

MINUTES

PLANNING COMMISSION MEETING

OCTOBER 10, 2005

The meeting of the El Cajon City Planning Commission is called to order at 7:03 PM.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: WELLS, WOODS, AMBROSE, BLACK
COMMISSIONERS ABSENT: TURNER-EMERSON
OTHERS PRESENT: RAMIREZ, Principal Planner
FOLEY, City Attorney
GRIFFITHS, Principal Civil Engineer
HAWLEY, Administrative Secretary

MINUTES OF 9/26/06: Motion by WOODS, second by WELLS, to approve the Minutes of September 26, 2005 pro forma. Motion carries 4-0 (TURNER-EMERSON absent).

BLACK 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 289 & TENTATIVE SUBDIVISION MAP 602 - Watson for WGA East Main Street, LP

(continued public hearings) Continued to October 24, 2005
(joint noticed CC mtg. 10-11-05)
(P.C. mtg 10/10/05)

The subject property is located on the north side of E. Main Street between N. Second and E. Madison Avenues – addressed as 1362 East Main Street; APN: 489-180-26; General Plan Designation: Medium Density Residential/General Retail Commercial.

Request to convert an existing 68-unit apartment complex into a common interest development and to create a one-lot subdivision in the R-3 (Multiple-Family) and the R-4 (Multiple-Family, High Density) zones. ***Continued from the Planning Commission meeting of Sept. 12, 2005.***

RAMIREZ provides a history of the items and indicates the items are being recommended for continuance to October 24, 2005 to allow the applicant additional time to prepare revised elevations and a common area plan.

The public hearings are still open.

Robert AMAVISCA, 1362 E. Main Street, El Cajon, CA, expresses concern about relocation options for senior citizens residing at the subject property and their ability to afford alternative housing. He advises the property manager has terminated his position recently and there is no replacement manager on site.

A discussion ensues among Commissioners, staff and the speaker concerning:

- Eviction notices from the manager or property owner
- Possible resources for tenants needing assistance with relocation
- The availability of rentals units in the City

Andrea ANDERSON, 1362 E. Main Street, Apt. #48, El Cajon, CA, speaks in favor of improvements being made to the property and a good design. She advises of ventilation issues in the units and the current status of the common area, and expresses concern for senior tenants being displaced and the possibility of high selling prices for the units.

No one else comes forward to be heard.

Motion by WELLS, second by AMBROSE, to CONTINUE the public hearings on Planned Unit Development 289 and Tentative Subdivision Map 602 to the Planning Commission meeting of October 24, 2005, in accordance with the staff report; carries 4-0 (TURNER-EMERSON – absent).

RAMIREZ encourages the speakers on this item to return to the October 24th meeting if possible. If the speakers are not able to attend, they are welcome to submit their comments in writing, or they may call staff to discuss any aspects of this project.

AMBROSE advises he must disqualify himself from Agenda Items #2 and #3 as his company has a contract with one of the owners pertaining to Item #2, and with the developer for Item #3. He leaves the Chambers at 7:25 p.m.

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

(public hearing) Resolution No. 10209

(joint noticed CC mtg 11/8/05)

PC mtg 10-10-05

The subject property is located on the west side Ballantyne St. between Broadway & Cedar St., and addressed as 852 Ballantyne St.; APN: 483-222-22 & -23; LUC 1111A existing, 1111B proposed; General Plan Designation: Low Medium Density Residential

Request to construct a four-unit residential common interest development in the R-1-6 (Residential One Family, 6,000 sq. ft.) zone.

AND

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

(public hearing) Resolution No. 10210
(joint noticed CC mtg 11/8/05)
(P.C. mtg 10/10/05)

Request a five-lot subdivision map (including one common lot) in the R-1-6 (Residential One Family, 6,000 sq. ft.) zone.

RAMIREZ provides a history of the project and a summary of the staff reports. She indicates that the proposed building elevations specify use of composition shingles, and that the applicant should be aware that new construction is expected to provide cementitious tile as the roof material, however, this is not a code requirement.

RAMIREZ continues the presentation calling the Commission's attention to a request to add a condition #7 to the recommendation for TSM 552, pertaining to removal of all existing structures from the subject property. Staff is recommending approval of both items.

