

MINUTES

PLANNING COMMISSION MEETING

APRIL 24, 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
FOLEY, City Attorney
GRIFFITHS, Deputy Director –
Development of Public Works
HAWLEY, Admin. Secretary
HAS-ELLISON, Secretary

MINUTES OF 4-10-06 Motion by WOODS, second by AMBROSE to approve the Minutes of 4-10-06 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, May 8, 2006 at 5:00 p.m.

PLANNED UNIT DEVELOPMENT 308 – CondoConversions.com for Foley Property Assets, LLC

(Joint-noticed CC mtg 5-23-06)
(public hearings) Continued to May 22, 2006
PC mtg. 4-24-06

The subject property is located on the east side of Leslie Rd. between E. Renette and E. Chase Avenues, and addressed as 989 – 999 Leslie Rd.; APN: 492-342-27 & - 34; General Plan Designation: Medium Density Residential.

Request to convert an existing 16-unit apartment complex into a common interest development in the R-3 (Multiple Family) zone. ***Continued from the Planning Commission meetings of February 13, 2006 and March 13, 2006.***

AND

TENTATIVE SUBDIVISION MAP 622 - CondoConversions.com for Foley Property Assets, LLC

(Joint-noticed CC mtg 5-23-06)

(public hearings) Continued to May 22, 2006

PC mtg. 4-24-06

The subject property is located on the east side of Leslie Rd. between E. Renette and E. Chase Avenues, and addressed as 989 – 999 Leslie Rd.; APN: 492-342-27 & - 34; General Plan Designation: Medium Density Residential.

Request a one-lot subdivision map in the R-3 (Multiple Family) zone. ***Continued from the Planning Commission meetings of February 13, 2006 and March 13, 2006.***

SHUTE states that staff requests PUD 308 and TSM 622 be continued to the meeting of May 22, 2006, as staff is continuing to work with the applicant on this project.

Motion by AMBROSE, second by SOTTILE to continue the public hearings on Planned Unit Development 308 and Tentative Subdivision Map 622 to Monday, May 22, 2006 in accordance with the staff report; carries 5-0.

ZONE RECLASSIFICATION 2278 - Planning Commission

(Joint-noticed CC mtg 5-23-06)

(public hearing) Resolution No. 10303

(joint-noticed CC mtg 5-23-06)

PC mtg 4-24-06

The subject properties are addressed as 229, 240 West Lexington Avenue, 200, 233, 317 South Orange Avenue, 140, 164 West Park Avenue, 227, 303, 315, 320 South Sunshine Avenue, and an unaddressed property; APN: 481-161-15; 488-162-04; 488-172-02, -70 & - 27; 488-161-05; 488-171-17, -03; 487-351-16 and 487-172-69 (unaddressed); General Plan Designation: Special Development Area #9 and Office/Non-Retail.

Request to rezone properties from the R-P (Residential Professional) to the O-P (Office Professional) zone.

SHUTE gives summary and states that there are 12 separate properties currently zoned R-P and within the downtown area. The staff is proposing a reclassification of each property to the O-P zone. Staff recommends approval of Zone Reclassification 2278 without conditions.

BLACK announces the public hearing is now open.

No one comes forward to be heard.

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

Motion by AMBROSE, second by WELLS to recommend approval of Zone Reclassification 2278, in accordance with the staff report; carries 5-0.

This item is jointly noticed for a City Council public hearing on May 23, 2006.

CONDITIONAL USE PERMIT 2022 - Sterner

(public hearing) Resolution No. 10304

PC mtg 4-24-06

The subject property is located on the east side of S. Orange Avenue between W. Washington and Chamberlain Avenues, and addressed as 633 S. Orange Avenue; APN: 488-282-02; General Plan Designation: Low-Medium Density Residential.

Request to construct an accessory building greater than 800 sq. ft. in the R-1-6 (Residential One-Family, 6,000 sq. ft.) zone.

