



MINUTES

PLANNING COMMISSION MEETING

NOVEMBER 20, 2006

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

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: AMBROSE, BLACK, WELLS, WOODS

COMMISSIONERS ABSENT: SOTTILE

OTHERS PRESENT: RAMIREZ, Principal Planner
FOLEY, City Attorney
DAVIES, Deputy Director, Public Works –
Engineering Division
CRAIG, Assistant Planner
BARR, Secretary
VALLES, Administrative Secretary

MINUTES OF 11-06-06 Motion by WELLS, second by WOODS to approve the Minutes of November 6, 2006 pro forma. Motion carries 3-1 (AMBROSE – abstain) (SOTTILE – 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. He advises that the appeal period for the items on this Agenda will end on Monday, December 4, 2006 at 5:00 p.m.

AMENDMENT OF ZONING ORDINANCE, RE: DELETION OF R-P ZONE – Planning Commission

(public hearing) Resolution No. 10394
(joint noticed CC mtg 12-19-06)
PC mtg. 11-20-06

Request to consider an Amendment of the Zoning Ordinance to repeal Chapter 17.34 Residential Professional (R-P) zone and selected text in other chapters which refers to the R-P zone.

RAMIREZ informs that in April, 1978, the City adopted the O-P, or Office-Professional, zone in order to implement the "Office/Non-Retail" General Plan designation. Prior to that time, the R-P, or Residential-Professional, zone was used to implement that General Plan land use category. It was intended that the O-P zone replace the R-P zone, which allows multiple-family development. However, it wasn't until the Commercial Zones Review Committee met in 1995 that the City set out to begin rezoning all R-P zoned properties. More than 300 properties formerly zoned R-P have been reclassified to a zone that is consistent with the respective General Plan category for each property.

She adds that this public hearing represents the final step in the process of eliminating the R-P zone. Staff is recommending that the Planning Commission delete from the Zoning Ordinance the entirety of Chapter 17.34 and selected other text as listed in Exhibit "A" attached to the staff report.

RAMIREZ notes that if the Planning Commission concurs, then the City Council will take final action at its public hearing on December 19, 2006.

BLACK announces the public hearing is now open.

No one comes forward to be heard.

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

Motion by AMBROSE, second by WELLS to RECOMMEND APPROVAL OF Amendment of Zoning Ordinance to delete Chapter 17.34 in its entirety and selected text in other chapters as shown in Exhibit "A", carries 4-0 (SOTTILE – absent).

AMENDMENT OF CONDITIONAL USE PERMIT 1461 – Mark Blouin for Apostolic Pentecostal Tabernacle

(public hearing) Resolution No. 10395
PC mtg. 11-20-06

The subject property is located on the north side of Peach Ave. between Grape and N. Third Streets, and addressed as 1448 Peach Avenue; APN: 507-281-63; General Plan Designation: Low Density Residential.

Request to add a multi-purpose building to an existing religious facility in the R-1-6 (Residential, One-Family, 6,000 sq. ft.) zone.

CRAIG explains this is a request to construct an 11,050 square-foot multi-purpose building for an existing church in a residential neighborhood on Peach Avenue. The proposed building would be used as a chapel, gymnasium, classrooms, offices, meeting rooms, and a nursery. Landscaping and parking improvements are proposed and so is the removal of the existing fellowship hall on the property.

The existing church has occupied the subject property prior to its annexation from the County in 1955. In 1991, the City approved CUP 1461 and TSM 549, authorizing an expansion of the church including the addition of modular classrooms, a parsonage and a new paved parking area. With the approval of CUP 1461, the existing non-conforming church school activities were legitimized and a limit of 60 children was placed upon the enrollment. Another condition of approval for CUP 1461 was the elimination of daycare activities that had previously been conducted in the fellowship hall.

CRAIG mentions that the applicant has informed staff that both the K-12 school and the daycare program have been discontinued. Therefore, this request is simply for the expansion of a previously existing church for the purposes of adding a large multi-purpose building with no provision for a school or daycare facility. Staff has informed the applicant that the re-establishment of a school or daycare services in the future would require an amendment of this CUP.

