

CITY OF EL CAJON
EL CAJON, CALIFORNIA
AUGUST 23, 1971

An adjourned regular meeting of the City Council of the City of El Cajon, California, held Monday, August 23, 1971, was called to order by Mayor James Snapp at 7:30 o'clock p.m. in the Council Chambers of the City Hall, 150 East Lexington Avenue, El Cajon, California. This meeting was adjourned from the adjourned regular meeting held August 16, 1971, by order of the City Council.

R O L L C A L L

Councilmen present Cornett, Brown, Quidort, Snapp
Councilmen absent Van Zanten
Other Officers present Hensley, City Clerk; McDougal, City
 Attorney; Acker, Assistant City Manager;
 Pizzato, City Engineer and Director of
 Public Works; Henson, Director of Planning.

PLEDGE OF ALLEGIANCE TO FLAG.

The invocation is offered by the Reverend Robert L. Graham, Christian and Missionary Alliance Church.

MINUTES Motion by Quidort, seconded by Brown to
 approve the minutes of the August 16, 1971,
 meeting.

Motion carried by unanimous vote
of those present.

POSTING The order of adjournment of the August 16,
 1971, meeting was duly posted as required
 by law.

ITEMS ADDED Motion by Quidort, seconded by Cornett to
 add the following items to the agenda:

12A - Application to defer installation of improvements at 555-583
 West Lexington Avenue submitted by Clyde W. Nelson, as
 requested by Mayor Snapp.

12B - Taxicab Fares submitted by El Cajon Radio Cab Company, and

12C - Letter Building Department re additional refund of building
 permit (Grassi) as requested by Mr. Acker.

CONSENT ITEMS Motion by Brown, seconded by Cornett to
 approve the consent items as follows:

1. 30 DAY WAIVER Approve waiver of 30 day waiting period in
 S.P. 65 accordance with Indemnity Agreement execu-
 ted by Southern California First National
Bank on Ordinance 2397, amendment of Specific Plan No. 65.

2. INTER. HOTELS Deny request dated August 10, 1971, from
 REFUND - LATERAL International Hotels for refund of \$165.00
 for a sewer lateral at 683 North Mollison,
in accordance with letter from Director of Public Works dated
August 12, 1971, indicating no refund is in order.

3. SURETY BOND - Approve release of surety bond filed by
 HULL - LTR CORBETT Carlos Hull, upon execution of a lien
 contract, as requested in letter from
Clarence Corbitt dated August 16, 1971, as recommended by Director
of Public Works.

Motion carried by unanimous vote
of those present.

4. HEARING-Z.R. 891 Time has come for public hearing on Zone
STOUGH Reclassification No. 891 submitted by Elson
S. Stough to reclassify property on the
south side of Camden Avenue, between Magnolia Avenue and Farragut
Circle and Jefferson Avenue, from the R-1-6 Zone to the R-P Zone.

Planning Commission Resolution No. 3094 recommends approval of
the R-P Zone subject to certain conditions.

No written protests were received.

Planning Director Henson advises the property is a little unusual
in that it represents 32 lots from a very ancient subdivision.
One of the recommendations of the Planning Commission was that it
be approved to the requested zone subject to a reverse lot split
combining parcels into one, or reversion to acreage of the sub-
division map, whichever is appropriate. The intent of joining the
lots together is not meant as a denial of some future division of
the property but for preparation of the property under the new
zone classification. Mr. Henson called the County about their
practice of using reversion to acreage, and they find a more
simple device is to create a single lot subdivision. Council
could include the single lot subdivision as another option.

Attorney McDougal states it would not be necessary to send this
back to the Planning Commission if Council includes that option,
as it is within the two choices recommended by Planning Commission.

Mrs. Betty Cantoni, 520 South Magnolia, representing the appli-
cant, urges Council to concur with the Planning Commission resolu-
tion and the staff recommendation in favor of the R-P Zone.
Relating to the requirement of a site development plan within
one year, Mrs. Cantoni feels the nature of the site plan ordinance
should be adequate to insure compliance with recognized standards;
the time element only makes cumbersome a process which it has been
attempted to streamline, so would like the zoning granted outright
with no consideration of time.

