

MINUTES

PLANNING COMMISSION MEETING

NOVEMBER 15, 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
COMMISSIONERS ABSENT: AMBROSE
OTHERS PRESENT: GRIFFIN, Director of Community Development
GALLAGHER, Staff Attorney
ODIORNE, City Engineer
SHUTE, Senior Planner
MOSSAY, Minutes Clerk

MINUTES OF 11-01-04 Deferred to the meeting of December 6, 2004

Chair Pro Tem HANSON-COX welcomes everyone and states she is filling in for Chair Ambrose tonight. She explains the function of the Planning Commission and the rules of proper decorum.

AMENDMENT OF CONDITIONAL USE PERMIT 1035 - Jabo for Najor

(continued discussion) Continued to 1-10-05

P. C. Meeting 11-15-04

The subject property is located on the southwest corner of East Main Street and South Mollison Avenue and addressed as 115 S. Mollison Avenue; APN 488-133-12; General Plan Designation: General Retail Commercial.

Ninety-day review of social club in the C-2 (General Commercial) and P (Parking) zones.
Continued from the meeting of October 18, 2004.

GRIFFIN states this 90-day review had been first considered on October 18, 2004, after this change in operator of the social club was approved in July. At the meeting of October 18, staff pointed out a few things that still had not been completed or corrected. The applicant had painted the screening wall and there was some debris on the property that had been removed, but the screening of the rooftop equipment had not been done. At that meeting, a couple of the commissioners discussed their own observations, so the item was continued to this meeting with directions to the applicant to complete the outstanding requirements. Unfortunately, the applicant and the staff apparently were not on the same page as to what constitutes screening of the rooftop equipment. At this point, the applicant still has not done that satisfactorily. The idea is that the rooftop equipment is not supposed to be seen from the ground. The applicant put a top over the equipment but the sides are open to view. Staff needs to work with him further to make that clear.

As far as some of the other concerns that were raised—the east side door on the alley, parking in the alley—it appears those things are either not happening regularly or are happening infrequently enough that at this time it is not a problem. There are additional dated photographs in the commissioners' staff reports.

Staff's recommendation tonight is for a continuance one more time to January 10, 2005, with the understanding, and the applicant's understanding, that a resolution of intention will be included in that report to initiate the revocation of this permit if the applicant has not completed all the outstanding conditions by that date. If he has taken care of everything, there won't be a resolution of intention. If he hasn't, staff will ask the Planning Commission to initiate the revocation process. Staff has spoken with the applicant and believes he understands. He was asked to be here tonight. This is not a public hearing, but if the applicant is here, the Chair may wish to have him come forward and make sure he understands what he needs to do.

TURNER would like to hear from the applicant.

HANSON-COX invites comments from the audience on this discussion item. She asks if the applicant is present.

No one comes forward.

Motion by TURNER, second by BLACK to CONTINUE the discussion on Amendment of Conditional Use Permit 1035 to the meeting of January 10, 2005. Motion carries 4-0, AMBROSE absent.

ZONE RECLASSIFICATION 2252 – Weiland Development Company for Under, Birrenkott, Jannon Family Trust

(continued public hearing) Continued to January 24, 2005

P. C. Meeting 11-15-04

The subject property is located on the north side of Villa Crest Drive between Country Crest and Pepper Hill Drives, and addressed as 1628 Villa Crest Drive; APN 400-330-30 & 507-081-08; existing LUC 1111, proposed LUC 1110A; General Plan Designation: Low Density Residential.

Request to prezone and rezone property from the County RS4 and City of El Cajon R-1-6 zones to the City PRD-Low (Planned Residential Development-Low) zone. **Continued from the meeting of August 16, 2004.**

AND

PLANNED RESIDENTIAL DEVELOPMENT 61 – Weiland Development Company for Uden, Birrenkott, Jannon Family Trust

(continued public hearing) Continued to January 24, 2005

P. C. Meeting 11-15-04

The subject property is located on the north side of Villa Crest Drive between Country Crest and Pepper Hill Drives, and addressed as 1628 Villa Crest Drive; APN 400-330-30 & 507-081-08; existing LUC 1111, proposed LUC 1110A; General Plan Designation: Low Density Residential.

Request 24-unit common-interest residential development in the proposed PRD-Low (Planned Residential Development-Low) zone. **Continued from the meeting of August 16, 2004.**

AND

TENTATIVE SUBDIVISION MAP 553 – Weiland Development Company for Uden, Birrenkott, Jannon Family Trust

(continued public hearing) Continued to January 24, 2005

P. C Meeting 11-15-04

The subject property is located on the north side of Villa Crest Drive between Country Crest and Pepper Hill Drives, and addressed as 1628 Villa Crest Drive; APN 400-330-30 & 507-081-08; existing LUC 1111, proposed LUC 1110A; General Plan Designation: Low Density Residential.

Request a 25-lot subdivision map, including one common lot, in the proposed PRD-Low (Planned Residential Development-Low) zone. **Continued from the meeting of August 16, 2004.**

SHUTE advises that on Friday, November 12, 2004, staff received a letter from the applicant requesting a further continuance. This request was based upon his desire to have the benefit of a full commission, although as HANSON-COX stated in her opening remarks, there is no guarantee that there will always be a full commission at any future date. Staff also understands from the applicant that he would like to continue to work with the surrounding neighbors during this continuance. The date for the continuance will have to be decided by the Planning Commission. Staff just received an updated verbal request from the applicant to continue his items to the January 24, 2005, agenda date.

HANSON-COX asks if the applicant was notified that there would not be a full commission in January.

SHUTE believes the applicant is aware that there will not be a full, five-member commission at the January 24, 2005, meeting.

GRIFFIN spoke with Mr. Weiland just before the meeting tonight and explained to him that there won't be a full commission at least until the first meeting in February, which is the 7th. The reason is because the City Council has to appoint a replacement for Commissioner HANSON-COX, who has been elected to the City Council. That appointment will not occur until the City Council meeting on January 30, 2005. It is up to the Planning Commission to decide if the continuance should be to January 24, 2005, or February 7, 2005. The applicant has requested January 24.

TURNER thinks since there is not a full commission tonight, these items should at least be continued to February 7 for a full commission.

HANSON-COX thinks the reason the applicant wants a continuance is basically to work with the neighbors. The Commission can find that out from the applicant.

The public hearings are still open.

HANSON-COX asks the applicant to come forward first.

David WEILAND, 304 Front Street, El Cajon CA 92020, states they requested a continuance late Friday, based on some discussions he had been having with some of the neighbors. They had a meeting last night (Sunday) in the neighborhood and tonight, right before this meeting, they decided they would like a continuance to January 24. He had originally asked for a continuance to January 10, but because of the upcoming holidays and

the work he would like to do with the neighbors, and at the request of some of the residents, he would like a continuance to January 24. It doesn't really have to do with having a full commission.

In reply to HANSON-COX, WEILAND replies they would prefer January 24 rather than February 7.

HANSON-COX invites anyone here who cannot return to the continued public hearing on January 24, and would like to speak, to come forward. If they can wait until January 24, it would be best to wait until then.

No one else comes forward to speak.

Motion by TURNER, second by BLACK to CONTINUE the public hearings on Zone Reclassification 2252, Planned Residential Development 61 and Tentative Subdivision Map 553 to the meeting of January 24, 2005.

In reply to HANSON-COX, GRIFFIN confirms that the applicant must pay for renoticing these items. He advises taking separate motions to continue each item separately. That keeps things cleaner.

Motion by TURNER, second by BLACK to CONTINUE the public hearing on Zone Reclassification 2252 to the meeting of January 24, 2005. Motion carries 4-0, AMBROSE absent.

Motion by TURNER, second by BLACK to CONTINUE the public hearing on Planned Residential Development 61 to the meeting of January 24, 2005. Motion carries 4-0, AMBROSE absent.

Motion by TURNER, second by BLACK to CONTINUE the public hearing on Tentative Subdivision Map 553 to the meeting of January 24, 2005. Motion carries 4-0, AMBROSE absent.

CONDITIONAL USE PERMIT 1993 – Blackburn

(public hearing) Resolution No. 10056

P. C. Meeting 11-15-04

CC Mtg. 12-14-04

The subject property is located on the southwest corner of South Sunshine and West Douglas Avenues, and addressed as 230 S. Sunshine Avenue; APN 487-342-03 & -06;

existing LUC 4601D, proposed LUC 6101 / 1151B / 10000AP; General Plan Designation: Office / Non-retail.

Request for a mixed-use development with a reduction in the required parking in the O-P (Office Professional) zone.

