

**MINUTES**  
**PLANNING COMMISSION MEETING**  
**MARCH 14, 2005**

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

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT:      AMBROSE, WELLS, WOODS, BLACK, TURNER  
COMMISSIONERS ABSENT:      NONE  
OTHERS PRESENT:            RAMIREZ, Principal Planner  
                                  FOSTER, Staff Attorney  
                                  ODIORNE, City Engineer  
                                  ALVEY, Associate Planner  
                                  HAWLEY, Administrative Secretary

MINUTES OF 2/7/05 and 2/28/05:

Motion by AMBROSE, second by BLACK to approve the Minutes of February 7, 2005 and February 28, 2005 pro forma. Motion carries 5-0.

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

AGENDA CHANGES:

RAMIREZ states there are no changes from staff to the Agenda. She indicates to the Commission that for the staff reports on Item 1A, 5A and 6A, staff will be requesting that a condition 3 (e) be added to require an inspection of all units for lead-based paint. This condition was inadvertently omitted from those planned unit development staff reports and is consistent with action that the Commission has taken in the past.

TURNER introduces Lisa FOSTER, the new City Attorney.

TURNER indicates this is her first night as Chair, and asks for the audience's indulgence, as she has not served as Chair for a couple of years.

TURNER states the appeal period ends at 5:00 p.m. on March 28, 2005 in the City Clerk's office, for items on tonight's agenda.

**PLANNED UNIT DEVELOPMENT 255 – CondoConversions.com/Tseng Wang Tai**

(continued public hearing) Resolution No. 10096

(joint noticed, CC Mtg 4/12/05)

P.C. Meeting 3/14/05

The subject property is located on the east side of Leslie Road between East Renette and East Chase Avenues, and addressed as 1027 Leslie Road; APN 492-342-20; LUC 1141A, proposed 1141B; General Plan Designation: Medium Density Residential.

Request to convert an existing five-unit apartment complex to a common-interest development in the R-3 (Multiple Family) zone. ***Continued from the meeting of January 10, 2005.***

AND

**TENTATIVE SUBDIVISION MAP 569 – CondoConversions.com/Tseng Wang Tai**

(continued public hearing) Resolution No. 10097

(joint noticed, CC Mtg 4/12/05)

P.C. meeting 3/14/05

Request for a one-lot subdivision map in the R-3 (Multiple Family) zone. ***Continued from the meeting of January 10, 2005.***

RAMIREZ states that if this request is granted, the common-interest subdivision will result in five air-space condominium units. The units to be converted are about 28 years old, are located in one, two-story building on about ¼ acre.

With regard to compliance with development standards, the applicant's site plan shows eight parking spaces are currently available on the site. This results in approximately 1.6 parking spaces per unit, which is acceptable under the current conversion standards. At one point, the applicant proposed to enclose three of the parking spaces by installing walls and including a garage door. This became impractical however, because the minimum width dimension is not available in this case.

The common recreation area and open space requirement imposed on conversion projects is addressed in this property by currently providing minimal private patio and balcony space. The applicant proposes to change the plan by restoring the former children's play area, which is currently improved in such a way that it would be inappropriate as common area. Staff questions whether the location is even suitable as a play area. Staff has recommended that the applicant obtain Planning Commission approval of proposed amenities for the required common open space and recreation area. Although staff received a late submittal from the applicant, which partially responds to the need for more information, Condition 5 (g) in the staff report requires that the applicant submit detailed drawings for Planning Commission review.

RAMIREZ states a physical elements report for the development on this property was prepared by National Assessment Corporation and is signed by a registered civil engineer. The physical elements report, or PER, identifies the condition of the property and the elements. Four of the five units interiors, which is approximately 80percent, were inspected for purposes of reporting.

The physical elements report identifies specific items that are in need of repair or replacement immediately or in the near future. Staff recommends that all of the repairs, upgrades or replacements recommended be required to be completed or guaranteed prior to a Certificate of Occupancy being issued for any units that are converted. There are some elements mentioned in the report that are not identified in need of repair or replacement, but because of the age of the complex, staff is recommending replacement of certain elements. Additionally, the subject PER indicates that the roof was not evaluated because "access was not provided". Staff has indicated to the Commission in the past that this is not acceptable. Staff reviewed Building Division records for permits and was unable to find that the roof replacement had been done. Staff believes that a 28-year old roof has limited remaining useful life and therefore is requiring a complete roof replacement as a condition of approval.

In general, the subject property appears to suffer significantly from deferred maintenance. Existing conditions may raise a question as to whether the conversion should even be supported. Staff has noted several photos included in the PER, which show aspects of the property that are currently in poor condition, specifically, photos 4, 5, 6, 8, 10, 12, 14 and 18.

The PUD conversion ordinance requires all existing or proposed landscaped areas to be provided with a combination of ground cover, shrubs and trees, with a permanent, underground irrigation system. On the subject property, all of the landscaped areas are in poor condition. Renovation is needed in all areas and it must include the installation of an irrigation system in accordance with City policy.

RAMIREZ continues the staff presentation commenting on the City's requirement for enhanced exterior elevations. The Planning Commission should be aware that the City Council, at its February 22<sup>nd</sup> meeting, determined that it would now like to see the proposed exterior upgrades to all elevations for all buildings. This information was not known to the staff, or to this applicant, at the time this project was submitted last October. The applicant is advised that the City Council may be expecting to see additional elevations when this item goes on to the City Council on April 12th.

At its later meeting of March 8<sup>th</sup>, the City Council modified that new requirement so that applicants will be presenting elevations of all sides of each different building, and thereby avoiding redundancy. All elevations can be submitted as 8 ½" x 11" and no large display boards are any longer required.

RAMIREZ states the proposed subdivision map, TSM 659, is a typical one-lot subdivision made in conjunction with this request to convert the five units. It will provide the opportunity for condominium ownership of each unit and will be in conformance with the General Plan.

Staff is recommending approval of the planned unit development, in accordance with the staff report, and also adding a Condition 3 (e) which reads: "Submit an inspection report addressing the presence or absence of lead-based paint in the units." Staff is also recommending that the Commission recommend approval of the companion item, Tentative Subdivision Map 569.

The public hearing is now open.

**Chris CHRISTENSEN**, 4817 Palm Avenue, La Mesa, acting as the applicant for the property owners, indicates he is here to respond to any questions or comments by the Commission.

TURNER asks if the speaker agrees with all the staff's comments and conditions.

CHRISTENSEN states he is in agreement. The property was purchased, within this last year, by the current owner exclusively for the reason of converting it. As staff pointed out, the property is essentially in a state of disrepair. There have been some minor maintenance modifications made by the current owners. They are proposing to do a complete interior and exterior overhaul of the project, in addition to converting what is now a private yard area into an area that can be accessed by future residents on the east, and northeast corner of the property.

CHRISTENSEN states they have recently been working with their architects and engineers to provide both additional elevations and a site plan in response to the City Council's recent action. A copy of a site plan is now available, should the Commission wish to review it.

TURNER requests the speaker submit the plan to the City Attorney, so the map can be passed on to the Commission.

CHRISTENSEN comments on the proposal to enclose the existing carports on the property. They are unable to modify them to meet the City's current standards for garages.

TURNER comments she visited the subject property today and noted that one can see directly into the carports.

CHRISTENSEN reiterates they were hoping to be able to provide garage doors by enclosing the carports, however, they are not able to meet the City's code requirements.

TURNER says the project seems pretty run down, and she is happy to see it is being considered as a conversion project.

In answer to AMBROSE's question, CHRISTENSEN indicates that, according to the staff, they cannot meet the minimum width requirement for garages by enclosing them.

AMBROSE comments it will really not look good without some type of enclosure. The front elevations show garage doors, instead of being open. It is a horrible prospect if they aren't going to be enclosed.

In answer to AMBROSE's question, RAMIREZ replies that as the speaker and staff had indicated, there is a lack of space available between the existing supports for the second floor. However, an alternative could be explored with the applicant; RAMIREZ suggests using garage doors across the front opening of the carports with no interior walls. This would result in a large open area inside that doesn't maintain any privacy for each user of each garage space, but undoubtedly would enhance the appearance as seen from the street.

AMBROSE agrees with the suggestion by RAMIREZ, and would like the applicant and staff to explore the alternatives and work something out. He prefers not to see the carport areas left open.

CHRISTENSEN responds they had intended originally and submitted the original elevations with garage doors in place, and then found that they were not in compliance with the City's code requirement. That is why the elevations were modified. He agrees with the comments by AMBROSE.

TURNER comments there is one space to the right to the right, where someone had a car parked.

CHRISTENSEN states the space is half covered and half uncovered. He is not sure what the space is called; if it is a car open space or something else. The intent was to not cover that particular space, and to leave it as is. The remaining four spaces to the north of the property, on the northwest corner, are open spaces.

TURNER requests comments from staff.

RAMIREZ states the fourth space that is partially covered, does not make itself available for an opportunity to enclose, because it actually partially occupies a drainage swale that runs adjacent to the property line. The swale must remain open and unobstructed.