Mrs. Cantoni continues the second point is the question of reverse
lot split vs. reversion to acreage; both of these processes end
up with a 3.2 acre lot being required as a condition of zoning.
Whether the ultimate development will be a total or phase develop-
ment no one knows at this time, but is sure the owner or developer
and Council do not want it to be a piecemeal development, and for
this reason will concur with Council's determination. Would have
liked to see the three lot combination as had been anticipated
for the past year continued, but understands the City Attorney (as
expressed in private conversation with her and as indicated in the
Planning Commission minutes) feels there might be a need of erasing
the subdivision in a formal manner. If Council concurs, would
hopefully request that they direct the proceedings to be instigated
as a matter of City action, thereby relieving the applicant of
expensive filing fees, etc. The owner will cooperate but would
like to see this not be a time and money consuming process if it
can be avoided. Mrs. Cantoni states it would have been more
rewarding to look forward to a beautiful civic development on this
site.

Mrs. Cantoni understands the third alternative (one lot subdivision)
would not be much more expensive than a reverse lot split combina-
tion. The original engineering should still be of record and thinks
this can be accomplished nicely.

Mayor Snapp explains these requirements are necessary because
Council cannot allow the R-P Zoning with 25 foot frontage lots.

No further comments were offered.

Motion by Cornett, seconded by Quidort that the public hearing be
closed.

Motion carried by unanimous vote
of those present.

Councilman Brown states this parcel is somewhat unique and of rather substantial size; is concerned about the frontage on the east side on Jefferson, across from residences. Asks if a specific plan might be in order, without a time limit, to see that there would be compatible development across from residential property.

Mr. Henson advises he could not foresee anything occurring that could not be handled by the site plan procedure; if there were any question of the uses facing Jefferson, would take the matter to the Planning Commission, as provided in the site plan ordinance.

Councilman Cornett believes it would be appropriate to remove the following words in the NOW, THEREFORE, portion of the Planning Commission resolution: "site development plan on the entire property within one year of City Council approval."

Attorney McDougal advises if Council does not want this zoning to be effective until there is one lot, cannot accomplish this by a reverse lot split, as they cannot wipe out subdivision lines with a reverse lot split. They could file another subdivision map (which could be a one lot map) that would probably solve the problem. There is a procedure in the Subdivision Map Act which requires a public hearing to revert to acreage to get it back unsubdivided. It is questionable in his mind whether that would be required; since the filing of a subdivision map would take care of it does not think they need to go to that procedure. Both procedures require the services of a registered engineer; the only difference basically is whether it has to be set to public hearing.

Mr. Pizzato advises that a subdivision map or parcel map obliterates what was there before.

Attorney McDougal suggests including a parcel map, which might be a solution which is satisfactory and might be cheaper for the applicant. The intent would be to leave the option up to the applicant.

Attorney McDougal continues that the reason that deleting the one year requirement is not a major change is that there would be no way to enforce that.

Motion by Cornett, seconded by Brown to refer Zone Reclassification No. 891 to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 3094, deleting reference to site development plan within one year, and deleting reference to reverse lot split, combining of parcels to be accomplished by reversion to acreage, one lot subdivision map or parcel map.

Motion carried by unanimous vote of those present.

5. HEARING - AMEND Time has come for public hearing on
S.P. 96 - INTER. amendment of Specific Plan No. 96 sub-
HOTELS mitted by International Hotels to install
 one double face illuminated free standing
pylon sign on property at the northeast corner of Mollison and
Freeway 8.

Planning Commission Resolution No. 3096 recommends approval of the amendment.

Division of Highways, by letter dated August 12, 1971, advise they have no objection to granting this application.

No written protests were received nor verbal protests offered.

Motion by Brown, seconded by Quidort to close the public hearing.

Motion carried by unanimous vote
of those present.

Motion by Brown, seconded by Quidort to refer this matter to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 3096.

Motion carried by unanimous vote
of those present.

6. LTR - KATHOL & SONS By letter dated August 17, 1971, Gregory L. Kathol requests City of El Cajon to furnish engineering service for two lots facing the intersection of Salina and Pauline.

Mr. Pizzato advises policy regarding this matter is on Page 14-H and applies to R-2 or more restrictive zones. The subject property has frontage on Washington Avenue and on future Pauline, a knuckle between Pauline and Salina. The assessor's map shows that it is four parcels, where actually as far as it can be determined it is one parcel. It was annexed in 1958 and they had a cut recorded with the Assessor's Office in 1959, which is not recognized by the City; therefore, they will have to process a lot split. The southerly portion is zoned R-1 and the northerly portion is zoned R-P and R-2. Another factor is that the property to the east, Diamond Crest Subdivision, was recently subdivided and there is a storm drain traversing through the property - believes they are requesting that that be included in the engineering service prepared by the City since it would probably be a requirement when they develop. This would be a construction plan, for which there is a minimal charge which is subsidized by the City; it is a policy established to help the small home owner to install improvements where they were required.

