

# MINUTES

## PLANNING COMMISSION MEETING

May 22, 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: RAMIREZ , Principal Planner  
FOLEY, City Attorney  
KRULIKOWSKI, City Traffic Engineer  
HAWLEY, Admin. Secretary  
VALLES, Admin. Secretary

MINUTES OF 5/8/06 Motion by AMBROSE, second by WELLS to approve the Minutes of May 8, 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, June 5, 2006 at 5:00 p.m.

RAMIREZ states that the staff would like to address agenda item numbers 4A & 4B out of order to precede item number 3, for the convenience of the applicant.

AMBROSE announces that he must abstain from agenda item numbers 1A & 1B due to a conflict of interest. He leaves the Council Chambers at 7:04 p.m.

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

(public hearings) Resolution No. 10314  
PC mtg 5-22-06

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, March 13, 2006 and April 24, 2006.***

**AND**

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

(public hearings) Resolution No. 10315  
PC mtg 5-22-06

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, March 13, 2006 and April 24, 2006.***

RAMIREZ states that there have been three continuances since the initial public hearing on this item in February. Staff's involvement over the last five months has been to provide guidance to the applicant. Due to the fact that the revised elevation package provided still has problems, staff believes it is prudent at this time to deny both items. Staff believes that more than a sufficient amount of time and guidance has been provided for applicant to make the necessary changes.

BLACK announces the public hearings are still open.

**Mr. Franklin SPEES** – CondoConversions.com – 4817 Palm Avenue, Suite I, La Mesa, 91941, speaks on behalf of the owner. SPEES requests additional time at the podium to do a Power Point presentation. BLACK agrees to the additional time.

SPEES begins with an introduction to the project. He states that they have met with an architect and now have some features and common amenities that they believe make this one of the best projects on the street. SPEES shows pictures of the proposed project and goes over the project details. One of the major issues with staff has been over the width of the driveway. SPEES feels that they are in compliance with the fire code. Another issue with staff is the side setbacks. They've been advised that it is a legal, non-conforming use, thus they've requested to do a couple of pop-outs in order to give it some dimension as well as elevation. Staff, however, did not agree with this solution. He would like a motion to approve the project.

Motion by WELLS, second by SOTTILE to close the public hearing; carries 4-0 (AMBROSE - Abstain)

SOTTILE requests the staff's opinion on the applicant's presentation.

RAMIREZ states that the information given in this presentation should have been presented to staff on a timely basis before this meeting and may then have been supported in the staff report. Staff feels it would be inappropriate for the Commission to make a motion to approve since there isn't a full analysis including conditions of approval that would be needed for the proposal to move to City Council.

WELLS asks staff about issuing another continuance on this item, rather than a denial. He believes that this project would be good for the Leslie Road neighborhood.

RAMIREZ states that staff recommends a denial. Staff would like to sit down with applicant for a point-by-point discussion face-to-face rather than handing off an assignment with a new deadline, as that's been done many times before. However, if the Commission would like to reopen the public hearing, the applicant can formally request the project to be withdrawn. A withdrawal accomplishes two things: it gives the applicant an indefinite amount of time to get together with staff to resolve all issues and it also preserves some of the filing fees that have already been paid for the processing of these applications.

Motion by WELLS, second by SOTTILE to reopen the public hearing; carries 4-0 (AMBROSE – Abstain)

SPEES states that it is a very costly process to have the project renderings redone and thus the process has been slow in getting everything together for this project. However, he thinks they've finally met all of the concerns of staff. He believes if he were to withdraw his application, his client would incur more fees and would most likely let the project die.

BLACK states that the Commission is in a precarious situation, as it doesn't have any elevations or the proper paperwork, to vote for an approval on this project.

SPEES requests a final continuance. He states that all the work has been completed and he can turn in everything needed to the staff within three days. He believes that with these new renderings, the issues that were concerns of the staff have been resolved.

SOTTILE asks SPEES why the new renderings weren't presented to staff before this meeting. SPEES states that there has been a constant dialogue back-and-forth with staff. They tried multiple alternatives and only recently came to this alternative.

