

# MINUTES

## PLANNING COMMISSION MEETING

**MARCH 27, 2006**

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

### PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: SOTTILE, WELLS, WOODS, AMBROSE, BLACK,  
COMMISSIONERS ABSENT: NONE  
OTHERS PRESENT: SHUTE, Senior Planner  
LYON, Assistant City Attorney  
KRULIKOWSKI, City Traffic Engineer  
ALVEY, Associate Planner  
CRAIG, Assistant Planner  
HAWLEY, Admin. Secretary

### MINUTES OF 3/13/06

Motion by WOODS, second by AMBROSE to approve the Minutes of March 13, 2006 pro forma. Motion carries 5-0.

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. He advises that the appeal period for the items on this Agenda will end on Monday, April 10, 2006 at 5:00 p.m.

### **PLANNED UNIT DEVELOPMENT 307 - Skinner**

(public hearing) Resolution No. 10291  
(joint-noticed CC mtg 4-25-06)  
PC mtg 3-27-06

The subject property is located on the south side of Marline Avenue between Grape and N. 3<sup>rd</sup> Streets, and addressed as 1463 Marline Avenue; APN: 507-283-13; General Plan Designation: Low Density Residential

Request a three-unit common interest development in the R-2-R (Two-Family Residential, Restricted) zone. ***Continued from the Planning Commission meeting of January 30, 2006.***

AND

**TENTATIVE PARCEL MAP 627 - Skinner**

(public hearing) Resolution No. 10292

(joint-noticed CC mtg 4-25-06)

PC mtg 3-27-06

Request a four-lot subdivision (including one common lot) in the R-2-R (Two-Family Residential, Restricted) zone. ***Continued from the Planning Commission meeting of January 30, 2006.***

SHUTE provides a summary of the items and the reasons for the continuance of the public hearings. He indicates that subsequent to the Planning Commission meeting of January 30<sup>th</sup>, staff and the applicant worked together to address several key issues concerning the proposed architectural enhancements and lack of detail on the elevations. Staff received a letter from the applicant dated February 23, 2006 requesting withdrawal of the applications, with the applicant stating the reasons for his decision in a phone conversation with staff. Staff recommends that the Planning Commission grant withdrawal of Planned Unit Development 307 and Tentative Parcel Map 627.

BLACK announces the public hearings are still open.

No one comes forward to speak.

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

Motion by AMBROSE, second by SOTTILE to GRANT WITHDRAWAL of Planned Unit Development 307, in accordance with the staff report; carries 5-0.

Motion by AMBROSE, second by SOTTILE to GRANT WITHDRAWAL of Tentative Parcel Map 627 in accordance with the staff report; carries 5-0.

The appeal period for this item ends at 5:00 p.m. on April 10, 2006.

**ZONE RECLASSIFICATION 2273 – Snyder**

(public hearing) Resolution No. 10293

(joint-noticed CC mtg 4-25-06)

PC mtg 3-27-06

The subject property is located on the north side of Naranca Avenue between N. 2<sup>nd</sup> and Grape Streets, and addressed as 1338 Naranca Avenue; APN: 484-263-27; General Plan Designation: Low Density Residential.

Request to rezone property from the R-2-R (Two-Family Residential Restricted) zone to the PRD (Planned Residential Development)-Low zone.

**AND**

**PLANNED RESIDENTIAL DEVELOPMENT 63 - Snyder**

*(public hearing) Resolution No. 10294*

*(joint-noticed CC mtg 4-25-06)*

*PC mtg 3-27-06*

Request to construct a four-unit planned residential development in the proposed PRD-Low zone.

**AND**

**TENTATIVE SUBDIVISION MAP 621 - Snyder**

*(public hearing) Resolution No. 10295*

*(joint-noticed CC mtg 4-25-06)*

*PC mtg 3-27-06*

Request a five-lot subdivision in the proposed PRD (Planned Residential Development)-Low zone.