A traffic study was prepared for this project by Katz, Okitsu, and Associates. This study examined the existing traffic characteristics for Peach Avenue and projected the traffic impacts that would result from the construction and operation of the proposed multi-purpose building. The study concluded that Peach Avenue and the church driveways would continue to operate at a Level of Service "A" after the addition of the proposed multi-purpose building. Level of Service "A" is the highest level of service and is defined in the traffic report as "free flow, little congestion".

CRAIG notes that the applicant has proposed 86 parking spaces to serve the church. However, staff has recommended the removal of eight parking spaces located within the required front yard setback, and the replacement of said parking spaces with landscaping. The remaining 78 parking spaces are more than sufficient to serve the church. [CRAIG goes to site map on backboard and points to where the parking spaces will be deleted.]

CRAIG said that the existing church has been a part of the surrounding neighborhood for more than 50 years and during that time has been found to be compatible with the surrounding residential uses. In staff's opinion, this proposed expansion would also be compatible with the surrounding residential uses so long as adequate off-street parking facilities are provided and church activities are not conducted outdoors, especially at night.

Therefore, staff recommends that the Planning Commission adopt the proposed Negative Declaration and grant the amendment to CUP 1461, subject to the conditions and for the reasons listed in the staff report.

CRAIG mentions that there was one response pertaining to the public hearing notice that was mailed. Mrs. Betty HASSEBROCK had concerns about parking on the street and property maintenance issues for the church.

BLACK announces the public hearing is now open.

Mr. John LA LAIEN, 417 Arden Avenue, Glendale, CA 91203, is a contractor for the church. He mentions that they have made changes to the plans that fulfill the parking requirements and points to the new site plan that he has in his hand. He is anxious to start with the project and comply with any requests.

CRAIG mentions that he has not reviewed or approved the revised plans.

Mr. Mark STEVENSON, 1658 Granite Hills Drive, El Cajon, CA 92019, is the pastor of New Life Center Church [applicant]. He mentions that the site plans have been modified to comply with staff's recommendations regarding changing to parking spaces. No other changes have been made.

WELLS mentions that he lives in the neighborhood and is looking forward to seeing the new building if the Commission approves it tonight. He is amazed at the turnout of church members at the Planning Commission meeting.

STEVENSON notes that this has been a dream to impact the community in the best possible way that they can. They started a community development program that features a food bank and other things to assist the community and city, and approval of this project would help them be more effective.

Mrs. Betty HASSEBROCK, 1475 Peach Avenue, El Cajon, CA is speaking on behalf of 28 individuals and requests the Chair to grant her additional time. BLACK increases the time from three to five minutes. She is opposed to this project. She explains that this area surrounding Peach Street has gang members, drug dealers and child molesters. On the parking issue, she disagrees with staff and took photographs of the parking area during Sunday services at the church [Petition and photos were turned in to City Attorney who marked them and forwarded them to staff and Commissioners for review].

HASSEBROCK inquires as to why the church needs a new building when they could use the facilities at Bostonia Center or Greenfield Park. She notes that the house on the property is an eyesore as the roof is in terrible shape, wood shutters are chipping off and there is rust on covers for SDG&E equipment.

She notes that residents on Peach Street have been remodeling their homes and they don't want a two-story building in the neighborhood. They only found one church member who lives on Peach Street. HASSEBROCK asks that if they cannot take care of the existing house and church, how could they take care of two-story facility? On behalf of the citizens and voters in the City of El Cajon, she strongly urges the Commission to carefully evaluate this issue and deny this request and also mentions the petition of residents who also oppose the two-story, all-purpose building.

FOLEY asks HASSEBROCK if she would like to turn in her statement. [Statement is delivered to FOLEY].

Ms. Holly MEEKS, 1480 Peach Avenue, El Cajon, CA is shocked and appalled about WELLS' statement and thought that the hearing would be unbiased. She notes that her grandfather built their house 67 years ago and she attended the church as a child. She requests that the zoning of a single-family home be maintained and the church has no place in the community. She states that the residents who signed the petition live within the 300-foot circled zone, and they don't want a two-story building in their back yard.

WOODS questions staff in terms of seating capacity in relationship to parking capacity of the church. CRAIG replies that the parking requirement for a church is calculated on the number of fixed seats or floor area of the sanctuary. CRAIG conservatively figures that the existing sanctuary has 4,009 square feet that would require 21 parking spaces. The size of the proposed multi-purpose room that is within the multi-purpose building is 3,920 that would require 20 parking spaces. The applicant proposes to provide 86 spaces. With the deletion of eight parking spaces from the front setback, staff believes the remaining 78 spaces would be sufficient.