AND

PLANNED UNIT DEVELOPMENT 249 – Blackburn

(public hearing) Resolution No. 10057

P. C. Meeting 11-15-04

CC mtg. 12-14-04

The subject property is located on the southwest corner of South Sunshine and West Douglas Avenues, and addressed as 230 S. Sunshine Avenue; APN 487-342-03 & -06; existing LUC 4601D, proposed LUC 6301 / 1151B / 10000AP; General Plan Designation: Office / Non-retail.

Request to construct 40 common-interest residential units in the O-P (Office Professional) zone.

AND

TENTATIVE SUBDIVISION MAP 564 – Blackburn

(public hearing) Resolution No. 10058

P. C. Meeting 11-15-04

CC mtg. 12-14-04

The subject property is located on the southwest corner of South Sunshine and West Douglas Avenues, and addressed as 230 S. Sunshine Avenue; APN 487-342-03 & -06; existing LUC 4601D, proposed LUC 6301 / 1151B / 10000AP; General Plan Designation: Office / Non-retail.

Request a one-lot subdivision map for residential / office purposes (40 condominiums and one office space) in the O-P (Office Professional) zone.

SHUTE states this proposed mixed-use project entails three-story buildings and reduced parking for office and residential units. In staff's opinion, this proposed project represents only a minimal effort at satisfying the concept of mixed-use. Staff feels that an example of a typical mixed-use development would be one or more levels of residential development built above ground-level retail and / or office or commercial development. Although the City does not have a definition of a "mixed-use", staff's view is based on professional literature

and staff observations of mixed-use in other communities and the examples stated in Specific Plan 182.

The majority of the property is currently being used as required parking for the County of San Diego Health Services Dept. at 151 Van Houten. A single-family residence that is included in the city's Historic Preservation Inventory occupies the remaining portion of the subject site. The applicant has not informed the Planning staff of his intentions regarding the residence. The City does not yet have an historic preservation ordinance that requires the structure to be either relocated or retained.

The applicant is proposing 40 townhouse units with ground floor office "rooms" in 10 of the exterior perimeter units. Eight of the units with office "rooms" face West Douglas and the other two face South Sunshine Avenue. Each of these units have openings directly to the outside with a second entrance into each residential unit. In each floor plan, there is an interior connection to the office "room" from inside the residential unit.

Staff believes that the only true office space proposed for this project is shown at the corner of West Douglas Avenue and South Sunshine, and it is approximately 450 sq. ft. The eight proposed units facing Douglas Avenue and the two bridge units that face South Sunshine have an approximate "room" space of 135 sq. ft. There is no guarantee that this proposed office "room" would ever be used as office space. The room could be used as a living space or a game room with access from both within the unit and from the street.

It is staff's opinion that the applicant is calling this project a "mixed-use" project to achieve 40 residential units in the O-P zone. Normally the O-P zone only allows one single-family unit as a caretaker unit or watchman quarters when it is in connection with an office development. This is equivalent to an approximate density of 33 dwelling units per acre. If it were not a mixed-use, the O-P zone would only allow one unit per lot.

SHUTE advises that staff admits there is no clear definition of a "mixed-use" in Specific Plan 182, but believes that this project is not a mixed-use project.

In reply to TURNER, SHUTE replies that the statement in Specific Plan 182 is not a definition per se; it gives an example of what a mixed-use project would be. The statement reads: "One or two or multiple levels of residential above a first floor or ground floor commercial office or retail use".

HANSON-COX wonders the size of the existing offices on Main Street.

SHUTE doesn't have that information.

The public hearings are now open on Conditional Use Permit 1993, Planned Unit Development 249 and Tentative Subdivision Map 564.

Peg BUFFO, 215 S. Sunshine Avenue, El Cajon CA 92020, lives immediately adjacent to this project. She and her family own property at 201 and 215 S. Sunshine. This neighborhood has been severely impacted by traffic from the construction of Albertson's and the modifications at the post office. Coupled with that, this project would make it an unlivable neighborhood. She knows that the vacant lot needs to be developed, but her objection is to this project and the impact of 80 additional vehicles in this neighborhood. This street cannot handle that additional traffic. She has pictures of Daryl Priest's project on Douglas and Orange where vehicles are not parked in garages. Office customers or employees are using the subject parking lot now. Where will those vehicles be parked if this project is developed? She objects to the parking and density in this project. It is too much for that neighborhood.

BUFFO has a letter from her next-door neighbor, **Sheila Vassclaf at 225 S. Sunshine**, who was unable to attend this evening. At HANSON-COX's direction, she reads the letter in opposition to the project, stating that the traffic and parking on Sunshine Avenue will be overwhelming, and that the traffic is already bad due to the way people have to get to the post office. Where are the people from the office that park there now going to park?

She submits the letter and pictures to the City Attorney to give to the Planning Commission.

HANSON-COX asks the applicant to come forward.

Rob WALKER, 3612 Quimby Street, San Diego CA 92106, is with KMA Architecture and Engineering and represents the applicant. They believe staff has done a very thorough and balanced report on the project. He asks for six minutes to respond to several items.

HANSON-COX states there is a big agenda this evening, and asks him to be as brief as possible. She gives him five minutes.

WALKER thanks staff. They appreciate their fair assessment of the project. However, they respectfully disagree with several items. First, staff mentioned the definition of a "mixed-use" development and that it is not well defined in the ordinance. Staff cites an example in the ordinance that is an example of a possible mixed-use project: two layers of residential over one layer of commercial, and seems to have extrapolated that into an idea that perhaps a mixed use should therefore be 30% commercial and 70% residential.

The other point of disagreement is the live-work spaces. They believe that live-work spaces are highly desirable in urban redevelopment and, in fact, there is an attractive market for that kind of space. As staff mentioned, they are connected to the units but can be used

separately because there is an internal door that could be locked, and there are separate entrances. They believe they can find precedents in San Diego and elsewhere to show these are very attractive units for young professionals and will get used for professional services, the start of businesses and the like.

Density is also an important issue. Again, there doesn't seem to be a hard definition of "density" in the ordinance. The applicant and KMA are strongly interested in successful urban redevelopment. They believe, for two reasons, that high density is very, very important to the success of the City's objectives for redeveloping downtown El Cajon. The first reason is that they believe that more residential is needed there to support the commercial activities currently being developed and that the City would like to develop.

Secondly, WALKER states they believe that density is required in order to build attractive urban residential units that can be purchased by young professionals, work force and entry-level buyers. Staff stated that ownership of homes is very important to the redevelopment of El Cajon. The requested density helps Mr. Blackburn achieve that.

They believe the density should be determined on a case-by-case basis, not by a blanket rule. He believes there are already several examples in El Cajon of varying densities, including very high-density projects that have been proposed and approved, presumably because the specific sites' circumstances allowed that.

WALKER says that parking is also an issue and, in reading the ordinance, staff has calculated that 140 spots would be required for a residential development of this size. Their calculations, using the ordinance and taking the mixed-use reduction in parking, indicate that 70 parking spaces would be required for the residential component they are proposing based upon the total number of bedrooms. They concede that additional spaces are required for visitors and parking. They believe that the City's usual parking requirements are too high for visitor and supplemental parking to allow successful urban redevelopment. Their proposal is to provide some parking spaces on the street through angled parking.

Regarding a comment by the last speaker, they believe that the angled parking will contribute to traffic calming and make Sunshine Avenue a much more viable and residential neighborhood. Mr. Blackburn is conceding five feet of his property on the east side to make that possible.

They have been working for over a year with El Cajon CDC (Community Development Corporation) and believe they have had a great dialog with the CDC and the CDC is very supportive of the project. He believes their support of the project has been mischaracterized in staff's report but Claire Carpenter is here to add her comments on the project.

WALKER believes they have been extremely responsive and diligent in working through the

approval project, both with CDC and City staff, who have made several suggestions that they have carefully considered but determined not to be feasible for a number of reasons. He emphasizes that they have made several changes, which they believe to be to the betterment of the project, most notably the addition of a significantly landscaped common area shown on the mounted plan. That was not initially in the project. All their feedback indicated it would be very desirable.

Staff has recommended that they consider applying for a rezoning and General Plan amendment in order to develop this property with only residential units. They have carefully considered that and feel, for several reasons, that it would actually create a much less successful residential project and would make less of a positive contribution to the neighborhood.

He thanks the Commission for the extra time and says he is available for questions.

HANSON-COX asks if they are allocating one or two parking spaces for each unit.

WALKER replies from previous discussion with staff, they believed they had staff's approval to utilize a one parking space per bedroom ratio, which they are finding in their other work is a ratio that seems quite acceptable to the market, and is also being accepted by other jurisdictions as a reasonable urban parking ratio. So, they are providing one space per bedroom.

HANSON-COX asks clarification that individuals or business people would purchase these units who would own the residential and the office underneath.

WALKER responds that is correct.

HANSON-COX asks if they are only allocating one parking space per unit, where will the customers park? The parking situation downtown is starting to become a problem.