The storm drain would probably be in the R-2 Zone and the street improvements would be in the R-1 Zone.

Motion by Cornett, seconded by Brown to approve request for City engineering service.

Motion carried by unanimous vote
of those present.

7. LTR - MC CABE ENGINEERING By letter dated August 11, 1971, McCabe Engineering, Inc., requests relief from Item No. 4 of the Engineering Department recommendations in the Terrace View Subdivision which requires construction of one lane of surfaced roadbed east of the centerline of Dorothy Street.

Mr. Pizzato, pointing to map on board, explains this is a tentative map of the proposed subdivision composed of 36 lots on the extension of South Dorothy Street, south of Granite Hills Drive. The street would extend about 1,000 feet south of Granite Hills Drive and the subdivision would begin approximately 300 feet south of Granite Hills Drive. The developer is proposing full right of way and full improvements down to the beginning of the subdivision. The Staff recommended requirement of adequate land easterly from the centerline of the street to provide a northbound lane, shoulder and the necessary fill. According to the letter, there apparently was some mutual agreement with the property owner to the east, but now since the property is in escrow the property owner has withdrawn the offer. It has been the City's policy in the past that this is a standard requirement for a boundary street in a subdivision and he would recommend that this procedure be adhered to. Also, there is some fill along the street and it will be necessary, under any circumstances, to go beyond the boundary of the subdivision unless they relocate the street some distance to the west.

It would appear there are two alternatives: one is to shift the street to the west by curving it in some fashion to provide all the right of way within the subdivision, which might result in loss of some lots; the other alternative is to retain the requirement and leave it up to the property owner to negotiate for the necessary right of way or to initiate condemnation proceedings or ask the City to initiate condemnation proceedings under circumstances where the developer would bear all costs. This has been done in the past.

Councilman Cornett states if it is a question of whether or not the street should be allowed to be constructed at half width, he thinks the answer should be No; whether Council will allow the City to file condemnation with the contractor paying the costs, believes Council should resolve that when the request is presented.

Gary L. McCabe, 209⁴ Windmill View Road, El Cajon, representing the developer, John G. Pruitt, states they originally had a tentative agreement with the adjacent property owner whereby he would dedicate the additional 10 feet required, but when they approached him for his signature on the easement deed he indicated the property was in escrow and he would not follow through with his original verbal commitment. Should they be required to provide the 40 feet of dedication, it would create a loss of approximately 4 lots - at this point the entire subdivision is engineered and about ready to come before Council for approval for recordation. If they were to drop the 4 lots, it would make the project financially unfeasible for the developer.

Mr. McCabe presents exhibit and explains they plan a single loaded street at the top with 10 lots, the next is a double loaded street with a cul-de-sac with 20 lots. The grading of the site creates a slope adjacent to each of the corner lots down the extension of Dorothy Street which prohibits pedestrian or vehicular access to Dorothy Street. The standard 56 foot right of way for street width requires 36 feet of improvements which provides for 8 foot parking lanes and a 20 foot travelway down the center of the street. At this point he would propose, due to their collapse in negotiations with the adjacent property owner, that Council approve construction of the half street, for which they can get slope rights from the adjacent property owner but will not dedicate any property in fee at this point, which would provide a 20 foot strip of improved roadway, provided there is no parking on that portion of Dorothy Street. Access to all the corner lots are from the interior streets and not from Dorothy; therefore, if parking on Dorothy were restricted it would impose no hardship on the property owners. Thinks with the circumstances as they are and the fact there are 35 residences affected, would request Council to strongly consider their proposal.

Mayor Snapp comments with two cars to a family this would involve 70 cars on a 20 foot street. Mr. McCabe, pointing to map, states there would be 10 cars traveling one route in two directions - points out where the other residences take access. It is not a through street where traffic would be coming from adjacent areas passing through. It would be physically impossible for the street to go up the hill and undoubtedly will be a T intersection. When the property to the west is developed ultimately, in order to get public facilities, they will have to annex to the City as there are no County facilities there and they would dedicate the additional 30 feet. He has not discussed condemnation with the Engineering Department.

Councilman Brown states there is no question that even going one lane beyond makes a minimal street; probably would be satisfactory for a short term - anything less than that would not be satisfactory.

Motion by Brown, seconded by Quidort to deny request for relief from Item No. 4 of the Engineering Department recommendations.