In answer to TURNER's question, RAMIREZ replies that one of the units would not have a garage.

TURNER agrees with the comments by AMBROSE that garage doors would really add to the project. Perhaps something could be worked out.

AMBROSE comments that the speaker is very ambitious for having taken on this particular project, as the project is very marginal. He is not sure the project should even be before the Commission tonight. It is only because of the location of the project, on Leslie Road, that he feels he can support it. He was having great difficulty with this project.

CHRISTENSEN responds, in fairness to the owner, he agrees the property is in a terrible state of disrepair. It has been operated as many apartments in El Cajon have been operated, with a lack of maintenance. The current owners purchased the property for purposes of both converting it to condominiums and also upgrading it significantly on the inside and outside. The project has some benefits to it, as the staff pointed out. In working with both the current and the previous planner, they discovered there was an original site plan that had some modifications that they needed to make, which was part of the reason the item was continued. The east side of the project has a pretty significant area, for which they have plans to put in turf. Other exterior improvements include landscaping, railings, walkways, parking area and streetscape. They hope this will be another great project for that part of the City.

In response to a question by WELLS, CHRISTENSEN states the children's play area is essentially a large yard and storage area for the lower unit on the northeast corner of the property. The fence line comes away from the building to the northern property line. The size of the lower yard will be reduced, so that all five tenants will be able to access the area to the east of the building. A picnic table and a barbecue area were discussed, but the space is too constrained. The current plans are

to have an open area that will be fenced from the property line, and then have turf put into it, so the children can run, play and kick the ball.

No one else comes forward to speak.

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

AMBROSE says he can support this project, although it is somewhat marginal, with the question of whether or not it should even be converted. Because the property is in such a bad state of repair, and because of its location on Leslie Road, he feels the item should be on the Agenda. The only other alternative would be to bulldoze the property. Perhaps re-building the property might be the best option.

TURNER agrees with the statement by AMBROSE.

WELLS asks for clarification on the comment by AMBROSE concerning the location of the project.

AMBROSE responds that Leslie Road has a reputation of being a pretty rough area. In the past, he has spoken to several police officers about some of the problems in that area. This project might be a step in the right direction. The Conrad Prebys project involving an update to an old apartment complex improved the security and provided a better management situation.

WOODS indicates he is in agreement with the statements by AMBROSE.

TURNER asks if there are any additional questions or comments from staff.

RAMIREZ asks the Commission if there is a desire to add a condition regarding the possible solution of adding garage doors.

TURNER indicates a condition should be added concerning the garage doors.

RAMIREZ states a new condition 3 (f) would read: "3. Prior to commencing repairs and replacements the applicant shall: (f) Explore the alternative of adding garage doors to the west-facing elevation to enhance the street-side appearance of the project."

Motion by BLACK, second by WOODS to RECOMMEND APPROVAL of Planned Unit Development 255 in accordance with the staff report, adding new conditions 3 (e) to read: "Submit an inspection report addressing the presence or absence of lead-based paint in the units", and 3 (f) to read: "Explore the alternatives of adding garage doors to the west-facing elevation to enhance the street-side appearance of the project."; carries 5-0.

Motion by BLACK, second by WOODS to RECOMMEND APPROVAL of Tentative Subdivision Map 569 in accordance with the staff report; carries 5-0.

**PLANNED UNIT DEVELOPMENT 257 – Roberts**

(continued public hearing) Continued to May 23, 2005

(joint noticed, CC mtg 4/12/05)

P.C. meeting 3/14/05

The subject property is located on the north side of Naranca Avenue between Grape and Third Streets, and addressed as 1454, 1456 and 1458 Naranca Avenue; APN 507-283-26; existing LUC 1120, proposed LUC 1110B; General Plan Designation: Low Density Residential.

Request to convert three existing homes to a common-interest development in the R-2-R (Two Family Residential Restricted) zone. ***Continued from the meeting of January 10, 2005.***

AND

**TENTATIVE PARCEL MAP 619 – Roberts**

(continued public hearing) Continued to May 23, 2005

(joint noticed, CC mtg 4/12/05)

P.C. meeting 3/14/05

Request a four-lot parcel map in the R-2-R (Two Family Residential Restricted) zone. ***Continued from the meeting of January 10, 2005.***

RAMIREZ states these applications were originally considered at the January 10<sup>th</sup> Planning Commission meeting. Staff's recommendation at that time was for denial of both planned unit development and tentative parcel map, primarily based upon the age of the two existing structures being 50 to 60 years old. The Commission agreed to give the applicant another opportunity to convince the staff that the project should be supported. Both applications were continued to this evening's meeting.

Since the January 10<sup>th</sup> meeting, the applicant has designated three individuals to act as agents on his behalf. Staff has given direction to one or more of those agents, and has consistently emphasized that the applicant's representatives must convince staff that their project should be supported despite the age of the structure. When it became clear that the representatives would not be able to accomplish all that was needed in time for this meeting, they agreed to a continuance to the next available Planning Commission agenda. Staff is therefore recommending that both items be continued to the meeting of May 23<sup>rd</sup>, with the applicant to pay for the cost of re-noticing.

TURNER asks that anyone in the audience who is unable come back to the May 23<sup>rd</sup> meeting, come forward to speak at this time.

No one comes forward to be heard.

Motion by BLACK, second by AMBROSE to CONTINUE the public hearings on Planned Unit Development 257 and Tentative Subdivision Map 619 to May 23, 2005 in accordance with the staff report; carries 5-0.

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

(continued public hearing) Continued to March 28, 2005

(joint noticed, CC mtg April 12, 2005)

P.C. meeting 3/14/05

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. ***Continued from the meeting of February 7, 2005.***

AND

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

(continued public hearing) Continued to March 28, 2005

(joint noticed, CC mtg April 12, 2005)

P.C. meeting 3/14/05

Request a one-lot subdivision map in the R-3 zone. ***Continued from the meeting of February 7, 2005.***

RAMIREZ states this item and its companion were originally scheduled for February 7<sup>th</sup>, but were continued because the subdivision map was not acceptable for Public Works Dept. review. Rather than dividing the hearings and letting one go forward without the other, it was determined that it would be preferable to continue both items.

The applicant has since submitted a revised map, and it has been commented upon by the Public Works Department. The Commission opened the hearing, received testimony from a resident, and then continued the hearings to this evening's meeting. The applicant recently requested a second continuance of both items to March 28<sup>th</sup>, to permit additional time to produce new and enhanced elevations that will be acceptable to both the Planning Commission and the City Council. Although there was no discussion regarding the elevations when this project was before the Commission on February 7<sup>th</sup>, the applicant believes that, based upon recent Planning Commission and City Council comments regarding other proposed conversion projects, this project needed to provide more detailed elevations.

RAMIREZ indicates the staff recommendation is to continue both items to March 28<sup>th</sup>, with no additional notice being offered. Staff has received several phone calls this afternoon, inquiring as to this item being on the agenda this evening, and there may be several people in the audience to speak.

TURNER asks that anyone in the audience who cannot come back to the March 28<sup>th</sup> meeting, come forward to be heard.

TURNER acknowledges that several people in the audience are indicating they will be able to return on March 28<sup>th</sup>.

Motion by WELLS, second by BLACK to CONTINUE the public hearings on Planned Unit Development 262 and Tentative Subdivision Map 575 in accordance with the staff report; carries 5-0.

### **AMENDMENT OF SPECIFIC PLAN 182 - Planning Commission**

(public hearing) Resolution No. 10103

(joint noticed, CC mtg 4/12/05)

P.C. Meeting 3/14/05

Consideration of an amendment of Specific Plan 182 regarding mixed use development and residential densities.

RAMIREZ states that staff had prepared a brief summary of the report that was included in the Commission packets. She calls upon the City's Redevelopment and Housing Director, **David COOKSY**, who is present in the audience, and has requested an opportunity to address the Commission with some comments specific to mixed use development.

COOKSY indicates that he has worked with a couple of the Commissioners over the years, and has been with the City for 24 years. In the last 17 years he has been coordinating redevelopment. When the Council created the Redevelopment Agency in 1971, the primary reason for that was downtown El Cajon, and today, it is still all about downtown El Cajon. It is for that reason that he requested to speak about revitalizing downtown El Cajon. Mixed use is all about revitalization and redevelopment, but is more about revitalization of any area.

COOKSY states he has sat in the Council Chambers for 17 years and has listened to the Council talk about a variety of issues that are all about local government. In preparing for this evening, he does not recall, and cannot imagine, an issue that could be of more potential impact to the revitalization of downtown than the issue that is before the Commission this evening, the Amendment of Specific Plan 182, as it involves mixed use. If the City were truly interested in revitalizing downtown, what could be of greater importance than the item before the Commission this evening?