WALKER states that all residential parking spaces are in private garages that are accessed internally. They didn't feel it would be appropriate to bring business or visitors into the site, which will have security entrances. They are proposing that the on-street parking support any visitors and commercial use. They believe the angled parking they are proposing will create five additional on-street parking spaces. They believe in looking at the context of the neighborhood that the other uses currently there would not only be an acceptable, but a beneficial situation.

HANSON-COX asks if they have submitted their proposal for angled parking to the City's traffic commission.

WALKER replies that they haven't. That is due to their inexperience. They understood that Traffic's comments would come to them through this initial review process. Apparently they were mistaken. He has received some informal comments from Traffic but has just learned that a formal application for approval of their angled parking proposal must also be made to the traffic commission, and they will proceed to do that as rapidly as possible.

HANSON-COX asks why the office "rooms" are so small. She would get claustrophobic in that area.

WALKER answers by their calculations, the proposed office spaces are 160 or 225 sq. ft., depending on the unit. The 160-sq. ft. office sites would occur along Douglas and the larger units along Sunshine. They are small offices and they are intended and would be suitable for somebody living or working out of their home, probably a single person, or accommodating a second individual that is involved with that business.

HANSON-COX can see from staff's conditions concern that someone might rent out the office space. There is an access door, and the room could be used for something else besides an office, and it could just be an extra room for their home. She is personally concerned about that also, besides the density.

WALKER replies that is a valid concern and, in their discussion with staff, they have tried to be straightforward about that. They believe there are several feasible methods to control or encourage the desired use of those spaces, They are finding around the city that the demand for these type of units is very, very high and many developers are not necessarily making an office use a condition but implying conditions on their interest list, and only selecting buyers that meet those interests. That is one way to control it. He believes Mr. Blackburn has other ideas about how to attempt to ensure that the project is used the way everyone would desire it to be. They would desire it to be used that way too. That is what it has been designed for.

Claudia GOERTZ, 320 W. Douglas Avenue, El Cajon CA 92020, owns the small office building to the north of the subject property, on the corner of Douglas and Sunshine. She is glad to see the subject property being developed. She would like to see more commercial office space. She thinks it would be more compatible with the neighborhood if it were not so completely residential. Her biggest concern is parking. There are already parking problems in that neighborhood. Her parking lot is always full and overflowing. She has to regularly chase people away that live in the apartments and try to park there because they don't have enough parking. The proposed tandem garages are of particular concern to her. She has been a realtor for 30 years. It is a funny thing about garages; people don't use them for cars. They use them for everything but cars, particularly when designed in a tandem situation. It is not practical to consider that as two parking spaces. It might be more likely to consider that as one space because people will put "stuff" in the front of the garage

because it is not feasible to shuffle cars in and out.

GOERTZ would like to see this project reworked and would rather not see any relaxation in the parking requirements at all because she thinks it is very important.

In reply to a question that was asked about the average size of office spaces in the area of this project, her office spaces are 450 and 600 sq. ft., and they are always full. There are also spaces in the area of 200 and 300 sq. ft. that rent very, very readily. There is a brisk demand for that. She doesn't think there is anything much larger than 600 sq. ft. there.

In reply to HANSON-COX, GOERTZ replies that the 200 and 300 sq. ft. offices are on Van Houten, Lexington and Sunshine.

David BLACKBURN, 4718 Angel's Point, La Mesa CA 91941, is the applicant and has owned this lot and the commercial office building catty-cornered from it for the last 15 years. They originally got a conditional use permit to put the County of San Diego in the office building as a tenant and provided 50 extra parking spaces on the subject property. For the last 15 years, they have been providing parking for the entire neighborhood on this lot, in addition to the County of San Diego. Two years ago, the conditional use permit was renewed and he has complied by providing a total of 80 parking spaces between the office building and the parking on the subject property. Given that there are 58 parking spaces on the office building site, they would have to provide another 22 parking spaces, according to the conditional use permit.

He has acquired an even closer property directly across the street from the office building that provides 50 parking spaces. He went to the expense of over \$400,000 to acquire that lot so he could move the parking from its present location for the County to this new parking lot. They will be providing 28 parking spaces above and beyond what they have been asked to according to their conditional use permit.

BLACKBURN says they have been working on this project for over a year. Their initial proposal was for an 80+ unit residential development with two layers of underground parking and one on-grade level of parking. They concluded that was completely out of character for the neighborhood. It was over four stories and wouldn't have worked economically. The value of the units could never have been supported in terms of what it cost to build. They have downscaled the project to a 40-unit complex and he thought they were being responsive to the City's desires. He originally wanted these to be row homes with zero lot lines where each home would own part of the common area drive. Staff and some other people pointed out a problem of how to enforce the regulations without a homeowners' association. They modified that idea and came up with a common area consisting of all the landscape area and the driveways. Even though the homes are owned individually with zero lot lines, there is a common area element, and that is a good thing.

They took staff's recommendation to create a homeowners' association, that would be professionally managed, to enforce the rules and regulations, i.e., parking. An earlier speaker provided some pictures of another development where there is illegal parking over the weekends. That is a great concern of theirs. He believes he has developed a state of the art approach in this design: each entry and every row of landscaping and driveway from both Sunshine and Douglas will be monitored by remote camera. If someone parks their car and blocks the driveway and a neighbor calls, he can key into the computer and look at the photograph being generated from the live camera. He can then call security, who is also on the same software program and can jointly look at the picture and send a tow truck to tow the car away. They don't even have to go out there. They have this technology now and are putting the remote access feature in the project so they can see 24/7 if something is going on.

BLACKBURN concludes by saying they have tried to be responsive to staff's concerns. They have provided the angled parking and mixed-use. This is a home-work type office. It is not a retail type setting that would bring a lot of people in. It is oriented to the Internet computer-type person who will have an office on site.

HANSON-COX is still concerned. BLACKBURN said there would be no retail and she understands that. In her home, one of her rooms is converted into an office but it turns into other things. She thinks by having access from the front, people will utilize the office for something other than an office.

TURNER questions the square footage of the "office" space and asks if there is opportunity here to improve that space to a bigger office on some of the units.

BLACKBURN replies not as it is currently designed. They have done their research regarding home offices and home office households, and have seen from the year 2000 in California that they have gone from 38 million to 48 million home-oriented businesses. The way he is looking at this is that they are starting an incubator-type home office business that in three or four years from now, if their buyers' business grows, they will lease a commercial space, and they will stay in El Cajon. Home-based businesses, whether they start as part-time or full time, are what they are looking for.

TURNER understands they are looking for a certain type of business such as architects, accounting, legal.

BLACKBURN responds that they are looking for single-office occupants, except for the one piece on the corner that has a one-bedroom unit above it, which he thinks can accommodate four separate offices.

TURNER refers to the tandem parking and asks if he has seen this work in other projects

or other cities.

BLACKBURN has. He has developed other tandem parking facilities. Again, it's a matter of enforcing the rules and regulations—you don't want people filling the garage with junk. Those teeth are put in the CC&Rs, By-Laws or rules and regulations, and will be enforced so that does not happen.

TURNER asks if there is room to enlarge some of the units to lower the density.

BLACKBURN they are trying to develop entry-level housing, where people can use the First Time Homebuyer programs that the City has in place. That would be in the mid-\$300's to high \$300's. The density helps them accomplish that. With less density they can't offer those prices and make a profit.

Claire CARPENTER, El Cajon Community Development Corporation (ECCDC), 168 E. Main Street, El Cajon CA 92020, states this is a complicated project because it is a new kind of project for downtown El Cajon. CDC really likes this project in so many ways. It is an innovative, urban, dense project, which is what their organization has been looking for. They like it because it is mixed-use. They like it because it provides a new street amenity that hasn't been in that neighborhood yet, which she thinks is important not to overlook. One of the joys of new development is that a new streetscape comes along with it. She thinks that will really enhance that neighborhood a lot. She also likes this project because they believe it will provide a type of opportunity that there isn't a lot of in downtown El Cajon.

The one thing she agrees with everyone on is that it is important, according to their design review commission and their organization, that the office component be real and that everything is done to make sure that people who buy the units will use those offices. She understands even more so tonight than she did this morning after some conversations with staff about how hard that is to visualize and about how much of that perhaps the CDC design review commissioners didn't fully understand. The design review commissioners looked at this only architecturally and in the context of the neighborhood, and it works real well from those angles. They do think that offices in the Douglas Avenue corridor are essential to downtown, and they like the offices on Sunshine as well, and in particular the corner piece because of their emphasis on corners in general, not to mention the activity that it might create coupled with the other offices. She realizes there is a challenge about whether or not they will remain offices. She doesn't have that answer. The intent of this project is what they are after in many ways.

She is available for questions.

