

MINUTES
PLANNING COMMISSION MEETING
MARCH 28, 2005

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

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: WELLS, WOODS, BLACK, TURNER
COMMISSIONERS ABSENT: AMBROSE
OTHERS PRESENT: RAMIREZ, Principal Planner
FOSTER, Assistant City Attorney
ODIORNE, City Engineer
ALVEY, Associate Planner
MOSSAY, Minutes Clerk

MINUTES OF 3/14/05: Motion by BLACK, second by WELLS to approve the Minutes of March 14, 2005 pro forma. Motion carries 4-0, AMBROSE absent.

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.

PLANNED UNIT DEVELOPMENT 238 – ERB Engineering, Inc. for Ballantyne Investments LP

(continued public hearing) Continue to the meeting of May 9, 2005
(joint noticed CC mtg 4-26-05)
P.C. meeting 3/28/05

Request for a four-unit common-interest development in the R-1-6 (Residential One Family 6,000 sq. ft.) zone. ***Continued from the Planning Commission meeting of January 24, 2005.***

AND

TENTATIVE SUBDIVISION MAP 552 – ERB Engineering, Inc. for Ballantyne Investments LP

(continued public hearing) Continue to meeting of May 9, 2005
(joint noticed CC mtg 4-26-05)
P.C. meeting 3/28/05

The subject property is located on the west side of Ballantyne Street between Broadway and Cedar Street, and addressed as 852 Ballantyne Street; APN 483-222-22 & -23; existing LUC 111A, proposed 111B; General Plan Designation: Low Density Residential.

Request for a five-lot residential subdivision (including one common lot) in the R-1-6 (Residential One Family 6,000 sq. ft.) zone. ***Continued from the Planning Commission meeting of January 24, 2005.***

RAMIREZ states the staff's recommendation for a continuance is in order to allow the applicant to address staff's concerns about the age of the existing structure, which is approximately 55 years old, and a lack of a comprehensive approach to its architectural design in this planned unit development. Staff did meet with the applicant/project engineer and the architectural designer. Both individuals were prepared with new information, which included a revised site plan that incorporates the existing unit in a better way as an integrated part. The applicant needs more time, however, in order to complete a re-submittal packet so they have requested a second continuance. Staff is recommending a six-week continuance to the meeting of May 9, 2005 with the applicant to pay a re-noticing fee.

TURNER states if there is anyone in the audience wishing to speak on these items who is unable to come back on May 9, 2005, to come to the podium at this time.

No one comes forward.

Motion by WOODS, second by BLACK to continue the public hearings on Planned Unit Development 238 and Tentative Subdivision Map 552 to the meeting of May 9, 2005, in accordance with the staff report and with the applicant to pay for re-noticing fees. Motion carries 4-0, AMBROSE absent.

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

(continued public hearing) Continue to April 11, 2005
P.C. meeting 3/28/05

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

Request to add an automatic car wash and off-premise alcoholic beverage sales to an existing motor vehicle service station and two-story retail/office building in the C-2 (General Commercial) zone. ***Continued from the Planning Commission meeting of February 7, 2005.***

RAMIREZ states the applicant had this item continued from February 7, 2005 because of design and on-site circulation issues that could not be resolved by staff as conditions of approval. Staff was concerned that the proposal to add a car wash to the existing development would make it too crowded with automotive related uses. There are also compatibility issues.

Staff informed the applicant that the request to add a car wash would also require an amendment of the existing Specific Plan 106. This document provides for reciprocal access between parcels and reflects the overall development of the site. The applicant did not submit the required specific plan amendment application in time to have it scheduled for this evening's meeting. Therefore, staff is recommending the continuance to April 11, 2005 in order bring both items back before the Commission at the same time.

TURNER asks if anyone is in the audience who wishes to speak on this item tonight to come forward at this time.

No one comes forward to speak.

Motion by WELLS, second by WOODS to continue the public hearing on the Amendment of Conditional Use Permit 1805 to the meeting of April 11, 2005 and re-notice with the public hearing on amendment of Specific Plan 106. Motion carries 4-0, AMBROSE absent.

PLANNED UNIT DEVELOPMENT 265 – Jim Neil, CB Richard Ellis for Deepak Israni, Pacifica Companies

(continued public hearing) Continue to the meeting of April 11, 2005
(joint noticed CC mtg 4-26-05)
P.C. meeting 3/28/05

The subject property is located on the east side of Graves Avenue between E. Madison Avenue and Wells Avenue, and addressed as 453 Graves Avenue; APN: 488-020-48; existing LUC 1142A, proposed LUC 1142B, General Plan Designation: High Density Residential.

Request to convert an existing 28-unit apartment complex into a common-interest development in the R-4 (Multiple Family, High Density) zone. ***Continued from the Planning Commission meeting of February 28, 2005.***

AND

TENTATIVE SUBDIVISION MAP 578 – Jim Neil, CB Richard Ellis for Deepak Israni, Pacifica Companies

(continued public hearing) Continue to the meeting of April 11, 2005
(joint noticed CC mtg 4-26-05)
P.C. meeting 3/28/05

Request for a one-lot subdivision map in the R-4 (Multiple Family, High Density) zone. ***Continued from the Planning Commission meeting of February 28, 2005.***

ALVEY states the reason for the continuance from the February 28, 2005 Planning Commission meeting was to allow the applicant additional time to produce elevations of the interior courtyards for the existing apartments. During that meeting, the Planning Commission expressed concerns about the dwelling unit entrances as well as the common recreation area for the easterly courtyard.

