elevations and it believes that it is important enough to see the project come back with more information, then a continuance could be the best solution. There is a disadvantage by not having the applicant here tonight to offer something as an immediate solution. She thinks it would be unreasonable to ask the surveyor to come forward. He has already said he can't speak for the owner on everything.

PETERS returns and is willing to say that if the landscaping or improvement of the area in front of Building B, which he is pretty certain they already have planned, is a sticky point, they will certainly address that. The owners are not trying to move in and make every buck they can; they are going to upgrade it and plan on fully going over the whole property. If that area is essential for the Commission's passage, he can almost guarantee they will do it. If it isn't, they can interact with the Planning Division and make sure it gets solved. They are aware they have to upgrade and have budgets for each unit. It is not an insignificant budget.

BLACK would be agreeable to writing it in and giving them a chance to go on to the City Council.

AMBROSE states if the Planning Commission adds a condition, the applicant can address it to the City Council if they want it modified.

TURNER thinks there should be some planters along the wall.

AMBROSE agrees. Each unit should have some identification.

In reply to AMBROSE, RAMIREZ asks the commissioners to look at condition #8.d)26 and consider adding some language to that. The condition reads, "Provide additional landscaped areas with irrigation in the area in front of Building B." She thinks a few words can be added to address the redesign of entrances.

AMBROSE would like for the applicant to provide a landscape concept or plan rather than just provide additional landscape areas, and run it through staff before adding additional landscape areas.

RAMIREZ asks if there is a reason that landscape concept design should include other areas of the property.

AMBROSE responds it should include the gazebo and that area as well. He doesn't want to be specific about what the design should be, but it should be something that is attractive and improves the quality of the property. That is definitely to the applicant's benefit.

RAMIREZ suggests rewording condition 8.d)26 to read: "Submit a landscape plan for all landscape areas including enhancements of hardscape in front of Building B." That would replace the language in 8.d)26 on page 13 of the PUD staff report.

TURNER thinks that sounds good.

Motion by TURNER, second by HANSON-COX to close the public hearings. Motion carries 5-0.

Motion on PUD 248

Motion by HANSON-COX, second by TURNER to RECOMMEND APPROVAL of Planned Unit Development 248 in accordance with the staff report, rewording condition 8.d)26 to read: "Submit a landscape concept plan for all landscape areas and include hardscape enhancements in front of Building B"; modifying condition 8.d)7 to read: "Repair gazebo and replace wood fencing, and repair or replace perimeter fencing as determined necessary by staff"; and adding a condition #13 to read: "Prior to obtaining building permits to convert, the applicant shall meet with the Building Division staff to discuss the status of temporary structures located on the south side of Building B". Motion carries 5-0.

Motion on TSM 563

Motion by HANSON-COX, second by TURNER to RECOMMEND APPROVAL of Tentative Subdivision Map 563 in accordance with the staff report. Motion carries 5-0.

AMBROSE states this item(s) has been joint-noticed for a City Council meeting on November 30, 2004.

AMENDMENT OF CONDITIONAL USE PERMIT 1377 – Perfect Performance for Cunningham Family Trust

(public hearing) Resolution No. 10049

P. C. Meeting 11-01-04

The subject property is located on the northeast corner of El Cajon Boulevard and Chamberlain Avenue, and addressed as 595 El Cajon Boulevard; APN 487-532-29; LUC 6411; General Plan designation: General Retail Commercial.

Request to renew a conditional use permit for an existing auto repair facility in the C-2 (General Commercial) zone.

ALVEY states while preparing the report, staff visited the subject site and observed multiple problems. The first, and most critical, were numerous parking violations. These violations included vehicles that were stored or parked across the sidewalk, as well as vehicles that were parked in either required handicapped spaces or in maneuvering spaces behind the building.

Staff also observed the full-time use of temporary structures in the parking area, which the Zoning Ordinance does not permit; and a neglected planter next to the alley.

To resolve the issues, staff has recommended a condition of approval that requires all of these issues be corrected in the next 30 days. To verify ongoing compliance, staff has recommended that the Planning Commission review this conditional use permit (CUP) on February 7, 2005, as a discussion item.

In staff's opinion, the current CUP renewal should only be granted for a period of five years. This recommendation is based on the history of noncompliance at the subject site, as well as the violations staff observed.