COOKSY indicates he spent three days last week, at the California Redevelopment Association Annual Conference. Two issues were the principal discussion items: the State budget and housing. Without getting into dry, fiduciary aspects of what is happening in Sacramento, the budget is what the budget is. The long and short of it is that the State is going to balance its budget on the back of local government. Housing, however, is another matter. There is plenty to be talked about regarding housing, and specifically as housing relates to mixed use. There were a number of panel discussions about mixed use, how it was created, and what the impact is for revitalization. However, it was on Thursday during a morning and afternoon session that brought very clearly the acute nature that the Commission is faced with this evening, and that the City Council will be faced with pending the Commission's decision.

For the past seven years, Claire Carpenter, and the staff of the El Cajon Community Development Corporation (CDC) and the City, have done wonderful things with revitalizing downtown. There have been façade improvements, new businesses, and special events. He feels Claire would agree that you can have all the special events, concerts and car shows, and wonderful things such as this, but it is not what is going to take downtown El Cajon to the future, and to the next step. We are getting there, and they are wonderful things, but it is not what will take the City to the next step. It is a foundation.

The future is here this evening, and he is not here to espouse the credits or qualifications of any particular people, but he recognized coming into the Chambers this evenings, that there is a developer and an architect present, who are the "real deal" in this region, for developing mixed use. They are here this evening to see if El Cajon is ready to go to the future and absorb what it takes to take the risk of revitalizing downtown El Cajon.

COOKSY continues his presentation with discussion on the history of mixed use, and from where this product came. It is nothing more than "A + B = C", which is when you have a shortage of land, it equals a land value. Land value plus the cost of construction, from the retail perspective, is rendering the development of in-line shops and a grocery store such as what can be found across the street, nearly economically impossible to build. There is also "A + B = C" for the development of residential. When there is a shortage of land, this equals land value, plus the cost of construction, and you have exorbitant costs for housing. It is not necessary to go in to the cost of housing, as this can be seen in the newspaper every day. There are only a couple of options available to the development community in doing their business. They are in business to make a profit, but are also in the business of moving forward with a new product.

There are only a couple of options that are available to developers. One of those is density. When you have a denser product, it begins to address the disparity between the cost construction, the cost of land, and what makes economic sense. There is a mix of the retail, which is what development is about, unless you are a residential developer. For a residential developer, it is that proper market mix of retail that creates their economic sense. From this, you begin to have mixed use, if you will, which is created out the need to make sense out of the cost of developing when you have a lack of land.

COOKSY reiterates that mixed use is all about revitalization, and there is an interesting phenomenon that he observed by the developer portion of the conference program on Thursday. The architects and the developers spoke about the impact to a community and surrounding neighborhoods. They clearly demonstrated a notion of "They got it"; they understand that when you

develop, consideration should be given to the surrounding neighborhoods. The discussion included creating a place to live, shop, walk, be entertained and to not just build the houses, take off and go and “Good luck with that development.” The developers were all about impacting the community, and looking for a community they could embrace, and looking for a community that would embrace them. This is an entirely different concept than previous experiences of dealing with developers, and is quite unique to mixed use.

COOKSY asks the Commission to imagine what is being built in Little Italy, in the Gaslamp, and now in the East Village and regions outside of the core, such as North Park, Banker’s Hill and getting into the suburban areas of the community. These are products made by developers that are looking for an impact to the community. This is why development is coming to El Cajon. They are looking for development opportunities, but with the mindset of impacting a community. Imagine what this type of product would look like on Broadway, in Lemon Grove, and, if you can imagine the impact to Lemon Grove or Santee, you can imagine what it would be like in downtown El Cajon. Communities such as Lemon Grove, La Mesa, Santee, and Poway, are not as far along as El Cajon, but they are going to be.

COOKSY continues his remarks by stating one of the reasons for his presentation tonight is to urge the Commission that this potential moment is here, and all of the stars are lined up. It will not be here for long, and the City has to take advantage of what is being presented tonight. A chance to amend Specific Plan 182, to bring this product -- urban development and urban housing -- to El Cajon, to take the City to the next step. There are risks involved, and he will not tell nor lead the Commission to believe there are none. However, for those communities who dare to take the risk, and be first, you will win, and be the first to bring the product to the community. For those who don’t, they will be left behind.

COOKSY states he has been here too long, has spent too many hours being involved in the revitalization of downtown El Cajon, to not be here tonight, to try and express the importance of taking action on the amendment of the specific plan to allow mixed use. Because this is a huge undertaking, he would urge the Commission to request that the City Council hold a workshop. This would provide an opportunity to interact with the Council, to hear from staff, to give an opportunity to further demonstrate by way of example, what mixed use is, and what mixed use can be.

COOKSY concludes his remarks, reiterating the importance of the issue, and the potential for the development community, which may be present only for a short amount of time.

WELLS asks COOKSY why he feels the opportunity will be present for a short amount of time.

COOKSY responds that the developers are going to look for a community that wants mixed use. They are looking for that “get it” mentality. Developers are looking for communities that want this type of product and will embrace it, that they can embrace and be part of the community. Staff from the Redevelopment, Planning and Public Works departments, are getting phone calls and can’t take much action because they don’t have a direction to follow. This is a limited opportunity and developers are going to go to communities that are ready, willing and able to take that step.

AMBROSE thanks COOKSY for speaking so passionately about what he cares about and Specific Plan 182. He agrees that El Cajon has a great opportunity to take advantage of a situation. This is not La Mesa, Santee, Lakeside or Lemon Grove. The City has more of a town center in East

County and there is an opportunity to expand that, and to make a certain type of housing and mixed-use type of development a theme that can really enhance downtown and make this the kind of place where residents will want to live.

AMBROSE agrees with staff's recommendation on the proposal to define mixed-use development for the future. In the near future, a meeting should be held with the City Council and a workshop should be held to discuss densities and going to the next level. He feels this a good first step, by amending Specific Plan 182.

COOKSY adds that El Cajon is the hub of the East County, and is not Lemon Grove, La Mesa or Santee. It is El Cajon. None of the other cities have the building that is next door. The County put the building there, and El Cajon is the hub of East County, and that should be used to our advantage. Additionally, three years ago, while serving on the Legislative Committee of the local CRA [California Redevelopment Association] Chapter, it was apparent that if local jurisdictions up and down the State didn't do something about the shortage of land for the production of housing, the State was going to legislate that use, and tell cities what to do with local land use policies and the production of housing. There are two bills that are going through the legislature right now. One is going to amend and remove some of the rights being given to developers and the legislature is going to be telling local government what to do with its land because housing is not being produced at a rate fast enough to meet with demand. The proposed amendment of Specific Plan 182 is a way to get in front of that and control what is built in the downtown, rather than waiting for the legislature to pass these bills. The bills are still going through committee, but this is an opportunity for the Commission to get on top of the issue, and get involved in the more technical aspects of land use, design, density, parking, and those things for which the Planning and Public Works staff are responsible.

COOKSY states that his job is focused on the elimination of blight and creation of jobs. He is also concerned about the legislature telling cities how to use their own land. There is an opportunity, as previously stated, to get out in front of the issue and create the opportunities rather than have the legislature telling you what to do with your land use policies.

TURNER agrees with the comments by AMBROSE and adds that this is an exciting time and the City should take a big leap forward to the future and see some of the interesting projects involving mixed use. This will be vital for the downtown, especially for people to live in the downtown area. It is like the bread and butter of the area, where all types of special events can take place. If people live there, they can take advantage of the grocery stores, restaurants and other shops in the downtown area.

RAMIREZ summarizes the staff report on the specific plan amendment. As a matter of background, late last year the Commission and Council both denied a mixed-use project that consisted of retail with small offices, in conjunction with a four-unit condominium project at the southwest corner of West Douglas and Sunshine. That was Planned Unit Development (PUD) 249, in which eight of the proposed 40 units had some office space. Staff and the Commission both were concerned that the project was not the type of mixed-use development that the City had in mind. To be clear, there is currently no definition of mixed use within the text of Specific Plan 182, which is the authority for

mixed-use development within the downtown area. One of the consequences of the Planning Commission's decision to deny the condominium project was to initiate a review of this specific plan in order to specifically revise, expand, and/or provide a clearer definition of what it is the City wants its mixed-use projects to reflect.

A second aspect of with PUD 249 which the Commission found unacceptable, was the proposed density. The project proposed a density of approximately 34 units an acre. Currently, Specific Plan 182 stipulates no actual limit on the density in a mixed-use project. Instead, the density is determined at the time of project consideration. The Planning Commission has asked staff to include this issue in the proposed amendment of the specific plan. Staff had hoped that the City Council would schedule a workshop to discuss the mixed-use concept with Planning Commissioners, interested developers, and architects, after the Council had denied PUD 249 on appeal. Unfortunately, that did not happen, and this item which had already been scheduled for Commission consideration, may be the only way to identify the concerns and direction of the City Council.