SHUTE states that applicant has requested a detached accessory garage approximately 1,800 sq. ft. Applicant has indicated that the proposed garage will be used to store classic automobiles and repair work would be done, but on his personal vehicles only. As long as this accessory garage is not used for a business nor converted to a separate residence, the staff believes it will be compatible with adjacent properties. Staff has received two telephone inquiries about this proposal but staff's explanation appeared to answer their questions.

Staff would like to pose three changes to the conditions of approval:

- 2.a. Modify the drawing to reflect the dedication along the alley, if required.
- 4.a. The accessory garage shall be used only for the sole use of the property owner for the parking and storage of motor vehicles with incidental service.
- 4.c. Any automobile work shall be conducted so as to not violate the city's noise ordinance.

Staff recommends that the Planning Commission grant Conditional Use Permit 2022 subject to conditions and for reasons stated.

BLACK announces the public hearing is now open.

Gary STERNER, 633 S. Orange Ave. is the property owner and applicant. He states that he is ready and willing to comply with all conditions of approval.

BLACK asks STERNER if he agrees to the recent updates and conditions posed by staff. STERNER agrees.

WELLS asks STERNER if new building will match existing structure. STERNER states it will.

No one else comes forward to be heard.

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

Motion by WELLS, second by SOTTILE to grant of Conditional Use Permit 2022 in accordance with the staff report and modifications; carries 5-0.

The appeal period for this item ends at 5:00 p.m. on May 8, 2006.

VARIANCE 948 - Asaro

*(public hearing) Resolution No. 10305
PC mtg 4-24-06*

The subject property is located on the north side of Horizon Hills Dr. between Avocado Blvd. and Circo de Cielo Dr. and addressed as 222 Horizon Hills Drive; APN:497-230-07; General Plan Designation: Low Low Density Residential.

Request reduction in rear yard setback in the R-S-14 (Residential Suburban 14,000 sq. ft.) zone.

SHUTE gives summary stating that applicant is requesting to encroach into the required setback to within seven feet of the rear property line. The purpose of this request is to accommodate a proposed expansion of the kitchen and family room. In order to grant this variance, four specific findings must be made by the Planning Commission. First finding is that there are specific exceptional or extraordinary circumstances applicable to the property. The second finding is that there must be a preservation of a substantial property right possessed by other properties in the same vicinity and zone. The third finding is that granting this variance would not be materially detrimental to the public welfare. The fourth finding is that the granting of this variance would not have an affect on the General Plan. Staff recommends the granting of this variance request because it is staff's opinion that the four findings can be made for this applicant.

BLACK announces the public hearing is now open.

No one comes forward to be heard.

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

Motion by WOODS, second by WELLS to grant Variance 948 in accordance with the staff report; carries 5-0.

The appeal period for this item ends at 5:00 p.m. on May 8, 2006.

RESOLUTION OF INTENTION NO. 10302 - Planning Commission

(discussion) Resolution No. 10302

PC mtg 4-24-06

To set to public hearing Zone Reclassification 2280 to rezone properties from the R-P (Residential Professional) zone to the O-P (Office Professional) zone.

Motion by WOODS, second by AMBROSE, to adopt Resolution of Intention No. 10302 in accordance with the staff report; carries 5-0.

PARKING REQUIREMENTS FOR CONDO. CONVERSIONS

(discussion)

PC mtg 4-24-06

Discussion on parking requirements for condo. conversions involving an increase in the number of bedrooms.

SHUTE gives summary and states that this discussion item was scheduled at the request of Mr. Joseph Scarlatti. SCARLATTI is requesting that the existing staff policy for adding bedrooms to condo conversions be modified to reduce the associated parking requirement. The Planning Division staff has been approached numerous times to discuss the addition of bedrooms to apartments. Staff believes that a converter should not be allowed to enlarge or reconfigure units to increase the number of bedrooms without prior staff review. Staff believes that adding bedrooms may result in an additional demand for onsite parking. The parking requirements for condo conversions, however, were modified by City Council in November 2002, making it possible for many more existing apartment developments to qualify for conversion to condos. Mr. Scarlatti's letter is a request for flexibility in the application of the policy to two proposals that are currently up for conversion. Staff believes that the Planning Division parking policy is reasonable and is recommending that the Commission affirm the policy and deny Mr. Scarlatti's request for exception from the policy.