RAMIREZ states that the applicant has had some recent difficulties with the City Council being very critical of projects that this applicant has represented. As an extension of the Council's interest, staff sometimes has to become very involved in a design critique, and it's not a matter of personal preference.

SPEES replies that he has never been before the City Council, so when RAMIREZ refers to applicant, she is referring to his company and not him personally. Each employee at his company works on their projects separately.

WOODS asks SPEES if he would like to choose a withdrawal, if that is the only alternative to denial of this project.

SPEES states that he really feels that a continuance is in order, but if that will not be an option, then he'd choose denial.

FOLEY states if the project is denied and appealed to the City Council, the City Council will not be able to approve the project. The City Council will have to send it back to the Planning Commission. So if the applicant is worried about delays, a denial is not going to solve the problem of timeliness.

Motion by WELLS, second by SOTTILE to close the public hearing; carries 4-0. (AMBROSE – Abstain)

Motion by WOODS, second by SOTTILE to deny Planned Unit Development 308 in accordance with the staff report; carries 3-1 (AMBROSE – Abstain, WELLS – No).

Motion by WOODS, second by SOTTILE to deny Tentative Subdivision Map 622, in accordance with the staff report; carries 3-1 (AMBROSE – Abstain, WELLS – No).

AMBROSE returns to the Council Chambers at 7:36 p.m.

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

### **ZONE RECLASSIFICATION 2279 – Comana Family Trust**

**(joint-noticed CC 6-27-06)**

*(public hearings)*

*PC mtg 5-22-06*

The subject property is located on the west side of Bostonia St. between Broadway and Coker Way, and addressed as 1040 Bostonia Street; APN: 484-231-08 & -09; General Plan Designation: Low Density Residential.

Request to rezone property from the R-1-6 (Residential One Family, 6,000 sq. ft.) zone to the R-2 (Two Family) zone.

**AND**

**PLANNED UNIT DEVELOPMENT 315 – Comana Family Trust**  
**(joint-noticed CC 6-27-06)**

*(public hearings)*  
*PC mtg 5-22-06*

The subject property is located on the west side of Bostonia St. between Broadway and Coker Way, and addressed as 1040 Bostonia Street; APN: 484-231-08 & -09; General Plan Designation: Low Density Residential.

Request to convert an existing six-unit apartment complex and construct four new units for a common interest development in the R-2 and pending R-2 (Two Family) zones.

**AND**

**TENTATIVE SUBDIVISION MAP 630 – Comana Family Trust**  
**(joint-noticed CC 6-27-06)**

*(public hearings)*  
*PC mtg 5-22-06*

The subject property is located on the West side of Bostonia St. between Broadway and Coker Way, and addressed as 1040 Bostonia Street; APN: 484-231-08 & -09; General Plan Designation: Low Density Residential.

Request a one-lot subdivision map in the R-2 and pending R-2 (Two Family) zones.

RAMIREZ gives an introduction to this three-part request. During the staff's evaluation of these applications, it was determined that some revisions would be needed to several of the enhanced building elevations. Also some required sections and discussions were missing from the physical elements report. Staff met with the project's applicant and discussed the need for more information. A continuance date of July 10, 2006 was offered at that time. The primary spokesperson for the applicant indicated that they would promptly provide the requested information with sufficient time for staff to review it during the continuance period. These items will need to be re-noticed because the recommended continuance is for more than 30 days. Also the joint-noticed City Council hearing date of June 27, 2006 would need to be advertised.

BLACK announces the public hearings are now open.

No one comes forward to be heard.

Motion by WELLS, second by AMBROSE to continue the public hearings to July 10, 2006 in accordance with staff recommendation; carries 5-0.

*As previously requested at the beginning of the meeting, the Commission moves to agenda items 4A and 4B.*

**PLANNED UNIT DEVELOPMENT 316 – Comana Family Trust**

**(joint-noticed CC 6-27-06)**

*(public hearings)*

*PC mtg 5-22-06*

The subject property is located on the north side of E. Chase Avenue between S. Mollison Avenue and S. Anza Street, and addressed as 960 E. Chase Avenue; APN: 493-233-12; General Plan Designation: Low Medium Density Residential

Request to convert an existing 11-unit apartment complex into a common interest development in the R-3-R (Multiple Family, Restricted) and R-3 (Multiple Family) zones.

