

MINUTES

PLANNING COMMISSION MEETING

SEPTEMBER 26, 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, AMBROSE, BLACK, TURNER-EMERSON

COMMISSIONERS ABSENT: NONE

OTHERS PRESENT: SHUTE, Senior Planner
FOSTER, Assistant City Attorney
ODIORNE, City Engineer
ALVEY, Associate Planner
CRAIG, Assistant Planner
MOSSAY, Minutes Clerk

MINUTES OF 9/12/05: Motion by WOODS, second by WELLS to approve the Minutes of September 12, 2005 pro forma; carries 5-0.

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

SHUTE advises that the applicant for Agenda Item #5 (Conditional Use Permit 2012 - Whillock) plans to request a continuance and has asked to have the item moved to the beginning of the agenda this evening. The Commission agrees to hear Agenda Item #5 first.

CONDITIONAL USE PERMIT 2012 – Whillock

(public hearing) Continued to 10-24-05 mtg
(PC mtg 9/26/05)

The subject property is located on the west side of Front St. between Palm Ave. and W. Main St. and addressed as 330-346 Front Street; APN: 487-271-08 & -11; LUC 66; General Plan Designation: Special Development Area #11.

Request to utilize prefabricated structures for storage purposes in the M (Manufacturing) zone.

ALVEY recommends the applicant speak regarding his request for a continuance.

TURNER-EMERSON opens the public hearing.

Mark WHILLOCK, 346 Front, El Cajon, is the applicant. He requests a continuance of the public hearing in order to have more time to work on issues with the conditional use permit request.

No one else comes forward to speak.

Motion by AMBROSE, second by BLACK to continue the public hearing on Conditional Use Permit 2012 to the Planning Commission meeting of October 24, 2005. Motion carries 5-0.

CONDITIONAL USE PERMIT 2010 – The Caddy Shack for Cayugan

(continued public hearing) Resolution No. 10198

(Joint Noticed CC mtg 10-25-05)

(PC mtg 9/26/05)

The subject property is located on the south side of W. Main Street between Van Houten and N. Sunshine Avenue, and addressed as 351 W. Main Street; APN: 487-331-01; LUC 582; General Plan Designation: Special Development Area #9/General Retail Commercial.

Request to expand an existing cocktail lounge with outdoor seating to include dance floor and live entertainment (indoors and outdoors) in the C-2 (General Commercial) zone. *Continued from the Planning Commission meeting of Sept. 12, 2005.*

CRAIG provides a summary of the staff report, stating that approval of the conditional use permit request to establish live entertainment would also legitimize the existing alcohol sales and end the non-conforming status of the existing cocktail lounge. mended to ensure that all live entertainment events occur after regular working hours. CRAIG also reviews the parking requirements within Specific Plan 182 and advises that the approval of a reduction of off-street parking will not result in a parking inadequacy that is detrimental to the area. Staff recommends the Commission grant Conditional Use Permit 2010.

The public hearing is still open.

Ike MEYER, Design Annex, 2348 Harcourt Drive, San Diego, the building designer, and **Alan NEFF**, The Caddy Shack, 351 W. Main Street, El Cajon, the applicant, agree with

all conditions except for one. They request the hours of outside entertainment be extended from 6PM to 12 Midnight at a minimum. This is not something that will be happening every weekend--only during the summer, weekends and special events, such as weddings, graduations, etc.

A discussion ensues between the Commission and staff regarding the applicant's request for extended hours of operation (CRAIG advises the extended hours would not adversely impact the surrounding commercial area) and noise level requirements (SHUTE advises that the outdoor noise levels for residential properties are not the same as the requirements for commercial properties).

No one else comes forward to speak.

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

Under discussion, AMBROSE states the El Cajon Community Development Corporation wholeheartedly supports this project and congratulates the applicants on their efforts.

Motion by AMBROSE, second by BLACK to grant Conditional Use Permit 2010, for a cocktail lounge with reduced parking, live entertainment and outdoor dining the C-2 zone, in accordance with the staff report, but adding a condition after Condition No. 10 to read: "There shall be a 12-month review of the conditional use permit on or about September 26, 2006." and renumbering Conditions 11 through 14 accordingly (#12 - #15); and adding to the newly numbered Condition No. 14: "The hours of operation for outdoor live entertainment shall be from 6PM to Midnight.". Motion carries 5-0.

AMENDMENT OF ZONING ORDINANCE – Planning Commission

(public hearing) Resolution No. 10199
(joint noticed CC mtg 10-25-05)
(PC mtg 9/26/05)

Consideration of an amendment of the Zoning Ordinance regarding density bonuses.

SHUTE reviews the history of State Bill SB1818 and SB435. SB1818 requires local jurisdictions to grant density bonuses if a developer agrees to restricting units to certain levels of affordability. With this new law, it gives more density bonus in exchange for fewer income restricted units and more market rate units than the previous density bonus law. SHUTE also explains the developers' request for concessions and incentives.

The staff's draft ordinance is an attempt to make the application of SB 1818 more understandable. Staff is recommending the use of a conditional use permit as the instrument to review density bonus projects.

FOSTER summarizes the changes made to the draft ordinance by the City Attorney's office, which was distributed to the Commission tonight.

