



MINUTES

PLANNING COMMISSION MEETING

JANUARY 22, 2007

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

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: AMBROSE, BLACK, SOTTILE, WELLS, WOODS

COMMISSIONERS ABSENT: NONE

OTHERS PRESENT:
RAMIREZ, Principal Planner
FOLEY, City Attorney
KRULIKOWSKI, City Traffic Engineer, Public Works
VALLES, Administrative Secretary

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, February 5, 2007 at 5:00 p.m.

MINUTES OF 1-8-07

Motion by AMBROSE, second by WOODS to approve the Minutes of January 8, 2007 pro forma. Motion carries 5-0.

Resolutions Not Previously Adopted:

Motion by WELLS, second by AMBROSE to approve Resolution #10411 commending Ed Krulikowski for his 30 years of service to the Planning Commission.

RAMIREZ extends a special welcome to City Traffic Engineer Ed KRULIKOWSKI at his last Planning Commission meeting as he is retiring from the City of El Cajon. The Planning Commissioners presented Resolution #10411 to KRULIKOWSKI. Special audience guests, including his wife Sharon and his mother Francis, were recognized.

AMENDMENT OF CONDITIONAL USE PERMIT 1410 – John Koutsoukos (for Main Street Flowers)

(continued public hearing)

PC mtg. 01-22-07

The subject property is located on the southwest corner of East Main and Ballard Streets, and addressed as 1183 East Main St., APN: 489-380-24; General Plan Designation: General Retail Commercial.

Request to renew a conditional use permit for an existing flower kiosk in the C-2 (General Commercial) zone. (*Continued from the Planning Commission meeting of December 11, 2006*)

RAMIREZ informs that this request for renewal of a flower kiosk was last heard at the December 11, 2006 meeting, when it was agreed that the applicant should provide a written plan detailing landscaping and irrigation solutions for the area around the existing kiosk. Although staff has not yet received a landscape improvement proposal from the applicant, the property owner, business owner, and staff have continued their discussions since December.

Staff recently learned that one of the business owners, Hector Ramos, a commercial grower in north San Diego County, asked the Planning Commission to again continue this item until possibly after the Valentines Day holiday. He has had to spend a lot of extra time protecting his crops during the recent harsh weather.

Staff does not object to a four-week continuance to the Planning Commission meeting of February 26, 2007. If the Commission continues this item as requested, it will not be necessary to re-notice the continued public hearing.

BLACK announces the public hearing is still open and invites any persons in the audience who cannot attend the February 26, 2007 Planning Commission meeting to address the Commission.

No one comes forward.

Motion by WOODS, second by SOTTILE to CONTINUE Amendment of Conditional Use Permit 1410 to the Planning Commission meeting of February 26, 2007; carries 5-0.

AMENDMENT OF THE ZONING ORDINANCE, RE: OFFSITE MOTOR VEHICLE SALES – Planning Commission

(public hearing) Resolution No. 10408

PC mtg. 01-22-07

(*joint noticed CC mtg 02-27-07*)

Request to consider referral from City Council to permit off-site motor vehicle sales subject to restrictions.

RAMIREZ explains that this consideration was first referred to the Planning Commission by the City Council. At the October 9, 2006 Planning Commission public hearing, the Commission recommended approval of the proposed amendment to prohibit offsite motor vehicle sales in commercial zones. The matter was heard by the City Council on November 14, 2006, when numerous dealers and Westfield / Parkway Plaza representatives spoke against the prohibition. Several dealers spoke in favor.

When a motion disapproving the Commission recommendation did not pass, the City Council moved to continue its hearing to December 19, 2006 to look into financial impacts and possible threatened litigation by some of the opponents of the proposed prohibition. The City Council also discussed allowing a limited number of sales at the Parkway Plaza site.

Those in favor of the offsite sales prepared an alternative ordinance. The alternative proposal was discussed by Council on December 19, 2006, and appeared to have the majority of Council support; however, it was determined that the matter had to be re-noticed and referred back to the Planning Commission.