Should the business owner in the future and during the 90-day period show continued compliance with all the conditions of approval, a longer renewal period may be appropriate in the future.

Conditional Use Permit 1377 did expire on July 26, 2003. The Planning Division staff was unable to send the business owner a letter reminding them of the expiration until March 18, 2004, when it was discovered that the CUP had expired. Once the business owner received the letter, he remained in close contact with staff and ultimately submitted the application in a timely fashion.

Therefore, staff's recommendation is that the Planning Commission grant Amendment of Conditional Use Permit 1377 subject to the conditions and reasons contained in the staff report.

The public hearing is now open.

Mark HANNAWA, 595 El Cajon Blvd., El Cajon CA 92020, is the operator at 595 El Cajon Blvd. The majority of the issues that ALVEY mentioned have already been resolved. There are pictures of these items on the back. He received the staff report on Saturday so has not been able to resolve anything yet, but will take steps to do so. He asked ALVEY's recommendation and he said about three more shrubs. That is no problem. They have a landscaper come every month to clean up and take care of the bushes. He thinks people will agree that they are well maintained.

He has removed the vehicle from the handicapped space and it will no longer be parked there.

The temporary structures are there because one of the tenants decided to erect two canvases to park their cars under. He has asked that they be removed, and they have agreed.

Prior to the renewal notice, he had no idea that the disabled vehicles shown in the picture weren't supposed to be there for more than 72 hours. He has taken a tremendous loss and sent these vehicles out uncompleted. They are no longer on the property. He thinks new pictures should have been taken to show that they aren't there now.

In response to AMBROSE, HANNAWA is fine with the conditions of approval.

AMBROSE thanks HANNAWA for cleaning up the site.

HANNAWA states he services several vehicles belonging to City employees.

No one else comes forward to speak on this item.

Motion by HANSON-COX, second by WOODS to close the public hearing; carries 5-0.

HANSON-COX was happy to hear that HANNAWA contacted staff right away after receiving a renewal notice, and remedied all the problems. That showed he really cared.

AMBROSE states the site looks better.

No further comments are offered.

Motion by WOODS, second by TURNER to GRANT Amendment of Conditional Use Permit 1377 in accordance with the staff report. Motion carries 5-0.

AMBROSE states this is final action unless appealed to the City Council. The appeal period ends November 15, 2004 at 5 PM in the City Clerk's office.

CONDITIONAL USE PERMIT 1991 – Romero
(public hearing) Resolution No. 10050
P. C. Meeting 11-01-04

The subject property is located on the southwest corner of East Park Avenue and

Ballantyne Street, and addressed as 353 E. Park Avenue; APN 488-040-02; LUC 6560; General Plan Designation: High Density Residential / Special Development Area #9.

Request reduction in required parking for a proposed office expansion in the C-2 (General Commercial) zone.

RAMIREZ directs the Planning Commission's attention to the remarks on page 6 in the staff report, a parenthetical comment about a difference in colors between the palette that was presented to CDC's design review commission and those that are represented on the elevations posted behind her. Sometimes staff just can't be too careful and it was pointed out to her by the project architect today that the colors mounted behind her are the closest representation since two out of the three colors represent exactly what is out there. The property owner wishes to retain those colors since she painted the building just a little over a year ago. The third color, which is on the stairway tower, is difficult to describe except to use by example the exterior color that is on the East County Regional Center, which staff believes is complementary to the existing two colors. If the Planning Commission would disregard that remark on page 6 about color, that would be helpful.

Also today, the staff and the project architect have talked a couple of times. RAMIREZ is aware that he is present in the audience and will want to address the Commission about perhaps some relief from or modification of certain of the requirements listed as conditions of approval.

This proposal is to add a second floor of approximately 4500 sq. ft. to the existing office building located at the southwesterly corner of East Park Avenue and Ballantyne. The property, as it currently exists, has 13 parking spaces on site and those are accessed by the only driveway that serves the property, which is to East Park Avenue. In order to add floor area, additional parking must be provided at a ratio of one space for every 250 sq. ft. of gross floor area. Because the property is located within the boundary of Specific Plan 182, this property has the option of asking for a reduction in parking by conditional use permit; hence this application.