ALVEY gives a summary of the proposals and the staff reports. He advises that three responses were received in response to the public hearing notice distributed for these items, with neighboring property owners expressing concerns regarding drainage from the subject property and one caller concerned with obstructions of views to the west of the subject property. After viewing the site plans and elevations for the project, the caller expressed no objections to the proposed project.

Staff recommends that the Planning Commission recommend approval of each of the companion items subject to the conditions and for the reasons as stated in staff reports. ALVEY clarifies that staff is recommending a modification to the language for condition 3 h), concerning the required six-foot high masonry district boundary wall.

BLACK announces the public hearings are now open.

**Alan AUSTIN**, 1622 Pioneer Way, El Cajon, CA, is the applicant's representative. He is here to answer any questions on the proposed project.

In response to the question by AMBROSE concerning the orientation of Lot 1, discussion ensues among the speaker, Commissioners and staff on the following:

- A suggestion to re-orient Lot 1 so that the front door faces the public right of way (Naranja Avenue) while retaining an adequately sized, private yard on the lot;
- The required six-foot high boundary wall;

- Location of garages and vehicle maneuvering space.

**Kevin HATTOX**, 1360 Naranca Avenue, El Cajon, CA, indicates his preference to have the units facing the street, rather than having a six-foot block wall at the front of the subject property, which may be subject to graffiti.

**Art FLOTO**, 1339 Marline, El Cajon, CA, agrees with the suggestion by AMBROSE regarding orientation of the units. He references a property to the west of 1339 Marline, where a fence is installed separating the home and the common area, and the landscaping has not been maintained in the area outside the homeowner's fence.

**Alan AUSTIN**, 1622 Pioneer Way, El Cajon, CA, returns to podium, and indicates his willingness to re-orient the unit on Lot 1, as suggested by the Commission, and questions whether the requirement for the six-foot high block wall would remain.

ALVEY states that if the dwelling unit closest to the public right of way were to be re-oriented at the edge of the PRD district boundary setback, there would be no requirement for a block wall at the setback line, and the space could remain open between the front of the dwelling and the public right of way.

No one else comes forward to be heard.

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

Motion by WELLS, second by SOTTILE to RECOMMEND APPROVAL of Zone Reclassification 2273 in accordance with the staff report; carries 5-0.

Motion by WELLS, second by WOODS to RECOMMEND APPROVAL of Planned Residential Development 63, modifying condition 3 h) to read: "Note the height, location and type of all walls and fences, including the required six-foot high masonry district boundary wall", and adding new condition 3 j) to read: "Re-orient Lot 1 to face the public right of way. The developer will have the option to construct the required district boundary wall across the front setback"; carries 5-0.

Motion by WELLS, second by WOODS to RECOMMEND APPROVAL of Tentative Subdivision Map 621 in accordance with the staff report; carries 5-0.

These items are jointly noticed for a City Council meeting on April 25, 2006.

**PLANNED UNIT DEVELOPMENT 312 – Westone Management Consultants for Jacoba Estes LLC**

*(public hearing) Continued to April 10, 2006*

*(joint-noticed CC mtg 4-25-06)*

PC mtg 3-27-06

The subject property is located on the east side of Estes Street between W. Renette and W. Chase Avenues, and addressed as 945 Estes Street; APN: 492-331-67; General Plan Designation: Medium Density Residential

Request to convert an existing 57-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone.

**AND**

**TENTATIVE SUBDIVISION MAP 626 – Westone Management Consultants for Jacoba Estes LLC**

*(public hearing) Continued to April 10, 2006*

*(joint-noticed CC mtg 4-25-06)*

PC mtg 3-27-06

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

CRAIG gives a description of the proposals and a summary of the staff report. He advises that the applicant informed staff this afternoon that the property owner wishes to add bedrooms to the units, making the 32 one-bedroom units into two-bedroom units, and the 25 two-bedroom units into three-bedroom units, without a proposal to add additional floor space. This revision will result in a parking requirement of 139 parking spaces versus the 103 parking spaces depicted on the originally proposed site plan. Staff recommends that the Planning Commission continue these items to the April 10, 2006 meeting to allow staff time to consider the new proposal and make a recommendation to the Planning Commission.