RAMIREZ indicates that staff has tried to create a definition of mixed use without defining it so precisely that no or few projects could comply. In staff's opinion, a mixed-use project is one in which there is residential development that is comprehensively planned and designed, with retail and/or office development which relates in a vertical or a horizontal fashion to the residential component. If the project has strong architectural features, and is well coordinated, there can be very successful results as we have seen in downtown San Diego. With this strong architectural design, staff believes there will be assurances that the resulting project will provide both a good residential environment and a good retail or office component, which will boost the revitalization of El Cajon's downtown.

The staff believes that the City is in a better position to continue to allow the residential in a mixed-use project to be determined on a project-by-project basis, without a specific numeric density limit. In staff's opinion, if the density is left indeterminate in the specific plan, that can be used as a strong bargaining chip with the applicant to encourage the best project. The Planning Commission and the City Council would still retain the final say in deciding what density they approve.

SANDAG [San Diego Association of Governments] has been promoting "smart growth" concepts to all cities in the County because they believe that may be one of the only ways to provide the needed housing in the region over the next 30 years. The smart growth concept seeks to minimize expanding further into rural, unincorporated areas, and seeks to allow the preservation of open space around cities while putting development in close proximity to transit services as an alternative to single-occupant vehicles.

SANDAG has prepared a description of six different, potential smart growth areas that are characterized by varying residential densities and employment intensities. The SANDAG model which seems to best fit this city's downtown area is known as a "town center", with residential densities of 20 to 45 units per acre and employment intensities of 30 to 50 jobs per acre. Transit services in these areas are characterized by very high on the corridor/regional service routes and high frequency throughout the day on most lines.

RAMIREZ indicates that although the Commission may be reluctant to leave the density limit undefined, staff has spoken to several potential downtown developers who have presented exciting mixed use project concepts that might not even be proposed if the City sets an arbitrary density limit. The El Cajon Community Development Corporation (CDC) has participated in this activity by responding to the staff's request for input on this issue, since they also speak to a lot of potential downtown developers, and are working very hard to make downtown El Cajon into a vibrant, 24-hour place to be.

The CDC has submitted a very detailed draft report on mixed-use districts. After discussing this report with CDC's Executive Director, Claire Carpenter, it was concluded that the report and recommendations are probably beyond the scope of this specific plan amendment. Staff is recommending that the Commission accept CDC's report for further study and also that the City Council be asked to schedule a workshop with the Commission and other interested parties, to discuss that draft report.

RAMIREZ concludes the staff presentation with a recommendation that the Planning Commission recommend approval to the City Council, of an Amendment of Specific Plan 182, to add a definition of mixed use and to not establish a maximum residential density, in accordance with the 'Exhibit A' that is attached to the staff report received by the Commission.

AMBROSE asks if the Commission was expected, as part of the staff's recommendation, to include a request to the City Council for a workshop, or that the request be made under separate action.

RAMIREZ responds the request for the workshop can be part of the Commission's decision this evening.

The public hearing is now open.

**Claire CARPENTER**, President and CEO, of the El Cajon Community Development Corporation, 168 E. Main Street, El Cajon, states their presentation for tonight's discussion hopes to do a few things. They would like to be responsive to the Commission's request for more information about mixed use in general. They would like to come up with an approach to defining what makes a good, mixed-use project, and how the character of downtown might be defined through its mixed use. They also hope to help come up with some language that would help the development and investor community get a little more comfortable with where the CDC is headed. Lastly, the CDC would like to improve the quality of design and the quality of the neighborhoods as the downtown area is rebuilt.

CARPENTER states the CDC supports the mixed use concept wholeheartedly. This is the beginning of a framework, and not the end of the framework, for building the downtown district. Using the report submitted by CDC ["Draft Conceptual Mixed-Use District Descriptions", dated March 9, 2005; attachment to Am SP 182 staff report], it is hoped that the end product will be comprehensive, yet flexible. There are probably a couple of missing pieces that could be added to the document, or one similar to it. CDC is working on a good photo log that will go along with each of the districts being proposed. The log would provide very good examples of what they would like to see. If a mixed-use project of two to five stories is built, what would it look like? If it has great public

space, what would that look like mixed in? With all the support from the architectural community and the developer community, they should be able to come up with some very good examples for all to use as a reference, in addition to the handouts provided in the Commission packets.

CARPENTER concludes her remarks stating they are hoping to ultimately add a chapter to the existing design guidelines for downtown. This would more clearly define mixed use from a design guideline perspective to address more specifically what the buildings will look like. From the perspective of the CDC, they see these things coming down the pipe. Tonight they are hoping the Commission might consider embracing the more detailed proposal that the CDC has presented, and move it forward to the workshop. They are really happy to see something like this on paper. This is what CARPENTER has wanted and needed for a very long time to do her job better.

AMBROSE comments that he likes the Draft Conceptual Mixed Use District Description provided by the CDC. It is a step in the right direction and he has long wanted something like this. He understands why there was a desire on the part of the City Council not to do this over the last few years, however, the City has moved into a new era and it is time to start being more specific about things.

In answer to AMBROSE's questions, CARPENTER indicates the CDC would love to host the workshop.

AMBROSE responds he would like the CDC host the workshop, however not as a "brown bag", as it deserves more time and attention than an hour or an hour and a half can provide. It may take two or three hours, and may have to be continued and restarted again. He hopes there will be a lot of interest in the workshop. The City Council would also need to agree with the suggestion for the workshop.

CARPENTER suggests the workshop should be held sooner rather than later. There are some pressing projects that they would soon love to embrace. The CDC is committed to this issue and will do whatever is needed to help bring it forward.

AMBROSE adds he would also like to see participation by some experts in the field to talk about experiences in other communities in San Diego County, for example.

CARPENTER responds they have a good, strong network that can help with bringing in some experts. They have used City Works as their consultant on this issue. City Works has extensive urban planning experience and would be happy to join in on this.

BLACK says that he hopes to see an integrated workshop, with involvement from the Arts & Culture Commission, so that the whole package can be looked at for enhancement and building for the future. The CDC and the Arts & Culture Commission have helped to enhance the quality of downtown.

CARPENTER comments on the last page of the CDC handout, which is a very loose, sort of green space map. There is absolutely a place for that to include the public art component that the Arts & Culture Commission would be very interested in seeing. This was brought forward only to start the discussion, so the more that can be enhanced, the greater it will be. Input from the Commission is vital.

TURNER thanks CARPENTER for explaining the CDC's position and for providing the detailed report submitted to the Commission.

**Ron PENNOCK**, 124 W. Main Street, Suite 120, El Cajon, indicates he did not plan to speak at tonight's meeting, however, he is excited about the topic. He is the current Chairman of the Condo Conversion Task Force, is on the East County Construction Council, and has sat on CDC's Housing and Design Review Committees. He has not seen Mr. Cooksy this excited or passionate about something in quite a while, and he applauds his comments and his work.

PENNOCK comments on the success of two- and three-story residential uses over commercial uses which he observed while traveling abroad recently. He also notes the State Housing Commissioner's position on providing additional housing statewide. The issue of mixed use provides for that in a most apropos way.

PENNOCK states we need to step out of the position like we, and most cities have been in, in the past, which is reacting to projects brought by developers, and move into a forward-thinking position of planning. What do we want to have for the City of El Cajon? This is an ideal opportunity to do that. Whether it be one block or two blocks, whatever the plan, the building industry will be there. This provides the opportunity for the Commission and the City Council to be pro-active in designing what they want to see happen in their communities. The building industry will stand arm-in-arm, side-by-side, and co-host the workshop if desired. It will take the leadership of the City, starting with the Commission, to be pro-active, to show what they want to have happen in the City, to go forward and do it.

No one else comes forward to speak.

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

AMBROSE suggests the Commission combine both the recommendation by staff and the recommendation to hold a workshop with the City Council, and recommend that CDC host and schedule the workshop with the assistance of the Commission.

In answer to TURNER's question, AMBROSE indicates the report from the CDC, "Draft Conceptual Mixed-Use Districts Descriptions", should be used as the basis for the workshop.

WOODS agrees with the comments by AMBROSE, stating the potential of mixed use is so great and the City needs to "strike while the iron is hot". The workshop should be scheduled in days and not weeks.

BLACK adds that all components should be added to make it a total concept. There should be Arts and Culture involvement; traffic flow and other issues should also be addressed. Experts should be brought into the workshop.

WELLS comments that mixed use is an exciting concept and agrees with leaving enough openness in the language so that creativity can be brought to bear.

TURNER says it sounds like the Commission would like to move forward with the recommendation, and add a motion to include a workshop and consider the conceptual draft of the district itself.

Motion by AMBROSE, second by BLACK to RECOMMEND APPROVAL of Specific Plan 182 in accordance with the staff report, and further recommending that the City Council hold a workshop using CDC's Draft Conceptual Mixed-Use Districts Description as the basis for the workshop, with the CDC hosting and scheduling the workshop as soon as possible; carries 5-0.

