

MINUTES

PLANNING COMMISSION MEETING

FEBRUARY 7, 2005

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

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: WELLS, WOODS, BLACK, TURNER, AMBROSE
COMMISSIONERS ABSENT: NONE
OTHERS PRESENT: RAMIREZ, Principal Planner
LYON, Assistant City Attorney
ODIORNE, City Engineer
ALVEY, Associate Planner
MOSSAY, Minutes Clerk

AMBROSE explains the mission of the Planning Commission and the proper procedure for speaking before the Commission and asks for proper decorum during the meeting.

RAMIREZ welcomes newly appointed Planning Commissioner Bill WELLS and congratulates Commissioner WOODS on his re-appointment to the Commission.

MINUTES OF 1/24/05: Motion by TURNER, second by WOODS to approve the Minutes of January 24, 2005 pro forma. Motion carries 5-0.

ZONE RECLASSIFICATION 2256 – Barrett

(public hearing) Resolution No. 10087
(joint noticed, CC mtg March 8, 2005)
P.C. meeting 2/7/05

The subject property is located on the east side of Avocado Avenue between E. Washington Avenue and E. Camden Avenue, and addressed as 631 Avocado Avenue; APN 488-333-33; LUC 1111, proposed 1111; General Plan Designation: Low Medium Density Residential.

Request to rezone property from the R-1-6 (Residential One-Family 6,000 sq. ft.) zone to the R-2 (Two-Family) zone.

RAMIREZ states the General Plan land use designation of all properties fronting on Avocado Avenue between E. Camden and E. Washington Avenues is "Low Medium Residential". This designation allows a range of 10 to 18 dwelling units per acre. There are four properties in this corridor that are not currently zoned R-1-6. Three are zoned R-3-R and one is zoned R-2. Except for properties addressed as 643 Avocado and 653 Avocado, all properties in this block are currently developed with only single-family residences.

By state law, the city must rezone properties to a zone that is consistent or in conformance with the General Plan. As previously indicated, the General Plan designation of "Low Medium Residential" would allow up to ten dwelling units per acre and the R-2 zone is consistent with that designation. If approved, a maximum of two units or one duplex would be allowed on the subject property. The property satisfies the minimum lot width of 65 feet and the minimum lot area requirement of 6,500 square feet for the R-2 zone. The R-2 zone allows two-story development by right.

As a matter of information, staff received two phone calls in response to the public hearing notice. Both callers questioned the allowable height. The R-1-6 zone to the northeast and west of the subject property also allows two-story or 35-foot height buildings by right.

Staff suggests the Planning Commission recommend approval of the rezoning from R-1-6 to R-2, subject to Public Works requirements.

The public hearing is now open.

Denise POLEATE, 643 Avocado Avenue, lives adjacent to the subject property. She recommends that the zone reclassification be approved.

Sean BARRETT, 11462 Pegeen Place, El Cajon, is the property owner and hopes in the future to develop it within compliance with all recommendations contained in the staff report. He asks if there are any questions.

AMBROSE asks if the applicant has any eminent development proposed?

BARRETT has talked with a contractor. His neighbor did some development in the neighborhood and liked what he did, but no decisions have been made yet.

No one else comes forward on this item.

Motion by TURNER, second by WOODS to close the public hearing on Zone Reclassification 2256; carries 5-0.

AMBROSE thinks this looks straightforward and is consistent with the General Plan. He thinks staff did a good job. TURNER agrees.

Motion by TURNER, second by WOODS to RECOMMEND APPROVAL of Zone Reclassification 2256 to rezone the subject property from the R-1-6 zone to the R-2 zone; carries 5-0.

This action is a recommendation to the City Council. There will be a City Council public hearing on March 8, 2005.

PLANNED UNIT DEVELOPMENT 261 – Sturtevant for North First and Main, LLC

(public hearing) Resolution No. 10088
(joint noticed, CC mtg March 8, 2005)
P. C. meeting 2/7/05

The subject property is located on the east side of North First Street between E. Madison Avenue and East Main Street, and addressed as 247 North First Street; APN 489-140-53; General Plan Designation: Medium Density Residential.

Request to convert an existing 31-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 574 – Sturtevant for North First and Main, LLC

(public hearing) Resolution No. 10089
(joint noticed, CC mtg March 8, 2005)
P. C. meeting 2/7/05

Request a one-lot subdivision map in the R-3 zone.

RAMIREZ states that if the request is granted, the common interest subdivision that is proposed will result in 31 airspace condominium units. Individual lots are not proposed for each unit. The units to be converted are about 34 years old, located in five, two-story buildings on about one acre.

With regard to compliance with development standards, the City Council recently extended the temporary reduction for required parking until February 25, 2008. This applicant's plan shows 51 parking spaces are currently available on the site. Staff is recommending that the tandem spaces be eliminated because they are not permitted

for multiple-family development. By providing 42 parking spaces, the number approved with the original development plan, this would result in approximately 1.2 spaces per unit, which is acceptable under the current conversion standards.

The existing development on the subject property provides 8,650 square feet of landscaping and pool area. The Planning Commission should determine if the existing facilities, together with the applicant's proposal to install new landscaping, are adequate.

Commissioners have received a supplemental photo packet, which provides a detailed view of the proposed enhanced exterior elevations. It is staff's opinion that the changes represented in the "after" renderings have sufficiently upgraded the dated look of the existing development to warrant a recommendation for approval. In addition to the usual changes in the exterior color palette, new front doors, windows and lighting, the applicant is proposing to install new roofs, add stone veneer, apply stucco to existing slump stone walls, and replace some windows with French doors. It is noted that the long exterior elevation of Building 4 was not included in the enhanced elevations. Staff assumes that the proposed upgrades will apply to all building elevations.

The Physical Elements Report for this development was prepared by National Assessment Corporation (now doing business as Land America Assessment Corporation). The original report and the addendum were signed by Peter Chang, a licensed professional civil engineer. The report identifies the condition of the property and states a course of action for each physical element inspected. More than two-thirds of the unit interiors were inspected.

In addition to the report, the applicant has submitted a list of planned improvements. Those improvements include upgrades to the interiors and exteriors as previously stated.

Staff's recommendation on the PUD is for approval of conversion of the 31 units, subject to conditions contained in the staff report. The proposed companion item, Tentative Subdivision Map 574, is the typical one-lot subdivision made in conjunction with a conversion request. It will provide the opportunity for condominium ownership of each unit. The proposed subdivision is in conformance with the General Plan and staff is recommending approval of the map as presented, subject to conditions.

The public hearings are now open.

James GILBERT, 10343 San Diego Mission Road, San Diego, CA 92108, is here to speak in a general way about condo conversions and not specifically this project. He doesn't know of this project. He lived for six years at Posada del Valle as a happy resident of El Cajon. He would no doubt still be a happy resident, spending money in El Cajon, if it were not for the condo conversion that turned that complex into "Sunterra".