Motion carried by unanimous vote of those present.

8. LTR-DUERKSEN By letter dated August 13, 1971, Mr.
EMINENT DOMAIN William Duerksen, attorney representing
PIONEER WAY 1913 Mr. and Mrs. Clyde Kite regarding Eminent
Domain proceedings on Pioneer Way, requests
that the drainage proposed be placed underground, either along
the line originally proposed until it connects with the existing
ditch, or along the west side of the property.

Mr. Pizzato points out the property in question bordered in red on the map, also showing the Broadway drainage channel coming from the trailer park to the east, meandering to the northwest and then northerly to Cypress Lane. There is also a plan prepared by the County Department of Sanitation and Flood Control for the ultimate alignment of the Broadway channel which extends almost diagonally from the southeast corner to the northwest corner of the Kite property. The City limits is the westerly boundary (property is not in the City at present). The ultimate alignment would tie in with the structure that was built under Vernon-Greenfield. It was the City's original plan to divert the channel from where it exits from the trailer park to approximately the ultimate alignment at about the north center of the Kite property and carry the diversion on to the northwest along the future alignment of the Broadway channel as proposed by the County. Also, as part of the Pioneer project, construction of a storm drain consisting of a 36" pipe was planned running northerly from Vernon Way to the center of the Kite property and then piped into the Kite property to the location of the realigned drainage channel.

An attempt was made to negotiate permission to realign the channel and the drainage easement through the property, but the property owner objected to the drainage easement going diagonally into the property. It occurred to Mr. Pizzato that perhaps the most economical method would be to acquire an easement and construct an open channel directly northerly through Mr. Kite's property from about mid-point on north along the west line of the property. This would result in minimal damage to his property, would not involve construction of any pipe that might or might not fit in with the ultimate construction, would provide for the maximum ultimate flexibility and would be the most economical to the improvement district. The main purpose is to discharge the water into the Broadway Channel System. At the present time it sheets across all the properties on the east side of Pioneer Way, north of Vernon, and some comes from the south of Vernon all the way from the K Mart area. Although the plans show the 36" pipe into the property, the City has filed the condemnation of the 20' drainage easement along the westerly line of the property and are proposing to make that change to the contract. It is believed this will actually reduce the total cost to the district.

Councilman Quidort questions whether a pipe was constructed under Bradley. Mr. Pizzato advises the pipe was constructed to the west and a large box culvert on the east; Bradley would not have to be torn up. The structure is an 8 X 12 foot reinforced concrete box culvert with 5 feet of backfill and would take care of the whole Broadway Channel System. The whole system is coordinated - it is just a question of going ahead with the project. The County has finally agreed to deepen and widen and to clean the existing ditch, the work is to start tomorrow in advance of the construction on the Pioneer Way Project.

Councilman Brown questions whether the property owner would be willing to donate the right of way if the drainage were installed underground - the pipe could be run to Mr. Kite's northerly property line and then angled over so that his property is not torn up any more. The small piece of property adjoining is of

little value anyway.

Mr. Pizzato advises that property is not affected as much as Mr. Kite's property - it is more adversely affected by the Broadway Channel. Mr. Brown is talking about the cutting up by the easement - it appears there is a small triangle piece of property west of the ultimate alignment. Mr. Pizzato agrees, but the alignment the County has proposed mutilates the Kite property; that is the reason he does not believe it is the best alignment and as long as the ultimate channel is not being built now, he suggests not to build something permanent that would require staying with that channel or the loss of some physical improvement in the future - is thinking in terms of an excavated earthen channel, which would be the minimal cost. In his view it is cheaper to condemn and pay for the land 20 x 200 feet long than to have the easement donated and install a pipe in it. He could be wrong because the value of the land would be determined in court - Mr. Kite has never offered to give the land but even if he did it would cost the City because the assessment has been confirmed on Pioneer. Believes it was planned to run it 125 feet diagonally before bids were received - does not know if the district included the cost of condemning the right of way for that pipe. The Staff either figured on acquiring a drainage easement and constructing the pipe or condemning the drainage easement along the westerly line of the property and digging an open ditch. Believes the open ditch would be cheaper than the 125 feet of pipe, but it would depend on the cost of acquiring the land. The bid on the pipe is \$15 per foot, so if Council is considering the difference in the value of land as opposed to the cost of the pipe and a donated easement, excluding the excavation cost which is significant, would be about 75¢ per foot for land, which in his view is outrageous.