The applicant has shown on the site plan the addition of two parking spaces, bringing the total up to 15. This number represents a 56% reduction in the number that is normally required, which would be 34, calculated using the gross floor area of the whole building and dividing by 250.

RAMIREZ continues, saying that access to the new second floor offices would be provided by an exterior stairway on the west side and an interior stairwell and handicapped lift on the east side of the building. Entrance into the exterior stairwell common area second floor balcony, etc. would be restricted by a security gate on the ground floor. In addition to a requirement for a Knox box access at the stairway gate for emergency services, staff is

recommending a condition that will require the applicant to submit drawings showing how the security gate will be designed. Staff recognizes that a security gate at this location, to be effective, must be higher than the adjacent stairwell railing, and is concerned that the effective design would also be aesthetically acceptable at this street-side location.

The proposal for expansion of this office building is consistent with the Downtown Master Design Plan in the respect that it is augmenting a pedestrian-friendly concept already endorsed by the current position of the building, and because the building façade and other enhancements proposed on this property present an appealing street side appearance in the key downtown area.

Regarding conformance with the development standards, RAMIREZ says staff is prepared to state that the plan substantially complies with both the standards of the C-2 zone and those contained in Specific Plan 182.

Although the applicant's site plan shows 15 parking spaces, staff has determined that the last space (#15 on the site plan) cannot be approved because the backup area immediately behind it doesn't meet the minimum ordinance requirement of 24 feet. Fourteen spaces provided on the property represents a reduction of 59%, not 56%.

RAMIREZ states the Planning Commission will recall numerous times in the past several years of cases where properties in the downtown area were allowed to develop or expand with an approval for a reduction in parking. In this case, it is obvious that there are no on-street parking opportunities available. Neither Park Avenue nor Ballantyne Street has spaces in close proximity. The closest ones are at least 150 feet to the west on Park Avenue. It would be inappropriate to point to those spaces as available to meet the demands for the subject property, since most of those spaces are occupied during normal business hours on weekdays by County employees and visitors to El Cajon City Hall and the East County Regional Center. The request for reduced parking has generated a concern expressed by the Police Dept. in the comments that they have submitted, which are attached to the staff report. They are recommending against the requested parking reduction and are also aware that this staff report recommends the Planning Commission grant the request.

Undoubtedly, the solution for downtown parking is not going to be a simple one. Staff is aware that CDC (Community Development Corporation) and City staff are in ongoing conversations with the County of San Diego and other to determine the best solution. But this property can't wait for a solution to address the issue on the downtown scale.

With regard to design review, RAMIREZ states the addition of the second story is basically an extension of everything that exists there: the slump block and stucco walls, full height windows and horizontal wood fascia. The color palette would reflect the existing colors with

the addition of a third color as recommended by CDC.

Some design elements that were not included in the Planning Commission's packets include exterior lighting and ornamental handrail and tree grates. Those items were specifically called out in the staff report as not recommended for approval since staff believed that they were not in keeping with the established character of the building. The architect indicated to RAMIREZ earlier that the tree grates would be removed from the site plan. This was not meant to discourage the use of those design features, but simply to put them where they are more appropriate. The subject property has been located in this area as an office building with a variety of uses, and has demonstrated that it can be compatible with the surrounding uses. The adjacent uses are: a strip commercial retail building, a 40-unit apartment complex, and a single-family residence. Staff believes there are no issues with regard to compatibility.

As a matter of information, RAMIREZ advises that staff received no calls in response to the public hearing notice that was distributed. This item has been jointly noticed for a City Council public hearing on November 30. Staff recommends the Planning Commission grant Conditional Use Permit 1991 in accordance with the staff report.

The public hearing is now open.

Dan MANNIX, 439 El Cajon Blvd., El Cajon CA 92020, states the overall goal of the project was to match the context of the block and the Frank Lloyd Wright style of the building, so they pretty much extruded the bottom floor on up to try and maintain that character.

They tried to increase the mass on the corner to try and tie in with the whole Superblock complex with the high-rise buildings, and also with the new development that is going in across the street. A two-story mass will be a better fit for that corner.