RAMIREZ notes that rather than talking about prohibiting offsite motor vehicle sales, the Zoning Ordinance amendment as shown as Exhibit "A", would accomplish the following: It would limit the number of offsite sales to 10 per calendar year; require a conditional use permit; restrict potential sites to those that are 15 acres or larger; and limit the sales to 72 hours or three days. In staff's opinion, certain provisions suggested by offsite sale proponents could be handled in the conditional use permit process. These provisions include such issues as the 72-hour vehicle return, tracking sales taxes, signage, site location, etc. It is noted that Westfield / Parkway Plaza is the only site in the City that can meet the recommended 15-acre minimum.

Limiting the number of sales to 10 per calendar year could reduce some of the opposition who felt that offsite sales held too frequently would adversely affect their dealership sales. The proposed limit of 10 sales per year would allow one per month from January to October and none in November and December when holiday shopping is at its peak.

This public hearing and the City Council public hearing on February 27, 2007 were announced by written notice to all persons who spoke at the City Council hearings. Unfortunately, staff learned today that at least two persons did not receive the letter in time to make arrangements to appear at the public hearing this evening. RAMIREZ emphasizes that the Planning Commission should not assume that a lack of testimony at the public hearing is a sign of disinterest among the parties who received notice.

RAMIREZ adds that, although the proposal before the Commission represents a change of direction from that given last year, the proposed amendment will give the City more control of offsite motor vehicle sales events and delegate the selection of sellers to the applicant. It is recommended that the Planning Commission recommend approval of Exhibit "A" which contains language to be added to the "Conduct of Use" section in the C-1, C-2 and C-R zones to permit offsite motor vehicle sales.

BLACK announces the public hearing is now open.

Mr. HORACE UERE, 889 Arnele Avenue, El Cajon, CA, representing Tipton Honda, inquires if the 10-per-year car sales was approved because he noticed that a local car dealership recently held an offsite tent sale that exceeded 72 hours, and it affected parking for Tipton Honda's employees. They support the once per month car sales, but as long as they take place within the 72-hour timeframe.

BLACK informs that the Amendment to the Zoning Ordinance has not been approved and the Planning Commission will be voting on it at tonight's meeting. UERE thanks BLACK and stresses that Tipton Honda does not support the offsite car sales.

RAMIREZ provides background on the speaker's comment regarding a recent sales event at Parkway Plaza. Staff approved a Temporary Use Permit for El Cajon Ford to have a three-day sale. She mentions that the presence on the site for more than 72 hours would be because the seller is allowed one day for set-up and one day for teardown.

Mr. MIKE ZIEGLER, 1507 Faldo del Cerro Court, El Cajon, CA, representing El Cajon Ford. He informs that they had the three-day sale that was on Saturday, Sunday and Monday, and they used Friday and Tuesday for set-up and teardown, respectively. They support the Amendment to the Zoning Ordinance as referred by the City Council and he recommends that the Planning Commission support the measure as well.

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

AMBROSE supports the current motion, although in the past, he did not support the off-site car sales at Parkway Plaza. He emphasizes that through the proposed Conditional Use Permit application process, the City will be able to have a bit more control over the off-site sales.

Motion by WELLS, second by AMBROSE to RECOMMEND APPROVAL of the Amendment of the Zoning Ordinance, permitting Offsite Motor Vehicle Sales in accordance with Exhibit "A" [attached to the staff report]; carries 5-0.

This item will go to the City Council for a public hearing on February 27, 2007.

AMBROSE announces he must abstain from agenda items PUD 319 and TSM 633 due to a conflict of interest. He leaves the Council Chambers at 7:22 p.m.

PLANNED UNIT DEVELOPMENT 319 – CondoConversions.com for Waris & Lai
(public hearing) Resolution No. 10409
(joint noticed CC mtg 02-27-07)

The subject property is located on the south side of E. Washington Ave., between S. Mollison Ave. and S. Anza St., and addressed as 957 E. Washington Ave., APN: 493-103-07; General Plan Designation: Medium Density Residential.

Request to convert an eight-unit apartment complex to a common-interest subdivision in the R-3 (Multiple-Family) zone.

AND

**PUBLIC HEARING ON
TENTATIVE SUBDIVISION MAP 633 -- CondoConversions.com for Waris & Lai**

(public hearing) Resolution No. 10410

PC mtg. 01-22-07

(joint noticed CC mtg 02-27-07)

The subject property is located on the south side of E. Washington Ave., between S. Mollison Ave. and S. Anza St., and addressed as 957 E. Washington Ave.; APN: 493-103-07; General Plan Designation: Medium Density Residential.