The impression he gets from the letter is that they are requesting the drainage along the westerly property line in a pipe, but he has not discussed this with Mr. Duerksen. The Staff has had many discussions with Mr. Kite who has been very cooperative but they have never been able to come to any terms. Condemnation has been filed on the westerly line. The changes will present no particular problem with the contract that has already been drawn; the contract provides that quantities can be increased or decreased so the pipe can just be deleted. The contractor has been requested to give a figure for excavating the channel and if it is felt it is unreasonable, the work can be done with City forces.

Councilman Cornett feels it is desirable to install the drainage underground, providing the City does not have to contribute to the cost. Mr. Pizzato states the cost of going that way has not actually been figured, but the cost of the original proposal compared to what is being planned now was about 30% more - \$2,900 as opposed to \$2,300, considering the values the City placed on the land. If the drainage is to go underground all along the north line, it would be even a greater difference. They figured 12 feet of right of way for undergrounding would be needed on the diagonal system, which would save 8 feet of right of way.

Mr. Pizzato hopes Council understands this is a temporary solution in this area; the Staff has not intended to provide the ultimate solution. They figure there is \$600 difference between the way it was originally proposed by realigning the Broadway Channel through the center of Mr. Kite's property, and understands he is objecting to that. Councilman Cornett states the reason this is now on County property is because that was the only reasonable way to get drainage out of the area, which included County and City property.

Mr. Pizzato states he was referring to the Broadway Channel as being a temporary solution, not the 36" pipe. Anything in the nature of just a graded ditch is a temporary solution; the Broadway Channel will eventually have to be deepened even further;

the box culvert that crosses Vernon has been backfilled 3 to 5 feet. The ground is too high and it will be necessary to deepen the entire system all the way to Gillespie Field - it has to be started at the low end to make that possible. The City is looking for the most economical system to build the district.

Councilman Cornett is not interested in spending any City taxpayers' money to install drainage underground as requested. Mr. Pizzato has strongly pointed out that it will cost money that cannot be borne by the district. Mr. Pizzato advises, with the excavated channel that has been proposed, they can always revert to the original proposal or what they are requesting now, at such time as they redevelop the property or when the ultimate channel is constructed - he thinks it should more appropriately be done when the ultimate channel is constructed. Councilman Cornett feels Council would have had a better chance to consider this if it were done prior to the spreading of the assessment, at the time the design was discussed - cannot be assessed against the property now for the benefits received. Councilman Quidort feels to clean out the channel would be more expensive and also the time it will take before it is improved should be considered. Councilman Cornett would rather see it all underground. The specific question is to place the drainage underground and the alternate alignment.

Mayor Snapp interprets the letter as a request for undergrounding the pipe whether it runs diagonally or along the westerly property line. Mr. Pizzato states the cost of installing the 36" pipe at \$15 per foot would be approximately \$3,225, including excavation. Councilman Brown points out approximately 1600 square feet of land would be saved by going underground - even at 50¢ a foot that is \$800, figuring additional 75 feet of pipe than was planned previously at \$15 would be \$1,125, which is \$325 difference. He would think it would cost approximately that amount to excavate; cannot see that there will be that much difference. Council is trying to reach a reasonable agreement; he does not like open ditches any more than anyone else but Council needs to get some idea what the difference in cost is. Ultimately if that ditch will be there 10 years before it is improved it will cost the City to keep it clean; if the difference is \$300 or \$400 believes that would be used up quite rapidly in cleaning the ditch.

Mr. Pizzato thinks if the property owner donated the easement, then it is within the realm where Council might want to consider the difference as a reasonable matter because of the savings in maintenance, but he does not believe this is an issue.

Councilman Cornett questions whether Pioneer Way drainage is proposed to be an open ditch. Mr. Pizzato advises it is proposed to go underground, except that this is some off-site work that the people in the district are paying for and the assessment has been spread to do this work. If Council wants more expensive work done, then it is a case where it has to be reassessed or the City has to pick up the difference. He can conceive it would be reasonable if Council feels it will save the City in the long run in maintenance, but there would be some problems in this particular case. Mr. Pizzato states he has said everything he can to substantiate the position he has already taken - if Council wants to do something different, it is fine with him; in his view they have taken the most economical route.

Councilman Brown inquires if the County ditch will be aligned in that area and dug in time - he is referring to the diagonal route, which is shown on the plan and that is the cost spread in the district, but is that alignment going to be there when it is construction or will more land have to be acquired. Mr. Pizzato advises that plan cannot be used. They do not now plan to do that, does not believe they have the right to do that without Mr. Kite's permission. Mr. Pizzato is now proposing an open ditch; the City is in the process of condemning an easement but does not know if there is an order of immediate possession or not - City will acquire it unless Council reverses that position.