BLACK announces the public hearings are now open.

**Joseph SCARLATTI**, Westone Management Consultants, 8799 Balboa Avenue, Suite 240, San Diego, CA, is the applicant's representative. He speaks in favor, requesting to modify the site plans of the one and two-bedroom units. He clarifies that the additional space to be added to the two-bedroom units would be approximately 4'6" by 6'4", without a window, and could be referred to as an infant room or den. Concerning the roof, he indicates that the addition of a pitched roof would bring the life expectancy of the roof to 20 years, rather than 10 years.

In reference to the comments by SCARLATTI concerning modifications to the floor plans, a consensus of Commissioners agrees to the need for staff review of the proposed changes

and the impact on parking requirements. SHUTE requests the speaker submit the revised plans before the end of this week to allow adequate time for staff review and reporting for the April 10<sup>th</sup> agenda.

**Sherri CASPER**, 245 S. Lincoln #27, El Cajon, CA, indicates she is a member of the Condo Conversion Task Force. She speaks in opposition to the proposal to add additional bedrooms without increasing the total floor area of the units.

WOODS feels a window should be added to the proposed additional bedroom.

No one else comes forward to be heard.

Motion by AMBROSE, second by WOODS to CONTINUE the public hearings for Planned Unit Development 312 and Tentative Subdivision Map 626 to the Planning Commission meeting of April 10, 2006; carries 5-0.

These items are jointly noticed for a City Council meeting on April 25, 2006.

### **AMENDMENT OF ZONING ORDINANCE - Planning Commission**

*(public hearing) Resolution No. 10298*

*(joint-noticed CC mtg 4-25-06)*

PC mtg 3-27-06

To consider an amendment of the Zoning Ordinance regarding smoke shop regulations.

SHUTE provides the history of the urgency ordinance and its subsequent extension to April of 2006. He briefly reviews new language contained in the draft ordinance, including nonconforming uses, conditional use permits and abatement, development standards and distance requirements. He indicates a letter and the draft ordinance was sent on March 3, 2006 to each of the existing 14 tobacco/smoke shops in the City, along with six other organizations and groups who expressed interest in this matter. No written comments or telephone calls were received in response to the mailing, until this afternoon. Staff recommends that the Planning Commission open the public hearing, receive any public comments, discuss those comments and their own comments about the draft ordinance, and then close the public hearing and recommend approval of the draft ordinance to the City Council.

BLACK announces the public hearing is now open.

**Lorenzo HIGLEY**, 554 Broadway, El Cajon, CA, is a representative of Communities Against Substance Abuse (CASA). He indicates they support the ordinance in principal, but suggest some refinement. He submits a letter detailing several revisions to the ordinance.

**Sherri CASPER**, 245 S. Lincoln #27, El Cajon, CA, speaks in favor of the ordinance and suggests that inspections be conducted by the State to ensure compliance by all smoke shops and any service stations that sell tobacco products. She feels not all sales of tobacco products are being properly recorded at certain shops in the City.

A discussion ensues among Commissioners and staff concerning the following points:

- The absence of a State law banning tobacco/smoke shops;
- Local authority to regulate tobacco/smoke shops;
- The need for staff assessment of the comments submitted by CASA for possible incorporation into the ordinance.

No one else comes forward to be heard.

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

Motion by AMBROSE, second by WELLS to RECOMMEND APPROVAL of an amendment of the Zoning Ordinance to add a new Chapter 17.88 regarding tobacco and smoke shops, in accordance with the staff report, and to forward comments received by CASA to the City Attorney for review and consideration by the City Council; carries 4-1 (SOTTILE – No).

This item is jointly noticed for a City Council meeting on April 25, 2006.