**PLANNED UNIT DEVELOPMENT 267 – Watson for Mollison 61, LLC**

(public hearing) Resolution No. 10104  
(Joint Noticed, CC MTG 4/12/05)  
P.C. Meeting 3/14/05

The subject property is located on the west side of N. Mollison Avenue between Peach Avenue and Sandalwood Drive, and addressed as 800 N. Mollison Avenue; APN: 484-321-10; existing LUC 1142A, proposed 1142B; General Plan Designation: Medium Density Residential.

Request to convert a 61-unit apartment complex to a common interest development in the R-3 (Multiple Family) zone.

AND

**TENTATIVE SUBDIVISION MAP 580 – Watson for Mollison 61, LLC**

(public hearing) Resolution No. 10105  
(Joint Noticed, CC Mtg 4/12/05)  
P.C. Meeting 3/14/05

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

RAMIREZ states that if this request is granted, the common interest subdivision will result in 61 air space condominium units. The units to be converted are about 40 years old, located in four, two-story buildings on the subject property. With regard to compliance with development standards, the applicant's site plan shows 71 parking spaces are currently available on the site. Sixty-one spaces were originally approved. Staff has noted that seven parallel parking spaces must be deleted because they cause the adjacent driving aisle to be too narrow.

The existing development on the subject property provides about 3,000 sq. ft. of landscaping and pool area in a central location. The Planning Commission and the City Council must determine whether this is acceptable in meeting the requirement for common open space/recreation area for a conversion.

A physical elements report for the development on the subject property was prepared by Land America National Commercial Services and was signed by two contractors. An addendum was also included, signed by a licensed contractor whose credentials were verified as being current. All of the existing units were inspected for purposes of the physical elements report. The report identifies specific items that are in need of repair, upgrade or replacement immediately or in the near future. The list is extensive and is found on pages six and seven of the PUD staff report. All of the existing landscape areas on the subject property are judged to be in poor condition and require enhancement in all cases.

RAMIREZ states the exterior elevations provided by the applicant are in the 8 ½" x 11" format, showing "before" and "after" color drawings of the project. This applicant is proposing improvements to the building elevations that include new paint, new entry, new trim, windows and entry doors, along with several other upgrades that are listed in the applicant's site improvements.

One unusual feature of this project is that all of the existing front doors are sliding doors. The applicant is proposing to replace them with standard doors and a window. The proposed front elevations show the changes and architectural details included in the supplemental package of information. The interior courtyard of this project is one that reflects that motel effect that has been talked about recently, where several units are accessed from one single, continuous walkway. Staff has recommended that the applicant work with the staff to provide more stairways for a more individualized entrance approach to each unit. The applicant has been advised that the Council may be expecting to see additional elevations when this item goes forward, and has submitted a letter indicating that additional elevations, including the interior courtyard area, will be available for the City Council's meeting.

RAMIREZ states that staff recommends the Commission add a condition 3 (e), with regard to the presence or absence of lead-based paint, and recommends approval of the PUD and the companion one-lot subdivision map.

The public hearing is now open.

**Christina WATSON**, 9252 Chesapeake Drive, San Diego, represents the developers, United Development Group and CESN and Construction. She indicates agreement with the terms and conditions as stated in the staff report. The developers are willing to work with staff to come up with some solutions for the continuous balconies and the motel-like effect, as long as it is feasible financially and structurally, within the courtyard.

TURNER states she visited the project. The project has a lot of potential. She was surprised that the patio doors were the main entrance to the units. There is a great courtyard area, however, the fencing is very poor all around the project. She hopes something can be done so that the project will turn out as well as the property next door, which looks wonderful.

WATSON indicates they are proposing to replace the fence in the back of the property, and to do all the interior and exterior upgrades listed in their report.

TURNER suggests continuing the same type of fencing found on the adjacent property, as this would blend well with the conversion project.

WELLS comments on the mold damage as shown on the pictures provided to the Commission.

WATSON responds a mold test will be done at the beginning of the process, and that repairs and/or replacements will be done as a result of mold issues. When the units are completed, another mold test is done and the buyers would need to sign off on that as well.

**Mark Maron**, 800 N. Mollison, Apartment D-1, El Cajon, states that he is not opposed to the idea of conversion. He understands the need for conversions in El Cajon, but has general questions about conversions. His first question was addressed by the previous speaker, who indicated the units are "checked after completion". He believes 51 percent of the population in El Cajon resides in apartment units, and that there are probably no standard set-asides. He asks if the City will allow or specify a general number of apartments to be kept as apartments. There are many people who cannot afford to move to a conversion. He asks if the City keeps track of the number of conversion units that have sold and if there is a rate at which the City will stop conversion projects if the units are not being sold.

TURNER indicates that some of the speaker's questions can be answered at the Planning Commission level. Some of the questions may need to move forward to the City Council.

RAMIREZ responds to the first question on whether the City will reserve a specific number of units to be retained as apartments. Staff believes this to be a market controlling or a self-controlling scenario.

TURNER asks if a percentage of conversions has been established, out of the 18,000 units in East County, and if it is market driven.

RAMIREZ states there has been no consideration on the staff level, and staff is not aware that the City Council was entertaining any ideas like that whatsoever.

MARON asks if 90 percent of the apartments apply for conversion, is it pretty much pro forma that they will be approved?

RAMIREZ states the Chair has addressed the total number by indicating the City has over 18,000. Less than ten percent of those units have been the subject of an application to convert, and of the ones that have been approved, probably less than ten percent of the approvals, have actually made it to market for sale.

MARON indicates that he visited the adjacent project mentioned by TURNER. There are other projects for which he would say, "Buyer beware."

No one else comes forward to be heard.

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

TURNER indicates discussion will remain with the Commission and staff. She feels the project has potential, however it would be helpful to have different elevations on the project.

AMBROSE says he feels there is a problem with the “motel look”, as staff suggested. There is a condition that asks staff to work with the applicant to minimize the motel look and to put more stairs in. The Commission has seen some creative ways to address the issue.

TURNER says that changing the railings and patio doors is a possible scenario, especially in the front of the project.

AMBROSE concurs that more work is needed on the front elevation on the inside.

In answer to TURNER’s questions, RAMIREZ responds that condition 3 (e) will read: “Submit an inspection report addressing the presence or absence of lead-based paint in the units.” Concerning the stairways, staff has suggested in condition 5 (h), at the top of page 12 of the PUD staff report, that the revised drawing that is required before the final approval of the subdivision map include “additional stairways to the courtyard units as worked out with staff”.

Motion by BLACK, second by AMBROSE to RECOMMEND APPROVAL of Planned Unit Development 267 in accordance with the staff report, adding new condition 3 (e) to read: “Submit an inspection report addressing the presence or absence of lead-based paint in the units.” ; carries 5-0.

Motion by BLACK, second by AMBROSE to RECOMMEND APPROVAL of Tentative Subdivision Map 580 in accordance with the staff report; carries 5-0.

Commissioner AMBROSE states he needs to abstain on the next items (PUD 268 & TSM 581) due to a financial conflict of interest, as his company has had some contracts with the owners of the subject property. He leaves the Chambers.

**PLANNED UNIT DEVELOPMENT 268 – Maisel Presley, Inc. for MA**  
(public hearing) Resolution No. 10106  
(Joint Noticed, CC Mtg 4/12/05)  
P.C. Meeting 3/14/05

The subject property is located on the east side of Taft between E. Main Street and E. Lexington Avenue, and addressed as 225 Taft Avenue; APN: 488-233-14; existing LUC 1142A, proposed 1142B; General Plan Designation: High Density Residential.

Request to convert an existing 26-unit apartment complex to a common interest development in the R-3 (Multiple Family) zone.

AND

**TENTATIVE SUBDIVISION MAP 581 – Maisel Presley, Inc. for MA**

(public hearing) Resolution No. 10107

(Joint Noticed, CC Mtg 4/12/05)

P.C. Meeting 3/14/05

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

ALVEY states the development was constructed in 1969 and is approximately 36 years old. There are a total of 26 units on the subject site. The site consists of four, two-story apartment buildings, 35 parking spaces, a swimming pool and landscaping. The 35 parking spaces will result in approximately 1.3 parking spaces per unit, and are divided equally between a front parking area that is accessed off of Taft Avenue and a rear parking area that is accessed from an alley.

The common recreation area for the subject property consists of a rental office, landscaping, walkways and a pool area. The applicant is proposing to convert the existing rental office into a recreation room, and to enhance the landscaping around the pool as well as throughout the site, with the addition of a barbecue in that area as well.

A 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. This report identifies the condition of the property and the structures. Eighteen of the existing 26 units were inspected for the purposes of preparing this report. Staff has included the recommendations contained in the physical elements report as conditions of approval.

ALVEY states that staff has also included a condition requiring the applicant to submit a report from a mold inspector. Although the Physical Elements Report mentions the presence of mold and mildew in two separate locations, a report from a mold inspector that includes the inspections of all units will ensure that all problems at the subject site are identified and properly resolved.