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

RAMIREZ explains that this is a request to convert eight existing units into a common-interest subdivision. The units are comprised of seven apartments in a two-story building, constructed in 1980 and a single-family home that is close to 50 years old. It is this older structure that has been the most troublesome part of the applicant's request. She emphasizes that staff has consistently opposed the conversion of structures that are that old. An alternative to converting the structure is to remove it and replace it with common area amenities, but the applicant's proposal retains the structure in its materials.

RAMIREZ notes the initial physical elements report for this project did not comment extensively on the single-family residence, therefore, staff required a supplemental report. In that report, there is no mention made of a water heater or its estimated remaining useful life. Also, nothing is reported on the basic infrastructure such as plumbing, electrical, or mechanical facilities. Staff takes issue with the statement that reports that this 50-year old structure still has 40 more years of life in it if certain minor repairs and routine maintenance are performed. RAMIREZ notes that not only is the residence quite old to be a conversion candidate, but the dwelling, its vehicular access, and the design are not consistent with the apartment building.

Another aspect of this conversion proposal that causes staff concern is the existing "motel-style" look of the apartment building. Commissioners should note that the applicant has submitted a new elevation package that attempts to eliminate the motel design; however, it is unclear just what exactly is being offered in materials, since those notes are not included with the graphics. Staff recognizes the proposed enhancements as having a positive impact on the aesthetics of the project as a whole, but believes that the subject property is a difficult site to transform into a successful condominium development.

Staff is suggesting that the PUD and its companion one-lot tentative map be denied for reasons stated in the staff reports. Although both applications were joint-noticed for the City Council's February 27, 2007 meetings, the Council will not hear these items unless an appeal is filed with the City Clerk's office and the appeal fee paid by 5 p.m. on Monday, February 5, 2007.

BLACK announces that the public hearings are now open.

Mr. CHRIS CHRISTENSEN, 4817 Palm Avenue, Suite I, La Mesa, California 91941, from CondoConversions.com, is the applicant's representative. He requests that the Commission overturn staff's recommendation to deny the project, and reaffirms that he has worked extensively with staff to accommodate staff's guidelines and concerns. He objects to staff's recommendation that they remove the house, stating that it is economically not feasible. He emphasizes that several houses – similar in age and type to their property and with no upgrades – have sold in El Cajon; they are bought and sold according to market conditions.

CHRISTENSEN objects to staff's comments and biased opinions in the staff report. He notes that the Commission and Council have objectively and repeatedly stated the goals of the City of El Cajon, versus the subjective nature of one staff person's opinion. [CHRISTENSEN requests additional speaking time from the Chairman, which was granted by BLACK.] He continues that the report was prepared by a licensed registered structural engineer, who made observational and destructive tests to the property that included getting into the eaves, looking at the foundation and making certain determining factors that would allow the property to stand and be in good shape for several decades to come.

CHRISTENSEN adds that they have complied with staff's recommendations and it would be economically infeasible to take this project back without the house. He also objects to staff's comparisons that the project has a "motel-look". His firm has worked with the city on previous projects to overcome the "motel look" appearance, noting that that this project has garages, and refers that motels do not have garages on the first floor. He feels that the reference to a motel is added to the staff report to further degrade the nature of what they are trying to do.

CHRISTENSEN continues highlighting some of the positive aspects of their conversion proposal (i.e., existing laundry room be replaced with a gazebo, picnic bench and barbecue area; the laundry rooms would be added in the individual units; and improvements to the parking area, landscaping and exterior look). They would also establish a "cloud condominium," where the single-family house would have certain rights and duties and obligations to maintain their property. It would be a separate but graduated level with the areas in the remaining seven units. Any other shared common areas would be accounted for in the CC&Rs. CHRISTENSEN requests Planning Commission approval so this matter could go proceed to the City Council for approval.

In response to a question from the Chairman regarding additional information and materials that was submitted, CHRISTENSEN replies that they provided materials at least twice. He explains that once he was informed that staff was recommending denial of the project, they made proposed enhancements to the parking and the common areas. RAMIREZ confirms that the updated materials were received and they are in the Planning Commissioners' packets.

Ms. LISA LEONTE, 957 East Washington, Unit F, El Cajon, CA, is an apartment tenant for over two years and supports the condo conversion. She is pleased with the improvements done to the project and is interested in purchasing a condo.