FOLEY points out to the applicant, seated in the audience, that because of the disqualification of Commissioner AMBROSE and the absence of Commissioner TURNER-EMERSON, the adoption of the resolutions require an affirmative vote from all three Commissioners this evening on both Agenda Items, #2A and #2B, and #3A and #3B. If a 2 to 1 vote were rendered, the items would have to automatically come back to the next Planning Commission meeting for Commissioner TURNER-EMERSON's participation.

The public hearings are now open.

Don AYLES, ERB Engineering, 12320 Stowe Drive, Suite E, Poway, CA, is the applicant's representative. He indicates they have met the staff's requirements for architectural details, the walkway and common area. They are in concurrence with the proposed condition concerning removal of the existing buildings.

A discussion ensues among Commissioners and staff concerning a possible upgrade of roof materials to tile.

William GRETHER, 4432 Nadal Drive, La Mesa, CA, indicates they would agree to the condition requiring cementitious roof tile.

No one else comes forward to be heard.

Motion by WELLS, second by WOODS, to close the public hearings; carries 3-0 (AMBROSE – disqualified, TURNER-EMERSON – absent).

Motion by WOODS, second by WELLS, to RECOMMEND APPROVAL of Planned Unit Development 238R, with an addition to Condition #6 to read: “All elevations shall specify cementitious roof tile.”; carries 3-0 (AMBROSE – disqualified, TURNER-EMERSON – absent).

Motion by WOODS, second by WELLS, to RECOMMEND APPROVAL of Tentative Subdivision Map 552R, adding Condition #7 to read: “Prior to recording the final map the applicant shall remove (or guarantee the removal of) all existing structures from the subject property.”; carries 3-0 (AMBROSE – disqualified, TURNER-EMERSON – absent).

PLANNED UNIT DEVELOPMENT 293 – CondoConversions.com for Scheidel

(public hearing) *Continued to October 24, 2005*

(joint noticed CC mtg 11/8/05)

(P.C. mtg 10/10/05)

The subject property is located on the east side of Emerald Avenue between W. Washington and Chamberlain Avenues, and addressed as 661 – 675 Emerald Avenue; APN: 487-543-22; General Plan Designation: Medium Density Residential.

Request to convert an existing 18-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 607 - CondoConversions.com for Scheidel

(public hearing) *Continued to October 24, 2005*

(joint noticed CC mtg 11/8/05)

(P.C. mtg 10/10/05)

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

RAMIREZ reaffirms that Commissioner AMBROSE has disqualified himself from participating in the public hearings for these items.

RAMIREZ provides an overview of the project, indicating that staff had sent a letter to the applicant in September recommending that the applications be withdrawn in order to address issues relating to the age and design of the subject site. In response to the letter from staff, the applicant submitted a request to continue the public hearings to the Planning Commission meeting of October 24th. Staff is requesting feedback from the Commission concerning the enhanced elevation package. Continuance of the items will require the applicant to submit revised elevations and site plans no later than 5:00 p.m., October 14, 2005. Staff prefers withdrawal of the applications so that there is adequate time to work with the applicant and reschedule the items for review by the Commission, once the revised proposal has been submitted and thoroughly evaluated by staff.

RAMIREZ indicates the items were joint-noticed for a City Council meeting of November 8th; those public hearings may also have to be rescheduled. Staff is recommending that the Planning Commission grant the withdrawal of both applications.

The public hearings are now open.

Chris CHRISTENSEN, CondoConversions.com, 4817 Palm Avenue, Suite I, La Mesa, CA, is the applicant's representative. He requests a two-week continuance of the items to prepare revised drawings that respond to issues addressed by staff. He raises concerns about application requirements and requests clarification on the subjective criteria to which applicants will be held.

A discussion ensues among Commissioners, staff, and the speaker concerning the options of application withdrawal versus continuation of the public hearings.

WELLS requests that the speaker return to the podium.

In response to the question by WELLS, CHRISTENSEN speaks about the possibility of demolishing the building on the southern edge of the property, or demolishing both of the buildings.

No one else comes forward to be heard.

Motion by WELLS, second by WOODS, to close the public hearings; carries 3-0 (AMBROSE – disqualified, TURNER-EMERSON – absent).

Discussion ensues among Commissioners and staff concerning the age of the buildings and the need for staff to evaluate any revised drawings.

Motion by WELLS, second by WOODS, to re-open the public hearings; carries 3-0 (AMBROSE – disqualified, TURNER-EMERSON – absent).