They are in agreement with the conditions except for the expiration date of 20 years. Since this is an office use, they request the time limit be taken off. There are other creative ideas on the B.2 and B.3 of Public Works conditions that have to do with redoing the driveway and the "ped" ramp. They spent some with Public Works and were told those things would be required. If there is any kind of grant the City may have, they would like to look into that.

Parking is an issue and they do have two parking spaces for each office unit. They hope that the new complex across the street will provide housing and parking for that complex.

Regarding the parking issue, AMBROSE asks the reason they felt that doubling the size of the office building and keeping the existing parking lot would be adequate.

MANNIX replies it seems to be a trend with the downtown development. There are two

ways it could be done. All the parking structures could be constructed, and then the businesses will come. But, being a member of the Downtown Design Review Board, (she knows) what's coming out of their discussions is to get the businesses in and then bring in the parking structure when parking is a real problem. He thinks that is backwards, but to get that obstacle out of the way and make it happen is what they are looking at. They hope a parking structure will be developed on this block to take care of some of the parking.

BLACK asks if MANNIX feels that the people that are there, businesses or whatever, are going to be adequately served by those parking spaces for the next couple of years or until an expanded parking garage may be built.

MANNIX states the owner is going to speak next, and is addressing that issue. She is more familiar with the tenants. There could be some inconvenience, but they think that the tenants working together can handle it.

AMBROSE states with the right kind of tenants it might not be a problem.

BLACK says there will always be a parking problem but maybe some parking spaces could be rented over by "ECMAC" (East County Ministries Art Center)

AMBROSE says the problem is that there is no solution to downtown parking yet. That is something CDC is working on and the Planning Commission has pointed out that over and over again. He doesn't know if it is fair to tag this development to try and solve that problem when some of the restaurants have provided zero parking.

Rose ROMERO, 1164 Timberpond Drive, El Cajon CA 92019, is the owner of 235 Park Avenue. She knows the parking is not enough but there are two spaces per and the business in the building is a law office. With how much it costs to see a lawyer, there aren't too many customers coming frequently. She has gone there for different reasons, on many occasions, and never had any problem parking. She has owned the building for almost two years. They also think that the other projects considered in the future will be absorbing that, but in the meantime, she thinks it is adequate.

HANSON-COX asks if ROMERO has spoken to her tenants to see what their feelings are on the expansion with the limited number of parking spaces available to them.

ROMERO replies not to everyone, but she talked to a couple of lawyers. There are four units, three lawyers and one psychiatrist at the end. The psychiatrist doesn't see more than one person per hour. The ones she talked to didn't seem to be bothered by it. They have never had any complaints.

HANSON-COX states that according to the staff report, the building is 80% occupied during

weekdays. If the building is doubled, it means there will be a shortage of parking. If it is 80% occupied now, what will happen when it is built up? Someone will have more than one person show up. She was just curious how the tenants fee. She is sure ROMERO will probably lose some of her tenants.

ROMERO says the tenants probably will have mixed feelings but she thinks it is a temporary situation. She is sure the parking will be relieved in the future with the other projects in the area.

HANSON-COX states it is a great design.

AMBROSE asks staff if the townhouse project across the street will result in diagonal parking along Park Avenue.

RAMIREZ believes that diagonal parking was disallowed long ago.

AMBROSE asks if there will be parallel parking on the street then.

RAMIREZ replies perhaps the Public Works representative would like to comment.

Dennis DAVIS, principal civil engineer for the Public Works Dept., states there was parallel parking on Wells Avenue and he believes what is out there right now will remain on Park Avenue.

AMBROSE advises there is parking on Copley Place during the day because most of the residents are gone.

No one else comes forward to speak on this item.

Motion by HANSON-COX, second by TURNER to close the public hearing; carries 5-0.

TURNER knows the downtown district is working on alternative parking. This project is an improvement in that area. She thinks the City wants to bring more businesses into El Cajon.

Motion by TURNER, second by BLACK to GRANT Conditional Use Permit 1991 in accordance with the staff report. Motion carries 5-0.

AMBROSE states this item will be heard by the City Council on November 30, 2004. He wishes the applicant good like with the project.

CONDITIONAL USE PERMIT 1992 – Sardina

(public hearing) Resolution No. 10051

P. C. Meeting 11-01-04

The subject property is located on the southwest corner of North Second Street and Persimmon Avenue, and addressed as 1190 N. Second Street; APN 484-202-18; existing LUC 5811A/ proposed LUC 5811D; General Plan Designation: General Retail Commercial.