One of the concerns about that conversion was that after he received the 180-day notice, he could get no information about the conversion for three months. People get antsy and start to look, so he began to look elsewhere. The apartment manager told him they could tell him nothing and they got no information from the Sunterra developers during those three months. He found another place to live and moved out.

The main issue is that he opposes condo conversions. He has subsequently been pushed out of another place. In two years, he has had to move twice because of condo conversions.

He is a pastor of a church and doesn't make that much. Because of his wife's income, they make about \$75,000 a year. That sounds like a good amount, but when he finally did go back to Sunterra to see if they qualified, Wells Fargo told them they did not qualify and could not be pre-approved for Sunterra.

What he has seen happen is that people of lower income are routinely replaced with people that are making twice the income. Nobody keeps statistics and nobody knows what happens to the people who have to leave these places and do not buy them.

The poorer people are clearly pushed out. He is deeply concerned about that, because the economy creates all sorts of jobs in the service industry that are filled by poorer people who need decent places to live. El Cajon was one of those places. He came here because it was a reasonable place to live and could rent here reasonably and still have money left to spend on things. As these condo conversions take place, he found out that even if he could qualify, that it would cost him at least \$300-400 more a month. Even taking into account all the tax advantages, it is still going to cost them that much. That amount of money is not going to be spent in local restaurants and local shopping center.

Dal DAVIS, 6262 Merced Lake Avenue, San Diego, CA 92119, represents a group called the Caring Council as well as his church, the Untied Methodist Church in La Mesa. They have been involved in helping people that are nearly homeless or are already homeless to get into apartment complexes before they are permanently on the street. They have to prove that they can sustain the assistance given to them for several months, if not longer, after they are helped. Over the past 55 months, they have helped 86 families. When they first started assisting people, it cost \$400-500 to help someone. Now the cost is \$800-\$1000 to help someone.

Section 8 housing funding for the county and cities has all changed. Rents are going up and the government has cut the support for Section 8 people. He looked at the staff report that went to the City Council in April 2004. There are a lot of concerns. When he spoke to the Commission before about his concern with this issue, he was told that people would benefit because all these people were going to be wonderful home purchasers.

DAVIS suggests that he doesn't think that is the case. The Commission knows already that a number of the units that have been converted are still vacant and have not sold. The Commission also doesn't know how many people have purchased units for an investment and not for living reasons.

DAVIS asks for two things. The developers that are converting the apartments are required to give the city information about the tenants that are living there. He thinks the number of single mothers or single dads and their children and the number of elderly people that are being displaced should be recorded. Their lives have been completely disrupted.

Firstly, if the Commission is going to conduct a workshop, he hopes that is not just for the benefit of developers, but that it be a balanced workshop where the tenants that are being affected have a right to express their opinions and a chance to have their voices heard. This is a dire situation. Yesterday they helped two families. They did that by asking church members to pay \$10 a month into a ministry to assist these people. His organization began by helping one family a year and found that they could prevent people from being in dire circumstances for a long time by helping them initially.

Secondly, he appeals to the Commission to do a serious study and review of what is actually happening to these people. It is not only in El Cajon, although the majority of people his organization has helped have been in El Cajon or been students at Grossmont College. They have come generally from the County. He is talking about the Caring Council as a representative group, not just San Diego.

AMBROSE asks the speaker if he represents a larger group of people this evening?

DAVIS answers that he directly represents about 100 people from different backgrounds. One of them is a professor at SDSU who does research on the issue of poverty. Pastor Jim has been a member of the group for a number of years. The group just started their seventh year. There is no operating budget and no paid staff. Everything is on a volunteer basis. Their only focus is on low-income people, the working poor and the very poor.

AMBROSE asks if the speaker's interest here tonight is not specifically this condo conversion, but rather all condo conversions?

DAVIS' interest is on all condo conversions. He thinks one conversion is representative of all the others.

AMBROSE states there are between 15,000-17,000 apartments in El Cajon. Based on the information received from staff, to date about 1,500 have been approved for condo conversion, which is roughly about 10%. Most of those have not actually gone through the whole process. They have been approved and are just sitting there.

DAVIS understands. He asked someone today if it was possible to have college interns or someone track what happens when the units are sold and what may or may not happen to the people that have lived there. There will be a documented statement based on real facts and verified by face-to-face contact on what actually happens to people. Single mothers are not going to tell you they are living in cars or they are shifting their kids around wherever they can place them because they are afraid that CPS is going to take their kids away. That is the hard reality. The present study that is going on for chronic homelessness, some \$10 million, is about chronic homelessness. It doesn't get to the people he is talking about at all. A large majority of single moms or dads are doing their best to get their kids educated and prepare themselves, hopefully, to gain some level of self-sufficiency.

Father John CONRAD, 490 Farragut Circle, El Cajon, feels called tonight to join his other clergy brothers and speak against the growing trend in condominium conversions in El Cajon. It is a profitable way to re-capitalize an investment at a higher level. It increases the value of the property and often increases the appearance, but it does so at tremendous hardship to people who are living in those apartments. Unfortunately, because the City has failed to provide a full safety net for those people once they are homeless, they end up coming to St. Albans and other places. The simple fact is that oftentimes people who can rent an apartment cannot stay and purchase the condominium, nor can they easily move to another apartment because their situation is so tenuous. Sometimes, the church is giving them enough food to eat so that they can use their money to pay their apartment rents.

We are in a state of housing emergency in San Diego County. Condominium conversions reduce the supply of rental apartments. A reduction in supply always results in an increase in rents. He thinks this is in response to some planning failures 10 to 20 years ago in El Cajon when too many apartments were allowed to be built. Now we are trying to cover our tracks and increase equity interest by this piece of social engineering.

CONRAD discourages the Planning Commission from approving these condominium conversions because of the hardship they place on people and the fact that we really haven't done our part in the city to provide the balance of the housing element that is necessary to help these people. He doesn't envy the Commission's position, because the Commission is balancing personal property rights and the ability to make a profit on an investment against human suffering. Nevertheless, the City is obliged morally to provide a full scope of housing for all people. Reducing the number of habitable units that people at the very bottom of the economic spectrum can occupy isn't in the City's interest.

CONRAD opposes this project particularly and will speak at the Council meeting against the whole condo conversion issue.

AMBROSE appreciates the speaker's thoughts. He thinks this comes around full circle. Maybe this is an issue that needs to be addressed. He thinks there should be a group

meeting and people such as CONRAD and other pastors should brainstorm some ideas of what can be done.

CONRAD agrees. What is needed are more units and more lower-priced units--not raising the price of the units we have. That would mean increased density.

AMBROSE says a lot of these units have, unfortunately, reached the end of their life expectancy. Some of the complexes are in absolutely dismal condition. Apartment owners are not noted for doing all the improvements that are necessary to keep them in habitable conditions. There are exceptions, but there is a vast number who don't.