BLACK invites comments from the audience on this discussion item.

Joseph SCARLATTI – Westone Management Consultants – 8799 Balboa Ave., Suite 240, San Diego, CA 92123. Mr. Scarlatti states that the purpose of this application is to accomplish two things: ask for more flexibility in the parking policy and flexibility for some of his clients when projects lend themselves to reconfiguration of units. The parking requirements he's proposing exceed what other cities require. He's asking for the redesign to be considered on a project-by-project basis. SCARLATTI states that he will answer any questions by Commissioners.

Commissioners discuss with SCARLATTI and ask questions about designation of parking spaces per unit.

WELLS asks if a purchaser of a condo would have to sign a document stating they only have a certain number of parking spaces available to them. SCARLATTI states it would be in the CC&R's.

FOLEY states that the deed for a condo unit also contains ownership rights to certain parking spaces on the map, so they are granted one or two spaces depending on what they're purchasing. So in addition to the CC&R's, they'd also have an ownership right to the spot.

AMBROSE asks staff if there is any definitive data on any existing condo conversions and any problems with the ratios that we're currently using for parking requirements.

SHUTE states that staff does not have any current information.

WELLS asks if City Council has given any guidance on these issues.

FOLEY states that City Council's view was that the conversions should not create any additional burdens on the parking system, but complicit with that, is the fact that the number of bedrooms doesn't change. Mr. Scarlatti, however, wants to add more bedrooms. FOLEY states that this pushes the envelope with what Council had already agreed to and a change should require Council approval and input. FOLEY states that if Commission is not strongly in favor of SCARLATTI'S request then they should go with staff's recommendation to reaffirm their current policy. If SCARLATTI chooses, he can then take it to the Council. If the Commission agrees strongly with SCARLATTI then they should rule in his favor.

AMBROSE states he would like a survey on current condo conversions with ratios on the parking spaces used per unit.

BLACK invites Mr. Ron Pennock from the audience to participate in the discussion.

Ron PENNOCK – 124 W. Main St. - Chairman of East County Construction Council. States he was surprised that this item was on this agenda as he thought these conditions were settled. SCARLATTI wants to increase bedrooms in just some of the condo conversions, which would mean that additional parking would have to be brought up to date for all the units, which would also be a violation of the code currently in use.

SOTTILE believes a decision made in favor of Mr. Scarlatti would set a precedent and the Commission should go along with the staff recommendations.

WELLS suggests PENNOCK supply the Planning staff with statistical data on how many cars are used per unit on current condo conversions.

PENNOCK agrees to head up a survey and provide information to the Planning Division staff.

Motion by WELLS to defer the decision on Planning Division Policy #G-2. Motion Withdrawn.

Motion by AMBROSE, second by WELLS to refer to staff for review after receipt of a statistical report to be prepared by the Condo Conversion Task Force, and rescheduling of the item when appropriate; carries 5-0.

PREDRAFTED RESOLUTIONS

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

Motion by WELLS, second by AMBROSE to adopt Resolution Nos. 10302 to 10305 pro forma; carries 5-0.

ORAL COMMUNICATIONS

BLACK informed that he attended the "Wings Over Gillespie" Air Show and presented up and coming young pilots with \$2,200 in scholarship funds.

CORRESPONDENCE

There was none.

ADJOURNMENT

Motion by WELLS, second by AMBROSE, to adjourn the meeting of the El Cajon City Planning Commission at 8:09 PM this 24th day of April 2006; carries 5-0.

Thomas BLACK, Chair

ATTEST:

James S. GRIFFIN, Secretary