The applicant is proposing improvements to the building elevations that include new paint, new foam window trim, new windows, decorative rock veneer, new entry doors and several other upgrades that are listed in the applicant's list of site improvements. Staff assumes that the proposed elevation upgrades will be applied to all elevations of each building. Staff has advised the applicant that the City Council may be expecting to see additional elevations when this item does move forward to the City Council.

ALVEY informs that due to a transmittal error by staff, these items do not include comments from the Public Works Department. The Public Works Department has provided the Planning Commission with a memorandum this evening, which recommends that the project be continued to the March 28<sup>th</sup> meeting so that the applicant, as well as the Planning Commission, can properly review these comments. If a continuation is not possible, the hearing may proceed with the understanding that the comments from the Public Works Department will be submitted to the City Council during their public hearing for this project. Staff therefore recommends that the Planning Commission recommend approval of Planned Unit Development 268 and Tentative Subdivision Map 581, subject to the conditions and for the reasons as stated in the staff report, and again including the addition of the condition 3 (e) requiring the applicant to submit an inspection report addressing the presence or absence of lead-based paint in the units.

TURNER asks questions about the first drawing, which appears to be blank on one side of the proposal. Is it meant to illustrate where the fountain is currently located now, or is it the backside of the property?

ALVEY responds the package of enhanced elevations provided by the applicant includes an existing elevation, which is what the first drawing is meant to represent. The enhanced elevation would be the drawing with the fountain in the front.

TURNER asks additional questions about the rear of the property near the parking lot and alley, and whether electronic gates are proposed for security reasons.

ALVEY replies that staff had assumed that the design represented in the lower drawing of the elevation, would be continued along the rear façade, on the eastern side of the building. As part of the applicant's proposal, the request does not include a proposal to put in electronic gates at this time. Since it was not part of the original proposal, staff did not evaluate whether or not it would be feasible. Obviously, if the applicant wanted to come back and submit a revised drawing, that could be submitted to staff and reviewed with Traffic Engineering to determine the feasibility.

TURNER comments that it seems that most of the conversion projects have gates as part of the package for security reasons.

The public hearing is now open.

**Michael D'AMELIO**, 4445 Eastgate Mall, Suite 407, San Diego, indicates he is the representative from Maisel Presley.

In answer to TURNER's questions, D'AMELIO states he is in agreement with the staff report. They have not addressed the issue of a fence or gate. They would be happy to take a look at the issue, if it is a City requirement. It is done more or less on a case-by-case basis.

TURNER responds that since there is alley access and it is not secure on the back side of the property, the applicant may want to install some fencing and a gate. She asks staff for suggestions, and asks if the item would need to come back to the Commission for the gate.

RAMIREZ advises this is something that the staff needs to sit down and discuss with the applicant. There are a number of alternatives available, and it should be site-specific in its consideration.

TURNER suggests adding a condition requiring the applicant to work with staff regarding the security issues on the backside of the project.

D'AMELIO states that he feels this will be a terrific project. The elevations depict what they normally do with their projects. As indicated by ALVEY, the units are 37 years old and look every bit of it. They typically go into the units and completely renovate them, as well as the existing common areas.

In answer to TURNER's question, D'AMELIO indicates they will continue to the design shown on the front elevation around to the back.

TURNER adds the project has a homey, hacienda type feel to it.

In answer to the question by WELLS, D'AMELIO replies that he usually brings in pictures of projects, but did not bring any this evening. He would be happy to send the Commission some pictures of their most recent projects.

RAMIREZ suggests that if the speaker is agreeable to working with staff on exploring the idea of fencing and/or gating the property at the back, staff could go ahead and not change the conditions by adding one. Rather, staff would accept the speaker's agreement to work with staff as indicated in the record.

D'AMELIO asks if the stipulation is such that were the map be approved this evening, would the understanding be that the applicant would agree to work with staff on the rear fencing issue?

RAMIREZ affirms that the speaker's understanding of staff's idea is correct.

In answer to WELLS' question, RAMIREZ replies that in some cases staff has addressed the issue of lighting specifically. She does not recall staff's recommendation for this project, but is looking through the conditions for such a reference.

D'AMELIO indicates they would be happy to look at the issue of safety lighting, to come up with a reasonable way to address it, keeping in mind if it makes economic sense or makes sense with respect to City requirements.

RAMIREZ remarks it would be appropriate to add that the lighting, with the fencing and gate issues to be discussed with staff.

TURNER thanks the speaker for coming to tonight's meeting. She feels this will be a great project.

No one else comes forward to be heard.

Motion by BLACK, second by WELLS to close the public hearing; carries 4-0 (AMBROSE – Abstained).

TURNER reiterates this looks like a great project for the area. The only issue she has is with the alley access.

Motion by BLACK, second by WOODS to RECOMMEND APPROVAL of Planned Unit Development 268 in accordance with the staff report, adding new condition 3 (e) to read: "Submit an inspection report addressing the presence or absence of lead-based paint in the units", with the applicant to work with staff regarding fencing and lighting issues at the rear of the property; carries 4-0 (AMBROSE – Abstained).

Motion by WOODS, second by BLACK to RECOMMEND APPROVAL of Tentative Subdivision Map 581 in accordance with the staff report; carries 4-0 (AMBROSE – Abstained).

[Commissioner AMBROSE returns to the Chamber.]

**AMENDMENT OF CONDITIONAL USE PERMIT 1629 – Rancho Del Oro Towing**

(public hearing) Resolution No. 10108

P.C. Meeting 3/14/05

The subject property is located on the southeast corner of W. Palm Avenue and Front Street, and addressed as 1167 W. Palm Avenue; APN: 487-640-11, -12, -13, & -24; LUC 6419/4603; General Plan Designation: Light Industrial.

Request renewal of a conditional use permit for an existing towing service and impound yard in the M (Manufacturing) zone.

RAMIREZ states this is a request to renew an existing towing service and impound yard in the M zone. This is a property where there are no auctions being conducted in the operator's yard at this time. The site was developed with an office building and has a large parking area to the rear, screened by a fence on all sides. The office building is used for office space. Customer parking and tow truck parking are located behind the fence at the front.

RAMIREZ reiterates that a large part of the area is used as an impound yard. The existing wall is surrounded by a chain-link fence with view-obscuring material. The site was observed by the staff, who noted that the landscaping needs some additional maintenance attention. This is included as a proposed condition of approval. There is also a need to relocate the disabled parking space to an accessible location. The conditions of approval also include a renewal term for a period of 15 years and some ongoing conditions that are standard for a business of this nature. Therefore, staff is recommending that the request to renew this conditional use permit be granted subject to conditions.

AMBROSE asks staff for the reason of asking for a 15-year term. He does not recall that the Commission has previously approved a towing yard for 15 years. Because there have been a number of problems with automotive uses in the past, he was surprised to see the recommendation of 15 years.

RAMIREZ replies she is not able to say with certainty, whether this request came from the applicant. If the applicant is present, the Commission may wish to direct that question to them.

In answer to TURNER's question on the norm for this type of request, RAMIREZ states this is dependent upon whether the business is the property owner. It is not unusual for an automotive related business to get at least ten years, if they own the property.

The public hearing is now open.

**Simon TERRY-LLOYD**, 1167 W. Palm Avenue, El Cajon, thanks staff for making the process quite pleasant. They have seven locations around the county, and have had three conditional use permits come up this year. He was personally involved in this application, and found the staff particularly helpful.

**TERRY-LLOYD** indicates he was notified on Friday that landscaping was an issue. He took the liberty of working with some employees to immediately clean up the area, and has taken pictures to help clarify their willingness to adhere to the staff's recommendations for the project. [Speaker

submits photos to City Attorney.] They have been in business for ten years, and appreciate working in the City. He is here to address any specific questions.

In answer to TURNER's question, **TERRY-LLOYD** says that he does not remember if he specifically requested the 15-year term, however, they would appreciate a 15-year conditional use permit.

AMBROSE says in his experience, it is unusual that the City has granted that length of a period of time for a towing yard. The reason is that there have been changes in ownership. While the speaker may be a very good owner and take care of the property, or perhaps the property was leased. Other operators are not so good. He feels that towing yards, inherently, are not beautiful businesses, and have numerous problems. Automotive businesses in this city tend to be the most problematic businesses. He is concerned with 15 years, and would prefer a much shorter period of time for automotive uses, such as five years. He asks if the speaker would accept a ten-year term.

**TERRY-LLOYD** replies they would prefer a 15-year term, however, if ten years is more suitable to the City and the Commission, they are willing to accept that.

In answer to TURNER's question, **TERRY-LLOYD** indicates his agreement with the terms and conditions as set forth in the staff report.

No one else comes forward to be heard.

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

TURNER suggests the Commission may wish to consider a ten-year term for the conditional use permit, based on the City's experience in the automotive area.

Motion by AMBROSE, second by WOODS to GRANT Amendment of Conditional Use Permit 1629 in accordance with the staff report, modifying Condition 5 to a ten-year term; carries 5-0.