**AMENDMENT OF CONDITIONAL USE PERMIT (CUP) 1193 – Contreras-Curiel Corp.  
for Hollywood Manor LP**

*(public hearing) Resolution No. 10299  
PC mtg 3-27-06*

The subject property is located on the southwest corner of Jamacha Rd. and Granite Hills Dr, and addressed as 820 Jamacha Rd., Suite 102; APN: 514-022-26; General Plan Designation: Neighborhood Retail Commercial.

Request on-sale general alcoholic beverage sales (Type 47) and outdoor dining in conjunction with an existing restaurant in the C-1 (Neighborhood Commercial) zone.

SHUTE provides a summary of the staff report and indicates there is approximately 200 feet separating a day care facility from the existing restaurant. The presence of an intervening two-story building, together with this distance, and the limited physical access to the day care facility, leads staff to believe that the requested upgrade to the existing liquor license and the outdoor dining will be compatible with the surrounding neighborhood. No additional off-street parking will be required. Staff received one call in response to the public hearing notice. The caller sought clarification of the request at the subject property. Staff recommends that the Planning Commission grant the amendment to Conditional Use

Permit 1193 subject to the conditions and for the reasons contained in the staff report. BLACK announces the public hearing is now open.

**Alex NAVARRETE**, 820 Jamacha Road, El Cajon, CA, is the General Manager of Karina's Restaurant. He requests clarification on the recommendation of a ten-year life for the CUP.

In response to the question by the speaker, SHUTE indicates it is standard procedure for a new CUP or an amendment to the CUP, especially when there is a new operator or new business owner, that the life of the CUP is limited to five to ten years, to see how the new operator works out. If there is a change in operator under the current license, then it will give an opportunity for the new operator to come before the Planning Commission when the expiration date comes up.

AMBROSE comments that the CUP runs with the land and not with the operator, which would give the Planning Commission the opportunity to review the CUP in conjunction with application for an amendment.

No one else comes forward to be heard.

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

In response to the question by SOTTILE, staff advises the City does not have distance requirements, as in this case, when alcohol is served in conjunction with a restaurant. The records indicate this restaurant, under a beer and wine license, was present before the day care facility.

Motion by AMBROSE, second by WELLS to GRANT an amendment of Conditional Use Permit 1193 in accordance with the staff report; carries 5-0.

The appeal period for this item ends at 5:00 p.m. on April 10, 2006.

### **RESOLUTION OF INTENTION NO. 10290 - Planning Commission**

(discussion) ADOPTED

To set to public hearing consideration of Zone Reclassification 2278 to rezone properties from the R-P (Residential Professional) zone to the O-P (Office Professional) zone.

SHUTE requests that the Planning Commission set to public hearing Zone Reclassification 2278 for the consideration of rezoning the subject properties from the R-P (Residential Professional) zone to the O-P (Office Professional) zone.

No one else comes forward to be heard.



Motion by WOODS, second by AMBROSE to ADOPT Resolution No. 10290 in accordance with the staff report; carries 5-0.

This item is jointly noticed for the Planning Commission meeting of April 24, 2006 and the City Council meeting on May 23, 2006.

## **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. 10291 – 10295 and 10298 - 10299 pro forma; carries 5-0.

## **ORAL COMMUNICATIONS**

AMBROSE asks if there has been a decrease in the number of applications submitted for condominium conversion projects, and asks for a status regarding LAFCO's determination of the City's sphere of influence and annexation projects, including the Home Depot project.

SHUTE indicates there has been a slight decrease in the number of applications being submitted for condo conversion projects and that Home Depot is scheduled on the LAFCO agenda for the month of May.

## **CORRESPONDENCE**

There was none.

## **ADJOURNMENT**

Motion by WELLS, second by AMBROSE to ADJOURN the meeting of the El Cajon City Planning Commission at 8:26 PM this 27th day of March 2006; carries 5-0.

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Thomas BLACK, Chair

ATTEST:

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James S. GRIFFIN, Secretary