



MINUTES

PLANNING COMMISSION MEETING

APRIL 23, 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
LYON, Assistant City Attorney
PHILLIPS, Associate Civil Engineer, Public Works
VALLES, Administrative Secretary

WELLS explains the mission of the Planning Commission and the proper procedure for speaking before the Commission and asks for proper decorum during the meeting.

MINUTES OF 4-9-07 Motion by WOODS, second by AMBROSE to approve the Minutes of April 9, 2007 pro forma. Motion carries 5-0.

AMENDMENT OF ZONING ORDINANCE: RE: CHAPTER 17.52 HILLSIDE (H) OVERLAY ZONE – Planning Commission

(public hearing) Resolution No. 10431

PC meeting: 04-23-07

(joint noticed CC mtg. 05-22-07)

Request to consider amending Chapter 17.52 regarding the Hillside (H) Overlay Zone.

RAMIREZ provides a summary of the staff report, noting that the Hillside Overlay zone has not been formally reviewed since it was adopted in 1973. Recent discussions with Public Works' staff on the professional qualifications necessary to prepare a grading plan for property in the "H" Overlay zone have lead to this proposed amendment. Additional clarifying language is suggested as a result of a joint review with staff.

RAMIREZ adds that the changes are not controversial; they simply clarify the ordinance by using current professional job titles and terminology.

WELLS announces that the public hearing is now open.

No one comes forward to speak.

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

AMBROSE suggests modifying Section 17.52.040.F of Exhibit "A" by adding "and vertical corners" after "The tops". After conferring with PHILLIPS of Public Works, RAMIREZ notes that there are no objections to the proposed text.

Motion by AMBROSE, second by BLACK to RECOMMEND APPROVAL of an Amendment of Chapter 17.52 (Hillside [H] Overlay Zone) of the Zoning Ordinance in accordance with attached Exhibit "A"; carries 5-0.

The item was jointly noticed for a City Council meeting on May 22, 2007 at 7 p.m.

AMENDMENT OF CONDITIONAL USE PERMIT 1641 – Nasser for Robertson

(public hearing) Resolution No. 10432

PC meeting: 04-23-07

The subject property is located on the northeast corner of N. Second Street and Greenfield Drive, and addressed as 1313 N. Second Street; APN: 484-071-19; General Plan Designation: General Retail Commercial.

Request auto sales and light auto repair in the C-2 (General Commercial) zone.

RAMIREZ explains that the applicant submitted a request to renew Conditional Use Permit 1641 for used automobile sales and light automobile repair in the C-2 (General Commercial) zone. A CUP is required for both uses according to the Municipal Code. She notes that both uses have been in operation for approximately 12 years.

She notes that when the CUP was renewed in 2001, staff received several complaints concerning fumes associated with painting of vehicles on the subject property. Auto painting is not an approved auto repair use on the subject property. Since 2001, no additional complaints have been received by staff.

RAMIREZ mentions that two issues need to be resolved, including the removal of several palm tree stumps. Also the applicant must obtain building permits for a small storage addition (built without permits) on the easterly façade, or it must be removed within 60 days of Planning Commission action.

WELLS announces that the public hearing is now open.

Mr. Mike NASSER, 1313 North Second Street, El Cajon CA 92021, is the applicant. He agrees to the conditions of approval and notes that the palm tree stumps have been removed. He will check with the Building Division regarding permits for the shed. He will tear it down within two weeks if it is not feasible to comply with the permit requirements.

No one else comes forward to speak.

Motion by WOODS, second by SOTTILE to close the public hearing; carries 5-0. Motion by BLACK, second by WOODS to GRANT Amendment of Conditional Use Permit 1641 for auto sales and light auto repair in the C-2 (General Commercial) zone; carries 5-0.

The appeal period ends at 5 p.m., Monday, May 7, 2007.

CONDITIONAL USE PERMIT 2041 – Philippines on Broadway for Regards to Broadway LP

(public hearing) Resolution No. 10433
PC meeting: 04-23-07

The subject property is located on the north side of Broadway between Oro and First Streets, and addressed as 1174 Broadway, Suite 101; APN: A portion of 484-184-09-00; General Plan Designation: General Retail Commercial.

Request take-out only restaurant/food items in the C-2 (General Commercial) zone.

RAMIREZ explains that the applicant would like to establish a combined take-out only restaurant with a full kitchen and a retail food market within a newly-constructed building in the C-2 zone. Eating establishments like restaurants, sandwich shops, ice cream parlors, are also permitted, so long as they can provide the increased parking required for an eating establishment. Since the applicant is proposing to sell food “to go,” the parking s available on site should turn over frequently because the customers will simply pay for the food and leave.

WELLS announces that the public hearing is now open, and invites any speakers to come forward.

Mr. Dan LOMAX, 537 Bear View Way, Alpine, CA 91901, is the applicant’s representative and he agrees to the conditions of approval.