AMBROSE encourages the speaker to get the same task force group together as before.

Geoff HUETER, 4602 Natalie Street, San Diego, is a member of St. Albans Church in El Cajon and is also a member of an organization called Justice Overcoming Boundaries (JOB). They are doing what they can to address issues of social justice.

HUETER speaks against the rush to do condo conversions in El Cajon. He thinks what is seen today follows the similar pattern seen in the late 80's, when there was a similar kind of housing shortage and housing bubble in San Diego. What we are seeing today is on a historically adjusted basis; the ratio of mortgages-to-rents on typical houses is 2-to-1 with the historical averages. What we are seeing is an economic temptation to convert apartments into condominiums to realize the value of difference in that gap. If we remember what happened in the late 80's, a lot of people bought into condo conversions. Not all of them were really all that well done. When the housing shortage eased, a lot of people got stuck with fairly substandard condos that either didn't appreciate or went down in price for years. That is one issue he thinks the Commission should think seriously about. The city needs to protect the interest of the people who will be buying these properties.

His second concern is what the Commission has already heard tonight. He agrees that this is a problematic situation, because the city is trying to create homeownership opportunities for people in one segment of the population, but it is being done at the expense of a different class of people that are already living there. Because of that disparity in mortgages to rents, it is pretty clear that people that live there today are not going to be the ones that are going to be buying these condominiums.

HUETER thinks the Commission needs to look at this in a bigger context: Look at the General Plan and the Housing Element of the General Plan and if you start taking away hundreds of units that would be classified in the "affordable class", how are you going to replace those units going forward? HUETER would like to see the city plan for more housing, not plan for displacing people from their homes.

Don STURTEVANT, 4542 Ruffner Street, Suite 140, San Diego 92111, is the developer on this project. It was mentioned earlier by staff that the side view elevations were not

part of the application. He knows this application will go on to City Council if it gets approval tonight, so he would like to submit copies of the side view. He also has copies of a "Summary of Improvements" from the designer, which had been discussed in the ad hoc committee that the City Council put together. He submits both documents to the City Attorney.

STURTEVANT responds to the previous speakers' comments. As part of the state Subdivision Map Act, developers are required to give a 60-day notice of intent to convert to all tenants at that time. With every development he has been involved, he has sent a letter encouraging each tenant to call to get one-on-one counseling to explore their ability to buy the unit a year, year and a half down the road. They offer them a free credit report. They review the tenant's credit and their income. They make suggestions where the tenants might be able to prepare themselves to get to that point. He agrees with the previous speaker that not a lot of people, unfortunately, are able to buy the units. He knows of at least one tenant in this project that has reached out. She is on the first floor unit and is in a wheel chair. They have given her a list of other properties she could explore and they guaranteed her they would not put her out on the street and would do everything they could to make sure she could get moved.

Another issue that was brought up earlier is that condo conversions displace renters and remove the low-end rental stock from a city. Ninety-five to 98% of buyers in his condo conversion projects are first time homebuyers. To be a first time homebuyer, you had to be a renter or live at home with your mom or dad before you bought in a condo conversion. Therefore, it opens up a rental "over here" when a renter is displaced "over there". He disagrees that it completely eliminates rental units. In this case, for example, at least 28 of the 31 buyers probably will have been previous renters. So it will open up 28 rental opportunities for renters to move into.

It was mentioned by the last two speakers that conversions are addressing a different class of people. In San Diego County, the medium housing price is \$550-575,000 right now. In the condominiums proposed tonight, the one bedroom will potentially sell at this point for \$210-\$225,000. The two bedrooms will sell for \$265-\$285,000. That is nearly half the medium housing cost in San Diego.

TURNER asks about the resurfacing of the tubs proposed by the applicant. Normally, the bathtubs are replaced.

STURTEVANT says that El Cajon has the one-hour fire rule. If the tub is on a party wall [where a one-hour separation is required], then the tub will be replaced, along with the shower enclosure. If the tub isn't on a party wall, it basically looks like a new tub. It is fairly expensive to remove the tub if you don't need to provide the firewall and behind it. They replace the shower doors and resurface the tub to a like-new condition.

In response to TURNER, RAMIREZ thinks that Condition 6(a)18 could be rephrased as part of the motion, if it is the Commission's desire to either clarify according to the speaker's explanation or require something different.

No further comments are offered.

Motion by WOODS, second by TURNER to close the public hearings on Planned Unit Development 261 and Tentative Subdivision Map 574; carries 5-0.

AMBROSE states that a number of speakers have come before the Commission in opposition to condo conversions in El Cajon. Has staff received any letters or anything like that from these groups identifying this particular problem before tonight?

RAMIREZ is not aware of anything.

AMBROSE sympathizes with what he heard from the speakers and Father John Conrad certainly knows what is happening in the city. He recently had a discussion about this very same issue with another pastor in El Cajon. AMBROSE is hoping that some of the group that worked on Fabulous 7 can get back together. He thinks this is an issue that is citywide and not really this particular project per se. The city needs to take a hard look at these issues and believes there were some good suggestions this evening. He thinks it should be brought back to the Commission as a discussion item to talk about the possibility of a workshop and having studies done on displacement.

TURNER has gone out to a couple of these condo conversions. There are families with many kids, single parents, and disabled seniors. The displacement of these tenants is a big issue. She thinks the city does need to take a hard look at it to see what is going to happen to this group of people and feels it does warrant a workshop of some kind. The city has had workshops with the developers to work out the issues on these condo conversions. She thinks now there should be a workshop with the tenants.

AMBROSE agrees.

WELLS would like to see more hard numbers and figures rather than anecdotal information. The real issue is how many of these tenants are becoming homeless as a result.

AMBROSE responds that Pastor John Conrad was asking for that information as well—to get hard evidence of what is happening here. Based on what the Commission has heard this evening, he asks what the Commission feels about this particular project of 31 units? Is this something the Commission should move along to City Council and have them make the final decision? The Commission's decision is only a recommendation in this case.

TURNER thinks this looks like a good project compared to some of the other projects that have been seen in the past. If the Commission is just looking at the project and not with the issues regarding the condo conversions brought up earlier this evening, then it is a project the Commission might want to push forward to City Council.

AMBROSE states the Commission's purview is land use only. The Planning Commission does not have the purview over these other issues. From a planning and land use perspective, the Commission can either deny this proposed project or recommend approval. To deny it, there needs to be some pretty good justification. He is at a loss to come up with some specific numbers and justification at this point in time.

Motion by TURNER, second by WOODS to RECOMMEND APPROVAL of Planned Unit Development 261 in accordance with the staff report, and rewording Condition 6(a) 18 to read, "Replace tubs." Motion carries 5-0.

Motion by TURNER, second by BLACK to RECOMMEND APPROVAL of Tentative Subdivision Map 574 in accordance with the staff report; carries 5-0.

These are recommendations to the City Council. There is another public hearing scheduled with the City Council on March 8, 2005.