The applicant has provided staff with an updated written narrative that proposes the following modifications to the site. They include filling the pool with soil and landscaping, replacing the walkways, installing a picnic table and barbeques, replacing metal balcony railings with wood, installing French-style sliding glass doors, and the conversion of the two-car garage into a common recreation room.

The latest submittal is a set of three concept drawings which was delivered to staff this afternoon. Staff has reviewed those drawings and provided copies to the commissioners. The concept is unlike previous submittals in that new colors are represented and the architectural elements have changed. Staff does support the new concepts, however it is noted that the drawings are incomplete because they do not show the full elevations as replacements to the original. Further, the concepts show features which do not conform to any of the site plans previously reviewed. Therefore, staff suggests that the Commission comment on the adequacy of the newest concept and continue both the Planned Unit Development 265 and Tentative Subdivision Map 578 hearings to the April 11, 2005 Planning Commission meeting as recommended in the staff reports, with the applicant paying the fee for re-noticing.

TURNER confirms the Commission received the new concepts and reiterates that staff is recommending that the Commission continue these items again. If there is anyone in the audience who wishes to speak to the Commission regarding this project, to come forward if they cannot return on April 11, 2005.

Eric COMER, 4365 Executive Drive, Suite 900, San Diego, is the applicant's representative. He is here to speak in favor of the project and was also hoping that the Commission could take a look at what was submitted today to see if conceptually it provides the Commission the necessary information to make a decision.

TURNER confirms that the staff is recommending the Commission continue these items because staff did not get an opportunity to review the different pieces of the new design.

ALVEY states staff did just receive the additional elevations this afternoon. The purpose for the additional continuance would be to bring together some inconsistencies in the drawings received today. There are the existing elevations of the facades of the building that faces the street which have one set of colors represented and then a secondary set of drawings that represent some different colors and different concepts. Staff would prefer to have an integrated set of drawings that conform and show a concept for the site as a whole before this item is moved forward.

COMER explains that the original elevation they provided was not done by a professional architect. They have hired an architect who completed it. Regarding the colors, what has most recently been submitted would be the colors. Obviously, it would supersede their original elevations. He thinks for decision-making purposes, the Commission has everything conceptually.

TURNER reiterates that the Commission was just handed the new concept tonight. Normally the commissioners pick their packets up on Friday afternoon and have all weekend to review. Staff is also saying they haven't had an opportunity to get the whole project together with all the paperwork. If COMER is asking about the colors, the Commission could say "yes" or "no" on the colors. She remembers when she went to look at this project there was a really nice area with the pool originally, and now the applicant is filling in the pool--so the applicant has changed some of the original concepts of the project from the last time the Commission saw it.

COMER states that is correct.

WELLS asks if the applicant has decided to fill in the pool?

COMER says they do plan to fill in the pool. That decision was made because of the amount of vertical railing in that courtyard area. When the pool area was originally designed, it was not common to put safety fencing around a pool. In today's world, you would need to have fencing around a pool, and because of the amount of vertical railing, they felt it would be unworkable to create and soften the look and feel and reduce the vertical railing. The only thing they saw happening was to demolish the pool.

TURNER asks if there is anyone else in the audience wishing to speak on these items.

No one else comes forward.

TURNER asks the Commission how they feel about continuing the items. The applicant wants the Commission to move it on to City Council, but it sounds like staff wants to get all the pieces together for the paperwork.

WOODS would feel more comfortable having it all integrated because then they would know exactly what they are looking at and so will the City Council.

WELLS likes the pictures he has seen. He likes the aesthetics of it. He thinks it is a mistake to take away the pool because it gets hot in El Cajon. He thinks it would be more marketable for a condominium to have a pool in this area.

TURNER agrees.

WELLS likes the cobblestone, the fountain, the look and the colors that the applicant is going with. He asks staff if this is the kind of thing the Commission could approve tentatively with staff working behind the scenes with the applicant and not needing to bring it back before the Commission or is this something that really needs to come back before the Commission once staff gets it all together?

ALVEY states that staff's recommendation would be to have both applications come back for the benefit of the Commission, just to have the complete package and a thorough submittal of the elevations.

WELLS asks if the best move is to continue these items, in staff's opinion?

WOODS has a different take on these. He thinks a swimming pool would be good for four months of the year, but a play area would be good all year round.

WELLS wouldn't rule out the project based upon the pool, he just thinks it seems a shame to lose it.

TURNER just noticed the picnic tables are where the pool was. Based upon staff's recommendation and the Commission's comfort level, the Commission would like to continue this.

Motion by BLACK, second by WOODS to continue the public hearings on Planned Unit Development 265 and Tentative Subdivision Map 578 to the meeting of April 11, 2005; carries 4-0, AMBROSE absent.

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

(continued public hearing) Continue to May 9, 2005

(joint noticed CC mtg 4-12-05)

P.C. meeting 3/28/05

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 meetings of February 7, 2005 and March 14, 2005.***

AND

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

(continued public hearing) Continue to May 9, 2005

(joint noticed CC mtg 4-12-05)

P.C. meeting 3/28/05

Request a one-lot subdivision map in the R-3 zone. ***Continued from the meetings of February 7, 2005 and March 14, 2005.***

RAMIREZ states that for various reasons, these items were continued from the Planning Commission meetings of February 7 and March 14, 2005. The applicant has indicated that still more time is needed in order to complete the enhanced elevations in response to the City Council's recent directive for more information. Staff recommends a continuance to May 9, 2005 with the applicant to pay a fee for re-noticing.

TURNER knows there are people in the audience for this item because there has been quite a bit of public interest, but it would be best if they came back on May 9, 2005. If they can't come back, the Commission will take their testimony tonight.

From the audience, several people say they will be back on May 9, 2005.

