



PLANNING COMMISSION MEETING

MAY 18, 2009

The meeting of the El Cajon City Planning Commission was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

ROLL CALL:

COMMISSIONERS PRESENT: Anthony SOTTILE, Chairman
Tony AMBROSE
Star BALES
Paul CIRCO
Darrin J. MROZ

COMMISSIONERS ABSENT: None

OTHERS PRESENT: Barbara RAMIREZ, Principal Planner
Barbara LUCK, Assistant City Attorney
John PHILLIPS, Associate Civil Engineer, Public Works
/ Engineering
Ron Luis VALLES, Administrative Secretary

SOTTILE briefly explained the mission of the Planning Commission. SOTTILE welcomed comments under Public Comments. No one came forward.

CONSENT CALENDAR Motion was made by CIRCO, seconded by AMBROSE
to approve the Minutes from the Planning Commission
meeting of May 4, 2009; carried 5-0.

AMENDMENT OF CONDITIONAL USE PERMIT NO. 571

(This is jointly noticed for the City Council meeting on May 26, 2009 at 3 p.m.)

This was a public hearing on a request to expand an existing fueling station and convenience market in the Heavy Commercial – Light Industrial (C-M) zone. The subject property is located at the northeast corner of West Main Street and North Marshall Avenue, and is addressed 1090 West Main Street.

APN: 487-121-41
General Plan: Light Industrial (LI)
Zoning: Heavy Commercial – Light Industrial (C-M)
Applicant: HRF of San Diego, LLC (Hani Toma) / 619.466.0000
Project Planner: Noah Alvey / 619.441.1773

RAMIREZ summarized the staff report. She explained that the applicant's written narrative states that the proposed modifications to the site will occur in three phases. The first phase will include the expansion to the convenience store and the relocation of the RV dump. Phase two will include the removal of the existing fueling islands, the location of the underground storage tanks and the construction of the two new fueling islands and a RV fueling station. The final phase of the development will be the construction of the car wash.

She noted that there are two free-standing pole signs that are non-confirming and would need to be removed to comply with Specific Plan 182.

RAMIREZ also explained that applications in the SP 182 area need to comply with design review procedures. The El Cajon Community Development Corporation Design Review Commission approved the applicant's proposal with conditions recommending that they add wainscoting to the car wash building to match the main building, and replace the light gray glass with clear windows on the main building.

Additionally, since a drive-through facility is proposed as part of the car wash, the City of El Cajon's Commission on Aging & Disabilities reviewed the project. They recommended that the development maintain an appropriate number of handicapped accessible parking spaces and that a safety zone be provided along the easterly building façade of the convenience store to ensure a safe path of travel to and from the handicapped accessible parking spaces. The proposed resolution includes the conditions of approval to reflect those recommendations.

RAMIREZ concluded that the Planning Commission can make the required findings to recommend that the City Council approve the proposed project. She also acknowledged Conditions 8.a., 8.b., and 8.c., which provide a deadline for each of the three construction phases.

CIRCO sought clarification on the pole signs and RAMIREZ replied that the new SP 182 regulations would apply and pole signs are not allowed. Staff recommends that they be removed.

SOTTILE opened the public hearing, and invited any speakers to the podium.

Mr. Allen DUEBER, 9131 Fletcher Parkway, Suite 119, La Mesa, CA 91942, is the architect for the project. He explained that the project is being done in phases due to the tough economy. He asked that the requirement of closing the westerly driveway under Condition 3.d. be changed from phase one construction requirement to a phase two requirement. He also supported that the pole sign be allowed to remain and mentioned that it would provide additional freeway exposure to the business.

He agreed to the CDC recommendations and mentioned that the applicant would comply with Building & Fire Safety, and Storm Water requirements.

RAMIREZ, in response to a question by the Commission on the pole sign, mentioned that applicant could bring up that issue at the advertised City Council public hearing on May 26, 2009 at 3 p.m.

AMBROSE noted that he is sympathetic to the applicant and supports the pole sign. He noted that SP 182 did not contemplate the need for this type of sign when it was last amended. AMBROSE believes the freeway sign would be the lifeblood of the business and it is also in the city's best economic interest to allow it. He noted that as a Planning Commissioner his hands are tied, but noted that for the record, he encouraged the council to retain the sign.

CIRCO agreed with AMBROSE and noted that the pole signs are important as an advertisement for the gas station. BALES and SOTTILE agreed.