PLANNED UNIT DEVELOPMENT 262 – Neil, CB Richard Ellis for Hagey

(public hearing) Continue to March 14, 2005
(joint noticed, CC mtg March 8, 2005)
P.C. Meeting 2/7/05

The subject property is located on the west side of Van Houten Avenue between West Washington Avenue and West Lexington Avenue, and addressed as 478 Van Houten Avenue; APN 487-551-72; LUC 1142A; General Plan Designation: Medium Density Residential.

Request to convert an existing 81-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 575 – Neil, CB Richard Ellis for Hagey

(public hearing) Continue to March 14, 2005
(joint noticed, CC mtg March 8, 2005)
P.C. meeting 2/7/05

Request a one-lot subdivision map in the R-3 zone.

RAMIREZ states that the 81 units proposed for conversion are 29 years old and located in 10 buildings on a 3.37-acre site. The companion item, Tentative Subdivision Map 575, is a typical one-lot subdivision made in conjunction with the conversion request. The Public Works Department reports that the proposed subdivision map contains errors and discrepancies, which make it impossible to provide comments. A revised, corrected map has been requested and a continuance was suggested to March 14, 2005 in order for a revised map to be reviewed.

Although staff has recommended approval of the planned unit development, subject to conditions, the Commission has the option of also carrying over the PUD to keep the items together for the March 14, 2005 hearing.

With regards to compliance with conversion ordinance standards, it is noted that the City Council recently extended the temporary reduction for required parking. This applicant's plan shows 124 parking spaces are currently available on the site. This results in more than 1 ½ spaces per unit, which exceeds the normal minimum standard.

The existing development provides a 5,000-square foot common area comprised of a lawn, a pool and spa. Commissioners should determine if the existing amenities are adequate. Commissioners have received a packet containing the applicant's proposal for exterior enhancements. The improvements include new entry doors, new fence enclosures around larger, ground floor patios, new lighting fixtures and new exterior paint colors.

The Physical Elements report for this project and its addendum were prepared by JCEP Huang Consulting Engineers, Inc. They are signed and authorized by Johnny Huang, a licensed, professional civil engineer. This report identifies the condition of the property and indicates that 81% of the unit interiors were inspected.

Staff has noted that Mr. Huang's report, in this case, is somewhat lacking in detail on the inspection of the roof systems. Also, the report notes that all ten buildings were re-roofed within the past six years. City permit records indicate that only repairs were made, not new roofs installed, in all cases. Similarly, no permits are on file for replacement of water heaters. Staff believes that the noted deficiencies can be handled by conditions of approval. The recommended repairs, the applicant's proposed upgrades and City requirements such as one-hour fire rated separations, have been included in the conditions.

Staff recommends that the Planning Commission recommend approval of Planned Unit Development 262, subject to conditions. Once again, the recommendation is to continue the Tentative Subdivision Map 575 to the meeting of March 14, 2005.

In response to AMBROSE asking about separating the items, WOODS would prefer keeping the two items together.

TURNER suggests asking the applicant what he thinks. She doesn't know if it would slow the process down by having both items continued.

The public hearings are now open and the Chair asks if the applicant is in the audience.

No one comes forward.

AMBROSE recommends the Commission continue this and keep the items together. If there is someone in the audience who wishes to speak on this item and cannot return on March 14, 2005, the Commission will take their testimony now. It is better, however, if the speakers are present on March 14, 2005.

Kasage WAGNER, 478 Van Houten Avenue, Apt 71, El Cajon, is here because if their apartments are turned into condominiums, her whole life will change. When the Commission thinks of changing apartments into condominiums, do they think about the children that are in school? If the apartments are changed into condominiums, people might not be able to afford to move in here and the children would have to change schools. If kids change schools, they will be leaving a lot of their friends behind. It was not too long ago that they started school and if they have to move to a different school, all the money their parents paid will go to waste. How long before their parents lose all the money on taxes, bills, telephone and television? They won't have enough money to buy a condominium. Before you know it, they will all be homeless and without an education. She thinks that children need homes and education. Please don't turn their apartments into condominiums.

AMBROSE asks the speaker how old she is.

WAGNER says she is 11 years old.

AMBROSE thanks her for coming up and speaking to the Commission.

AMBROSE announces it will be better if the people in the audience that are here for these items, to return for the hearing on March 14, 2005.

Motion by TURNER, second by WELLS to CONTINUE the public hearings on Planned Unit Development 262 and Tentative Subdivision Map 575 to the meeting of March 14, 2005; carries 5-0.

Recess from 7:54 p.m. – 8:00 p.m.

PLANNED UNIT DEVELOPMENT 264 – CondoConversions.com for Solid Goods Corp.

(public hearing) Resolution No. 10091
(joint noticed, CC mtg March 8, 2005)
P.C. meeting 2/7/05

The subject property is located on the southeast corner of Ballantyne Street and East Park Avenue, and addressed as 311 Ballantyne Street and 437 East Park Avenue; APN 488-112-46 and 488-112-68; LUC 1142A; General Plan Designation: High Density Residential.

Request to convert an existing 68-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 577 – CondoConversions.com for Solid Goods Corp.

(public hearing) Resolution No. 10092
(joint noticed, CC mtg March 8, 2005)
P.C. meeting 2/7/05

Request a one-lot subdivision map in the R-3 zone.

ALVEY states the subject site actually consists of two separate apartment complexes. The first is a 40-unit complex addressed as 311 Ballantyne and the second is a 28-unit complex addressed as 437 E. Park Avenue.

The physical elements report for the development on the subject property was prepared by National Assessment Corporation and is signed and authorized by Greg L. Gavasse, a licensed professional civil engineer. The physical elements report states that many aspects of the subject site are acceptable based on recent renovations made by the property owner approximately 18 months prior to the report being prepared. In order to insure that the completed renovations were consistent with the Planning Commission and staff's recommended upgrades for apartment conversions, staff requested the applicant provide evidence for these upgrades.

Staff reviewed receipts provided by the applicant and Building Division records in order to verify what City permits had been issued for the subject site. This research produced some discrepancies that resulted in the proposed conditions of approval. An example of renovated items requiring replacement is the windows. During the previous renovation of the site, the applicant replaced glass in the windows. As a condition of approval, staff has recommended window replacement with dual paned vinyl windows.

In the applicant's favor, it should be pointed out that these upgrades previously made at the site were voluntary and brought these apartments back from a significantly deteriorated condition. While the applicant needs to be applauded for these actions, the upgrades he is requesting credit for now do not comply with the City's requirements for conversion from apartments to a common interest development.

The applicant has provided staff with a common recreation area exhibit. Since this project consists of two separately constructed apartment complexes, staff felt that it was important that the common recreation areas help to unify the two complexes. This plan reflects the incorporation of outdoor patio areas to integrate the properties as well as pathways and landscaping to provide convenient, interconnecting access to all portions of the site.