TURNER asks, for the record, since parking has been brought up, how parking is being

handled in the downtown area.

CARPENTER replies in several ways. They are working on a couple of really big solutions, which are parking structure sitings, and are making headway, but those solutions are probably out five years. They will be significant and will take a huge burden off the street parking once the structures are built. In the interim, there is some surface lot work being done and some negotiations with private property owners who are actually over-parked. They are some existing parking lots that sit empty in the downtown area, no more than a block from this project. They are working on leasing those spaces for employees of businesses and for additional customer parking. They have started a study that they hope will be done by the end of this fiscal year that will be an on-street parking analysis to see how to maximize on-street parking based on current conditions.

TURNER asks CARPENTER's feeling about tandem garage parking.

CARPENTER thinks when looking at tight land and infill development, that tandem parking is a viable alternative. It is not the easiest parking, but it is the same sort of argument that not everybody is going to be able to park in front of the store they are shopping in. She thinks at some point when trying to create momentum and pedestrian ambience, all the tools available should be looked at. She thinks that is one option to look at. It might not be the best choice everyone would desire in every project, but it is reasonable as an alternative in a tight space environment.

TURNER asks about density. There are a couple of other projects, one existing on the corner of Main and Magnolia and one approved for Park and Ballantyne, with high density.

CARPENTER replies that is what they are after. Organizationally speaking, they think density is a key to the success of the downtown core. They wouldn't want that density all over the city, but when trying to build in customers and neighbors, activity projects as dense as this are what they have been anticipating and preparing for.

TURNER asks about the percentage of office space compared to residential. What is a good formula?

CARPENTER says they don't have one. They have never analyzed it. The important factor for them is how the amount of retail/commercial or office impacts the streetscape. What they want is activity in the downtown area that is generated by businesses on this street, whether it is office or retail. From their perspective, without thinking about ratios, any project that creates more activity on the street meets that mixed-use objective.

TURNER asks if CARPENTER thinks angled parking will be a problem.

CARPENTER hasn't studied the street, but they know that aesthetically that is a very nice design that they have presented with the trees and enhanced landscaping. It seems to be working okay on Orange. Without the landscaping, it is not nearly as attractive, but she thinks it is working. She doesn't know if the street widths are similar or if the conditions are the same but it seems like if a couple of extra parking spaces could be gained, it is probably a good thing.

WOODS asks what CARPENTER's concern would be if the majority of the office space was actually used as living space. Would she still support it?

CARPENTER responds they really want to see the offices used as offices. There is a similar project that she spent a little time in, going in to downtown San Diego. It is on a corner and has a similar architectural style. The spaces there are really interesting businesses. There is an artist studio, and an architectural firm. When they work, they are fabulous.

BLACK asks if the proposed offices are directly connected to the living space. Is there a door or do they have to go outside?

CARPENTER suggests the applicant answer that. The design review commission didn't really analyze the actual floor plan of each particular unit. They looked at the access to the street, the perimeter and the landscape space in the middle.

BLACK says it would help him make a decision if he knew where the access to the office was going to come from.

WALKER returns and states there are several possible configurations. All of the possible configurations involve coming in an entrance to the unit and proceeding straight ahead up into the residential space or turning to the left or right through a door into a separately divided business space. Depending on how the owner/user wants to use that space, it could be operated completely separately with a separate entrance or it could be become internally connected to the house. As staff correctly pointed out, there is an internal door that would allow it to be configured either way.

No one else comes forward to speak on this item.

Motion by TURNER, second by WOODS to close the public hearings. Motion carries 4-0, AMBROSE absent.

SHUTE states staff is troubled because only 10 of the 40 have the proposed live-work space. There is no guarantee that the 137 to 225 sq. ft. of conceivable office space will actually be used as offices. In staff's opinion, this project is primarily a residential project

and there is some office to make it look like a mixed-use project. It does not meet staff's perception of a mixed-use project.

WOODS feels there is not enough parking and no way to enforce the usage as a mixed use. He can't support it. He thinks it needs to be referred back to staff for more redesign.

BLACK has an office separate from his house. He built an office on his property, but he made sure it did not have any access to the living quarters at all. That way, there is really a business. What bothers him is that in this project there is a room that is like another bedroom if there is access to it. Another thing that bothers him is that every one of the units should have an office. The proposal is only 10 out of 40 units.

Parking is always going to be a problem, but that doesn't bother him as much as the downtown management group saying it may not achieve its goal of getting real mixed-use with only 10 units with mixed office and living quarters. Maybe it should be reworked to come up with a better plan. He can't support it at this time.

TURNER thinks it is an interesting project and she wouldn't want to scrape it. She just thinks it needs some work, especially with only 10 out of the 40 units having offices, the square footage, and the parking. Some allowances have been made for reduced parking on other projects so she doesn't see this project any different than some other projects that the Planning Commission has voted for. She could see artists in the proposed office space, or a bookkeeper, but she agrees with Commissioner Black that the access should be limited at some level with the living space. She hasn't seen a floor plan so wouldn't know how to do that.

She thinks this project is what the City is looking for in the downtown area. Sunshine is a great street and needs some new energy. A project like this would be a great new addition. She supports it somewhat but thinks it needs some more work.

HANSON-COX states the applicant mentioned he would try to control the buyers, but who is to control the resale to subsequent buyers? She is still concerned about the access door to the living quarters. She thinks there shouldn't be an access door. That way, it stays a true business. She would also like to see more units with office space because the whole idea is for mixed-use. She went to a conference and some of the mixed-uses she saw were beautiful. This project looks beautiful. The applicant did a great job on it, but she is still concerned whether the offices will be used as offices and about the parking shortfall. We are already seeing and experiencing parking problems and there is another nearby project with only 24 units that is having problems with parking. One speaker mentioned that they are even now shooing people off her parking lot. She can imagine having to hire a security guard to make sure they do not park there.

She loves the project but can't support it as is.

TURNER asks if rezoning this property is an option.

SHUTE replies that rezoning a property is every property owner's prerogative. They can make that request. In this case, the General Plan would also have to be amended as well as requesting a zone change. If all of the required parking can't be provided on site, they would also have to request reduced parking with a conditional use permit.

TURNER asks what zone staff would recommend if the applicant did go through that process.

SHUTE states staff has not recently recommended a higher density zoning than R-3. In this project, for what the applicant is proposing, they would need a zone designation of R-5, which does not have a density limitation.

TURNER just wanted clarification of that for the record.

GRIFFIN states staff would not want to commit to any specific residential zone at this time if the Planning Commission wants the applicant to pursue a residential-only project. If the Commission wants the applicant to work with staff further on providing either more office space in each unit and/or all of the units having some office space, he thinks the staff could see that would be more of a true mixed-use project. What is the reason that only 10 of the proposed units have mixed-use or office space? Staff's opinion is that it is only to say it's mixed-use, and, therefore, they can qualify for an unlimited number of dwelling units. The problem with more units with offices would be that those other units are interior, so, can there be a viable office space where there isn't any public street exposure? He doesn't know if "customers" would necessarily have to come to the location, since this is going to be a security project. No one can get inside, the way it was described by the architect and the property owner. There would have to be an office space where all the communications are electronic, where one could talk to a customer using a computer network, e-mail or faxing. That may be a viable business situation. There wouldn't necessarily be someone coming there for piano lessons, for example. If there was more of a commitment to the offices, staff might be more in favor of this project. At this point, staff believes it is only a way to maximize the residential density and minimize the office by calling it a mixed-use.

Staff agrees the architecture of the buildings is probably better than anything else staff has seen downtown, but staff would like to find a way to mold it into a true mixed-use project. If the Commission agrees and denies this, the applicant will have to rework the plan. He also has a choice to appeal the Planning Commission's decision, and if he does appeal, there will be no recommended conditions so when it gets to the City Council they will probably say they can't take action without sending it back to the Planning Commission for

conditions.

HANSON-COX asks if this is something that can be denied without prejudice.

GRIFFIN replies the Commission can take that action. Actually, "without prejudice" only legally applies when considering a rezone. With other projects, an applicant has a right to reapply as many times as they want. Obviously, after they have resubmitted the same project three or four times, you would think an applicant would get the message that it is not an acceptable plan. If the Commission feels that "without prejudice" better represents its concerns with what it put in the record, and he thinks all the commissioners have given very good reasons why this project needs some fine-tuning, and he is sure the applicant has heard that, and the staff has definitely heard it, then staff might be able to sit down with them and work something out, if the applicant is willing to do that. If the applicant wants to go forward to the City Council with this same plan, the Council will have this discussion in the minutes and will understand why the Planning Commission, assuming it doesn't support it, didn't approve the project.

TURNER would like to re-open the public hearing and have the applicant come forward to see how he feels about re-working the plan.