Chris CHRISTENSEN, CondoConversions.com, 4817 Palm Avenue, Suite I, La Mesa, CA, returns to the podium. He indicates they were prepared to present the item this evening, as they had submitted a complete application. He reiterates their request for a two-week continuance of the public hearings, and states they should be able to provide the requested information by Friday of this week.

No one else comes forward to be heard.

Motion by WELLS, second by WOODS, to CONTINUE the public hearings on Planned Unit Development 293 and Tentative Subdivision Map 607 to the meeting of October 24, 2005; carries 3-0 (AMBROSE – disqualified, TURNER-EMERSON – absent).

FOLEY clarifies that the public hearings are still open for these items and will remain open on October 24th. The prior vote to close the public hearings has no meaning at this point in time.

AMBROSE returns to the Chambers at 8:02 p.m.

PLANNED UNIT DEVELOPMENT 294 – Ferson for BGA, Ltd.

(public hearings) Continued to October 24, 2005

(joint noticed CC mtg. 11-8-05)

(P.C. mtg 10/10/05)

The subject property is located on the south side of Broadway between Grape and Third Streets, and addressed as 1499 Broadway; APN: 507-281-57; General Plan Designation: Medium Density Residential.

Request to convert a 16-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone.

AND

TENTATIVE SUBDIVISION MAP 608 - Ferson for BGA, Ltd.

(public hearings) Continued to October 24, 2005
(joint noticed CC mtg. 11-8-05)
(P.C. mtg 10/10/05)

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

RAMIREZ provides a summary of the items and advises that the physical elements report for this project identified the presence of an illegal dwelling unit, addressed as Unit #17. Staff confirmed the existence of Unit #17 with a visit to the site on October 3rd. The applicant was contacted at that time to inquire what actions had been taken to resolve the illegal unit, and learned that none had been taken.

RAMIREZ outlines the actions that the applicant must take, in order to resolve the illegal dwelling unit prior to proceeding with the project. The items were noticed for the City Council meeting on November 8, 2005. These public hearings may also have to be rescheduled.

The public hearings are now open.

No one comes forward to be heard.

Motion by AMBROSE, second by WELLS, to CONTINUE the public hearings on Planned Unit Development 294 and Tentative Subdivision Map 608 to the Planning Commission meeting of October 24, 2005, in accordance with the staff report; carries 4-0 (TURNER-EMERSON – absent).

TENTATIVE SUBDIVISION MAP 510R - Marchesini

(public hearing) Resolution No. 10213
(joint noticed CC mtg 11/8/05)
(P.C. mtg 10/10/05)

The subject property is located on the west side of Avocado Blvd. between Dewitt Court and Horizon Hills Drive, and addressed as 1850 Avocado Blvd.; APN: 497-081-52; General Plan Designation: Low-Low Density Residential.

Request a five-lot residential subdivision map in R-S-14 (Residential Suburban 14,000 sq. ft.) zone.

RAMIREZ provides the history of the request, which was first approved by the Planning Commission in January 2003 and by the City Council in February 2003. No request for an extension of time was submitted to extend the two-year life of the tentative subdivision map; the map expired on February 25, 2005. The proposal is essentially the same as presented

in 2003 and would still create five residential lots. Public input received relative to height limitations, number and size of lots, protection of views and zoning, is discussed. The City does not protect views and does not require a standard subdivision proposal be accompanied by a development plan. It is assumed that the eventual buyers of the proposed lots will build whatever meets their needs and, at the same time, satisfies the City's requirements.

RAMIREZ indicates the item has been joint-noticed for a City Council public hearing on November 8, 2005. Staff recommends that the Planning Commission recommend adoption of the proposed Negative Declaration and approval of Tentative Subdivision Map 510R, subject to the conditions and for the reasons stated in the staff report.

The public hearing is now open.

Bill HORNE, 1860 El Jardin Court, El Cajon, CA, is the owner of a property directly adjacent to the subject property. He speaks in opposition and indicates he has had communications with the applicant about height limitations, drainage, and loss of existing views. He states that the applicant has requested a quitclaim for easements on some of the adjacent property.

No one else comes forward to be heard.

Motion by WOODS, second by WELLS to close the public hearing; carries 4-0 (TURNER-EMERSON – absent).

Under discussion, AMBROSE says the proposal is in accordance with the zone and does not conflict with the General Plan.

*Motion by WELLS, second by AMBROSE, to adopt the proposed Negative Declaration; carries 4-0 (TURNER-EMERSON – absent).