As part of the common recreation area enhancements, the applicant is also proposing to replace the existing leasing office at 311 Ballantyne Street with an exercise room and to provide colored, textured stamped concrete around the pool areas. Existing facilities at the site include picnic areas and barbecues. The applicant's common recreation area exhibit also contains increased landscaping in and around the courtyard areas, but does not include an integrated concept for the portion of the property fronting Ballantyne Street.

Staff has recommended a condition of approval for the incorporation of mature pine trees to balance the street-side appearance of the subject site.

The applicant has also provided copies of enhanced elevations for the site. The applicant is proposing improvements to the building elevations that include the removal of the mansard roof at 311 Ballantyne Street, the addition of foam enhancements around existing windows, and a new color scheme for the entire project.

One aspect of the exterior enhancements not addressed in the proposed elevations is the courtyard and points of entry at 311 Ballantyne Street. In staff's opinion, the existing design for this portion of the project can be described as the "motel look", with all upstairs units accessed from a single walkway. The applicant is not proposing any changes to this design. In order to facilitate private points of access to upstairs units, staff has recommended a condition of approval requiring the construction of two additional staircases adjacent to the common recreation building at 311 Ballantyne Street.

Staff has also encouraged the applicant to meet with the Building Division and Fire Department to determine if portions of the common upstairs walkway can be blocked in order to provide private patio areas for each of the affected units.

If the Planning Commission would prefer to see the details of how this might be accomplished, staff would recommend that this item and its companion tentative subdivision map, be continued to the next open Planning Commission agenda and that

the applicant be directed to prepare enhanced exterior elevations for that courtyard at 311 Ballantyne Street.

The existing apartment units on the subject property have been relatively compatible with surrounding uses and properties for approximately 35 years. Staff is of the opinion that the existing rental units, if they are approved for conversion to common interest units, can remain compatible with surrounding uses and properties.

Staff received four inquiries in response to the public hearing notice that was mailed out for this item. Each of the callers requested information regarding the conversion process, the timing of forthcoming events, and expressed concerns about finding available apartments once they were displaced.

Staff's recommendation is that the Planning Commission recommend approval of Planned Unit Development 264 and Tentative Subdivision Map 577 for the 68-unit residential condominium project, subject to the conditions and for the reasons stated in the staff report.

BLACK has a question on the condition of approval relating to the roof having been replaced 18 months ago. This is like a composite roof. Is that a repair or an actual full replacement? It is vague on what is actually being done.

ALVEY responds that the physical elements report does state that the roof was replaced approximately 18 months ago. As part of staff's evaluation of the physical elements report, there was a review of building permit records, which indicated that there is one outstanding building permit. That was for the re-roof at 311 Ballantyne. That permit expired in May 2003. As a condition of approval for that permit, staff has required the applicant to come back and pay the fees to get the required inspections for final approval of that re-roof. With regards to 437 E. Park Avenue, staff relied on information the applicant provided. After staff reviewed the physical elements report that is attached to the PUD staff report under "Roofing Exhibit", it states that the roof was only repaired and needs to be re-roofed.

WOODS asks if there is a minimum insulation R-rating for ceilings on the top story?

RAMIREZ informs the Commission that new construction has minimum standards for insulation in the ceiling and wall assemblies. The Building Division is not requiring an upgrade in conjunction with conversion of apartments.

WOODS says that Condition 6(b)6 talks about repairing a leaking tub. Does the city normally not require the developers to install new tubs?

RAMIREZ thinks in this case it is reasonable to assume that the source of the leak is going to be repaired without regard to what happens to the actual tub.

AMBROSE comments that he lived in one of these units years ago when it was brand new. The physical elements report states they have wall heaters. In the unit he lived in, there was no wall heater—he had radiant heat in the ceiling. He is wondering what happened to the wall heaters? Did they put them in later?

ALVEY answers that staff relied on the preparer of the physical elements report. Staff based their recommendations on the preparer's observations and recommendations.

The public hearings are now open.

Chris CHRISTENSEN, Condoconversions.com, P.O. Box 1243, La Mesa, is the applicant's representative. He is here to respond to any questions and comments. CHRISTENSEN agrees with the conditions. He commends the planner who worked with him on this project, saying they had an additional meeting with the staff manager and project planner to identify any additional issues that might come up.

This project is relatively unique. It had some very significant issues with respect to dilapidation and deterioration that had occurred up until the current owners did an extensive renovation of the project approximately 18-24 months ago. At that time, they did a significant amount of work for which he provided documentation. Staff was asked to recognize that a lot of the work that is required in conversions projects is actually done and to acknowledge that some of that work has been done. Questions on the roof and other issues will still be identified as part of the renovation and repair consistent with the "as new" look that the Commission and City Council request.

AMBROSE states staff recommends a condition of approval requiring construction of two additional staircases adjacent to the common recreation building. Is the speaker agreeable to that? The Commission just had a workshop with the City Council recently and one of the issues discussed was about the "motel look" on these condo conversions. It is something the city does not want to see. There have been projects coming before the Commission recently that have creative and innovative ways to minimize that "motel look". The details can be worked out with staff.

CHRISTENSEN is sure the developer and owner will be happy to comply with that as a condition of approval. For this particular project, he thinks the staff requested the addition of two additional staircases. For clarification, he states there are actually three access stairwells to the interior walkway of the Ballantyne side of the project, so it is accessible from three areas. The developer does understand the condition requesting additional stairway access adjacent to the proposed exercise facility. He adds they will be adding some exterior landscaping enhancement to the interior pool areas that will also provide a "courtyard" look. It will include landscaping, concrete stamping and other improvements.

TURNER addressed the doors on the "catwalk". How many entry doors could come off that walkway? After putting in two more staircases, how many doors will there be then?

CHRISTENSEN says it is a two-story building and there are approximately 40 units in the project, so there are 20 units upstairs served currently by three staircases. The ratio of stairways-to-doors with the proposed condition of approval will be four [sic; 7?] units per staircase. That is not uncommon. He has lived in condominiums and oftentimes there is a stairway entering up into a gang of two to four doors. They agree that this recommendation will be an improvement for the project.

TURNER asks about the doorways. When she visited the project, she noticed that the two front doors in the corner are pretty close to each. She wouldn't know how to fix that scenario and wonders if there is a proposal for that?

CHRISTENSEN states the challenge with an existing structure is the design—it is what it is. They do what they can to mitigate that to the extent possible. In that particular case, he admits they don't have a proposed design solution of moving the doors to some other position, but they are open to suggestions. There have been no complaints, he is aware of, with the proximity of the doors. The theoretical argument on the other side is it allows people to easily access each other. If they are friendly neighbors, for example, they can go next door for whatever reason.

TURNER is sure CHRISTENSEN knows what she is talking about. In the corners the doors are really back-to-back. She doesn't see how that can be fixed, however.

CHRISTENSEN states there have been no design changes proposed other than the stairways.