Motion by WOODS, second by BLACK to continue the public hearings on Planned Unit Development 262 and Tentative Subdivision Map 575, with the applicant to pay the re-noticing fees and in accordance with the staff report; carries 4-0, AMBROSE absent.

CONDITIONAL USE PERMIT 1998 – Velocitel for Verizon Wireless

(continued public hearing) Continue to May 23, 2005

P.C. meeting 3/28/05

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 communications facility in the O-P (Office Professional) zone. ***Continued from the meeting of March 14, 2005.***

ALVEY states the reason for the continuance from the Planning Commission meeting of March 14, 2005 was to allow the applicant to: first, be present at the public hearing and second, to address some design alternatives for the proposed wireless communications facility.

Staff contacted the applicant on March 15, 2005 and conveyed the concerns expressed by the Planning Commission. The applicant indicated that revised drawings and photo simulations should be available by tonight's meeting. However, at this time, staff has not received any additional information from the applicant. Staff requests that the Planning Commission discuss its concerns and desires with the applicant in order to give direction for any revisions and to continue the public hearing to the May 23, 2005 Planning Commission meeting.

TURNER asks if there is anyone in the audience who wishes to speak on this item who cannot return on May 23, 2005, to please come forward.

Laura BISHOP, 18071 Fitch Avenue, Suite 200, Irvine CA 92618, is with Velocitel, Inc. and represents Verizon Wireless. She would like to present the redesign tonight. She talked with staff last Friday (March 25). The drawings were prepared at that time but not in time to provide them to the Commission members. If possible, she would like the Commission to make a decision tonight and not continue the hearing for the simple fact that the matter has been discussed and she will go over design alternatives with the Commission.

What Velocitel has come back with is a stealth-designed tree, at the recommendation of the Planning Commission and after discussing the item with staff. Verizon Wireless is more than willing to present any stealth tree that the Commission feels would fit with this property and for the project. She is available to answer any questions the Commission and staff may have and also any members of the community who are concerned about the project.

Verizon Wireless is amenable to conditions of approval that would regulate what type of tree, what kind of materials, colors and what staff feels would fit with this project. For that reason, she asks that the Commission make a decision tonight, if possible.

In response to TURNER, ALVEY confirms the Commission has not received anything in their packets. TURNER asks if anything has been submitted to staff.

ALVEY informs the Commission that staff did not receive a submittal prior to the public hearing this evening and, therefore, has been unable to prepare a set of conditions of approval based on any new design alternatives.

TURNER asks the speaker to submit her documents to the City Attorney. She adds that the Commission will not be able to do anything tonight because they have not had a chance to review any of the documents—nor has staff.

BISHOP would like to discuss it tonight for the simple fact she is here tonight to discuss the design that is amenable to the Commission and to the community. She feels time will be lost if the design is not discussed and what the city would like to see in this installation. She is here, at the Commission's recommendation and staff's direction, to come forward with her design and get recommendations from the Commission.

TURNER states that normally those things are handled with staff. Staff prepares a packet for the commissioners and then the commissioners look at the packet. The Planning Commission meeting is not a workshop for the design.

BISHOP needs the Commission's input on this design. What the applicant has brought back to the Commission is a full mono cypress tree. A stealth tree was recommended. If a palm tree is recommended, Verizon Wireless will put in a palm tree.

TURNER says that wasn't the only concern. The site location was also an issue.

ALVEY says the speaker indicated that she has some information present this evening. If she could provide that to the City Attorney, then the staff could take a look at it.

BISHOP submits the documents to FOSTER who distributes them to staff and the Commission.

TURNER asks if there were any phone calls regarding this item today?

ALVEY states that staff has had discussions with the applicant about some design alternatives. The one presented here is a faux cypress. He asks if that is the drawing represented on the back of the brochure?

BISHOP answers that is correct.

ALVEY states staff was hoping to get some input from the Planning Commission as to what type of faux tree they thought would be most appropriate at the subject site. Staff would then direct the applicant to prepare drawings accordingly and submit them for a staff evaluation prior to the continued public hearing.

RAMIREZ would like the Chair to invite the speaker to give whatever presentation she may have ready on this new proposal. There is a person in the audience who came for this item and she is sure this would be helpful for him. She also wonders if there might be an example of a faux cypress tree anywhere in the San Diego County area that is available for staff and the Commission to take a look at.

BISHOP states the design being presented tonight is a mono cypress, a faux cypress tree. It looks pretty much like a real cypress tree. The top of the antennas will be 35 feet in height and the cypress tree will extend probably four to five feet above that, just so it has a natural tip. They will plant about three additional cypress trees adjacent to this faux tree or in the vicinity. They will get the largest size possible. With cypress trees, it is hard to get a very large size. They only come in certain sizes because they are hard to grow at nurseries. They will check with nurseries and have staff condition that accordingly.

The mono cypress location is on the south portion of the property. It is as far away from the intersection of Fletcher Parkway and Hacienda Drive as they could get it. The location of the cypress is dictated by the direction that their antennas need to shoot. Originally, the design was presented as two separate light pole structures. The reason for this is that they are shooting to the south and the southeast and also to the east. They can't go on the building because Cingular Wireless antennas exist on the building now. Verizon has to have a horizontal separation distance from those antennas of a minimum of ten feet. To go in on the other side of Cingular would put them facing directly into some eucalyptus trees that exist on the property. They can't shoot their signal through those trees.

To put antennas on the northeast portion of the building, shooting east, would shoot them directly into another building that exists on the adjacent property, so they couldn't go on the building on that side as well. That is why there were originally two different light poles presented on the original project.