### **CONDITIONAL USE PERMIT 1998 – Velocitel for Verizon Wireless**

(public hearing) Continued to March 28, 2005

P.C. Meeting 3/14/05

The subject property is located on the northeast corner of Fletcher Parkway and Hacienda Drive, and addressed as 2160 Fletcher Parkway; APN: 481-140-71, -72 & -73; LUC 4712 B; General Plan Designation: Office/Non-Retail.

Request a stand-alone wireless communication facility in the O-P (Office Professional) zone.

ALVEY states the proposal includes a stealth design that incorporates antenna panels into two proposed, free standing light standards. Each of the light standards is proposed to be a maximum of 35 feet in height, and the construction proposed at the property will also include an equipment building. The proposed light standards will be located to the west of the existing light standard that

is currently on the site that has a wireless antenna located on top of it.

The proposed equipment building is to be located in a new enclosure attached to the westerly façade of the office building, within an existing landscaped area, with the enclosure being painted and textured to match the existing building. All free standing wireless facilities must be of stealth variety in accordance with the Zoning Ordinance. The term "stealth" is defined as a facility that is designed to blend into the surrounding environment and is visually unobtrusive. The applicant has provided photo simulations of the light standards and the proposed equipment building. Black and white copies are attached to the staff report and color copies are on display on the board behind staff.

ALVEY continues the staff presentation indicating staff's concern that the light standard located on the westerly portion of the site will not blend into the surrounding environment. As a condition of approval, staff has recommended that the proposed antenna poles be located to the south of the existing office building, and no closer to the intersection of Hacienda Drive and Fletcher Parkway than the westerly façade of the existing office building. This will allow the existing office building to serve as a buffer between the wireless facility and the single-family dwellings located to the north. As an alternative to moving the light standard to the east, staff is also willing to accept a building façade-mounted antenna on the westerly façade of the existing office building.

ALVEY states that staff has received three telephone responses to the public hearing notice that was distributed for this item. Staff advised the first two callers to visit the subject site and to observe the existing light standard that has the attached antenna, and to then telephone staff if they had any objections. Staff did not receive additional input from these callers.

The third telephone response resulted in the delivery of a petition to staff that includes 13 signatures. The petition is included as an attachment to the staff report, and concerns the location, height and design of the towers, the effect on communications such as T.V. reception and fire station communication, health effects and property values. Staff encouraged the individual delivering the petition to ask all concerned parties to contact staff and to visit City Hall to view the proposed plans. Staff also explained that the wireless provide is licensed by the Federal Communications Commission, who regulate the airways and ensures that there will be no conflicts between assigned frequencies, and therefore no conflicts with the fire station to the south.

ALVEY states that past staff reports for wireless communications facilities had a "Health and Safety" paragraph that addressed expressed concerns regarding perceived health effects. The staff would like to remind the Planning Commission that local agencies are precluded by Federal law from regulating or denying a request for a wireless communications facility on the basis of health concerns from electromagnetic radiation.

ALVEY indicates that staff also received a telephone call late this afternoon, from the applicant's representative, Laurie Bishop, who is unable to attend tonight's meeting due to illness. She did indicate that the applicant had no objections to the conditions of approval as proposed by staff, including the relocation of the light standards in the parking lot. Staff's recommendation is that the Planning Commission grant Conditional Use Permit 1998 subject to the conditions and for the reasons as stated in the staff report.

TURNER asks if the applicant had considered a faux pine or palm tree, as the area has quite a few

trees near the subject property.

ALVEY replies the applicant's consideration, although they are not available to speak to that tonight, was to try and create a facility that would be integrated with the existing facility. As there is an existing light standard, they were trying to incorporate and create a site that would be similar to that, rather than create a totally separate facility just to give it a more overall, integrated design concept.

AMBROSE states that he feels the proposed light standards look dumb.

TURNER suggests a faux palm or a faux pine tree would look better. She drives up that hill all the time. There is quite a bit of greenery in the area, so a faux tree would be a better scenario.

AMBROSE states that staff has called it right about moving it [proposed light standard] in front of the building, and that would be the best location. Looking at the picture, it does not blend in very well.

RAMIREZ addresses the appearance of a fake tree at that location. Staff has had varying experiences with faux palms and faux pines. They seem to be getting a better product these days. However, because the corner is quite exposed to view on Fletcher Parkway, she suggests that the Commission consider staff's recommendation to relocate the light standards rather than have the westerly proposed antenna be required to be a fake tree. We could then end up with something that is very conspicuous because its color is not quite the right green to match with the surrounding trees that have already been noted by Commissioners. It is an option, but if that is the avenue that the Planning Commission wishes to have the applicant pursue, it should come back to the Commission with whatever kind of proposal the applicant would want to have the Commission entertain.

AMBROSE concurs with the suggestion by staff, to completely eliminate the antenna to the west of the building, and to either install it on the building or place the pole in front of the building. He prefers to have the antenna placed on the building, rather than trying to integrate an antenna on a pole.

The public hearing is now open.

**Rodney GETTMANN**, 718 Hacienda Drive, El Cajon, states he has the same concerns as stated by AMBROSE. The light standard currently in place was installed at a time when the speaker was out of the country. He was told it would be one foot above the highest point of the building. From his residence, the light standard appears to be much higher than the building, however he has not gone over to measure it, physically. The plan is to put up two more of the "ugly" standards. He suggests using a tree-like standard. Many trees have been cut down on the property and this is being done because of the permit they want for the cell phones.

GETTMANN asks about environmental impacts in the area. New families are moving into the gateway of Fletcher Hills. He is concerned with the impact on the health of children, and also the proposed height and design of the towers.

TURNER reiterates she is very familiar with the area as she drives and walks through there often.

She would prefer a tree, however, AMBROSE prefers placing the tower on the building itself. She asks for comments from the City Attorney concerning the environmental impacts.

FOSTER states she looked into the environmental impact issue today, noting the petition that was provided by the residents. She confirms that the Federal Communications Commission has the exclusive jurisdiction to regulate the health effects of these facilities, and the Planning Commission has no authority to do so, or to approve or disapprove the project on that basis.

**Karl YOUNG**, 751 Hacienda Drive, El Cajon, asks for clarification of the location of the proposed free standing facility.

ALVEY responds that the two light standards that are being proposed will be located between the existing office building and the Fletcher Parkway right of way. The conditions that staff has proposed is for the light standards to be located so that they are between the building and Fletcher Parkway, so that none are to the west of the building out toward the landscaped area, where you actually make the turn from Fletcher Parkway onto Hacienda.

TURNER suggests the speaker come up to take a closer look at the display board for the project.

RAMIREZ informs that what staff has attempted to explain in words is probably easier to show the mounted plan. She points out the westerly side of the building, indicating that the red dots on the plan show where the applicant has proposed to put two poles, one on the westerly end and one approximately even with the equipment building for the existing facility of another cellular service provider.

The conditions of approval that have been recommended in the staff report would have the westerly location moved toward the westerly façade of the building so that it is less conspicuous, as seen from the public street. Staff has also included a condition that requires the applicant redistribute these facilities so that a more even, uniform spacing between the standards would give it a more normal appearance as opposed to randomly placing another pole or a light standard in the ground, wherever it is determined to be feasible by the engineer for the provider.

TURNER comments the proposed light standards appear to be closer to the Fletcher Parkway side and not the corner itself.

YOUNG concurs that the placement appears to be more along Fletcher Parkway.

**Robert ROSE**, 724 Sharon Way, El Cajon, indicates he has been a resident of El Cajon for 39 years. He understands the issue that health may not be in the jurisdiction of the Commission, however, property value is within the jurisdiction of the Commission. As a citizen, he has always been worried about EMF [Electro-Magnetic Field], and this is also a health issue for his wife. With a majority of people, there is confusion in the area of EMF. Some computers display stickers stating "there is no lower EMF". He is concerned about property values, when the average person has concerns about EMF.

ROSE continues by stating there is a real health issue with EMF. His wife is very sensitive to EMF. He has had to buy a special T.V. in order for her to even watch T.V. without getting headaches. EMF is an actual concern for them. His wife has tinnitus and sensitivity to high-pitched sounds. He

questions the necessity of the towers at the proposed location. He is a Verizon user and drove around the area to make several phone calls. He experienced no dropped calls. He has lived in the area for seven years and has never had a single dropped call in that area. The only area in which he has experienced problems is on Highway 52, going up over the hill. The proposed tower will not take care of the problem on Highway 52. Installation of towers will drop property values. There is also an elementary school in the area of the proposed towers. Property values will also be a concern as people want to have their children go to school near their homes. This is a perceived health issue. The Commission may not be able rule about the health issue itself, but they can rule about property values.

ROSE comments on the issue of landscaping. Many trees have been cut down, and he feels this has been a mistake as the trees may have served to hide the towers. If the tower must be moved behind the building, it is a good idea. He again questions the necessity of the towers, as he is a cell phone user who has never had a complaint in that area.

TURNER asks staff for comments relative to the use of the tower and why the applicant has requested this particular location.