TURNER thinks the outside of the project looks great. As far as the interior, adding the stairwells will be a great improvement, but she thinks looking into how many doors come off the stairs, especially the catwalks and how it can be broken up a little, is necessary. She knows storage has been put in between units on previous projects.

CHRISTENSEN says one of the comments in the staff report was to break up those walkways. That brings up other questions with respect to fire and safety considerations. The applicant is not proposing any structural changes right now, but if it becomes a design element that the Commission would like to see happen or if it needs to be a condition of approval or if he could come up with a recommendation that can be approved at the staff level, they will be happy to see what they can do to mitigate that and make it a better situation.

TURNER thinks it is something that needs to be looked at. How many doors come off one stairwell?

CHRISTENSEN comments that this is an interesting building because everything is accessed from the interior. From the exterior, it has a nice colonial look right now and looks nice from the Ballantyne side. The down side of that all the access and egress points, the doors, are on the interior courtyard. The applicant can probably work with staff to come up with some creative solutions.

RAMIREZ states the speaker has touched on a point that the Commission should keep in mind and that is meeting code requirements. We should be very careful about trying to dictate how many stairways or how many places the catwalk type of landing is broken up, because we are not able to provide the expertise at the Planning Commission meetings with regard to code compliance.

WELLS asks if there are any plans to upgrade some of that cyclone chain link fencing around the pool to something more aesthetically pleasing?

ALVEY suggests asking the applicant if they have any intention of doing so.

CHRISTENSEN returns to the podium. They worked with staff to identify some of the issues that might be a concern with this particular project. He knows the Commission just wants to talk about the cyclone fencing, but in an existing photo, there was an existing wooden barrier fence. They proposed to remove that fence, add some landscaping and a meandering path that will add some of the walkable connectivity issues that the staff identified was a challenge with this particular project.

Regarding the chain link fence, there is a safety and barrier fence around the pools that is required by state law. He wouldn't call it a cyclone fence, but it is of a chain link type of variety of fence. The other fencing they are proposing to do is more of a wrought iron type of fencing. If it becomes a visual condition or if the Planning Commission would like to see the fencing be replaced with some other type of fencing that is more consistent with the overall design, they are happy to comply with that as a condition of approval. Right now, the fencing that is there serves the purpose it was intended as a health and safety purpose and it is adequate for that.

AMBROSE thinks it looks "industrial" or "institutional" and that there should be some changes made to the fencing.

In response to AMBROSE, ALVEY advises that a new condition could be added to read, "Replace existing chain link pool fencing with wrought iron."

Jim TAYLOR, 1595 Linwood Street, San Diego, 92103, serves on the Condo Conversion Ad Hoc Committee, the CDC Housing Committee, and has served on the Apartment Task Force where they were given the job of looking at some of the apartments in El Cajon to find a way of improving the housing stock.

He has worked with the Police Chief and Dan Pavao with the Building Division. They narrowed down some of the worse projects in El Cajon and this proposed project was the worst one. The Police Chief asked for help with the project and to contact the owner to see if they would be willing to upgrade the project. TAYLOR contacted the owner, who had no intention of making any improvements whatsoever. That complex had more police calls and more calls to the Building Division than any other building in El

Cajon. That same year, the worst street in El Cajon was identified as Emerald. They came up with an idea they turned over to the CDC, which they call "Lend a Hand Day".

TAYLOR informs the Commission that Virgil Benton, Solid Goods Corporation, the owner of this project, has spared no expense in improving the property. From the very moment he acquired this property, he did what it took to make the property crime free. There was a ceremony where the police chief came honoring the work done. BENTON has done everything necessary to bring this property up to the condition where it could be sold to the public. He hopes the Commission approves this project.

No further comments are offered.

Motion by TURNER, second by WOODS to close the public hearings on Planned Unit Development 264 and Tentative Subdivision Map 577; carries 5-0.

AMBROSE thinks this will probably be a good project, after some of the issues are resolved. There is a workable developer that is trying to improve this property.

TURNER thinks the outside of the project on Ballantyne and Park looks great if the staircases are added and the changes to the pool fencing are made. The owner has already done a lot to this project. Her children went to baseball practice in the area, so she is familiar with that street.

Motion by TURNER, second by BLACK to RECOMMEND APPROVAL of Planned Unit Development 264 in accordance with the staff report, adding Condition 6(b)(10) to read: "Replace existing chain link swimming pool fencing with wrought iron"; carries 5-0.

Motion by TURNER, second by BLACK to RECOMMEND APPROVAL of Tentative Subdivision Map 577 in accordance with the staff report; carries 5-0.

These actions are recommendations to the City Council, where public hearings are scheduled for March 8, 2005.

TENTATIVE PARCEL MAP 620 – Chilver

(public hearing) Resolution No. 10093

(joint noticed, CC mtg March 8, 2005)

P.C. Meeting 2/7/05

The subject property is located on the south side of Naranca Avenue between First Street and Second Street, and addressed as 1203 Naranca Avenue; APN 484-254-50; General Plan Designation: Low Density Residential.

Request to create three parcels in the R-2-R (Two-Family Residential Restricted) zone.

RAMIREZ states the R-2-R zone permits a second or third house on the same lot at a ratio of one unit for every 6,000 sq. ft. of lot area. Dwellings must be detached with two-car garages and are limited to 20 feet in height. The applicant is proposing to create three lots. The proposed Parcel 1 is just over 12,500 square feet and could qualify for two dwelling units on its own. Parcel 2, the largest of the three, is proposed at just over 14,000 square feet. A good portion of that property, approximately 4,000 square feet, is contained in a drainage easement, which carries the Broadway Channel. This lot could also qualify for two dwelling units. Parcel 3, the smallest, is proposed at about 6,000 square feet and would qualify for one dwelling unit. The surrounding area is zoned R-2-R.

It is recommended that Tentative Parcel Map 620 for a three-lot subdivision in the R-2-R zone be recommended for approval, subject to conditions stated in the staff report.

The public hearing is now open.

Mark CHILVER, 1266 Dawnridge Avenue, El Cajon, is the applicant and a longtime resident of El Cajon. He understands and agrees with everything in the staff report. He has a couple of questions on Public Works comments. He doesn't understand what the difference is between #9 and #10 on "priority project".

ODIORNE informs the speaker that Item 10 reflects a condition in the National Pollution Discharge Elimination system. It is the storm drain management ordinance. This project abuts the storm drain channel and the state has designated those types of properties as being "high priority" in that you need to control the runoff from that property before it goes into that storm drain to make sure there is no pollution present in that runoff.

AMBROSE states the civil engineer who prepared the map should be familiar with all the "best management practices" required by the state and local agencies that will have to be implemented as part of the project. In this day and age, it is pretty much standard operating procedure to implement these as you go through your mapping process.

CHILVER is familiar with "best management practices" and so is the civil engineer, but the engineer had a question on that, so he passed the question on.