Mr. RAYMOND OCHOA, 957 East Washington, El Cajon, CA, a resident of the house, approves the project. In response to a question from the Chairman regarding the quality of house, OCHOA replies that the house is in good condition and acknowledges the substantial improvements that have been made. He is interested in purchasing the house after conversion is completed.

Mr. DARYL BORNEMAN, 957 East Washington, Unit G, El Cajon, CA, is an apartment resident and is also interested in purchasing the unit if the project is approved.

Ms. GRACIELA ALRAMADAN, 957 East Washington, Unit D, El Cajon, CA, is an apartment resident for over eight years. She supports the project and is also interested in purchasing the unit.

WELLS requests that the applicant's representative return to the podium to provide additional details about the house. CHRISTENSEN notes that substantial changes have been completed to the property within the last two years. The owners have made significant upgrades to both the house and the apartment building. He notes that the tenants are excited about the changes and are interested in purchasing the units. CHRISTENSEN adds that with other conversion projects, there are the usual cosmetic improvements such as to countertops, carpet and paint; but with this project, they went a step beyond and asked for a structural engineer to review the project. They plan to follow the recommendations, including modifications to the roof, foundation, and siding.

RAMIREZ mentions that CHRISTENSEN's request to overturn staff's recommendation to deny both applications, would leave the Planning Commission with possibly one choice, to continue this item. It is not an option to recommend approval, given that the staff report does not have the required conditions of approval; staff is strongly opposed to a continuance.

She notes that there are several precedent-setting cases with previous conversion applications that were approved, denied, withdrawn or never appeared before the Planning Commission that had issues similar to this project. The age of the structure is paramount on the list of priorities. The second point refers to the speaker's note that there was destructive testing done and the reports involve a structural engineer, then carrying out of those recommendations.

RAMIREZ adds that staff received two reports: the original physical elements report by LandAmerica., and a supplemental report, dated September 15, 2006 and prepared by a different party. Even after considering both reports, staff believes that certain items of importance have not been discussed in sufficient detail or were completely left out. For example, she refers to page 5 of the LandAmerica report, under Section 1.3, where there is a statement that indicates that the report was prepared after making “a visual, non-intrusive, non-destructive evaluation of various external and internal building components,” this is contrary to what the speaker said. Also, the supplemental evaluation does mention a water heater, but typically they would need to add a condition, requiring that the water heater be replaced. They also don’t have information pertaining to the quality and type of materials used in the single-family home’s plumbing, mechanical or electrical.

In the LandAmerica report, there is a statement about a leaking sanitary sewer line under the existing house; whereas the supplemental report -- prepared by a different party -- does not even acknowledge that there is a problem. There were other discrepancies, including no mention of mold or mildew in the supplemental report that was noted in the original report. RAMIREZ adds that to proceed is not the direction that the staff supports for this project.

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

SOTTILE asks if that the leaking sewer line would be a major issue, and if the owners will repair. RAMIREZ replies that some things are noted as items that are included in the budget for immediate or short-term repairs, and believes that’s how this item was handled.

She reiterates that staff expected to see more details in the supplemental report. In response to SOTTILE’s question about mold and wood rot, RAMIREZ notes that the supplemental report addresses these issues in part.

WELLS clarifies staff’s strong opposition to a continuance, and asks if the house could be rebuilt. RAMIREZ replies that CHRISTENSEN and staff are at an impasse, and emphasizes that to continue this item does not remove the fact that the existing home is plus or minus 50 years old. Staff policy does not support the conversion of a 50-year-old building. In response to a question from WELLS regarding denial, RAMIREZ replies that the applicant could file an appeal. WELLS would like to approve the project as it’s the best thing for the City of El Cajon to renovate old dilapidated projects; however, he understands why the City Council has taken a stand on older structures. He recommends the Planning Commission vote to deny this project. WELLS suggests that the applicant file an appeal to the City Council, to see if they would make an allowance about renovating older structures such as this.

SOTTILE concurs with WELLS on the renovation of older buildings, but is concerned about structural liability of a building, whether it be sanitation, mold or mildew problems. He supports staff’s recommendation to deny the project. WOODS also supports denial and he opposes the renovation of a 50-year old building.