Ms. Pat MEEKS, 1480 Peach Avenue, El Cajon, CA, asks if the church has a multi-purpose room, why do they need another one? She is also curious if the zoning is being changed for a business and it is her understanding that there is a moratorium on two-story buildings.

CRAIG replies that the church is in an R-1-6 (Single-Family Residential) zone, the height limit is 35 feet and the church is proposed below 35 feet. He explains that on the south side of Peach Avenue, the zoning is R-2-R and the height limit in that zone is 20 feet. The property on both sides of the church is R-3 and has a 35-foot height requirement.

MEEKS asks staff if the property is zoned as a business, and CRAIG notes that the church is not considered a business. The zoning ordinance allows a church in any zone within the city through a conditional use permit. The conditional use permit addresses land use and compatibility issues. He mentions that there are many churches in residential zones in El Cajon and also in San Diego. MEEKS replies that they are not that big, and tells CRAIG that if the church has so many things going on, it should be designated as a business. At which point BLACK interjects that MEEKS should address her comments to the Chair.

BLACK asks staff if there was any special treatment given to the zoning. CRAIG replies negative and notes the church's proposal is consistent with the zone district, and reiterates that churches could exist in any zone of the city -- residential, commercial, and industrial -- but they would need a conditional use permit.

BLACK asks if the church is requesting anything different. CRAIG notes that this church is in a residential zone, as many churches are, and while some churches are located in an industrial or commercial zone, there have different land use compatibility issues in those instances. He adds that the churches in the residential zones have noise, parking and lighting concerns.

MEEKS mentions that those concerns are why they are opposing this project. She has lived there her entire life and would like to keep it a residential zone, and as far as she is concerned this is a business.

CRAIG notes that the speaker had an additional question that he would like to address regarding why the church needs another multi-purpose building. He emphasizes that the church does not have a multi-purpose building. They have a fellowship hall that was being used for daycare and will be torn down. They will have the sanctuary, a couple of modular classrooms behind the sanctuary and the new multi-purpose building. MEEKS interrupts and adds that at the time that she attended the church when she was a baby until when she graduated from high school, notes that building that is next to the church was a multi-purpose room as it was used for dinners, youth groups and it is pretty ample.

Mr. Edwin HASSEBROCK, 1475 Peach Avenue, El Cajon, CA, is a resident of that house since he was five years old. Relating to the pictures that were submitted, he told CRAIG that the figures of the parking spots were incorrect. He mentions that the photos that were taken on two different Sundays illustrate how many people attend the church and the parking situation. The residents do not want a two-story building. The residents would have to tolerate a large concrete building that would be an eyesore, in addition to the glare from the lights. In that designated area, the residents who signed the petition do not want it. It is a one-story building.

STEVENSON clarifies the two issues: He mentions that the church is surrounded by two-story apartment buildings on various sides of the property. The church has been operating on the site for 50 years and acknowledges that new residents are aware of the church's existence.

WELLS asks the applicant to address the residents' concern about the condition of the sanctuary. STEVENSON replies that one of the buildings is being torn down to allow for more parking. The sanctuary has been completely remodeled on the inside, and upgrades will be made to remaining building and landscaping. In response to a question from WELLS, STEVENSON replies that upgrades are planned to coincide with the addition of the multi-purpose building.

WOODS asks if there is enough parking on the property to prevent off-street parking. STEVENSON mentions that the demolished building will allow for additional parking. He emphasizes that parking is a daily issue in the residential area when there are no activities being held at the church.

[Mrs. HASSEBROCK approaches the podium] FOLEY explains that she was given extra time because she was speaking on behalf of 28 people who signed the petition; however, he notes that this is not a debate. FOLEY adds that the rules of conduct of the Planning Commission are once the speakers have addressed the Commission, their time is expended, unless invited by the Chair to reply to any Commissioner questions. BLACK adds that unless Mrs. HASSEBROCK has a question, he requests that she sit down. Mrs. HASSEBROCK insists that she wants to make a statement. She notes that when the

applicant has come before the Planning Commission previously to request approvals, they have said that they would do improvements to the church and they haven't done so.