BISHOP states the plan they have now is for one faux tree and the antennas will be on the tree and concealed within the branches. No one will know it is a site. They look like real cypress trees. She can definitely get an address for an existing tree so that commissioners and staff can make a site visit and take a look at it, as well as any members of the community wishing to see an example of this tree.

The location meets the setbacks. They are drawn on the plan. You can see that the tree is within the setback line. It is out of the way of any of the eucalyptus trees so that they can get their signal out. That is what is dictating the location on this site. They try to move it as close to the building as possible, but can't put it behind the eucalyptus trees; otherwise they can't get their signal out.

BISHOP is aware of the concerns presented at the last meeting regarding health and safety. For the audience, she states that the antennas don't put out that much energy.

Typically, one antenna puts out less than a 110-watt light bulb, as far as energy is concerned. The federal government has done many studies on these sites. They are safe for the health of people nearby.

She can answer any questions as needed.

WELLS asks why the cypress was chosen as opposed to the other tree designs available.

BISHOP states the cypress was recommended by the A&E department. They thought that would fit in best. There are pine trees on the property now. They could definitely put up a faux pine tree. If you want a co-locatable structure, it would have to be a little bit taller so that the carrier that came in after Verizon Wireless could locate their antennas at least a 35 or 32 foot rad center. Going lower than that, they are not going to be able to get their signal out over surrounding trees and due to topography and other things, the signal is not going to work. A monopine is typically their most co-locatable structure. In this case, unless they went higher, it wouldn't serve to be a co-locatable structure, in all honesty. A palm tree is another option. They are amenable to whatever the Commission or the community feels would be a better solution at this site. The brochure submitted is from a local company, Treescapes International, which is based in Oceanside. They can give samples and also pictures and actual site locations of any type of tree.

WELLS asks if BISHOP feels that the cypress tree is the least identifiable?

BISHOP answers that it is pretty unidentifiable, especially when you put in other cypress trees. Most people driving by are not going to know that it is a faux site.

Rodney GETTMAN, 718 Hacienda Drive, El Cajon, is a neighbor. He wants to address one thing. The homeowners are not against progress. But he thinks Verizon Wireless, with the petition the neighbors submitted, should contact every homeowner affected by this project, so they can see what is going to happen and can work with the Planning Commission on this. He thinks Ms. Ramirez tried to push this project through tonight. The former speaker was rattling on and there is a lot of information that has to come out of this. He thinks there should be a continuance on this hearing so that the Planning Commission can sit down and take a hard look at this before they put this up. The homeowners would like to see what it is going to look like and would like to see it no taller than one foot above the building. He lives directly across the street from this project, so he is going to see all the garbage. He doesn't care about the people driving up Fletcher Parkway, because they are not going to look at the cell tower. They are going to be looking at the roadway and stoplights. He would like to see Verizon give homeowners a copy of their proposal.

ALVEY states if the Commission should decide this evening to continue the public hearing, staff will have the information that was submitted by the applicant available at the Planning Division office tomorrow. Staff invites the speaker to come in and review

the additional information that has been submitted and then provide staff with his comments either in written or verbal form. The speaker's comments can be included in the follow-up staff report that is prepared.

TURNER states that normally an applicant doesn't hand out information to all the people that a project would affect---the City would hand out that notice to people.

RAMIREZ comments, for the speaker's benefit, staff's position is still as stated in the staff report. It is a recommendation to continue this public hearing. The purpose of inviting Ms. Bishop to provide more details was to give the Planning Commission a chance to understand the latest proposal, which is a significant departure from what the Commission saw two weeks ago, and to give the Commission an opportunity to ask questions about this new proposal. There would be some specific direction given to the applicant and she would have a better idea of knowing what to come back with in detailed drawings, and whether a cypress or a pine or a palm is to the advantage or disadvantage of her proposal.

WELLS asks the speaker what he would personally prefer?

GETTMAN says that a pine tree would be preferable, because a palm tree looks ugly. The main concern is that a lot of the neighbors live on the hill overlooking the building and they don't want to see all these configurations way above the building like the first one is. He is at a position where he can go in and take a photograph of the other tower, which is only supposed to be a foot above the building, and it is higher than a foot.

TURNER also thinks a pine tree would be better in that area. There are more pine trees than cypress trees. She asks staff how tall it would be if it were a pine or cypress, would it just be 35 feet?

ALVEY says that is correct. With the application as proposed, the wireless facility could not exceed the 35-foot height limitation.

TURNER just wanted to make that clear. It sounds like staff wants to continue this so that staff and the Commission can get a good idea of what the cypress would look like.

BLACK would move to continue because there is nothing in front of him to approve. It would be foolish to vote on something that isn't in front of him.

WELLS thinks they have gone in the right direction. We certainly have gone from the lamppost to the tree, which everybody seems to agree with, taking out the issue of health and safety problems that some people have expressed. He would actually not like to continue this, except for the fact that Mr. Gettman has noted that people in the community want to have some input. The only way he sees them having input is to have this available at the Planning Division office over the next few weeks for the neighbors to review, and then if they want to submit a petition for cypress versus palm

or would like to make their comments known for cypress versus palm versus whatever, they can do so. He thinks the hearing should be continued as well.

WOODS thinks this proposal is far superior to what the Commission saw before. He thinks the cypress is more stealth than the pine, but could live with it either way.

BLACK asks if the public hearing could be heard before the recommended May 23 date?

Staff indicates that is the earliest date available.

Motion by BLACK, second by WELLS to continue the public hearing on Conditional Use Permit 1998 for a wireless communications facility to the Planning Commission meeting of May 23, 2005, with the applicant to pay the re-noticing fees and in accordance with the staff report; carries 4-0, AMBROSE absent.