ODIORNE suggests speaking with the storm water management personnel in the Public Works Department on that issue. They could give him some good advice and suggestions. It is a very rigid state requirement that it is a high priority project.

CHILVER also had a question on the first paragraph after #13 on the Municipal Code 16.16.060. It states: "The subdivider may enter into an agreement which guarantees construction within one year". Is that within one year of the tentative map or one year of the final map approval?

ODIORNE states several years ago, when subdivisions and parcel maps came forward, developers had to construct all improvements before the tentative map could then be approved as a final map. This is an adjustment or revision to that in that you could actually go forward and record a final map provided you have a subdivision agreement with the City whereby you are agreeing to construct any public improvements necessary for that project.

CHILVER confirms that it is in regard to when the final map is recorded.

ODIORNE answers "yes". It would allow him to go forward with his final parcel map in advance of doing his improvements.

TURNER is glad to see this project come forward because she has been driving by and seeing it all knocked down. It is good to see that something great is going to be put there.

No one else comes forward to speak.

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

Motion by WOODS, second by BLACK to RECOMMEND APPROVAL of Tentative Subdivision Map 620 in accordance with the staff report; carries 5-0.

This is a recommendation to the City Council. There will be a public hearing held on March 8, 2005.

AMENDMENT OF CONDITIONAL USE PERMIT 571 – Planning Commission

(public hearing) Resolution No. 10094

P.C. Meeting 2/7/05

The subject property is located on the northeast corner of W. Main Street and Marshall Avenue, and addressed as 1090 West Main Street; APN 487-121-41; LUC 553; General Plan Designation: Light Industrial.

Consideration of the possible revocation of an existing conditional use permit for a service station in the C-M (Heavy Commercial/Light Industrial) zone.

RAMIREZ states the Commission may recall that late last year, a business at this location known as Oram's Auto Electric, was found to be operating in violation of the Zoning Ordinance. They were instructed to apply for a conditional use permit

amendment to formally allow auto servicing or cease operation. The Commission was asked to set this item to public hearing to consider revocation because the operator did not comply with the City's request.

Staff finally received a response from the property owner, who has advised staff that Oram's has closed and that no other business will use the service bay without a formal amendment of Conditional Use Permit 571. Staff has since confirmed the closure of the auto electric business and no further action is necessary at this time.

It is recommended that the Planning Commission deny revocation of Conditional Use Permit 571.

The public hearing is now open.

No one appears to speak on this item.

Motion by TURNER, second by WELLS to close the public hearing and DENY REVOCATION of Conditional Use Permit 571, because there is no longer a service station at 1090 W. Main Street, and in accordance with the staff report; carries 5-0.

This is final action unless appealed to the City Clerk's office by 5PM, Tuesday, February 22, 2005.

AMENDMENT OF CONDITIONAL USE PERMIT 1805 – Hamana (Quick Trip)

(public hearing) Continue to March 28, 2005

P.C. Meeting 2/7/05

The subject property is located on the southwest corner of North Mollison Avenue and Interstate 8, and addressed as 596 North Mollison Avenue; APN: 483-380-41; LUC 553; General Plan Designation: General Retail Commercial.

Request to add an automatic car wash and off-premise alcoholic beverage sales to an existing motor vehicle service station and two-story retail/office building in the C-2 (General Commercial) zone.

RAMIREZ states the applicant has asked that the hearing be continued because of design and on-site circulation issues that could not be resolved by staff as conditions of approval. Staff continues to remain concerned about the additional use and its possible conflict with existing auto related uses on the site. There are also compatibility issues associated with the car wash.

Staff has informed the applicant that the request to add a car wash may also require an amendment of Specific Plan 106, which provides for reciprocal access and the overall development of the site including the subject property.

Staff is recommending that the Planning Commission continue the public hearing to March 28, 2005, with the applicant to pay for the cost of re-noticing. This delay will allow time to properly notice the specific plan amendment and time for the staff to review both the conditional use permit and specific plan amendments.

The public hearing is now open. AMBROSE informs the audience that the applicant has requested a continuance. The Commission will take testimony if a speaker cannot return on March 28, 2005. However, it would be better for someone who wishes to speak to come back on March 28, 2005 to deal with the whole issue at that time.

Dewald DESAI, 1616 S. Gary Street, Anaheim, CA, is unable to attend the meeting of March 28, 2005. He has recently purchased the Super 8 motel, which is also in the same parking area. His main objection is to the car wash. It is his understanding and according to the title report received from a title company, the area where the applicant is proposing to put a car wash is a common area. There is an easement for parking and ingress and egress. That is the reason he is here this evening.

In response to AMBROSE, RAMIREZ confirms this issue is related to the specific plan for access between these properties.

AMBROSE says staff shares the speaker's concerns about access. If the applicant wants to move forward with this, they may have to do an amendment to the specific plan for access, which would involve the speaker's property. The speaker would have to agree to the change in the access. He doesn't know what the applicant's proposal is at this point.

No one else comes forward on this item.

Motion by WELLS, second by WOODS to CONTINUE the public hearing on Amendment of Conditional Use Permit 1805 to the meeting of March 28, 2005, as requested by the applicant and in accordance with the staff report, with the applicant to pay for the cost of re-noticing; carries 5-0.

SITE DEVELOPMENT PLAN 1395 – Georggin

(continued discussion) Letter to applicant

P.C. Meeting 2/7/05

The subject property is located on the southwest corner of North Magnolia and Chamberlain, and addressed as 123 Chamberlain Avenue; APN 488-282-23; General Plan Designation: Office/ Non-Retail. *Continued from the meeting of January 24, 2005.*

Request three new residences in the R-P (Residential Professional) zone.

RAMIREZ will run through a summary of the staff report that was not heard at the meeting of January 24, 2005, since there was a request for a continuance.

Since the calendar year 2000, the City has required review and approval by the Planning Commission and City Council for multiple-family residential projects where a site development plan for three or more units on one lot is proposed.

The subject property is zoned R-P, Residential Professional, and General Plan land use designation of "Office/Non-Retail". The R-P is consistent with that designation. The R-P zone allows either office uses or multiple-family residential uses, but not both.

This applicant is proposing the maximum number of allowable units on the property. If the applicant is approved by the City Council, the existing house will be replaced by three two-story homes with attached two-car garages. The site is somewhat constrained due to its narrow width and the fact that it is a corner lot. As a result, staff has identified some design issues associated with proposed parking and with driveway locations.

Except for single-family residences, the City's development standards for parking areas require a design that does not require backing or fronting directly onto the public right-of-way. The applicant is requesting that this design with two driveways to two garages and one driveway to an open parking space be approved.