BLACK asks if there is any new information to be presented. No one else comes forward to be heard.

Motion by WELLS, second by AMBROSE to close the public hearing [Someone approaches the podium and individual asks if the hearing is open or closed. FOLEY notes that the motion is on the floor and BLACK notes that the vote will be made]. Motion carries 4-0 (SOTTILE – absent). Public hearing is closed.

For the record, FOLEY asks WELLS to clarify his previous statement that he lived in the church neighborhood; FOLEY asks if WELLS lives within 500 feet of the property. WELLS replies that he does not. FOLEY asks if the church provides any significant impact to his home. WELLS replies no. FOLEY notes that there was a public comment that he attends church there, and WELLS states he does not. FOLEY asks WELLS if he can be and has been fair and impartial in review of materials that have been presented to the Commission, WELLS replies affirmatively.

BLACK asks the Commissioners if they have any comments.

WELLS explains that in his initial comments he praised the church because he thought the project was a nice design. During his walks down Peach Ave., he has seen that many properties need attention, he would like the entirety of Peach Street improved. He abhors gang and criminal activity and feels that renovation of houses, churches and neighborhoods cuts down on that activity. WELLS also notes that property owners have with certain rights, and must comply with zoning requirements and regulations. He believes the church is staying within the limits of what is legal, ethical and proper and recommends approval.

WOODS recommends that the church be considerate of the neighbors by parking onsite when possible, completing the roofing on the steeple so it matches the building, and painting the rusty boxes covering the SDG&E equipment.

Motion by WELLS, second by AMBROSE to ADOPT the Proposed Negative Declaration, carries 4-0 (SOTTILE – absent).

Motion by WELLS, second by AMBROSE to GRANT Amendment of Conditional Use Permit 1461, carries 4-0 (SOTTILE – absent).

The appeal period for the item ends at 5:00 p.m., Monday, December 4, 2006.

BLACK calls a recess at 7:55 p.m. The meeting reconvened at 8:00 p.m.

AMENDMENT OF CONDITIONAL USE PERMIT 1851 – TMO CA / NV, LLC (T-Mobile)
for James W. Smith Trustee

(public hearing) Resolution No. 10396
PC mtg. 11-20-06

The subject property is located on the north side of Fletcher Parkway between Sharon Way/Hacienda Dr., and Cuyamaca St., and addressed as 2160 Fletcher Parkway; APN: 481-140-71; General Plan Designation: Office/Non-Retail.

Request to renew a Conditional Use Permit for an existing wireless telecommunication facility in the O-P (Office Professional) zone.

RAMIREZ informs that this is a request to renew the conditional use permit for existing “stealth” wireless communications facilities, which include one antenna in a light pole in the parking lot, and three façade-mounted antennas on the office building. These facilities for T-Mobile were approved in 2000 for a five-year term.

After a recent visit to the site, staff has concluded that the facilities, including the equipment area, are well maintained, and that the site has operated in compliance with the conditions of approval. Staff has received no complaints about the operations of this wireless site over the past five years.

It is noted that the City’s wireless ordinance will soon be the subject of an amendment proposal to bring it current with a recent changes in State law that will become effective on January 1, 2007. As a result, this applicant’s renewal will be for a period of ten years, rather than five, and will not include the automatic five-year review that has been a standard condition of approval.

It is recommended that the Planning Commission grant Amendment of CUP 1851, subject to conditions stated in staff’s report.

BLACK announces the public hearing is now open.

Ms. Shelly KILBORN, 302 State Place, Escondido, CA 92029, is the applicant’s representative. She agrees with the conditions of approval and requests that the CUP be granted.

No one else comes forward to be heard.

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

Motion by AMBROSE, second by WOODS to GRANT Amendment of Conditional Use Permit 1851, carries 4-0 (SOTTILE – absent).

The appeal period for the item ends at 5:00 p.m., Monday, December 4, 2006.

CONDITIONAL USE PERMIT 2023 – Planning Commission (Miller’s Towing for Tisdale)

(discussion) Resolution No. 10397
PC mtg. 11-20-06

The subject property is located on the west side of Pioneer Way between W. Bradley Ave. and Vernon Way, and addressed as 1402 Pioneer Way; APN: 483-02-030; General Plan Designation: Industrial Park.