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

ALVEY states the first aspect of this proposal would be the outdoor dining area and the critical aspect of outdoor dining is whether or not it requires additional parking. The Zoning Ordinance stipulates that additional parking is only required for outdoor dining when the outdoor dining area exceeds the square footage of the indoor dining area. The applicant in this instance has submitted a site plan that shows that the outdoor dining area will be smaller than the indoor dining area.

The second aspect of the request is for on- and off-sale alcohol. Normally the sale of alcohol is required to be separated from residentially zoned properties by a minimum of 600 ft. One of the exceptions to this rule would be if the sale of alcohol occurs in conjunction with a restaurant. To ensure the alcohol remains a secondary use at this site, staff has included a condition of approval that requires a formal amendment to the conditional use permit if the primary use of the building as a restaurant is to change.

Staff commends the applicant for doing an excellent job in upgrading an ordinary commercial building on Second Street into one of the nicer buildings there.

Staff's recommendation is that the Planning Commission grant Conditional Use Permit 1992 subject to the conditions and reasons contained in the staff report.

The public hearing is now open.

Allen DUEBER, 6280 Cresthaven Drive, La Mesa CA 91942, is the architect for the project and the original architect for the restaurant remodeling. He refers to condition #4 and asks if the life could be for 15 years instead of 10. They agree with the other conditions, and they will be met.

AMBROSE asks the reason for asking for 15 years.

DUEBER replies the owner wishes to retire within 15 years and pass it on to his kids and let

his kids pay the \$3500 to renew the CUP.

AMBROSE would say give it to him. It sounds like a great idea.

BLACK states he found the business just stunning. It has gained a new patron in him. It is a beautiful conversion.

DUEBER says the food is excellent.

No one else comes forward to speak on this item.

Motion by HANSON-COX, second by WOODS to close the public hearing; carries 5-0.

AMBROSE likes this project and the reason for the 15-year life is fine with him.

HANSON-COX was opposed at first, until she heard the reason. She has no problem with this project.

Motion by HANSON-COX, second by BLACK to GRANT Conditional Use Permit 1992 in accordance with the staff report, changing condition #4 to a life of 15 years.

AMBROSE states this is final action unless appealed to the City Council. The appeal period ends on November 15, 2004, at 5 PM in the City Clerk's office.

COMMON OPEN SPACE / RECREATION AREA IN CONDOMINIUM CONVERSION PROJECTS

(continued discussion) Continued to December 6, 2004
P. C. Meeting 11-01-04

RAMIREZ advises there is a need to continue this item again. Staff is recommending a continuance for at least another month. Staff heard the condo conversion committee discuss this briefly at their regular meeting, at which time they decided to form a subcommittee. The subcommittee met once and was not able to come to a conclusion with a recommendation to go back to the committee. That is the reason for the continuance.

Motion by TURNER, second by HANSON-COX to CONTINUE this item to the meeting of December 6, 2004.

Under discussion, AMBROSE asks if a continuance to December 6, 2004, will give the

commission enough time.

RAMIREZ replies it may not. In fact, there is another scenario. It is possible that when the subcommittee comes to a conclusion and takes their recommendation to the main body, the committee might decide to roll that in with the other recommendations that they intend to move forward with to the City Council.

TURNER would like to keep that date to keep pressure on them.

Votes are now cast. Motion carries 5-0.

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. 10040 through 10051 pro forma; carries 5-0.

ORAL COMMUNICATIONS

RAMIREZ reminds the Planning Commission to keep an eye out for good candidates for the "Star in El Cajon" award.

AMBROSE will be out of town on November 15.

AMBROSE states the color renderings seem to be submitted at the 11th hour recently. It would be nice to have them further in advance. The Planning Commission doesn't get a chance to see them before a hearing.

AMBROSE wishes Commissioners Hanson-Cox and Black good luck in the election tomorrow.

CORRESPONDENCE

There was none.

ADJOURNMENT

The meeting of the El Cajon City Planning Commission adjourned at 9:30 PM this First day of November 2004.

Anthony AMBROSE, Chair

ATTEST:

James S. GRIFFIN, Secretary