Motion by TURNER, second by BLACK to reopen the public hearing. Motion carries 4-0, AMBROSE absent.

BLACKBURN returns to the podium.

TURNER thinks this is an interesting project and the City is looking for mixed-use. The applicant has heard the Commission's concerns about density and the provision of offices in only 10 of the units. Does he have any comments or would he like to work with staff? The Planning Commission can deny this or he can appeal it.

BLACKBURN responds they have literally been working for a year on this project at a very high expense to him personally, and they may now be nowhere. They have a very narrow window, economically, to get this project through. He hears the concerns about accessibility of the office space from the inside but the entire point in their concept in providing an office is to make it accessible to the guy who lives there. He is not going to walk out his front door all the way around and down and outside and back into the front door. The point is that it is a live-work type of environment. That is important to them. The Commission and staff say only 10 units have offices, but please pay attention to the fact that even 10 out of 40 is 25%. He is not looking at the total square footages. You can look at that statistic and say it's nothing, but it is something. It is separate from the residential. The residential is upstairs. The resident can drive in, get out of the car and walk into the office from the garage, or have a delivery person come to the front and knock on the door. You can open it

and you are in your office. So it is separate from the living quarters.

Enforceability is an important thing. He understands that concern.

HANSON-COX understands that BLACKBURN is saying someone can park and walk right into their office. Is there going to be a door from the backside of the office?

BLACKBURN replies there will be one from the garage. The garage is on the ground level. You drive into your garage, get out of your car and you can walk into the entry level foyer; you can walk up to the living room and then up again to the bedroom, or turn right and walk into the office. The office is accessible from the garage, from the upstairs to the downstairs; it is part of the house. That is part of the concept. It also has a front door.

HANSON-COX asks if he is saying there are two entrances: one into the office and one into the residential area from the outside.

BLACKBURN says yes.

BLACK asks if there is a stairwell in the office.

BLACKBURN responds yes. It goes up to the residential. He asks if the Planning Commission got copies of the floor plans.

HANSON-COX states the commissioners only have a site plan. She thinks they got the gist of it. There is a door that goes directly into the office and a second door that goes upstairs into the residential.

BLACK understands that. He just wants assurance that if this is approved, it will actually be used as an office. That would be a great thing for downtown El Cajon. He can see an overwhelming desire to make that office a second bedroom. He knows the applicant couldn't stop that if someone decided to do that. There is really no way to control it. He thinks this is an experiment more than a sure thing.

TURNER would like staff to reiterate that if the Commission denies this, the applicant can appeal it but no conditions are attached so it will be thrown back to the Planning Commission.

GRIFFIN states if the Commission denies the project, the applicant either comes back with a new project or appeals the Commission's decision. The problem is that there are no staff-recommended conditions because staff didn't see a way to support this project, even as an alternative, the way it was proposed. So, when it goes to the City Council, there are no conditions of approval so the Council will either have to direct the staff to come back with

conditions of approval without the Planning Commission's input or send the whole thing back to the Planning Commission and direct the Commission to come up with some recommended conditions.

TURNER says that is why she wanted it restated for the applicant, so he would understand that.

GRIFFIN states staff would not be able to dream up conditions at the City Council public hearing. The Council would want to see a list of condition alternatives. They probably would want to know that the Planning Commission had at least looked at them, even though it had denied the project. The reason there are no alternative conditions is that when the staff has given the Planning Commission alternatives in the past when it has not supported a project, that staff has been accused of being wishy-washy: if staff doesn't think it is a good project, then why give alternative recommendations? That is the reason staff didn't give any alternative conditions.

If the Planning Commission likes the project, GRIFFIN says it should continue the public hearing and have the applicant work out with staff the changes the Planning Commission suggested. He would prefer this application just be denied and let the applicant rework it and bring it back into the system. The staff can then bring the Planning Commission some conditions if the applicant makes a commitment to the offices. In GRIFFIN's opinion, every single one of those units should have an office if this is to be called a mixed-use, and not just the 10 units around the perimeter of the site. He doesn't think there has to be public access to the offices; especially the way the applicant just explained the access into the units from the garage. The interior units would not need an exterior door.

BLACKBURN says we all have to live in the real world. The City has done a remarkable and admirable job of changing the downtown streetscape and what is happening in El Cajon, but you have to be real. The vacancy in commercial office space is substantial.

The market he is attempting to get is the incubator business. It is a concept that is a little hard to get your arms around, that this is an opportunity for people to start a home-based business that will turn into something. Except for the corner piece that might appeal to a hairdresser or chiropractor or somebody that can use that much office space, the market in El Cajon is for small 200-sq. ft. offices. His neighbor testified earlier that those spaces are readily snatched up and readily available. Shouldn't that indicate that there are people that would love to own their own home where they have the opportunity to have an office space?

BLACKBURN says the Planning Commission needs to think outside the box at something a little bit different. It can't be suggested that a project like this has to be half commercial. He will never be able to sell that project and he would lose not just the money he put into this

project but the financial commitment and the loan guarantee that go along with guaranteeing the construction loan on this project. If he can't make that make sense, he can't build it. This property will just sit as a parking lot and the City can deal with the transients and all the problems there have been. He is really proposing something that he has put a lot of energy and thought into, working with KEA architecture, and more that he doesn't have the time to speak about.

In reply to WOODS, HANSON-COX asks Claire Carpenter to return to the podium, which she does.

WOODS states the Planning Commission understands that the real market is for housing in this area. If all these units were used for housing/living space except for the corner, would that still be acceptable?

CARPENTER says it is the CDC's perspective that the offices are needed on the Douglas corridor. They see that as a secondary focus area to Main Street.

WOODS understands that people need to be walking by.

CARPENTER says yes. But if that shifts to only residential, that is okay and is one of the reasons they weren't concerned about the whole project having the office component, because it would soften into the neighborhood. They think Douglas is an important corridor because it is the bus route and only one block off Main Street, which they still consider the pedestrian village area.

WOODS asks if most of these offices are being used by owners electronically on the Internet and not having customers coming into them, are they meeting the City's need?

CARPENTER thinks that is being used as an example. The type of office user they have seen in other places where they have looked at models like this are professional services of all kinds. It is everything from a massage therapist to a lawyer to a CPA, professional services in general who thrive in a single office environment.

TURNER asks, since mixed-use is not defined, is 25% of this project (having ten offices where there weren't 10 offices before) a good mixed-use or should it be higher?

CARPENTER is reluctant to commit to the percentage idea because she is not sure that ultimately is how she values the success or appropriateness of a project. The reason the CDC liked the idea of this project was because it was offices basically all along the Douglas corridor. From their standpoint, looking at the outside of the project and how it fits into the neighborhood, 50% or more if the two on Sunshine are added, is the mixed-use component. They are not quite as worried about what is happening on the interior as long

as it is of good quality and safe. The fact that at least half of the streetscape is office users meets their objectives. In this particular scenario, 50% of the street frontage makes sense to her. To start relating the mixed-use ratio to the whole project, she hasn't thought one way or the other what that ratio might realistically need to be.

No further comments are offered.

Motion by TURNER, second by BLACK to close the public hearing. Motion carries 4-0, AMBROSE absent.

Under discussion, HANSON-COX has mixed feelings about this. She has her office in her own home, but still she is worried about what will happen here when they want to resell. She really likes this project and thinks it is unique. The architectural elevations are wonderful and would add a lot to the downtown area, but she is still concerned about what we are trying to accomplish.

HANSON-COX is also concerned about the shortage in parking. Right now, she gets frustrated when she can't find parking and turns around and goes somewhere else. Those are her concerns.

TURNER thinks this could be a great opportunity to do something different in the community, especially after hearing more from CARPENTER. TURNER feels that there isn't a true definition of "mixed-use". There are some guidelines, such as if it is on a frontage street how many units should have offices in the interior space. There are some things that need to be looked at. Parking is an issue in downtown El Cajon in Specific Plan 182 where exceptions have been made on parking. Hopefully, that will be corrected in the future. She thinks this is an opportunity for a different market with the different live-and-work places. This is a good-looking project and she hates to see it go away.

HANSON-COX asks if 40 units are allowed, isn't this going to set a precedent for someone to come in with even more? This will result in an apartment atmosphere that we are trying to get away from.

BLACK would support the project in a flash if he knew that staff was supporting 40 units there. Is the density of 40 dwellings in that size an area one of the main sticklers? He knows that more units equal dollars, and dollars equal profit. Suppose there were no offices there, what kind of density would be acceptable?