The Public Works comments state that the driveway closest to Magnolia must be at least 50 feet from the point of curb return. As proposed, the driveway is less than 10 feet from the curb return. Also, the driveway to Unit B is within 50 feet. The applicant is aware of this conflict and has addressed the issue with staff. He intends to request relief from this Public Works requirement at the City Council's public hearing. If a waiver is not approved, the project will have to be substantially redesigned. Regarding access to the third unit, the driveway to Unit C comes in off the alley. The garage door is about 8 feet from the new alley right-of-way, which may cause cars to be parked in the shortened driveway and block the driveway. Also, Unit C must observe a minimum setback of 5 feet from the ultimate alley right-of-way.

With the two-car garages and one open parking space, the proposed project meets the minimum-parking requirement for rental units with two or more bedrooms. Each unit is provided with a private yard space that is greater than the minimum of 225 square feet of open space required for each unit. The total lot coverage, according to the applicant's plan, is just below the maximum allowable of 55%.

Staff suggests that the Planning Commission recommend approval of Site Development Plan 1395 for three residential units in the R-P zone, subject to conditions stated in the staff report.

AMBROSE confirms that staff's recommendation is to approve this project, but that they meet the Public Works requirements with regard to the 50 feet from the point of curb return (PCR).

RAMIREZ says that is correct.

AMBROSE asks for an explanation of the 50-foot requirement.

ODIORNE states the City adopted design standards for just about every feasible location for driveways and such in the City. The City Council adopted a document in 1987 titled "City of El Cajon Department of Public Works Improvement Standards". In essence, it says driveway location shall be in accordance with the standard drawings and as follows: "No portion of any curb return shall be permitted within 50 feet of the curb return at collector street locations."

If it is a larger street, such as a thoroughfare, the minimum requirement is about 75 feet. At these corner locations on this one street, there is a stop sign right at the curb return. Whenever there is a car stopped there, this driveway location is blocked. For instance, if you have a cueing of two or three cars on that stop sign, if you are traveling in the opposite direction trying to turn into the driveway, you can't turn in and you are blocking the intersection. If there is a car behind you on this two-lane street, he is then in the intersection and it creates a traffic congestion and jam. The City tries to hold everyone to these standards that were adopted by City Council. City Council can waive these requirements if there is a particular need to do so or if they concur that it should be done.

In the past, if the Commission felt strongly about a certain situation, they have made recommendations to City Council.

AMBROSE states the reason for this requirement is because of the size of Magnolia Avenue.

ODIORNE concurs.

AMBROSE adds that if it were two normal residential streets, the 50 feet would not apply.

ODIORNE informs that if it were other than a collector street, there wouldn't be a requirement for minimum distance.

AMBROSE states the Commission typically doesn't have any authority to waive any of the Public Works requirements. They have been in place by approval of the City Council. The Commission can only make recommendations. He asks the commissioners whether or not they agree with Public Works regarding this 50 feet. He agrees with the Public Works standard and thinks it has come about through many of years of experience. He could not make a recommendation to City Council to waive that requirement.

TURNER was going to approve the project based on the conditions set forth in the staff report. She wouldn't feel comfortable taking that requirement out.

WOODS thinks it is a safety issue. Since it is Magnolia Avenue, it is not a good situation.

WELLS wonders if by approving the motion, the Commission wouldn't be doing anything about the Public Works requirement?

AMBROSE indicates that is correct. He wanted to make sure the Commission was on the record about that particular item; i.e., whether or not the Commission thought that the requirement should be waived, because that is the crux of the situation.

WELLS agrees that the Commission should not change the requirement if it is a traffic and safety concern.

AMBROSE thinks otherwise it is a great project. It was a good solution, but he doesn't know how they can overcome that. This is a discussion item and not a public hearing. The Commission can take action on this now.

Motion by TURNER, second by WELLS to RECOMMEND APPROVAL of Site Development Plan 1395 in accordance with the staff report; carries 5-0.

In response to AMBROSE, RAMIREZ informs the Commission that the City Council public hearing date is not known. RAMIREZ adds there is someone in the audience asking to address the Commission.

AMBROSE states the approaching speaker has heard the discussion and that they have no authority to change Public Works conditions.

Alan AUSTIN, 1622 Pioneer Way, El Cajon, states that is not his understanding, but that is beside the point. He wishes to rebut the comments on traffic congestion. In response to ODIORNE's statement that street is going to have so much traffic that it is going to cause a safety issue, anybody who pulls off that street is going to have at least

30 feet of clearance beyond the curb to wait to turn into the driveway. This is a very low traffic street. It dead-ends two streets down. In conversation with the Director of Community Development, he mentioned that you might have that situation where a person is blocking that driveway one time a year due to the minor traffic on that road. If somebody pulls in coming off Magnolia and onto Chamberlain and stops in the middle of the intersection, that driver is at fault--not the City Council, not him and not even the driveway. He is not allowed to pull into the street and across the street without a space on the other side. The Commission's opinion based only on what he (ODIORNE) said isn't fair to him or his client.

AMBROSE states the Commission cannot change Public Works conditions. The applicant needs to discuss this with the City Council. The Council can waive those conditions.

PREDRAFTED RESOLUTIONS

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

Motion by BLACK, second by WOODS to adopt Resolution Nos. 10087, 10088, 10089, 10091, 10092, 10093 and 10094 pro forma; carries 5-0.

ORAL COMMUNICATIONS

ODIORNE states that at the last Planning Commission meeting, there was an applicant with a property west of 2nd Street and south of I-8, who had a concern regarding safety issues, initiated by an accident along the freeway that knocked a tree down with the car ending up in their back yard. There were also comments on traffic noise.

ODIORNE checked City records and spoke with the city traffic engineer. CalTrans has extended the guardrail subsequent to that time. If they were to widen that particular portion of I-8, they would need to put in a sound wall.

When ODIORNE spoke with SANDAG about future widening, he learned that there is an approved widening project on the drawing board that is projected to be done somewhere between the years 2021 and 2030, but it runs from Second Street east to Los Coches Road. It will not be widened in the area of the property owner's concern.

RAMIREZ calls the Commissioners attention to the flier that was included in their packet advertising the League of California Cities Planners Institute in April in Pasadena.

RAMIREZ also reminds the Commission that the next Planning Commission meeting will be in 3 weeks, February 28, 2005, when election of officers will take place.

AMBROSE recommends to commissioners who haven't been to a Planners Institute to attend. It is very worthwhile with a wealth of information. Unfortunately, there are no funds available from the City to assist commissioners.

AMBROSE asks staff to come back with a discussion item on data on condo conversions to date, in order to take up what was expressed by the different organizations tonight.

RAMIREZ will bring back updated statistics on the status of conversion applications. Staff has been looking for a way to track whether tenants are purchasing units in their own projects. Until escrows close and the County Assessor's Office records are updated, the City will not have easy access to that type of information.

CORRESPONDENCE

There was none.

ADJOURNMENT

The meeting of the El Cajon City Planning Commission adjourned at 9:10 PM this 7th day of February 7, 2005.

Debra TURNER, Chair

ATTEST:

James S. GRIFFIN, Secretary