TURNER hopes Mr. Gettman received enough information and thanks him for coming.

PLANNED UNIT DEVELOPMENT 269 – Westone Management Consultants for Jacoba Graves, LLC

(public hearing) Resolution No. 10109
(joint noticed CC mtg 4-26-05)
P.C. meeting 3/28/05

The subject property is located on the east side of Graves Avenue between E. Madison Avenue and Beech Street, and addressed as 549 Graves Avenue; APN: 483-340-44; LUC existing 1142A, proposed 1142B; General Plan Designation: High Density Residential.

Request to convert an existing 25-unit apartment complex into a common interest development in the R-4 (Multiple Family, High Density) zone.

AND

TENTATIVE SUBDIVISION MAP 582 – Westone Management Consultants for Jacoba Graves, LLC

(public hearing) Resolution No. 10110
(joint noticed CC mtg 4-26-05)
P.C. meeting 3/28/05

The subject property is located on the east side of Graves Avenue between E. Madison Avenue and Beech Street, and addressed as 549 Graves Avenue; APN: 483-340-44; LUC existing 1142A, proposed 1142B; General Plan Designation: High Density Residential.

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

ALVEY states this development was constructed in 1978 and is approximately 27 years old. The site consists of two two-story apartment buildings, 40 parking spaces, landscaping and a children's play area. All of the 25 dwelling units at the subject site are two bedrooms/one bath.

The common recreation area for the subject property consists of landscaping in the playground. The applicant is proposing to add a barbeque, a raised planter bench area, new outdoor patios to the lower dwelling units, and new colored paving as well as enhanced landscaping.

At the subject site, 40 uncovered parking spaces were originally provided for the 25 apartment units, which equals 1.6 spaces per unit. As shown on the landscape master plan, the applicant is proposing modifications to the parking area that include the construction of 25 single-car garages and six visitor parking spaces for a total of 31 parking spaces or 1.2 spaces per unit. This would be a proposed reduction in the number of parking spaces that exist, but will have the benefit of adding garages that currently don't. The long-term issue is to make sure that the garages are not converted to some other purpose. The staff believes that the Planning Commission and City Council have the authority to approve the reduced number of parking spaces if justified, as in this situation.

The proposed garages must observe a side yard setback of at least three feet, as all accessory structures are required to do. The roof eave may project no closer than to within 1½ feet of the side property. This setback will create a three-foot wide "no man's land" on either side of the property. If the garages are approved, the staff recommends that the applicant work with staff to come up with a way to maintain those narrow side yards.

An alternative to garages would be to construct carports. Carports can be 8½ feet wide because there are no sidewalls, which require a ten-foot inside width as for garages. It is possible that 40 carports could be created, but they would not have the same security or storage capacity as garages.

Allowing the reduction in parking is authorized by the temporary amendment, which says that the number of parking spaces shall not be greater than the number of parking spaces existing.

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. The report identifies the condition of the property and all structures. All of the existing 25 units were inspected for the purpose of preparing this report.

Staff has included the recommendations contained in the physical elements report as conditions of approval. Staff has modified a condition requiring the applicant to re-roof the subject site based on the recommendation from the physical elements report preparer. The physical elements report states that the subject buildings re-roofed in 2002. However, the Building Division had no record of permits being issued for this property. Staff is, therefore, giving the applicant an option to provide an inspection report from a licensed contractor/engineer that evaluates the current condition of the roof and makes a recommendation on its status, and then obtain the necessary "as built" permits for the roof. Otherwise, the applicant will be required to re-roof the buildings at the site.

The proposed enhanced exterior elevations show the applicant's proposal to improve the aesthetic appearance of the existing development. In this case, the applicant has submitted colored drawings for the proposed exterior elevations on 11 x 17 sheets of paper that have been included in each commissioner's packet. Also, there are larger versions on display tonight.

The applicant is proposing improvements to the building elevations that include new paint, new windows, cultured stone bases, entry doors and several other upgrades. The applicant is also proposing a new second floor entry element and new stucco columns in the interior courtyard to break up the extended balcony. In staff's opinion, the applicant also needs to add trim around the windows, especially on the building elevations for which no enhancement drawings have been provided. Staff has recommended that the applicant add 1x4 trim around those windows.

Comments from other departments are attached. They have been incorporated as conditions of approval. Staff has not received any response to the public hearing notices that were distributed for these items.

Staff, therefore, recommends that the Planning Commission recommend approval of Planned Unit Development 269 and Tentative Subdivision Map 582 subject to the conditions and for the reasons as stated in the staff report.

The public hearings are now open.

Joseph SCARLATTI, Westone Management Consultants, 8799 Balboa Avenue, Suite 240, San Diego, CA 92123, is the applicant's representative. He has examined the conditions of approval and has no issues with them, other than small amending of some language.

On page 12 of the staff report, Condition 6a(12) suggests the wood fences be replaced. His client's intention was to do that. However, he would like to tie that comment together with the issue of the side yards on Condition 6d. What they would like to come back to the Commission with at a later date, under a separate application, is a variance to reduce that three-foot space. Three feet behind two different car garages for a total of six feet is a lot of wasted space. They can move the buildings back as far as they can and save the cost of a fence there. That money can be used toward something in the common area and add six feet to the open area. This can't be dealt with tonight because it requires a variance permit, but he was told by staff that if they get that application to the Commission, it could be approved under separate cover and they can accommodate that. If it is approved the way it is tonight, he will come back and tweak it with a variance permit, just as long as the Commission understands that he is not going to blind slide them in a couple of weeks. This is his client's intent.