GRIFFIN replies it would depend on the zoning of the property. As SHUTE mentioned, if it is R-3, there could be 20 units an acre or about half as many as shown on this plan. If it were zoned R-4, it is 30 units an acre, and if it is R-5, there is no limit. In the R-5 zone, it can be whatever the Planning Commission and City Council approve. The mixed-use

concept that is in Specific Plan 182 has that same feature—there is no limit on the density; however, staff is saying there needs to see some commitment to mixed-use if a very high density is requested. The two office units on the Sunshine Avenue side of this project are on the second level; they are not the same kind of offices as the ones on Douglas. If they are going to use that direct walking design, it should be continued all the way around the block. In his opinion, if this is to be called mixed-use, it has to be more than what we are seeing. He thinks the applicant is simply using that term in order to generate the highest residential density he can get on the property. If there was truly a mixed-use in this project, and he doesn't see it, then staff could probably support it.

No further comments are offered.

Motion by WOODS, second by BLACK to DENY Conditional Use Permit 1993 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

Motion by TURNER, second by WOODS to DENY Planned Unit Development 249 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

Motion by WOODS, second by TURNER to DENY Tentative Subdivision Map 564 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

Due to the denial of these applications, there must be an appeal to the City Council to be heard by the Council. The jointly noticed public hearings on December 14, 2004 will not be heard.

GRIFFIN advises that the appeal period ends at 5 p.m. on November 29, 2004, in the City Clerk's office. In reply to HANSON-COX, GRIFFIN answers that there is a filing fee. He believes it is \$160.

RECESS from 8:35 p.m. – 8:45 p.m.

PLANNED UNIT DEVELOPMENT 250 – Maisel Presley, Inc. for Ma

(public hearing) Resolution No. 10059
P. C. Meeting 11-15-04
C.C. Mtg. 12-14-04

The subject property is located on the east side of Graves Avenue between East Madison Avenue and Beech Street, and addressed as 523 Graves Avenue; APN 483-340-48; existing LUC 1141A, proposed LUC 1142B; General Plan Designation: Medium and High Density Residential.

Request to convert an existing 24-unit apartment complex to a common-interest development in the R-4 (Multiple Family / High Density) zone.

GRIFFIN states this is a request to convert 24 existing apartment units to a common-interest development. In this case there had been a subdivision map approved and recorded back in the '80s. At one time there actually was a condominium project proposed on this property. The condo market did not prove itself to be too good so the developer opted not to build the condos. They resubmitted their plans and proposed an apartment complex instead. There is a recorded final subdivision map but the existing apartments were not approved as a conversion until the request before the Planning Commission tonight.

The existing property is not well maintained, in staff's opinion. Looking at the photographs that were included in the physical elements report, there definitely is a need for a lot of attention to this project. However, staff believes that the applicant's proposal is a positive one in terms of upgrading the large green area that would include a children's play area, and a barbecue area that would become the primary open space.

The applicants are also proposing the addition of patios on the ground floor units that would result in removing a window and making that into a sliding glass door, and the patio would be adjacent to that. Those locations are shown on the plan mounted behind him. In addition, they are talking about adding balconies above the patios. Understand that they are saying that is what they are proposing to do. He thinks the Commission needs to ask the applicant to make a commitment to do that because, in staff's opinion, that is what really makes this project a good project rather than just simply upgrading the exterior a little bit but not really changing the character of the project from a rental unit to an ownership opportunity.

GRIFFIN says that the physical elements report identified a few of the typical kinds of things that need to be upgraded. Specifically, the one-hour firewall will have to be provided or proven. One new issue that is discussed in the report is the adequacy of the electrical system to accommodate the load. There was a recently approved project that had an acceptable electrical system that met minimum code except it wasn't designed to accept

the load that was presented because the applicant really upgraded the kitchen with a number of appliances including a microwave, and when the new buyer turned on the microwave, the circuit breaker went out. It turned out that there had not been an analysis of the ability of that electrical system to accommodate that load. Staff is not trying to discourage kitchen upgrades, but the applicants need to look at the circuitry of the electrical system to make sure it can accommodate the systems they propose to add to it. This will be a common condition in all future projects.

With the changes that are being proposed, staff is recommending the Planning Commission approve this conversion in accordance with the staff report.

The public hearing is now open.

Maurice ROSENBERG, Maisel Presley, Inc., 4350 La Jolla Village Drive, Suite 460, San Diego, CA 92122, provides business cards for himself with the correct spelling of his name, and for his associate Jim Myers from Burkett & Wong, the engineers on this project. They came to answer any questions, and to tell the Planning Commission and staff that they want to be more involved in the El Cajon community. They have a couple of other conversion projects that they look to bring forward. They are looking forward to working with staff to understand what it is the City wishes to accomplish with conversion projects here.

They agree with the treatment of the open space and landscaping to make it a livable and unique environment to individualize the project as much as possible for the new owners. The possibility of doing balconies on the second floor is going to be a construction issue, certainly a cost issue, to see whether or not they will be able to use the structural bearings that are there now to accommodate new balconies. The patio doors on the ground floor will be French doors to give it a higher quality, individualized type of construction. When they look at doing balconies on the second floor, it will be to upgrade to that level as well. If they can't maintain that quality, then it becomes a concern as to whether or not they want to lessen the quality of the project by putting in a lesser grade or pricing themselves out of the market. They certainly want to commit to it; it is a question of structural feasibility.

HANSON-COX tells ROSENBERG that the elevations she saw look wonderful compared to what it is now. It is really a good project. The current condition of the property is not that good but she thinks if he replaces and does everything he said he would do that it will turn out really nice.

In reply to HANSON-COX, ROSENBERG says they agree with the conditions of approval.

HANSON-COX asks if they did a cost analysis of how much it would be to add sliding glass doors and the balconies.

ROSENBERG replies that their standard practice, as part of trying to make this a unique environment for each individual owner, is to use French doors rather than the more common apartment type construction, which would be a sliding door. They have done several projects in San Diego and that is typical of their spec.

HANSON-COX says in other words, they did do a cost analysis and that is something they can guarantee they will be doing.

ROSENBERG replies affirmatively.

HANSON-COX got excited when she started reading about everything they plan to do, and doesn't want to be let down.

ROSENBERG states they provided a list of their standard specs as well as a list of objectives for this project.

No one else comes forward to speak.

Motion by TURNER, second by BLACK to close the public hearing. Motion carries 4-0, AMBROSE absent.

TURNER thinks this looks like a great project based on what they are going to do and some of the upgrades they will make. It is one of the better projects the Planning Commission has seen. Hopefully they will be able to structurally put in the balconies.

HANSON-COX says it will entice others around them to beautify their areas.

No further comments are offered.

Motion by TURNER, second by WOODS to RECOMMEND APPROVAL of Planned Unit Development 250 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

HANSON-COX states this item has been jointly noticed for a City Council meeting on December 14, 2004.

PLANNED UNIT DEVELOPMENT 252 – So. 2nd & Lex, LLC, Don Sturtevant

(public hearing) Resolution No. 10060
P. C. Meeting 11-15-04
C.C. Mtg. 12-14-04

The subject property is located on the east side of South Second Street between East Lexington Avenue and East Main Street, and addressed as 2525 S. Second Street; APN 489-210-38; existing LUC 1142A, proposed LUC 1142B; General Plan Designation: Medium Density Residential.

Request to convert an existing 28-unit apartment complex to a common-interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 566 – So. 2nd & Lex, LLC, Don Sturtevant
(public hearing) Resolution No. 10061
P. C. Meeting 11-15-04
C.C. Mtg. 12-14-04

The subject property is located on the east side of South Second Street between East Lexington Avenue and East Main Street, and addressed as 2525 S. Second Street; APN 489-210-38; existing LUC 1142A, proposed LUC 1142B; General Plan Designation: Medium and High Density Residential.

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

GRIFFIN states in this conversion request there are 28 units, all of which are three-bedroom. This project also is currently a little tired and the applicant is proposing what staff believes is a major upgrade. He hopes the Planning Commission was able to see the elevations they submitted. They are proposing to add a trellis and bench area at the end of the parking lot so when driving in off Second Street one would see it. They are also proposing to add patios similar to the previous project, so on the ground floor units they will be taking out windows and putting in access to proposed adjacent patios, and they are also proposing a major renovation of the landscaping. There is an existing children's play area near the back of the property, which they are proposing to upgrade and retain as a children's play area.

The physical elements report indicated that 70% of the units were inspected. There are the usual types of upgrades and repairs that are associated with this physical elements report and, again, the applicant needs to confirm the provision of the patios.

The other required conditions, including noticing to tenants, have been accomplished. Staff

believes this is a good project, at least as proposed, and is recommending that the Planning Commission recommend approval of the PUD (planned unit development) for the conversion and also of the TSM (tentative subdivision map).

The public hearings are now open on Planned Unit Development 252 and Tentative Subdivision Map 566.