RAMIREZ emphasizes that it is interesting and rare that the Planning Commission hears from more than just one tenant supporting a conversion proposal. The improvements made by the owner have benefited the neighborhood; however, staff firmly believes that not every project lends itself to be a good candidate for conversion. As an alternative, the Commission can discuss the merits of keeping the seven-unit apartment building and providing amenities in place of the existing home, recalling, however, the speaker indicated that it would make the project economically infeasible.

BLACK inquires if the Commission denies the project, would there be more conditions applied between now and City Council approval? RAMIREZ mentions that there are no conditions of approval in the staff report. If the items proceed on appeal to the City Council, the Council will have to refer them back to the staff for a list of conditions of approval.

Motion by WELLS, second by SOTTILE to DENY Planned Unit Development 319, carries 4-0 (AMBROSE – abstain).

Motion by WELLS, second by SOTTILE to DENY Tentative Subdivision Map 633, carries 4-0 (AMBROSE – abstain).

The appeal period for these items ends at 5:00 p.m., Monday, February 5, 2007.

AMBROSE returned to the Council Chambers at 7:58 p.m.

CONDITIONAL USE PERMIT 2023 – Planning Commission (Millers Towing for Tisdale)

(public hearing)

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: 483-021-30; General Plan Designation: Industrial Park.

Request to consider revocation of a conditional use permit for towing services and an impound yard in the M (Manufacturing) zone.

FOLEY explains that this will be an administrative hearing because it is a revocation of a conditional use permit that has already been granted. Staff, applicants and their representatives will be sworn in and testimony will be presented. The speakers may be “cross-examined” as if in a court trial. After testimony, the Commission may ask questions of any of the witnesses, and then render their decision.

In a response to WELLS about the Planning Commission decision being final, FOLEY replies that it is final but the applicant could appeal to the City Council if an appeal is filed by February 5, 2007 at 5 p.m. at the City Clerk’s office with the payment of a fee.

FOLEY administers the oath to all parties, including two city employees RAMIREZ and KRULIKOWSKI and two members of the public Mr. JIM RENZI and Mr. DAN MILLER.

[Public hearing is now open.]

RAMIREZ summarizes that this is a request to consider the revocation of a Conditional Use Permit. She explains that on May 8, 2006, the Planning Commission granted Conditional Use Permit 2023 authorizing towing services and long-term vehicle storage at the east end of the subject property. Resolution #10313 granted the request, including a condition for a six-month review of the permit, to determine conformance with conditions of approval and compatibility with the surrounding area. Notable among the conditions of approval of CUP 2023, were the following requirements: submittal of a revised site plan, submittal and approval of a landscape plan, installation of irrigated landscaping along Pioneer Way frontage, and replacement of driveways on Pioneer.

At the May 8, 2006 Planning Commission meeting, the applicant agreed to do all of the conditions of approval. However, the applicant, Dan Miller did request relief from the Public Works requirement to replace the driveways. The applicant was informed that staff would not waive this requirement, but that it could be appealed to the City Council. The condition was never appealed to Council. RAMIREZ noted that the applicant does not own the property. As a result the applicant and the property owner, Mr. Jeff Tisdale, must work together to satisfy the conditions of approval. At the time of the six-month review for compliance, the applicant had not satisfied any of the conditions; specifically, staff did not have the revised site plan, a landscape plan and the applicant had not replaced the driveways. Therefore staff recommended that the CUP be set for public hearing to consider possibly revoking the permit.

Since the November 20 review, the applicant has retained a consultant and has been working with staff diligently to meet the conditions of approval in order to avoid revocation of his permit. To date, the applicant has satisfied two of the four primary conditions of approval. Specifically, the applicant has submitted and obtained approval of a revised site plan and a detailed landscaping and irrigation plan. Work on the approved landscaping improvements has commenced and the applicant has also obtained a building permit for the installation of a back-flow prevention device as required by Helix Water District for the proposed landscape irrigation system. At the time of the writing of this report, the applicant's encroachment permit to reconstruct existing driveways is on hold, pending approval of design details.