The only other observation or perhaps small change in language is on page 14 of the staff report, Item G which states: "No garage may be used for any purpose except to park a motor vehicle and accessory storage". He has seen many versions in 32 years of "accessory storage". They would like to have it defined as 4x6 or 6x4--the width of the car garage up front, so that someone doesn't come along some day and put something huge in there.

Other than that, there are no issues whatsoever. They understand the concern with the roof. His client will deal with that.

In response to TURNER, RAMIREZ thinks staff would consider 4x6 to be "accessory". Regarding the fences, staff was aware that a variance might be part of the proposed solution for that three-foot space behind the proposed structures. Until the application is submitted, staff is not prepared to render an opinion. There certainly are merits, as Mr. Scarlatti has pointed out.

TURNER comments that the applicant is taking on a big project. She was at the site and thinks any of these proposed improvements in the conversion process would really help facelift this project. It is nice to see that happening.

SCARLATTI adds that they haven't come to any conclusion on what the dimensions of those columns would be. They are not right against the building. They are free standing. If they can find a way to tuck some extra storage or possibly, a wild idea, a washer and dryer in some of the columns, because they will be able to access it with water and energy and that sort of thing. If they can stick some useful purpose in those columns, they will try to do that. Until they actually get out there with construction drawings, he doesn't know what the dimensions of the columns are going to be. They could be 2 feet wide and 6 inches deep or could be 3 feet wide and two feet deep. Until he gets construction drawings, he can't tell the Commission. If they can make it work into something productive and further enhance the livability of these units, his client will do that.

Incidentally, he noticed there was reference to the buildings being mapped and then sold. This developer is here to stay in this city. This is the first of 7 or 9 projects they are bringing to the Commission. He intends to build them out. This project is not going to be sold to anyone. What you read today is exactly what you will have at the end of the day.

TURNER asks if the columns that are on the walkways are just there for decoration right now?

SCARLATTI answers right now they are there to break it up. Without encroaching on the open area, the developer can add something to make them useful and they will do that.

TURNER asks about the improvements on the children's play area?

SCARLATTI says the existing playground equipment will be gone. There is a supplier that sells the new plastic material that is child safe. They will find out the supplier and that is what they will be replacing it with.

TURNER was at the site today and saw two people barbequing out on the catwalks. It seems very close quarters over there.

SCARLATTI adds that if they provide gas barbeques where they are proposing, it will bring that fire hazard off the catwalk.

WELLS asks about the safe playground equipment for the children. Would that include that safe, spongy flooring that is put in play areas so when the kids fall, they aren't injured?

SCARLATTI answers yes. It is in the new playground in Balboa Park. His client intends to find out who that supplier is and get that kind of a system on a smaller scale for this area.

WELLS asks if it would be acceptable to the applicant to make that a condition to have the safe flooring?

WELLS also asks when the building is re-stuccoed, staff was talking about putting trim around the windows. Would you be making that trim as a build-out in the stucco itself like he has seen in some newer buildings? Or would you be putting in wood trim?

SCARLATTI knows from a marketing perspective, developers like the stucco pop out. He doesn't know what the width of the catwalk is. If they can get away with maybe a two or three inch pop out, he is sure that is what they will go along with. He is concerned that moving furniture down there and things like that might cause more harm than good. If they can go with a stucco pop out, they will do that. If it is not safe, they

will have to go back to the 1x4, which doesn't excite his client very much, but it is better than nothing. He prefers the stucco pop out.

WELLS agrees that the stucco pop out looks a lot better.

SCARLATTI suggests maybe they could get a 2-inch or a 1½-inch—at least they can paint it a different color and it would break up that catwalk more.

ALVEY asks for an addendum to conditions of approval 6d, which states, "Work out a maintenance program for side yards between the proposed garages and side property lines." Staff requests that the Commission add a sentence to that saying, "Or obtain City approval of a zero setback for the garages."

No further comments are offered.

Motion by WELLS, second by BLACK to close the public hearings on Planned Unit Development 269 and Tentative Subdivision Map 582; carries 4-0, AMBROSE absent.

Motion by BLACK, second by WOODS to recommend approval of Planned Unit Development 269 in accordance with the staff report, but modifying Condition 6(d) to read: "Work out a maintenance program for the side yards between the proposed garages and the side property lines or obtain City approval of a zero setback for the garages"; carries 4-0, AMBROSE absent.

Motion by BLACK, second by WOODS to recommend approval of Tentative Subdivision Map 582 in accordance with the staff report; carries 4-0, AMBROSE absent.

TURNER thanks the applicant. It is a great project to work on and she can't wait to see what it looks like when completed.

TENTATIVE PARCEL MAP 622 – Quintana- Reutzel

(public hearing) Continue to May 9, 2005

(joint noticed CC mtg 4-26-05)

P.C. meeting 3/28/05

The subject property is located on the east side of Hacienda Drive between Flying Hills Lane and El Pico Drive, and addressed as 1191 Hacienda Drive APN: 386-214-09; LUC 1111; General Plan Designation: Low Density Residential

To remove a restriction from the existing parcel map that prohibits permanent structures on the easterly portion of the lot in the R-S-9 (Residential Suburban 9,000 sq. ft.)/ R-S-9 H (Residential Suburban 9,000 sq. ft. Hillside Overlay) zones.

RAMIREZ states the parcel map has a restriction on it that was added to the property in 1980. The restriction was imposed by the City Council and reads as follows: "That portion of Parcel 2, lying easterly of Line A is hereon designated as open space. No permanent structure other than open fences, swimming pools and appurtenant equipment to a swimming pool may be constructed within this area".