Motion by AMBROSE, second by WELLS, to RECOMMEND APPROVAL of Tentative Subdivision Map 510R, in accordance with the staff report; carries 4-0 (TURNER-EMERSON – absent).

*This action was taken at the conclusion of Agenda Item #6, Amendment of Conditional Use Permit 184.

AMENDMENT OF CONDITIONAL USE PERMIT 184 - Priest Development Corp. for El Cajon Alliance Church

The subject property is located on the southeast corner of Broadway and Ballantyne, and addressed as 401 Broadway; APN: 483-240-84; General Plan Designation: Low Density Residential

Request to modify site plan for an existing religious facility in the R-1-6 (Residential, One-Family 6,000 sq. ft.) zone.

RAMIREZ indicates this is a request to reduce the lot area and modify the existing parking lot of a church at 401 Broadway. The reduction of the church site is necessary in order to facilitate a lot line adjustment to transfer land from the church to an adjacent site for an approved development with single-family homes. The land to be transferred is currently used for parking and is occupied by several older structures. The amendment request includes a reduction in size of the church site, removal of the four residential structures, landscaping improvements, and the reconfiguration of the church's parking lot. Staff does not anticipate any adverse compatibility issues between the reconfigured church parking lot and the surrounding land uses.

RAMIREZ informs that the Public Works Department staff has agreed to delete Item #B-2 in their comments dated October 3rd, in response to a request from the applicant's representative. Staff recommends that the Planning Commission grant the amendment to modify the site plan as requested. RAMIREZ also notes if the Commission concurs with the deletion of Item #B-2 in the Public Works comments, that would mean a change to condition #2b of the staff report.

The public hearing is now open.

No one comes forward to be heard.

In answer to the question by AMBROSE, the applicant's representative, who is seated in the audience, gestures his agreement to the conditions of approval.

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

Motion by AMBROSE, second by WOODS, to GRANT Amendment of Conditional Use Permit 184, modifying condition 2b to add: "deleting item #B-2," carries 4-0 (TURNER-EMERSON – absent).

DISCUSSION ITEMS:

2006 PLANNING COMMISSION CALENDAR

BLACK asks if anyone in the audience wishes to speak on this item.

No one comes forward to be heard.

Motion by WELLS, second by AMBROSE, to ADOPT the 2006 Planning Commission calendar, in accordance with the staff report; carries 4-0 (TURNER-EMERSON – absent).

EXTENSION OF TIME FOR ZONE RECLASSIFICATION 2251 – Priest Development Corp.

The subject property is located on the east side of Ballantyne Street between Broadway and Cedar Street, and addressed as 823 & 841 Ballantyne Street and an adjacent vacant lot; APN 483-240-82 and a portion of 483-240-84; General Plan designation: Low Density Residential.

Request extension of time to rezone property from the R-1-6 (Residential One-Family 6,000 sq. ft.) zone to the PRD-Low (Planned Residential Development-Low Density) zone.

RAMIREZ provides the history for this request on Zone Reclassification 2251, and its companion items Planned Residential Development 60 and Tentative Subdivision Map 547. A formal amendment of the Conditional Use Permit 184 for the El Cajon Alliance Church (which is on part of the subject property) must be completed and its respective conditions of approval satisfied in order for this project to move forward. The rezoning was not controversial but there was considerable discussion from surrounding property owners regarding the height and location of the proposed housing units along the southerly boundary of the proposed project (PRD 60).

Staff is recommending that the Planning Commission approve a twelve-month extension of time for this rezoning to expire on November 9, 2006, subject to the same conditions of approval contained in the original Planning Commission Resolution No. 9990.

BLACK asks if anyone in the audience wishes to speak on this item.

No one comes forward to be heard.

Motion by WOODS, second by WELLS, to GRANT a twelve-month extension of time for Zone Reclassification 2251 to November 9, 2006, in accordance with the staff report; carries 4-0 (TURNER-EMERSON – absent).

REVIEW OF CONDITIONAL USE PERMIT 1875 – Animal Medical Center

The subject property is addressed as 600 Broadway.

Consideration of setting a formal review of animal hospital in the C-2 zone.

RAMIREZ provides the history of Conditional Use Permit 1875, and discusses complaints received from a nearby resident concerning the medical center's collection of dog feces and the exterior lighting. In response to a letter received from the complainant's attorney, the Planning Commission is being asked to determine if a formal review of CUP 1875 is warranted. It is the staff's opinion that the Animal Medical Center is now in compliance with all conditions of approval and no formal action is required. If the Commission determines that a formal review is needed, a Resolution of Intention should be adopted tonight, to set a public hearing date of December 12, 2005.