Councilman Brown questions if there is enough money in the project to install an underground pipe on the diagonal route only as far as the realignment of the Broadway Channel. Mr. Pizzato states that was what was originally proposed but it cannot be built according to that plan; that is the reason the negotiation with Mr. Kite involved the permission to realign this and an easement diagonally through his property and he said he would not give an easement through his property. In his view there is enough money in the district for the realignment. Councilman Brown questions why that money could not be used to install the pipe underground along the westerly line. Mr. Pizzato states there is not that much money. They were going to get the County to realign the County ditch - this is in Zone Two of the County Flood Control District, it is their responsibility, but the County cannot get Mr. Kite's permission. Councilman Brown believes an error was made in the original design of the project - too many assumptions were made that could not be met. Mr. Pizzato does not agree; all Council has to do is nothing and the system will be built and the problem will be solved. The property owner is objecting to what is being proposed; if Council does not go along with this proposal, it will not be done; however, what the Engineering Department proposed to do will work, will solve the problem and will permit the construction of the street.

Councilman Brown suggests that the City Attorney contact Mr. Duerksen or Mr. Kite to determine what the cost would be if the pipe is installed underground, if Mr. Kite would dedicate the right of way or give it at very little cost on the westerly border, and give that information to the City Engineer to come back with cost estimates for both systems, assuming the City has to buy through condemnation the 20 feet of right of way, or going the other route, and also consideration for applying all funds that would have been expended on the diagonal towards the other alignment.

Mr. Pizzato states this is a question of judgment on Council's part; if Council wishes to go that route, he would say it is a little more expensive based upon what he thinks the land is worth. If an appraiser is hired to give the value of the land, he is sure it will be more expensive because it will cost that much to get an appraisal.

Mayor Snapp questions, since that new channel location has not been agreed upon, why could not the pipe be installed to the existing channel further northeast. Mr. Pizzato states the City was interested in saving money for the City and the improvement district. If Council determines that is in the public interest to take land from someone and pay him a reasonable price, Council has a right to do that. The Staff has suggested and believes that it is in the public interest to condemn a 20 foot strip on the northerly half at the west end of this property. This may be objectionable to the property owner, but he does believe it is in the public interest and an economical solution. It may not be the most desirable from the property owner's standpoint or even from the City's, because he does not like to maintain dirt ditches either. It is a nuisance to him and an expense to the City, but it is the most economical solution to this problem, and in his view it is the optimum because they do not know what the outcome will be. It is entirely possible that the drainage, instead of being realigned as he indicated earlier, would be realigned further to the west. He does not have the County Map, and perhaps this should be continued one week; he has attempted to show in blue on the diagram the alignment of the Broadway Channel as an open channel that is proposed in the report from the County Department of Sanitation and Flood Control. Does not know if it has been adopted by the County Board of Supervisors, but it is a clear-cut proposal. That will dissect the Kite property with an open channel; maybe that is the most economical method ultimately. There is an existing structure across Vernon, which he would not propose to move; moving northerly there are some options in maneuvering that system in his view - it might be possible to move the entire system along what is now the City County boundary.

Mayor Snapp comments if the system was moved westerly, it would relieve Mr. Kite of his problem; in essence he should be paying

for the cost of moving it over. Mr. Pizzato states the County is proposing to give him a greater length of the drainage channel than he has now. His property is such that the entire property is subject to inundation, so wherever the channel is built it will benefit his property, but it will have a greater lengthwise effect from the channel on the proposal than it has now because presently it is affected by just the northeasterly corner of the channel, recognizing that the channel cannot contain the water and it would spread all over his property.

Motion by Brown, seconded by Cornett to continue this matter for one week and instructing the City Attorney to contact Mr. Kite or his representative and determine if they would give an easement for an underground pipe, and also ask the City Attorney to get arrangement on ultimate alignment and cost factors, including the proposed County Map.

Discussion.

Councilman Cornett states the main thing he will be looking for on the report next week is whether or not there will be extra costs to be borne by the City since the assessment has been spread. Does not think Council should consider the cost of maintaining the ditch, because the City has built open channels all over town without regard to what it would cost to install them underground and what the City would be saving by not having to maintain them. He does not believe this particular property should get any special attention in that regard.