RAMIREZ responds that although the applicant's representative could not be present due to illness, she indicated her agreement with the conditions of approval contained in the staff report. Staff will attempt to address the two issues raised by the speaker. With regard to the loss of trees that was noted by the previous speaker, staff does not have any information that would indicate who was responsible for removal of the trees. Staff does not know whether the applicant has any rights to be occupying the property prior to the approval of this application.

RAMIREZ states that with regard to whether a tower is justified, the Commission may not be aware that there is an extensive list of requirements that must be submitted in conjunction with an application for wireless facilities. There is a supplemental packet, and some of the attachments included in the staff report are the applicant's response to the supplemental list. In addition, Mr. ALVEY has ready to distribute to the Commission an actual exhibit that is taken from the packet that the applicant supplied showing service areas or the lack of. She directs attention to a statement in the attachment called Project Description for Fletcher Hills, which indicates "The local capacity is not sufficient to handle all of the call demand for this area." These things taken together, are part of what the City requires under the Wireless Telecommunications Ordinance, in order to bring this application to the Commission.

TURNER addresses the speaker indicating that limitation as to what piece the Commission can approve or disapprove on this type of project, as long as the applicant can meet the requirements and conditions as indicated by staff. Speaking for herself, she does not have Verizon but loses calls all the time going up Fletcher Parkway. The applicant may be selling service to another provider as well.

ROSE indicates that should Verizon be allowed to install the towers, there may still be users that cannot receive calls.

In answer to WELLS' question, ROSE says that if asked, he would chose a tree, as opposed to a tower. His wife's health is really important to him and he does have resources, on the legal side, to fight this project if necessary.



**Rodney GETTMAN**, 718 Hacienda Drive, El Cajon, returns to the microphone and questions whether approval of this project will this serve as a pattern for the area for future towers to be installed.

In response, ALVEY states that when each application comes forward to staff, an evaluation is done of each proposed antenna facility on a case-by-case basis. For a stand alone facility, the Commission would have an opportunity to take a look at the design and evaluate it prior to accepting any additional facilities at that location. There are no regulations that regulate wireless communications facilities with respect to their proximity to each other. The design aspect that the City is really looking at, is to make sure the facility blends into the surrounding environment and isn't visually unobtrusive.

GETTMAN states he feels that when driving around the country, there is one standard that takes care of several companies. He is opposed to have three standards at this one location.

RAMIREZ expands on the comments by ALVEY, indicating the ordinance that El Cajon has does not require that separate and distinct users engage in negotiations to co-locate, that is, put facilities that serve different companies in the same location or in very close proximity. If it would be the City's desire that co-location be required, then one would not see different elements standing up in the air, be they a faux tree, a light standard, a flag pole, a water tower or a cross on a church. One would see something as is seen in other parts of town, where the facilities were approved long ago; monopoles standing, mounted on the ground, but sticking 90 feet up in the air with various microwave dish antennas and other arrays of panels. It is not necessarily a bad thing to cluster facilities all in one place, but the end result may not be something the staff could support. This points back to Mr. ALVEY's idea that it has to be on a case-by-case basis that staff evaluates these applications.

WELLS asks the speaker which option he feels is least obtrusive.

GETTMAN responds there is a stand alone pole at the other end of the parking lot that is higher than the roofline of the building. He would rather see the facilities go in looking like trees or flagpoles. State of California, American or other flags could be hung to make a decorative appearance.

**Tanya ROSE**, 724 Sharon Way, El Cajon, comments that a better location should be found for the towers. The office complex is in a residential neighborhood, quite literally within 100 feet of homes. Up until now, the office complex has been very much a part of the residential neighborhood and has been covered by trees. Since then, many trees have been cut down. There was eucalyptus growth and a nice view going off towards the east, overlooking El Cajon valley. A location should be found that is not within 100 feet of a residential home.

No one else comes forward to be heard.

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

TURNER states that many comments were heard this evening concerning the location and type of facility to be installed. Many trees have been cut down in the area. There were problems with eucalyptus trees and trees were falling along Fletcher Parkway, which might explain why some trees were cut down.

AMBROSE states he would prefer a faux tree or integration on top of the building, as opposed to an antenna on top of a light standard. There are some great examples of what other companies have done where they've been built into the building and it isn't obvious an antenna exists. He feels the project is weak, at this point in time, and it needs "more camouflage" to make it better.

BLACK states he would like to hear from the applicant on the alternatives available for this project. He cannot support this project without additional input from the applicant.

WOODS says he would like to see more "stealth" and feels that installing it in the building is the way to go. The item may need to be continued.

WELLS concurs with the suggestion for a continuance. The residents that have spoken this evening are making their thoughts known; that if there has to be an antenna, they would like it to be stealth-type.

TURNER agrees that a light standard may not fit into the area. Normally, the Commission is limited in what it can say regarding the options contained the proposal.

AMBROSE comments that a continuance would be warranted if the location is in question. If the issue is simply whether a certain type of camouflage is acceptable, the Commission may have to decide what they want.

WELLS agrees with the comments made by AMBROSE and BLACK, concerning the available options.

TURNER states that with other similar projects, the applicants have "done their homework" concerning location of proposed towers.

RAMIREZ concurs with the statement by TURNER. Before an application is submitted, the applicant has usually done a "drive by" with an engineer to determine more precisely where the facilities need to be in order to get the coverage that is generated in the color exhibits that have been provided to the Commission. There is a lot of research that goes into each project. She feels the applicant affixes the location on the ground as much as they do the maximum height or minimum height that it has to be, in order to come forward with an application.

In answer to questions by WELLS and TURNER, RAMIREZ says it would be most fair to get the answers to the questions being asked by having the applicant respond. It is unfortunate that the applicant was unable to be here tonight to answer these questions. A continuance for a short period of time is probably not going to work for two reasons. If the applicant needs to do additional drive bys and research in order to develop alternative design proposals, they would need to have the information to staff in a couple of weeks. This would seem to be short-changing the applicant, and

knowing that the applicant is out of town, is an additional item to be dealt with. The other issue is that the staff workload cannot accommodate a total, new evaluation of whatever proposals the applicant might choose to bring forward.

TURNER asks staff if it would be better to deny the project and then have the applicant appeal the item to the City Council.

RAMIREZ replies the decision is up to the Commission. The door can be left open by giving a longer continuance, but staff will be looking at a meeting date such as May 23<sup>rd</sup>.

In response to the question by WELLS, AMBROSE states that he shares the same concerns as to whether much change will be seen with the proposal, or if the Commission would simply want to approve a faux tree.

TURNER reiterates that normally the applicant has already done their homework relative to the need and the location, and agreements have probably been made with office building owners. There must be a relevant reason for the addition of another tower.

WELLS responds that from his point of view, he would oppose the continuation, and look at the possibility of a faux tree, if the rest of the Commission concurs.

RAMIREZ indicates that staff would be more supportive of the tree concept if there were something for the Commission to look at and for staff to evaluate because trees are special sorts of animals in the world of wireless communications. Staff tends to be very particular about the specifications on trees in many ways, which will not be discussed at this time. Staff could handle a two-week continuance for the specific purpose of inviting the applicant back to address whether they can consider a faux tree of some kind at this location. If that does not work for the Commission, and the applicant is not able to bring in other alternatives that they have some strong level of confidence in, then the Commission may want to think about denying the project.

Motion by WELLS, second by BLACK to CONTINUE the public hearing on Conditional Use Permit 1998 to March 28, 2005; carries 5-0.

TURNER suggests that the speakers present at tonight's meeting return on March 28<sup>th</sup>.

## **PREDRAFTED RESOLUTIONS**

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

Motion by WOODS, second by BLACK to adopt Resolution Nos. 10096, 10097, 10103, 10104, 10105, 10106, 10107, and 10108 pro forma; carries 5-0.

## **ORAL COMMUNICATIONS**

RAMIREZ inquires about the issue of lack of security around the Council Chambers as noted at the last meeting.

TURNER comments that the lighting appeared to be better in the area outside of City Hall and Council Chambers just before dusk. She indicates she reported this finding to the El Cajon Community Development Corporation, as they have ambassadors that address the same type of issues.

WELLS comments that many people appeared to be encamped on the site in the evening hours over the weekend.

AMBROSE advises he will be out of town and will miss the March 28, 2005 meeting.

In answer to AMBROSE's question on whether the Planning Commission had the authority to override Public Works conditions of approval, ODIORNE indicates that the Commission may express their opinions on some items and make recommendations to the City Council. He reminds that the Council has approved the Public Works development standards.

RAMIREZ cautions against modifications to the Public Works conditions, and references a recent project at Magnolia & Chamberlain, and a site development plan which proposed three new residences in the R-P zone.

## **CORRESPONDENCE**

There was none.

## **ADJOURNMENT**

The meeting of the El Cajon City Planning Commission adjourned at 9:25 PM this 14<sup>th</sup> day of March 2005.

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Debra TURNER, Chair

ATTEST:

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James S. GRIFFIN, Secretary