In response to questions by AMBROSE, RAMIREZ states that two staff members have had ongoing communications with staff at the medical center concerning the complaints received. Regarding the lighting issue, staff has visited the center during nighttime hours and believes an adequate solution was implemented.

BLACK asks if anyone in the audience wishes to speak on this item.

Adrian MADISON, 630 Broadway, El Cajon, CA, speaks about the lighting issues at the subject property and voices opposition to staff's findings. He suggests a continuance of this item, as the lighting issue, although improved, has not been adequately addressed.

A discussion ensues among Commissioners, staff and the speaker concerning:

- A suggestion to review the status of the lighting issue in a few months
- Hours of use of the exterior lighting

Dr. Richard JOHNSON, 600 Broadway, El Cajon, CA, is the applicant's representative. He indicates the lights are necessary for security purposes at the rear of the property. He notes that his staff has been instructed to pick up feces immediately, and they have done so for approximately six months. He feels they have done everything possible to address the complaints.

In response to questions by WOODS and AMBROSE, JOHNSON indicates their security cameras will not operate adequately without the lights. He will speak with his contractor to consider the use of motion detection lighting devices.

In response to the question by BLACK, FOLEY clarifies this is not a formal revocation hearing, but that it would be appropriate for the Commission to make a determination based on what they have heard, subject to future review.

Motion by WELLS, second by AMBROSE, to find the applicant is in compliance with the conditions of approval for Conditional Use Permit 1875, until such time a further review is required; carries 4-0 (TURNER-EMERSON – absent).

AMENDMENT OF CONDITIONAL USE PERMIT 1923 - BITA Investments (Auto Finance Specialists)

The subject property is addressed as 329 – 385 El Cajon Blvd.

Request to proceed with plancheck for new sales building in conjunction with an existing used car and truck sales facility in the C-2 zone.

RAMIREZ provides a summary of the staff report, discussing storm water violations and the use of a modular office unit on the subject property. The temporary use permit and its extension expired long ago and the modular unit has been onsite without subsequent City authorization. The major concerns regarding the violations have since been addressed and staff is willing to support the continuing use of the modular unit for a period not to exceed six months. If justified, a further extension can be considered.

RAMIREZ states that staff is recommending that the Planning Commission authorize the applicant to submit construction documents for plancheck to the Building Division and authorize the continuing use of the modular office unit for a period not to exceed six months, or until April 10, 2006.

BLACK invites comments from the audience on this item.

Tony KHOROSHI, 9742 Red Pony Lane, El Cajon, CA, is the applicant. He speaks about the financial difficulties he is experiencing involving construction costs for the showroom and the “bomb shelter” [canopy over car wash area]. He requests use of the modular office unit for a period longer than six months.

Allen DUEBER, 9131 Fletcher Parkway, Studio 119, La Mesa, CA, is the applicant’s representative. He speaks about difficulties they have encountered concerning approval of drainage and grading plans, and requests they be allowed to use the modular office unit for a minimum of eleven months, with an option to come back for review at the end of that timeline.

RAMIREZ says the applicant has made diligent efforts to meet all conditions of approval to move this project forward. Staff will not object to the use of the modular office unit for a period of eleven months.

Motion by AMBROSE, second by WOODS, to 1) authorize the applicant to submit construction documents for plancheck; 2) authorize the continuing use of the modular office unit for a period not to exceed eleven months, or until September 10, 2006; and 3) direct staff to return to the Planning Commission with a progress report in six months; carries 4-0 (TURNER-EMERSON – absent).

PREDRAFTED RESOLUTIONS

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

Motion by WOODS, second by AMBROSE to adopt Resolution Nos. 10209, 10210, and 10213 - 10215 pro forma; carries 4-0 (TURNER-EMERSON – absent).

ORAL COMMUNICATIONS

AMBROSE reports that the San Diego Economic Development Council will be taking a position on the issue of changing industrial land to residential uses. Guidance may be sought from other cities.

CORRESPONDENCE

There was none.

ADJOURNMENT

Motion by WOODS, second by AMBROSE, to adjourn the meeting of the El Cajon City Planning Commission at 9:03 PM this 10th day of October 2005.

Tom BLACK, Chair Pro Tem

ATTEST:

James S. GRIFFIN, Secretary