The applicant purchased this property and approached the City about constructing a second family unit on the constrained portion of the property. The applicant was advised that the only way to build anything other than a fence or recreation facilities would be to process this parcel map application and request that the restrictive language be deleted. Staff determined that there may be some significant environmental impacts as a result of this request and, therefore, prepared as the environmental document, a mitigated negative declaration. This means that the possible significant affects can be mitigated and that the applicant has agreed to the mitigation.

Unfortunately, because the required publishing of a notice did not occur, this public hearing must be continued and the earliest available date is May 9, 2005. Staff notified the applicant and adjacent property owners who received the original public hearing notice. Since this item was joint noticed for the City Council's meeting on April 26, 2005, that hearing will be re-noticed as well.

TURNER opens the public hearing and asks if the applicant is present.

No one comes forward.

Motion by WELLS, second by WOODS to continue the public hearing on Tentative Parcel Map 622 to the meeting of May 9, 2005, in accordance with the staff report; carries 4-0, AMBROSE absent.

AMENDMENT OF CONDITIONAL USE PERMIT 1555 – McAlister Institute for Davidson

(public hearing) Resolution No. 10111
P. C. meeting 3/28/05

The subject property is located on the east side of N. Johnson Avenue between Steele Street and Vernon Way, and addressed as 1385 N. Johnson Avenue, Building B., Suite 102/103; APN: 483-021-21; LUC 6929/6301; General Plan Designation: Industrial Park.

Request to renew a Conditional Use Permit for an existing transition service center with bingo games and corporate offices in the M (Manufacturing) zone.

RAMIREZ states this is a request to renew an existing conditional use permit for the continuing operation of a transition service center and fundraising bingo games four times a week. There are no changes proposed by the applicant to the subject property, nor are there any changes proposed to the activities conducted at the transition service center.

This conditional use permit would have expired on January 24, 2005 without a successful renewal. The application for renewal was submitted in a timely fashion.

The transition service center consists of administrative offices, counseling, and education training programs for individuals recovering from chemical dependencies. Individual and/or group assessments are provided, referrals are made, counseling provided, workshops are conducted and bingo games are used as a fundraising activity.

The bingo games are scheduled for Monday, Friday and Saturday evenings from 6 to 10 PM and on Sunday afternoons from Noon to 4PM.

The zoning ordinance defines a transition service center as “a permanent facility designed and operated to provide direct/indirect referral and/or counseling services to persons who have no permanent residence or who are in need of assistance”. There is no residential activity occurring at this location.

The General Plan designation of the subject property is “Industrial Park”. A transition service center in the industrial area of the City is consistent with the General Plan if a conditional use permit is granted, or an amendment in this case.

The site is developed with two industrial buildings that total approximately 51,000 square feet with accessory parking areas and landscaping. The site is well maintained and the existing development conforms to the M zone development standards for setbacks, lot coverage, building height, loading and trash areas.

Staff has received no inquiries in response to the public hearing notice for this item. It is recommended that the amendment be granted, subject to conditions including Condition #5, a ten-year term for the renewal.

The public hearing is now open.

Denise WAGNER, 9468 Carlton Oaks Drive, Santee, represents McAlister Institute. She is here to answer any questions.

In response to TURNER, WAGNER agrees with all the conditions of approval in the staff report.

TURNER states McAlister Institute does a great job in the community.

No one else comes forward.

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

Motion by WOODS, second by BLACK to grant Amendment of Conditional Use Permit 1555 for renewal of an existing transition service center with bingo games in the M zone, in accordance with the staff report; carries 4-0, AMBROSE absent.

SHOPPING CARTS AT PARKWAY PLAZA

(discussion on Specific Plan 19)

Six-month review of shopping cart collection and use.

RAMIREZ states this report represents a discussion regarding the use and management of shopping carts at Westfield Shoppingtown Parkway. The Planning Commission may wish to discuss the issues presented here by staff and forward the report to City Council for their information.

As a matter of background, prior to the City Council's December 2001 approval of a Specific Plan amendment to modify the building footprint of the fifth anchor store at Parkway Plaza, Council expressed concern about the use of shopping carts at the mall. No formal restrictions on carts were imposed at that time; however, the Westfield representative agreed that after six months following the operation of the fifth anchor store (WalMart), if the City had received substantial complaints about shopping carts in the mall, Westfield and City staff would meet to discuss the issue and the results of that meeting would be sent to the City Council for further discussion.

Staff attended the WalMart grand opening in October 2004 and it took no time at all to realize that there were many shoppers using many carts clogging the aisles of a brand new store just browsing. Staff understands that the WalMart carts are equipped with a braking mechanism which prevents carts from leaving the general parking area around the store when they are pushed near an activating device that is installed near the perimeter road in the parking lot.

According to Mark Stein, a management staff member at Sears, WalMart carts were a serious issue for Sears at the time of opening and all through the holiday shopping season. The way Mr. Stein described it, a WalMart shopper would exit the store with their merchandise, get to a point in the parking lot where the cart brakes would be activated, not get to their parking space and transfer their merchandise into a freewheeling Sears shopping cart and then be on their way.

Since the issue of carts was raised at a December Planning Commission meeting, staff has randomly monitored the shopping center for cart management. Many visits were made on weekdays and weekends at various times of the day and evening, including

the holiday shopping period. During monitoring, staff most frequently visited the western end of the shopping center where WalMart is located. Many visits were made in the morning before the mall was even open. Other visits included the northerly and easterly parking areas and the parking structure.

To learn about cart management from the landlord's point of view, staff contacted Westfield's administration office in El Cajon. An employee there indicated that no negative comments had been received this calendar year regarding problems with the shopping carts. Staff believes this may be because the activating device was taken out of service and WalMart instituted a proactive approach to managing carts.