Brenda ARCHER, 1288 E. Lexington Avenue, El Cajon CA 92020, states her address is a single-family residence on the corner of East Lexington and South Second Street. She received the notice of this hearing and her heart just pounded because the apartments as they currently exist have been so abused, especially over the last seven or eight years, probably even the last ten years. The long side of her property is on South Second and she has had a lot of nuisance factors from the apartment residents to put up with during that time. It seems that those apartments are inhabited not only by the tenants but all of their cousins and relatives and friends. The parking on South Second has been horrible. She has come home from work and there would be people parked across her driveway.

She is just thrilled to think that possibly those apartments will be owned by someone who will have an interest in keeping up their property values as well as other people in the neighborhood. Having them to go to an ownership status is going to be great.

She hopes that the homeowners' association will be well managed and that there will be a provision about how many occupants could inhabit the units because up to now there has been abuse of that and it has created a really bad situation for the neighborhood. She won't go into some of the other problems, but for her the lack of parking probably is the worst because it is obviously an abuse and there are some ne'er-do-well elements involved. Some of the residents appear to be buying cars at auctions and then parking them on the street. She has to call the police and work with them to have the cars removed. She hopes the homeowners' association will be able to prevent that kind of thing from happening.

She is in favor of the project.

HANSON-COX advises that the Planning Commission can't control how many people live in a dwelling, but she thinks ARCHER will see a vast improvement in the area because when someone owns something, they take more pride in it.

No one else comes forward to speak on this item.

Motion by TURNER, second by WOODS to close the public hearings on Planned Unit Development 252 and Tentative Subdivision Map 566. Motion carries 4-0, AMBROSE absent.

HANSON-COX states when she saw the elevations and the trellis, she thought it will be so attractive and will really add a lot that neighborhood. She thinks with someone buying into something like that, it will alleviate a lot of the concerns of other neighbors. She is for it.

TURNER thinks it is one of the better conversions the Planning Commission has seen, especially with the improvements on the outside and the landscaping, the patios, etc.

No further comments are offered.

Motion on PUD 252

Motion by TURNER, second by BLACK to RECOMMEND APPROVAL of Planned Unit Development 252 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

Motion on TSM 566

Motion by TURNER, second by BLACK to RECOMMEND APPROVAL of Tentative Subdivision Map 566 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

HANSON-COX states this is a recommendation to the City Council. These items were jointly noticed for a City Council meeting on December 14, 2004.

PLANNED UNIT DEVELOPMENT 253 – Ali Mohammadian for Kuruvadi, Sperling & Evans

(public hearing) Resolution No. 10062
P. C. Meeting 11/15/04

The subject property is located on the southwest corner of South Magnolia and West Camden Avenues, and addressed as 504-514 S. Magnolia Avenue; APN 488272-12; LUC 6301; General Plan Designation: Office/Non-retail.

Request to convert an existing office building into a common-interest development in the O-P (Office Professional) zone.

AND

TENTATIVE SUBDIVISION MAP 567 – Ali Mohammadian for Kuruvadi, Sperling & Evans

(public hearing) Resolution No. 10063
P. C. meeting 11/15/04

The subject property is located on the southwest corner of South Magnolia and West Camden Avenues, and addressed as 504-514 S. Magnolia Avenue; APN 488272-12; LUC 6301; General Plan Designation: Office/Non-retail.

Request a one-lot subdivision map for common-interest office purposes in the O-P (Office Professional) zone.

GRIFFIN states this is one of the first conversions of a rental office complex to a for-sale office. The procedures in the Zoning Ordinance are the same as apartment conversions: submit a PUD, submit the map and do the physical elements report. The part that is different is that there is no requirement for tenant noticing because a resident is not being displaced. However, there are a number of other conditions in our PUD (planned unit development) ordinance that apply. For example, the parking requirement. This property does not satisfy the minimum parking requirement in effect today and, of the parking spaces that the applicant is asking the Commission to continue to accept, about nine of them don't meet the standards. They are in the setback area or even in the public right-of-way. Those parking spaces would not be acceptable. If the Planning Commission does not approve this proposal, that doesn't mean those nonconforming parking spaces go away, but staff's feeling is if a conversion is going to be approved the City should expect to see some upgrading, but that is not being proposed here.

This building was constructed in 1958, so it is about 50 years old and is very, very tired. It hasn't seen a lot of maintenance. The applicants really aren't showing that they intend to do much to upgrade the building. There appear to be a number of trees that have been on the property, or stumps of trees, that have uplifted foundations and sidewalks and there is no indication of how that will be cured. Staff is concerned that the buildings themselves may have some substantial structural problems because of that. Those things were not addressed in the physical elements report. In addition to the landscaping and parking, there was no recommendation on upgrades to the property. Staff doesn't think this project is ready to go forward, that more work needs to be done on it. Staff is not ready to recommend a continuance and thinks that the project should be denied at this time.

There was a discussion earlier this evening about denying without prejudice. That doesn't have to be part of the motion. Staff put that in because this is the first office conversion the City has had in a while so staff would like to work with the applicant to see if this is a salvageable project. However, it is probably not one of the office projects that he would have thought of to convert from a rental office to an ownership office.

GRIFFIN states that the staff is recommending that the Planning Commission deny without prejudice the PUD and also the subdivision map.

TURNER asks if this was always an office building, or was it originally built for apartments?

GRIFFIN replies it was always offices. There are six rental offices in the complex.

HANSON-COX asks confirmation that the six rental offices are what is being proposed to change into condos. Will they remain six and not any less?

GRIFFIN answers affirmatively.

The public hearings are now open on Planned Unit development 253 and Tentative Subdivision Map 567.

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

Motion by TURNER, second by WOODS to close the public hearings. Motion carries 4-0, AMBROSE absent.

TURNER agrees with staff that this isn't a good conversion project. It is one of the projects she would like to see scraped and start all over.

HANSON-COX used to go to the dentist there when she was a teenager. Those offices are awfully small. She cannot visualize one of them as a separate office. They are like little closets. She has to agree with staff also. She was over there and saw a lot of the concerns.

No further comments are offered.

Motion by WOODS, second by BLACK to DENY WITHOUT PREJUDICE Planned Unit Development 253 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

Motion by BLACK, second by WOODS to DENY WITHOUT PREJUDICE Tentative Subdivision Map 567 in accordance with the staff report.

GRIFFIN advises that since these items were denied, the joint-noticed City Council public hearings will not occur on December 14, 2004. The applicant will have to appeal the denial and a new City Council hearing date will be set. That is one of the dangers with joint noticing. If something is not supported, or if it is continued, the hearing the Council date was scheduled for is going to be mixed up.

The appeal period ends on November 29, 2004.

CONDITIONAL USE PERMIT 1994 – Hardman

(public hearing) Resolution No. 10064

P. C. Meeting 11/15/04

The subject property is located on the east side of Cordell Court between Weld Boulevard and Cuyamaca Street, and addressed as 1920 Cordell Court #104; APN 387-200-13; existing LUC 3620, proposed LUC 3620 / 6519; General Plan Designation: Industrial Park / Special Development Area No. 6.

Request for a physical therapy office in the M (Manufacturing) zone.

GRIFFIN advises that uses normally allowed in the industrial zone may not have any direct contact between the service provider or the seller and the consumer. There are a couple of areas in the Cuyamaca West project, where this property is located, that do allow some contact between the business and the consumer. Unfortunately, this applicant moved into the building and occupied the space before getting approval. They should have had the conditional use permit (CUP) before moving in. This is an attempt to correct that mistake.

The applicant provides an industrial physical therapy-type use. Their location in this building is really hidden. All of their clients are referrals, so the amount of traffic coming and going is minimal.

GRIFFIN states that the staff believes this is an acceptable use to be approved by conditional use permit with the understanding that it wouldn't set a precedent for some other more intensive office or retail use in the industrial park.

Staff recommends that the Planning Commission grant this conditional use permit with the conditions included in the staff report.

TURNER asks if there is any special equipment that would be more feasible to be in this area.

GRIFFIN understands that they have an indoor therapy pool. That is probably something that is not typically found, at least on a large scale, in a regular therapy office in an office or commercial zone, because those are usually smaller spaces.

The public hearing is now open.

Rick DENTT, 1184 Coco Palms Drive, El Cajon CA 92020, is the owner of the building. They are the developers of the Cuyamaca West industrial project. The tenant's commercial facility is in Santee where they do all the physical therapy. This facility is just for their water therapy. It is an aboveground pool in the warehouse area. He apologizes for not following procedures. He thought the use was allowed there without getting a conditional use permit.

HANSON-COX asks if DENTT knows if his tenant had the opportunity to read the conditions and if they agree with everything.

DENTT replies yes. This is a second-generation space and the only thing that was added was the aboveground pool and extra circulating air-conditioning vent.

BLACK states the subject building is on Cordell Court. Charlie Cordell is an old friend of his that he has known for 30 years. It is a good name and a good place, and there should be a good spirit there. He visited the site and it is tucked away and can't be seen unless one is looking for it. He supports this request.