**AND**

**TENTATIVE SUBDIVISION MAP 631 – Comana Family Trust**

**(joint-noticed CC 6-27-06)**

*(public hearings)*

*PC mtg 5-22-06*

The subject property is located on the north side of E. Chase Avenue between S. Mollison Avenue and S. Anza Street, and addressed as 960 E. Chase Avenue; APN: 493-233-12; General Plan Designation: Low Medium Density Residential.

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

RAMIREZ states that the applicant has requested that this project also be continued to coincide with the recommended continuance to July 10, 2006 for their other project. Staff has no problem accommodating this request.

BLACK announces the public hearings are now open.

No one comes forward to be heard.

Motion by AMBROSE, second by WOODS to continue the public hearing to July 10, 2006, in accordance with the staff recommendation; carries 5-0.

*The Commission now returns to agenda item 3.*

**ZONE RECLASSIFICATION 2280 - Planning Commission**  
**(joint-noticed CC 6-27-06)**

*(public hearing) Resolution No. 10316*  
*PC mtg 5-22-06*

The subject properties are addressed as: 134, 142, 154-156, 160, 206, 214, 228-230, 232, 234, 258-262, 302 and 306 S. Johnson Avenue; APN: 487-302-20, -19, -18, -17, -30, -15, -14 & -13, 487-312-16, -17, -15 & -14; General Plan Designation: Special Development Area #10 (Office/Non-Retail).

Request to rezone properties from the R-P (Residential Professional) zone to the R-2 (Two Family) zone.

RAMIREZ states that this is another one in the series of zone reclassifications initiated by the Planning Commission to rezone R-P properties to a zone that is consistent with the General Plan. The parcels are all currently developed with residential uses. No new construction is proposed. Staff is proposing that all twelve parcels be rezoned to R-2. This would allow some properties to add one additional dwelling unit. Staff received two phone calls in response to the public hearing notice on this item. Both callers sought information and did not state an objection to the proposal.

BLACK announces the public hearing is now open.

**Mr. Charles D'AGOSTA**, 389 W. Washington, El Cajon, owns the property located on 306 S. Johnson which is part of a family trust. He expresses his concern about eminent domain and asks the Council if this is a possibility.

FOLEY states that there is always the potential for eminent domain, for properties in this project area, however, at this time the City does not have any projects on the horizon that relate to these specific properties.

FOLEY states that the proposed zone reclassification would have no bearing on the plans of the Redevelopment Agency to exercise its powers of eminent domain.

**Ms. Sheri CASPER**, 245 S. Lincoln Ave. #27, El Cajon, speaks in reference to this property and others on the Main Street corridor. She states that she'd like to point out that the Commission will appoint a representative to the Ad-Hoc Committee on SP182 which has an effect on this property owner and many others. The Committee workshops will begin on June 8, 2006.

**Mr. Ron TEMPLIN**, P.O. Box 331, Alpine, speaks in reference to the property he owns, located at 134 S. Johnson. He states that he has been working with zoning to try to get a project through. He has been back and forth with planning staff trying to meet their requirements. Now he's ready and has exactly what the staff had wanted, but due to this requested change in zoning, it may no longer meet the staff's requirements.

RAMIREZ states that Mr. TEMPLIN did not respond when the City sent out a letter advising property owners of the rezoning request, nor did he respond to the public hearing notice. She states that at this point, he should go ahead and submit his application and hope that he can get staff approval before this zone reclassification goes to the City Council.

No one else comes forward to be heard.

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

WOODS asks staff if there is an appropriate means to exclude this TEMPLIN'S property from the zoning. RAMIREZ states that all twelve parcels should be grouped together. RAMIREZ states that the applicant has the option to go forward with his project without his property being removed from the group.

Motion by WOODS, second by SOTTILE to recommend approval of Zone Reclassification 2280 in accordance with the staff report; carries 5-0.

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

**PLANNED UNIT DEVELOPMENT 317 – Box**  
**(joint-noticed CC 6-27-06)**  
*(public hearings)*  
*PC mtg 5-22-06*

The subject property is located on the north side of Naranca Ave. between Oro and N. Second Streets, and addressed as 1230, 1232 & 1234 Naranca Avenue; APN: 484-253-37; General Plan Designation: Low Density Residential.