Votes are now cast on motion by Brown, seconded by Cornett to continue this matter for one week and instructing the City Attorney to contact Mr. Kite or his representative and determine if they would give an easement for an underground pipe, and also ask the City Attorney to get arrangement on ultimate alignment and cost factors, including the proposed County Map.

Motion carried by unanimous vote of those present.

9. WAIVE. IMPROV. Application submitted by R. D. Hamann
HAMANN is a request to defer installation of
drainage at 1386 East Madison Avenue.

Mr. Pizzato states he more or less concurs with Mr. Hamann's statements regarding the drainage. It is a real problem and the solution is a problem in the area. A waiver subject to a drainage easement would be adequate at this time and it might be well to require a hold harmless agreement, because the water does come off a public street and if the applicant does not provide adequate facilities for the water, the City should be protected against any action.

Motion by Cornett, seconded by Quidort to approve waiver to install drainage subject to signing of a lien contract or posting of a cash or surety bond, a drainage easement and a hold harmless agreement on the drainage.

Motion carried by unanimous vote of those present.

10. WAIVE. IMPROV. An application submitted by James Bridges
BRIDGES is a request to defer installation of
improvements at 944 Paquita Street (Paquita
and Gustavo Streets).

Mr. Pizzato advises across the street on Paquita there is an existing residence on Parcel A and there was a proposal to split off Parcel B. At that time Paquita was not considered up to City standards and not in the public street system; the condition was made that the lot split was subject to Paquita becoming an approved

street. At that time he advised there was a dedication made, but he was in error; it does not exist and the question is before Council tonight both as to the west half of Paquita and the north half of Gustavo. He is not sure whether Paquita will be built in order to satisfy the terms of the lot split or whether they will allow the lot split to lapse.

Councilman Brown states if that was a condition across the street it would seem appropriate to install improvements on the subject property. Mr. Pizzato comments Gustavo is to be constructed through Jamacha Greens Development of the McKeon Construction Co. and it will deadend at the westerly line of the subject property with full improvements. The south half of proposed Gustavo across the street from the subject property is outside the City limits.

James Bridges, 1020 Redwood, states he applied for a lot split when he bought the property and then had to annex to the City. He had a set of plans drawn for a house which was approved by the City engineers and he applied for a loan. After his loan was approved he came in to apply for a permit and was told it would be necessary to install streets, gutters, sidewalks, etc., which he thinks should be done in due time. He believes a person should be informed what will be required at the time he is buying or annexing the property or when the plans are being submitted and not after the loan has been filed and approved to build. The street and gutters on Gustavo have been installed up to Paquita and his is the first lot on the west side. There are no improvements on Paquita from Gustavo to Granite Hills; there are no improvements down Gustavo going west because the street is not even there. At this time does not think it is a necessity for one parcel of property to be required to put in the improvements.

Councilman Brown states since the subdivision that is being built will bring the improvements up to his property, it will leave just Mr. Bridges' parcel without improvements on that side of Gustavo, because across the street going east there are improvements again. The other half of Gustavo will be improved when it comes into the City. On Paquita across the street improvements are required now and it has been the City's general policy to start improvements at a corner rather than at an interior lot and then move them on down. The parcels north of Mr. Bridges' property have lien contracts for improvements, so as things develop improvements will go on up the street also.

Councilman Cornett states this is an opportunity to contact the property owners on the north and on the east; improvements would be required of them also. Mr. Bridges advises the owner on the east just sold her home and Councilman Cornett states there is still a recorded lien contract against the property.

Mr. Bridges inquires what these improvements would cost per running foot, and if this is done by the City and he pays for it or does he have to contact an approved contractor himself.

Councilman Cornett states earlier this evening a request was made for the City to engineer and stake for improvements on an R-1 or R-2 lot at the fee of \$1 per running foot, which is a service which the City subsidizes to save the property owner in the construction of the improvements. There are two other property owners who have the same situation and it should not be one person putting in improvements but all three at the same time, since there is a lot split across the street to the east which requires improvements, and a lien contract to the north.

Mr. Bridges would like an answer regarding the time element - when a property owner should be informed certain improvements would be required. To question why he thought he could build without improvements, Mr. Bridges states because the plans were approved by the Engineering and Planning Departments; it was after he had applied for his loan and applied for the building

permit that he was informed improvements would be needed. There was a six months lapse period from last December. He did not buy the property from a realtor and the lender did not mention anything about improvements.

Councilman Brown states the City ordinance requires that improvements must be installed if there is a development over \$5,000. It seems the only way to consistently inform owners of this requirement would be to tie it to the building permit. Mr. Bridges thinks it should be tied to time the plans are submitted.