Staff further inquired by contacting Westfield personnel at the corporate office. In a telephone interview, cart management was discussed with Mr. Joe DeStasio in the Los Angeles office. Mr. DeStasio stated that carts were identified early in the development process as an issue. He further indicated that WalMart and Westfield have both made a concerted effort to manage carts appropriately, including committing financial resources to the task. Mr. DeStasio said that Westfield does have maintenance and security people who handle carts when necessary, but that WalMart now has staff who are dedicated completely in their job to cart retrieval only. WalMart assistant manager, Mr. Demond Eckert, reported that carts are retrieved all day long by WalMart employees and that a night crew goes beyond the immediate area surrounding WalMart to pick up carts after the WalMart store has closed.

Staff believes that it is now fair to say that shopping carts in general are being managed adequately by the Parkway stores that offer them. Staff is satisfied that WalMart has addressed the initial problem in a timely fashion and has demonstrated an effective approach in keeping the carts from becoming a nuisance.

Staff is not recommending any further monitoring activities at this time, but would suggest that the item be brought back again if there are offended stores who contact staff indicating that the problem has reappeared.

TURNER asks the person in the audience if he would like to add to the report.

Todd FALDUTI, Westfield Shoppingtown Parkway, 415 Parkway Plaza, El Cajon, is here to answer questions.

TURNER asks if they have considered the "hard tag" like Mervyn's, so the carts don't go into the mall?

FALDUTI responds that part of the overall plan is to encourage "cross shopping", so that people don't just come to WalMart and then leave. They want to increase sales across the entire retailer mix. They come to WalMart and continue shopping there at the mall.

BLACK states that he has made several visits to WalMart just to drive through. The shopping carts are everywhere. It is like a shopping cart “rodeo”. Have they assigned extra workers to collect those carts?

FALDUTI answers that initially they had a brand new WalMart, which caused a lot of excitement and were opened right before the holidays. Carts really were an issue at first. WalMart responded by hiring nine fulltime employees to do nothing but retrieve carts 24 hours a day. It has not been the issue that it used to be. As he drives the center every morning, he sees a cart or two. The Sears carts have a different collection pattern—they collect theirs during the day. WalMart collects theirs from the far reaches of the center, mainly at night. They try to stay on top of their carts in their adjacent lots throughout the day. They really want to keep those carts close at hand for their shoppers. It is in their best interest.

TURNER adds that the carts are expensive as well.

TURNER thanks FALDUTI for coming to the meeting tonight.

BLACK asks if this is going to come back to the Commission again?

TURNER says if the Commission asks for another six-month review.

RAMIREZ informs it can be brought back. Is it the Commission’s belief that staff needs to continue to monitor as they have in the past?

WOODS thinks not unless there are any complaints.

BLACK says that is the whole idea of continuing as a way to see if there are any complaints.

TURNER adds that a condition could be added to have it come back for another review in six months—is that correct?

RAMIREZ talks for a moment about complaints. The City Manager’s office is the one that has established a formal complaint process. She learned when contacting them that complaints about shopping carts are referred to the abandoned shopping cart collection service, which has a toll-free telephone number. Otherwise, a caller may be directed to Westfield directly. Staff is not using that as a way to monitor whether there are complaints. It seems to her that Westfield responds directly to people who are complaining as staff described in the staff report. Customers, patrons, or visitors of Westfield have three ways to make their complaint known. One is to go into the administration office; another way is to get a comment card at the concierge’s booth in the shopping center; and the third is to file the complaint online. As she understands it, Westfield and WalMart are working together to keep this issue under control.

WELLS would be satisfied knowing that it is in WalMart's best interest to retain their carts. As long as there wasn't any significant decrease in the people they employ to do that, he doesn't see any reason why it would need to come back to the Commission.

BLACK's only concern is that Parkway Plaza has always been a point of pride and beauty and quality in the community. The last two times he went through there, there were carts everywhere and it detracts from the quality of the place. He can only say that it might be in Westfield's interest to try to get on these carts. He doesn't know if it is a safety issue or not. None of the carts were in their corrals. He is just concerned because Westfield is a point of pride for El Cajon.

FALUTI understands. They have tasked the entire Westfield staff -- security, housekeeping, engineering, and management -- with shopping cart retrieval. While they may not be able to return carts to their corrals, they try to cluster them in storage areas and notify WalMart that they are there for easy retrieval. They are working as diligently as they can to assist WalMart in maintaining their asset. The shopping carts out in the parking lots that are not making their way back to the corral are generally picked up fairly quickly. They work one side of the lot, and then they switch to the other side, so that the two men can combine their efforts at any one time.

BLACK says it could be he was there at the wrong place and wrong time. He just wants to make Westfield is aware of it. He doesn't think it needs to come back to the Commission either, but he is going to keep checking on it.

WELLS went to Westfield tonight and didn't see a problem.

Motion by WOODS, second by WELLS to accept the report and forward to the City Council with a copy of the minutes reflecting the Commission's discussion.

PREDRAFTED RESOLUTIONS

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

Motion by BLACK, second by WELLS to adopt Resolution Nos. 10109, 10110 and 10111 pro forma; carries 4-0, AMBROSE absent.

ORAL COMMUNICATIONS

There were none.

CORRESPONDENCE

There was none.

ADJOURNMENT

Motion by BLACK, second by WELLS to adjourn the March 28, 2005 meeting of the El Cajon City Planning Commission at 8:20 PM.

Debra TURNER, Chair

ATTEST:

James S. GRIFFIN, Secretary