Six-month review of conditional use permit for towing services with an impound yard in the M (Manufacturing) zone.

CRAIG provides an overview of Conditional Use Permit 2023 that was granted by the Planning Commission on May 8, 2006. Resolution #10313 included a condition requiring a six-month review of the permit to determine conformance with the conditions of approval and compatibility with the surrounding area.

Notable among the conditions of approval for CUP 2023 were the following requirements: the submittal of a revised site plan; the submittal and approval of a landscape plan; the installation of irrigated landscaping along the Pioneer Way frontage; and the replacement of the driveway on Pioneer Way. To date, the applicant has not satisfied any of the conditions listed above. Specifically, the applicant has not submitted a revised site plan, landscape plan, nor replaced the driveway. At the meeting, the applicant requested that he be released from the Public Works requirement to replace the driveway. Since the CUP was granted by the Commission, the applicant could appeal of the drive driveway requirement to the City Council. No appeal was filed.

CRAIG mentions that the applicant’s representative has recently met with staff to work on the conditions.

Staff received no public input regarding this item.

CRAIG notes that if the Planning Commission adopts the Resolution of Intention the public hearing would be set for January 22, 2007 and the applicant would have time to work with staff to meet the conditions of approval.

BLACK invites the applicant’s representative to come forward.

Mr. Jim RENZI, 413 South Magnolia Avenue, El Cajon, CA, is the planning consultant to the applicant. He has worked with the Planning Commission and notes that the applicant has been working with the property owner, who became very ill. Mr. Miller, the applicant, hired them two weeks ago to complete the conditions on the project.

WELLS asks if the applicant could meet all the requirements by the January 22, 2007 hearing. RENZI states that they will work on the landscape plan, but they cannot complete

the driveway requirements.

Regarding the applicant's comment, WOODS sought clarification from staff if the driveway requirements were under jurisdiction of federal law. DAVIES replies that the existing driveway does not meet American Disabilities Act (federal requirement) and needs to be reconstructed. RENZI notes that the public driveway also serves five other properties within the property. They are looking at a two-month process in bids and reconstruction.

Mr. Dan MILLER, 1402 Pioneer Way, El Cajon, CA, is the applicant. He mentions that he is leasing the property from Jeff TISDALE (property owner) and when the CUP was granted in May 2006, TISDALE noted to MILLER that he would take care of some of the problems. TISDALE has recently been ill, so MILLER is trying to take care of the problems himself and he hired RENZI. He doesn't want property to be an eyesore as it reflects on him as well.

Mr. Hannu MIKKONEN, 1416 Pioneer Way, El Cajon, is the tenant at the end of the driveway. He is pleased with the improvements that MILLER has made compared to the previous tenant. He requests that the Commission allow MILLER the opportunity to make the improvements.

Motion by AMBROSE, second by WOODS to ACCEPT staff's report and ADOPT Resolution #10397 to set to hearing for January 22, 2007 to consider possible revocation for noncompliance with conditions of approval; carries 4-0 (SOTTILE – absent).

RESOLUTION OF INTENTION NO. 10383

(discussion) Resolution #10383
PC mtg. 11-20-06

Adopt a Resolution of Intention to set a public hearing on December 11, 2006, to consider Amendment of Zoning Ordinance. Re: Wireless Communications Facilities (Section 17.60.500)

Motion by BLACK, second by AMBROSE to ADOPT Resolution No. 10383 to set public hearing on Amendment of the Zoning Ordinance: Wireless Communications Facilities (Section 17.60.500); carries 4-0 (SOTTILE -- absent).

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. 10383 and 10394 through 10397, pro forma; carries 4-0 (SOTTILE – absent).

ORAL COMMUNICATIONS

RAMIREZ reminded the Commissioners that the final meeting of the year is scheduled for

Monday, December 11, 2006. She also extended best wishes for a Thanksgiving holiday.

CORRESPONDENCE

There was none.

ADJOURNMENT

Motion by WELLS, second by WOODS, to adjourn the meeting of the El Cajon City Planning Commission at 8:20 PM this 20th day of November 2006; carries 4-0 (SOTTILE – absent).

Thomas BLACK, Chair

ATTEST:

James S. GRIFFIN, Secretary