In conclusion, staff has been proactive in communicating with the applicant in order to facilitate completion of the required conditions. Staff has written letters and has spent considerable time with the applicant and his representatives in an attempt to facilitate the satisfaction of the requirements. The applicant has been responsive to staff's corrections and has demonstrated a willingness to comply with the required conditions. Therefore, staff is recommending a continuance of this revocation hearing in order to provide the applicant with additional time to complete the landscaping improvements and to complete the driveway reconstruction. However, the staff wants to be clear that it is not going to be able

to support further delays. Staff's recommendation is to continue this hearing for a period of four weeks, to February 26, 2007, in order to give the applicant additional time to complete the conditions of approval.

BLACK announces the public hearing is now open. FOLEY clarifies that it has been open and that the applicant may ask questions of RAMIREZ at this time.

Mr. JIM RENZI, 413 South Magnolia Avenue, El Cajon, CA 92020, of Village Engineering Corp, is the applicant's representative. He asks for a two-month instead of one-month extension.

RAMIREZ replies that this item was approved long ago. When a CUP is granted, the approved use can be established once the conditions of approval have been satisfied. An applicant has up to one year to complete all conditions. That is not the case with this conditional use permit; the business has been operating even though some conditions are still unsatisfied.

FOLEY asks Commissioners if they have any questions of RAMIREZ. No one has questions. FOLEY also notes that KRULIKOWSKI is available for any questions regarding driveways.

BLACK asks if the driveway will be completed within 30 days. KRULIKOWSKI explains that the applicant needs to obtain an encroachment permit from Public Works. He had lengthy discussions with RENZI today. KRULIKOWSKI believes that, with some work, an encroachment permit could be issued this week. It would be up to the contractor as to whether the driveway could be completed within a 30-day period.

RENZI requests to make a statement. FOLEY explains that if he would like to ask a question of KRULIKOWSKI he could do so now; however, if he would like to give a statement as to his client's side of the story, FOLEY recommends that he wait and he will be given an opportunity to provide the statement.

Mr. DAN MILLER, owner of Miller's Towing Inc., would appreciate a continuance to get this handled. He has been working diligently with RAMIREZ. He found out that the property owner was not going to cooperate in widening the driveway that is also for the other five businesses on that parcel. He then hired RENZI to take care of that along with the landscape architect and the revised site plan. He mentions that it is the cost of doing business.

BLACK mentions that if the applicant obtains an encroachment permit, it might speed things along. MILLER is working with a contractor to widen the driveway. He came in last week and paid the fees for the encroachment permit; they were waiting for approval from the landowner.

FOLEY asks if RAMIREZ has any questions of MILLER. FOLEY notes that RAMIREZ has no questions but will make her concluding remarks at a later time.

RENZI wants to add as a statement that he was working with KRULIKOWSKI and they were successful to get the property owner to agree to close one of the driveways. They have a letter that is being sent this evening, and they will submit it tomorrow along with the design criteria and modification to the conditions that were set forth by Engineering. They will be waiting for review and comments from staff to take it to the next level. At that point, they would hopefully like to get it resolved by the end of the week and have the permit issued.

FOLEY notes if RAMIREZ, KRULIKOWSKI or Commissioners have questions of RENZI, they could do so at this time. No questions were addressed from staff or Commissioners.

RAMIREZ supports MILLER's statement that he has diligently worked to accomplish the conditions of approval. She notes that he is a tenant that has a Conditional Use Permit for his business and that he alone cannot complete the conditions. Unfortunately, in this case, staff has been aware for some time that the property owner has been very unavailable, and MILLER can't force the property owner to agree to these conditions of approval. With the assistance of RENZI, there has been much progress. A good faith effort at this point has been demonstrated and MILLER deserves at least a four-week continuance.

FOLEY notes that MILLER or RENZI could finalize their final positions.

WOODS questions the difference between granting a two-month rather than one-month extension. Progress has been made but the additional four weeks would be helpful if there is an unforeseen hitch. RAMIREZ replies that there have been several unforeseen hitches with the conditions and a 30-day or four week continuance would keep everyone's attention to keep the ball rolling. In defense of RENZI requesting a 60-day extension, RAMIREZ notes that weather could make it difficult or impossible to pour concrete either for the reconstruction or the northerly driveway for which they are proposing to close.

FOLEY ask if RENZI or MILLER were going to address the Commission. RENZI requests a 60-day extension that would be helpful with the installation of the driveway and to complete the landscape requirements. He notes that his client took it upon himself to paint the residence that helped improve the appearance of the Pioneer Way property, even though there was no condition for it.