Request to convert three existing rental units into a common interest development in the R-2-R (Residential, Two-Family Restricted) zone.

**AND**

**TENTATIVE PARCEL MAP 630 – Box**  
**(joint-noticed CC 6-27-06)**  
*(public hearings)*  
*PC mtg 5-22-06*

The subject property is located on the north side of Naranca Ave. between Oro and N. Second Streets, and addressed as 1230, 1232 & 1234 Naranca Avenue; APN: 484-253-37; General Plan Designation: Low Density Residential.



Request a four-lot parcel map in the R-2-R (Residential, Two-Family Restricted) zone.

RAMIREZ states that upon review by staff the application was deemed to be deficient in certain areas. More time is needed in order for an appropriate response to be submitted by applicant for staff's consideration. Therefore, staff is recommending a continuance to June 19, 2006 for both items.

BLACK announces the public hearings are now open.

No one comes forward to be heard.

Motion by WELLS, second by WOODS to continue the public hearings to June 19, 2006; carries 5-0.

**CONDITIONAL USE PERMIT 2025 – Kelly (Red Brick Pizza) for Hill Management**  
**(joint-noticed CC 6-27-06)**

*(public hearing) Resolution No. 10317*  
*PC mtg 5-22-06*

The subject property is located on the southwest corner of N. Magnolia Ave. and Cypress Ave., and addressed as 190 N. Magnolia Ave., Suite 104; APN: 487-192-48-00; General Plan Designation: Special Development Area #9.

Request to add on-sale beer & wine and outdoor dining to a restaurant in the C-R (Regional Commercial) zone.

RAMIREZ states that the staff has reviewed the application and believes that it satisfies the criteria required by the Zoning Ordinance. Approval of this applicant's proposed expansion would support the Downtown Master Design Plan concept. Staff has not received any responses to the public hearing notice regarding this item. Comments from other city departments have been incorporated as conditions of approval. Also of note, the El Cajon Community Development Corporation has given its approval for these additional uses. Since the project is located within the boundaries of SP182, the City Council's review is required. The City Council hearing date is June 27, 2006. The staff's recommendation is to grant this permit.

BLACK announces the public hearing is now open.

No one comes forward to be heard.

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

Motion by AMBROSE, second by SOTTILE to grant Conditional Use Permit 2025 in

accordance with the staff report; carries 5-0.

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

### **AMENDMENT OF SPECIFIC PLAN 182**

Discussion on the election of a representative to serve on citizens' Ad Hoc Committee.

RAMIREZ states that the Redevelopment Agency has hired a consulting firm called CityWorks. On May 3, 2006 the Agency accepted staff's suggestion for the creation and composition of an Ad Hoc Committee. The membership will be comprised of one representative from each of the five districts within the proposed study area, a member of each of the four City Commissions, including the Planning Commission, and others that will serve representing developers, school districts and the community at large. This committee will provide input to staff, consultants and the Redevelopment Agency in preparation for an extensive public hearing process in the future. Commissioner Ambrose has indicated his willingness to represent the Planning Commission on this committee.

Motion by SOTTILE, second by WELLS to appoint Commissioner AMBROSE as the Planning Commission's representative to the Ad Hoc Committee for the Amendment of Specific Plan 182, in accordance with the staff report; carries 5-0.

### **PREDRAFTED RESOLUTIONS**

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

Motion by AMBROSE, second by WELLS to adopt Resolution Nos. 10314 – 10317 pro forma; carries 5-0.

### **ORAL COMMUNICATIONS**

BLACK informed the Commission that he would be on vacation for the June 5, 2006 Planning Commission meeting and noted that Commissioner WELLS will be serving as Vice Chair for the meeting.

## **CORRESPONDENCE**

There was none.

## **ADJOURNMENT**

Motion by WELLS, second by AMBROSE, to adjourn the meeting of the El Cajon City Planning Commission at 8:10 PM this 22nd day of May 2006; carries 5-0.

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Anthony AMBROSE, Acting Chair

ATTEST:

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James S. GRIFFIN, Secretary