No one else comes forward to speak on this item.

Motion by WOODS, second by TURNER to close the public hearing; carries 4-0, AMBROSE absent.

Motion by WOODS, second by TURNER to GRANT Conditional Use Permit 1994 in accordance with the staff report. Motion carries 4-0, AMBROSE absent.

HANSON-COX states this is final action unless appealed to the City Council.

CONDITIONAL USE PERMIT 1995 – Nextel Communications for Terra West Investment Co.

(public hearing) Resolution No. 10065

P. C. Meeting 11/15/04

The subject property is located on the southeast corner of East Chase and Avocado Avenues, and addressed as 1275 Avocado Avenue; APN 493-290-21; existing LUC 5310A, proposed LUC 5310A/4712B; General Plan Designation: Neighborhood Retail Commercial / Hillside Overlay.

Request a stand-alone wireless communications facility (monopalm) in the C-1-H (Neighborhood Commercial / Hillside Overlay) zone.

GRIFFIN states this site is in an existing shopping center that includes the Vons supermarket at the southeast corner of Chase and Avocado. The actual location of the proposed wireless communications facility is at the southwest corner of the shopping center, closer to Avocado. There is a slope up to residential development to the south and an area of parking that is removed from the rest of the center. That is critical because they are proposing an equipment building that would eliminate some of those parking spaces. However, in this shopping center there is more parking than required for the square footage of the businesses that are there, so there is excess parking. The proposed tower is 35 ft. high and is on the slope above the parking lot. This monopalm will be a faux palm tree with the wireless antennas on it, and adjacent to it will be two live palm trees, each 20 ft. tall. This has been done at a couple of other locations and it turns out real well. The faux palm trees are well designed these days. The early ones looked like fake trees, but now technology has come a long way and they don't have that same appearance.

Staff recommends, in addition to the two adjacent live trees, that the applicant provide some shrubbery and landscaping around the base of the faux palm tree so it doesn't look like something that is just sitting on the side of the hill, because it will be attached to a foundation. Staff thinks the appearance of that needs to be upgraded as well.

GRIFFIN says that staff recommends the Planning Commission grant this conditional use permit subject to the conditions, and also to make a finding that this is a minor change to the specific plan that covers the entire shopping center. He did forget to mention that the faux palm tree is closer to the southerly property line than the ordinance allows. Staff believes that since this is not a live tree that the setbacks should apply to the entire component of the faux palm tree, including the fronds. That means it should be moved about 4 ft. to the north to provide the required 10-ft. setback. That is one of the conditions of approval.

TURNER states this is the shopping center where people were dumping couches and chairs and things. Has that been cleaned up?

GRIFFIN hasn't personally been there recently, but staff hasn't had any recent complaints. He sees the property owner's representative in the audience, who will probably be able to answer that question in addition to any others.

For the newest commissioners, GRIFFIN states what was happening was behind the Vons store where it was accessible. Delivery trucks had to get back there so there was no easy way to control the access. Unfortunately, people were taking advantage of that and just dropping things off rather than having them picked up as trash. They were dumping sofas, appliances and cars. A whole litany of things was being left back there and the City was getting complaints from the neighbors. The property owner was trying to get some control and ultimately a way was found to hopefully control that. Perhaps the Commission will hear

about that tonight.

The public hearing is now open.

Ramon SALAZAR, 4120 E. Arruba, Ontario CA, is with TetraTech and represents Nextel, the applicant. He states staff has done a wonderful job in presenting this project. They have read and agree with all the conditions. He is here to answer any questions.

BLACK visited the area and thinks this project will be an upgrade. It will look great with the additional trees.

HANSON-COX says it will help Nextel. She thanks SALAZAR for driving all the way down tonight.

Jim KILCOYNE, 256 Witherspoon Way, El Cajon CA 92020, represents Terra West Investment Company who owns the property. He read the conditions and one of the conditions is that the equipment building's texture and color be integrated with the shopping center. Their intent, in their negotiations with Tetra Tech on behalf of Nextel, is to get the color of the equipment building to match the color of the adjacent block wall and the texture in the block wall. Rather than call it out as an independent building that matches the other buildings in the shopping center, they would "bury" it color wise so that it fades into the slump block retaining wall next to it. Hopefully, the intent of this condition will allow that interpretation.

They still have issues with unauthorized dumping out there. They have increased the surveillance and have created a screened off area so if there is an occasional sofa or something large, they can temporarily locate it in that facility. Their intent is to get it cleared out every day to the dump, if possible.

HANSON-COX asks if staff has any comments on KILCOYNE's proposal regarding the color match.

GRIFFIN responds no. That is condition 1(g) and he thinks the Planning Commission could just say, ". . .to match the existing shopping center or block wall as worked out with staff". Staff's intent was to have the building sort of disappear and if matching the block wall would work better, staff has no problem with that.

No one else comes forward to speak on this item.

Motion by TURNER, second by WOODS to close the public hearing and GRANT Conditional Use Permit 1995 in accordance with the staff report, modifying condition 1(g) to read: "The equipment building will be constructed and painted/textured to match the

existing shopping center or block wall.” Motion carries 4-0, AMBROSE absent.

HANSON-COX states this is final action unless appealed to the City Council.

GRIFFIN advises the appeal period ends on November 29, 2004.

PREDRAFTED RESOLUTIONS

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

Motion by TURNER, second by WOODS to adopt Resolution Nos. 10056, 10057, 10058, 10059, 10060, 10061, 10062, 10063, 10064 and 10065 pro forma. Motion carries 4-0, AMBROSE absent.

ORAL COMMUNICATIONS

GRIFFIN congratulates HANSON-COX and BLACK for running great campaigns for City Council. He is disappointed that the Planning Commission is going to lose HANSON-COX to the City Council, but at least she is still going to be in the City family. The City Council members that have served on the Planning Commission have an advantage knowing what it takes to be an effective city member immediately. He wishes her well.

This will be GRIFFIN's last scheduled Planning Commission meeting. Barbara RAMIREZ will be representing the staff in the future. Mr. ODIORNE has returned representing the Public Works Department.

GRIFFIN informs Commissioner WOODS that he will be asked to re-apply for appointment to the Planning Commission. At the Council's next meeting, they will be considering the issue of all of the commission vacancies, so Commissioner Woods' position will be one considered for reappointment. WOODS will need to go through the process and GRIFFIN hopes that WOODS will reapply.

GRIFFIN wishes the Commission a Happy Thanksgiving.

HANSON-COX thinks there needs to be a density limit within Specific Plan 182.

GRIFFIN states the Commission can initiate an amendment to Specific Plan (SP) 182 and there can be a public hearing to discuss putting in a density limitation. There will be a

recommendation to the City Council and the City Council will make the final decision.

TURNER thinks the density limitation should go beyond the boundaries of SP 182. There are other projects in residential areas that have been the maximum density. She feels all the residential zones must be looked at.

HANSON-COX agrees.

BLACK thinks the ECCDC should be involved in any discussion on SP 182.

GRIFFIN points out the Commission and Council have the ability to limit the density of a project right now. In the PRD zones, for example, the Planning Commission does not have to approve the maximum density.

TURNER adds that it is normally what the applicants get. Even when the Commission reduces the density, they get overruled at the City Council level.

BLACK says everybody is taking advantage of the maximum density allowed.

GRIFFIN thinks if that bothers the Commission, then the Commission needs to stand up and say that the maximum density is too much. If the Commission doesn't make the recommendation to the City Council, the City Council will not know it is a concern. If the Council overturns the Commission's recommendation, that is the City Council's decision to make.

As far as revisions to Specific Plan 182, the staff can bring back a report, because that is not on the agenda tonight. He agrees with BLACK to have the ECCDC involved before any review goes too far, because they may have some comments they may want to add.

TURNER thinks the definition of a "mixed-use" project should also be addressed.

GRIFFIN recommends the Commission ask the staff to bring back at a future agenda a discussion of Specific Plan 182 dealing with both mixed-use and density limitations. That way, the Commission can adopt a resolution to initiate a formal amendment if it desires.

TURNER and HANSON-COX request that be added to the December 6, 2004, agenda.

HANSON-COX asks if there is a graffiti committee in El Cajon.

GRIFFIN says there is a graffiti hotline and the City has a contract with a firm that removes graffiti. He will provide the commissioners with the telephone number.

HANSON-COX saw some graffiti on a wall at the Taco Bell on North Mollison near the I-8 freeway.

CORRESPONDENCE

There was none.

ADJOURNMENT

The meeting of the El Cajon City Planning Commission adjourned at 9:42 PM this 15th day of November 2004.

Anthony AMBROSE, Chair

ATTEST:

James S. GRIFFIN, Secretary