No one else comes forward to speak.

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

Motion by AMBROSE, second by WOODS to GRANT Conditional Use Permit 2041, for a take-out only restaurant and food market in the C-2 zone; carries 5-0.

The appeal period ends at 5 p.m., Monday, May 7, 2007.

CONDITIONAL USE PERMIT 2042 – Cavender for Westfield Parkway Plaza

(public hearing) Resolution No. 10434

PC meeting: 04-23-07

The subject property is located on the west side of N. Johnson Avenue between Arnele Avenue and Fletcher Parkway, and addressed as 415 Fletcher Parkway; APN: 482-270-33; General Plan Designation: Regional Retail Commercial.

Request multiple offsite outdoor motor vehicle sales events during the 2007 calendar year in the C-R (Regional Commercial) zone.

RAMIREZ provides a summary of the staff report. She notes that the Municipal Code was recently amended by Ordinance No. 4876 to include provisions for multiple outdoor sales events in the C-R (Regional Commercial) zone. To date, there have been four outdoor auto sales events on the subject property by way of a temporary use permit. The staff has counted these four toward the total number of 10 per calendar year that are now permitted. Therefore, the applicant will only be permitted to have six additional outdoor sales events this year.

Each proposed event will last for three days with one additional day to set up and one day to break down. Westfield will select the sellers and manage the events. Staff is recommending that Westfield provide the staff with a list of sales event dates along with the names and addresses of the sellers at each event.

RAMIREZ notes that any “out of town” dealers who participate in these sales events must file the proper point-of-sale tax schedules with the State to credit those sales to the City of El Cajon, as the jurisdiction where the vehicle was sold.

At the writing of this report, staff had received no public input regarding this item. Staff recommends a CUP for one year to see how things function and how they are managed. The applicant will have to return with another CUP application to conduct sales events in 2008.

RAMIREZ advised a minor error must be corrected in Condition 1. b, from “are ground-mounted inflatable” to “one ground-mounted inflatable.” Also, the date in Condition 2.a. should be changed from April 27, 2007 to Tuesday, May 8, 2007, which would be the first day following the appeal period expiration.

AMBROSE notes that the site plan is extremely dated and recommends that an updated site plan be submitted. RAMIREZ replies that it could be added as Condition #13.

WELLS announces that the public hearing is now open.

Mr. Mike CAVENDER, General Manager, Westfield Parkway, 415 Parkway Plaza, El Cajon, CA 92020, is the applicant’s representative. He agrees to the conditions of approval, but seeks clarification regarding condition 1.d. which permits U.S. or state flags.

He asks that the condition be changed to include patriotic or red, white and blue banners or pennants. He notes that some of the dealers have patriotic banners and not U.S. flags.

AMBROSE questions how the proposed events will work. CAVENDER notes that the shopping center would manage future auto car sales events at the subject property. To date, four El Cajon auto car dealers have shown an interest, so there should not be an issue regarding sales tax owed by out-of-town dealers. Westfield will submit a list of the auto sales events to the City at least 14 days in advance.

BLACK asks if there are any checks and balances to track the sales for any out-of-city auto dealers holding car sales events at Parkway Plaza. CAVENDER replies that the auto sales applicants must file an application with the Department of Motor Vehicles to have the events. All the sales are submitted to the DMV; Westfield Shoppingtown is requesting a copy of these sales records.

No one else comes forward to speak.

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

Motion by SOTTILE, second by BLACK to GRANT Conditional Use Permit 2042, for multiple offsite outdoor motor vehicle sales events in the C-R zone, modifying condition 2.a., changing the date from April 27, 2007, to May 8, 2007, and adding condition 13, to read: "The applicant will provide a revised site plan to correctly reflect the surrounding area within two weeks"; carries 5-0.

The appeal period ends at 5 p.m., Monday, May 7, 2007.

PRE-DRAFTED RESOLUTIONS

Motion by WOODS, second by SOTTILE to adopt Resolution Nos. 10431 through 10434, pro forma; carries 5-0.

ORAL COMMUNICATIONS

RAMIREZ informs the Commission of an upcoming walking tour of the Little Italy neighborhood by downtown San Diego scheduled for Thursday, May 24, 2006 from 4:30 to 6:00 p.m. In attendance will be City of El Cajon staff members, Specific Plan 182 Ad Hoc committee members and CityWorks representatives. Meetings will be scheduled with Little Italy developers, residents and business owners. Because of conformance with the Brown Act, Planning Commissioners must make a public declaration of their intention to attend the tour.

CORRESPONDENCE

No correspondence.

ADJOURNMENT

Motion by AMBROSE, second by SOTTILE to adjourn the meeting of the El Cajon City Planning Commission at 7:44 p.m. this 23rd day of April, 2007 until May 21, 2007 at 7:00 p.m.; carries 5-0.

William D. WELLS, Chair

ATTEST:

James S. GRIFFIN, Secretary