FOLEY explains that if there are no other questions by the Commission, they could close the testimonial portion of this hearing and start deliberation.

Motion by WOODS, second by AMBROSE to close the administrative public hearing, carries 5-0.

WOODS feels that the applicant is already working with staff, has the permit, has the contractor, and he supports a two-month continuance, rather than just 30 days. WELLS, SOTTILE and AMBROSE all concur.

Motion by WOODS, second by AMBROSE to CONTINUE Conditional Use Permit 2023 to the Planning Commission meeting of March 26, 2007; carries 5-0. FOLEY states that there does not need to be further testimony at that hearing, though there can be if there is a swearing in again.

SIGN APPLICATION 170 – Sign Methods for The Home Depot
(discussion)

The subject property is located on the north side of Fletcher Parkway between Pioneer Way and N. Magnolia Ave., and addressed as 298 Fletcher Parkway; APN: 483-071-48-00; General Plan Designation: Regional Retail Commercial.

Request to construct a freeway-oriented sign in the C-R (Regional Commercial) zone.

RAMIREZ explains that the Planning Commission granted Conditional Use Permit 2024 in September of last year. The request authorized the demolition of the existing K-Mart building at the corner of Fletcher Parkway and North Magnolia, and the construction of a new Home Depot Retail store. One of the conditions of approval was for the applicant to obtain a sign program, indicating the size, type and location of all signs. Any freeway-oriented signs would require a sign application and possible Planning Commission action, depending on the height and the size of the freeway-oriented sign or signs. The applicant is requesting to construct a 65-foot high tall, freestanding, freeway-oriented pole sign that would include 225-square feet of sign area. The sign would be located on the North Magnolia Avenue Street frontage and will be situated near the driveway entrance to the site. Such a pole sign is limited to no more than two square feet of sign area, per face, for each lineal feet of street or freeway frontage and the maximum height of 65 feet. The subject property has about 500 feet of frontage on North Magnolia. The proposed elevation indicates that the sign will be 65 feet high that is the maximum permitted height that can be authorized with this application.

Since the subject site is within 660 feet of freeway right of way, the proposed sign is also subject to other restrictions in the Zoning Ordinance. For a free-standing pole sign is greater than 35 feet high, and within 660 feet of the freeway right of way, the Planning Commission must review it. Due to the elevation difference between the home improvement center and the freeway, staff believes that supporting a sign height greater than 35 square feet is justified in this case.

The applicant site plan also indicates that there will be a multi-tenant street pylon sign, existing pole sign on Fletcher Parkway will be removed and a new 24-foot high pole sign will be constructed in its place. Since this sign is less than 35 feet, approval by the Planning Commission is not required. Staff is recommending that the Commission approve Sign Application #170 for a 65-foot high pole sign, subject to obtaining a building permit.

BLACK opens discussion. The Commissioners all support the sign.

Motion by AMBROSE, second by WOODS to RECOMMEND APPROVAL of Sign Application 170, subject to conditions; carries 5-0.

ELECTION OF OFFICERS

(discussion)

RAMIREZ informs the Commission that election of Chairperson and Chair Pro Tem will be held at the February 12, 2007 Planning Commission meeting.

STAFF REPORT SURVEY

(discussion)

RAMIREZ requests that the Commissioners complete the Staff Report Survey that is included in their binders and return to Staff.

PRE-DRAFTED RESOLUTIONS

Motion by WOODS, second by SOTTILE to adopt Resolution Nos. 10408-10410, pro forma; carries 5-0 (AMBROSE- disqualified from Resolution 10409 & 10410).

ORAL COMMUNICATIONS

RAMIREZ informs Commissioners that the League of California Cities is holding a 2007 Planners Institute & Mini Expo from March 21 through March 23 at the Town & Country Resort & Convention Center in San Diego. Commissioners could attend; however, the Planning Commission does not have the funds to subsidize their registration.

CORRESPONDENCE

There was none.

ADJOURNMENT

Motion by SOTTILE, second by AMBROSE to adjourn the meeting of the El Cajon City Planning Commission at 8:35 p.m. this 22nd day of January 2007 until February 12, 2007 at 7:00 p.m.; carries 5-0.

Thomas BLACK, Chair

ATTEST:

James S. GRIFFIN, Secretary