- Numbering changes because of making the ordinance change it's own chapter.
- Where there is reference to state law, they added that if the state law is changed or replaced, the replacement would be reflected in the ordinance. The wording "or any state law replacing that section" was added.
- In several places, the 35% total cap on density bonus was emphasized.
- On page 16, in the list of findings that the City Council must make in order to grant concessions or incentives to the developer, the original version said "or". "Or" is replaced with "and ", reflecting that all of the findings must be made by Council before a concession or incentive can be granted.
- Changes on Appeals and Penalties section in order to be consistent with other Appeal and Penalty sections that already exist in the municipal code.

SHUTE adds that the draft ordinance before the Commission is a mirror of SB 1818. It is a mandate from the State that the City is required to adopt. A proposed negative declaration goes along with this amendment.

Staff recommends adoption of the proposed negative declaration and recommends approval of the proposed amendment of the Zoning Ordinance to add the section regarding Density Bonus in accordance with the attached Exhibit 'A'.

AMBROSE does not agree with this law. He asks about concessions, giving an example of lot coverages.

SHUTE responds that lot coverages could be a concession that could be considered under this law, as well as setbacks, driveway width, landscaping, open space, etc.--any development standards the City requires. The applicant can ask for up to three concessions. The applicant must also prove, by an economic feasibility report of some nature, that it is necessary to be reclude of these concessions in order for them to make the project work. In other words, that the cost to meet those development standards would make this project infeasible.

AMBROSE asks who provides this economic feasibility documentation and how does the City review this report?

SHUTE answers that the applicant would provide this documentation and staff would rely on their own expertise in studying the documentation and then make their recommendation to the Planning Commission and City Council.

In response to TURNER-EMERSON, SHUTE states the ordinance does not stipulate that a third party be required to submit the economic feasibility report.

TURNER-EMERSON opens the public hearing.

No one comes forward to speak.

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

Motion by WOODS, second by WELLS to adopt the proposed Negative Declaration. Motion carries 5-0.

Motion by WOODS, second by WELLS to recommend approval of an Amendment of the Zoning Ordinance to add Section 17.64.035 Density Bonus in accordance with attached Exhibit 'A', to include the changes made by the City Attorney's office, and in accordance with the staff report. Motion carries 5-0.

PLANNED UNIT DEVELOPMENT 292 – Westone Management Consultants for Pars Group LLC

(public hearing) Continued to 10-24-05 mtg
(joint noticed CC mtg 10-25-05)
(PC mtg 9/26/05)

The subject property is located on the south side of E. Washington Avenue between Dorothy Street and Jamacha Road, and addressed as 1371 E. Washington Avenue; APN: 514-012-34; LUC 1141A (existing) and 1141B (proposed); General Plan Designation: Medium Density Residential

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

AND

PUBLIC HEARING ON TENTATIVE SUBDIVISION MAP 606 – Westone Management Consultants for Pars Group LLC

(public hearing) Continued to 10-24-05
(joint noticed CC mtg 10-25-05)
(PC mtg 9/26/05)

The subject property is located on the south side of E. Washington Avenue between Dorothy Street and Jamacha Road, and addressed as 1371 E. Washington Avenue;

APN: 514-012-34; LUC 1141A (existing) and 1141B (proposed); General Plan Designation: Medium Density Residential

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

SHUTE states the applicant requested a 30-day continuance to October 24, 2005 in order to address the proposed exterior elevations and design issues.

TURNER-EMERSON opens the public hearings.

No one comes forward to speak.

Motion by WELLS, second by AMBROSE to continue the public hearings on Planned Unit Development 292 and Tentative Subdivision Map 606 to the meeting of October 24, 2005, as requested by the applicant and in accordance with the staff report. Motion carries 5-0.

CONDITIONAL USE PERMIT 2011 – Ed Pro Education Services, Inc. for Pacific Gillespie Lot 24, LP

(public hearing) Resolution No. 10207
(PC mtg 9/26/05)

The subject property is located on the west side of Gillespie Way between Weld Blvd. and Reuben Fleet Dr., and addressed as 1810 Gillespie Way; APN: 387-200-18 and 760-230-32; LUC 3620 existing, 6831 proposed; General Plan Designation: Special Development Area #6

Request a vocational school in the M (Manufacturing) zone.

CRAIG provides a summary of the staff report and the reasons for the applicant's request. Staff recommends the Commission grant Conditional Use Permit 2011 for a vocational school in the M zone.

TURNER-EMERSON thanks staff for the Internet printout on the business and opens the public hearing.

Rick DENTT, 1184 Coco Palms Drive, El Cajon, is the building owner and is happy to have this kind of use in the industrial park.

Keith ZAKARIN, 1900 Joe Crosson Drive, El Cajon, is one of the owners of the business and is here to answer any questions.

No one else comes forward to speak.

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

Motion by BLACK, second by AMBROSE to grant Conditional Use Permit 2011 for a vocational school in the M zone, in accordance with the staff report. Motion carries 5-0.

PREDRAFTED RESOLUTIONS

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

Motion by WOODS, second by WELLS to adopt Resolution Nos. 10198, 10199 and 10207 pro forma. Motion carries 5-0.

ORAL COMMUNICATION

There was none.

CORRESPONDENCE

There was none.

ADJOURNMENT

Motion by WELLS, second by WELLS, to adjourn the meeting of the El Cajon City Planning Commission at 7:40 PM this 26th day of September 2005. Motion carries 5-0.

Debra TURNER-EMERSON, Chair

ATTEST:

James S. GRIFFIN, Secretary