DUEBER noted that this would be a "gateway" project to the City. Relating to the Fire Safety comments, he mentioned that he had a discussion with the Building and Fire Safety Official today who agreed that only the car wash would need a fire sprinkler system because it is new construction.

No other speakers approached the podium.

Motion was made by CIRCO, seconded by BALES to close the public hearing; carried 5-0.

Motion was made by MROZ, seconded by CIRCO to adopt Resolution No. 10559, recommending the City Council approve Amendment of Conditional Use Permit No. 571, subject to conditions; carried 5-0.

This item will be heard at the City Council meeting on May 26, 2009 at 3 p.m.

[Draft excerpts of the minutes will be provided to the City Clerk's office, before they are officially adopted by the Planning Commission at its June 8, 2009 meeting.]

CONDITIONAL USE PERMIT NO. 2103 (Minor)

This was a public hearing on a request to legitimize an existing tobacco and smoke shop per El Cajon Municipal Code 17.88. The subject property is located on the north side of East Main Street between Walter Way and East Madison Avenue, and is addressed 1402 East Main Street.

APN:	489-180-17
General Plan:	General Commercial (GC)
Zoning:	General Commercial (C-2)
Applicant:	Azhar Hana / 619.593.7718
Project Planner:	Danielle Goldman / 619.441.1656

RAMIREZ summarized the staff report and noted that this application is similar to recent applications. The tobacco and smoke shops became non-conforming when the City Council adopted Ordinance No. 4842 in 2006. They were notified by the City Attorney's

office and allowed a three-year grace period within which to obtain approval of a conditional use permit.

She noted that staff visited the business and took photos of non-conforming items; she also advised that the business might have taken steps since then to come into compliance. RAMIREZ referred to Police Department comments, which are included as conditions of approval the removal of items such as digital scales and novelty cigarette lights, which are prohibited by the state and local laws.

SOTTILE opened the public hearing, and invited any speakers to the podium. No speakers approached the podium.

Motion was made by BALES, seconded by AMBROSE to close the public hearing; carried 5-0.

Motion was made by AMBROSE, seconded by CIRCO to adopt Resolution No. 10560, granting Conditional Use Permit No. 2103, subject to conditions; carried 5-0.

The appeal period for this item ends at 5 p.m., Monday, June 8, 2009 at 5 p.m.

CONDITIONAL USE PERMIT NO. 2104 (Minor)

This was a public hearing on a request to legitimize an existing tobacco and smoke shop per El Cajon Municipal Code 17.88. The subject property is located on the east side of Avocado Avenue between West Chase Avenue and Avenida Abajo, and is addressed 1175 Avocado Avenue, Suite 103.

APN:	493-290-17
General Plan:	Neighborhood Commercial (NC)
Zoning:	Neighborhood Commercial (C-1)
Applicant:	Mike's Cigars, Inc. / 619.593.0134
Project Planner:	Danielle Goldman / 619.441.1656

RAMIREZ summarized the staff report. She noted that the hookahs and novelty lighters that were pictured in Staff Exhibit No. 3 and 4, respectively, have since been removed from the smoke shop's premises.

SOTTILE sought clarification on the hookahs that were pictured on the top shelf in a photo. RAMIREZ referred to a section in the Zoning Ordinance that states that no hookahs, or tobacco paraphernalia, may be visible to passers by of the tobacco paraphernalia establishment.

SOTTILE opened the public hearing, and invited any speakers to the podium. No one approached the podium.

Motion was made by MROZ, seconded by BALES to close the public hearing; carried 5-0.

Motion was made by CIRCO, seconded by MROZ to adopt Resolution No. 10561, granting Conditional Use Permit No. 2104, subject to conditions; carried 5-0.

The appeal period for this item ends at 5 p.m., Monday, June 8, 2009 at 5 p.m.

OTHER ITEMS FOR CONSIDERATION:

There were none.

STAFF COMMUNICATIONS

There were none.

COMMISSIONER REPORTS/COMMENTS

There were none.

ADJOURNMENT

Motion was made by CIRCO, seconded by AMBROSE to adjourn the meeting of the El Cajon City Planning Commission at 7:45 p.m. this 18th of May, 2009 until June 8, 2009 at 7:00 p.m.; carried 5-0.

Anthony SOTTILE, Chairman

ATTEST:

Melissa AYRES, Secretary