Mr. Pizzato states the street dedications have been made; both Paquita and Gustavo have been set up as 60 foot right of way by easement among the property owners, which would provide either 36 feet or 40 feet between curbs.

Mr. Pizzato advises information on street improvement requirements is not given at the time they owner pays the initial plan check fee, because nothing has been done at that time except to receive his application and the plans. Mr. Pizzato explains the routing of the check sheet attached to the waiver request, which goes to the Building Department, the Planning Department, and Engineering, and then back to the Building Department for a check, after which they issue the building permit when the applicant comes in; he may come in right away or he may delay some time. In the past people have applied for a waiver before the plans are prepared because they do not want that expense if the waiver is not granted, and Council has always taken the position the waiver cannot be granted at that time because the decision will be based on conditions as they exist when building is constructed. Councilman Brown feels some material should be incorporated in the procedure that would automatically be handed out at the time the applicant pays the initial money, something that would include the statement that improvements would be required. Mr. Pizzato states that is done at the time the building permit is issued.

Mr. Bridges advises he waited until the loan was approved to pay the \$765 fee. He did not give too much consideration to installing the driveway or the sidewalk but felt that they would be installed in due time.

Councilman Cornett questions whether the Engineering Department feels it is feasible to install the improvements under discussion. Mr. Pizzato advises there would be no grade problems of any significance. It would be best if all of Paquita and the rest of Gustavo were constructed at the same time. Perhaps it would have been better if the permit had not been issued in the first place because Paquita has no street frontage technically.

Motion by Brown, seconded by Cornett to deny the request for a waiver, since it is a corner lot and is an appropriate place for those improvements to begin.

Discussion.

Mayor Snapp feels it might be better to wait and combine it with lien contract to the north already acquired. Councilman Brown suggests that property owner could be contacted and informed the improvements will have to go in at the corner and it would be an appropriate time to get it done all at once. Does not think an improvement district should be started for only 3 lots as the cost would be prohibitive for that amount of work. Councilman Cornett believes the policy regarding the City doing the staking for the improvements should be utilized.

Mr. Pizzato mentions there is a procedure for circulating a petition for an improvement district. Suggests Mr. Bridges contact the Engineering Department for a brochure and they can prepare a petition. This may be a relief to him if he can get the other people in the area to go along with him, and the area may be ready because Paquita is in terrible shape.

Votes are now cast on motion by Brown, seconded by Cornett to deny the request for a waiver, since it is a corner lot and is an appropriate place for those improvements to begin.

AYES	Cornett, Brown
NOES	Quidort, Snapp
ABSENT	Van Zanten

Motion not carried.

Attorney McDougal states unless there is a motion that can carry, when there is a tie vote it goes over to the next meeting. It might be appropriate to put this over for two weeks, since Councilman Van Zanten may not be present at the next meeting.

Motion by Brown, seconded by Cornett to continue this matter until September 7, 1971, meeting.

Motion carried by unanimous vote of those present.

Motion by Brown, seconded by Cornett that the Staff bring to Council the procedure that is currently used for a recommendation on how the people can be notified of the requirement of installing improvements at the earliest possible time.

Motion carried by unanimous vote of those present.

Recess called at this time; meeting called back to order by Mayor Snapp at 9:30 o'clock p.m.

- | | |
|---------------------|---|
| 11. WAIVE. IMPROVE. | Application submitted by First Lutheran |
| FIRST LUTHERAN | Church is a request to defer installation |
| CHURCH | of improvements at 867 Lincoln Avenue. |

Mr. Pizzato states this is a parcel that was discussed previously relative to drainage as it goes through the property in connection with the improvement district for Merritt Drive Extension, et al. At that time the requirement was that the applicants execute an agreement to take care of the drainage, which they did by lien contract. This was related to a building they had under construction. It left incomplete the question of the street improvements that were to be provided at that time as a part of the Merritt Drive project. This was protested, however, and Council dropped the matter. Now the Church is asking for waiver of the improvements for the portion of Merritt Drive they would front on, which the City requires because of the specific plan. The specific plan is still in effect and Council may wish to take some action to abolish it. The drainage on Lincoln has not really been taken care of but they assumed responsibility, and as long as the streets are not constructed there is a sheet flow condition. They have a pipe north-south across the property, it is not adequate and the water does not get to it, but as long as there is not intensive development of the property to the south and as long as the southerly street is not constructed that would pick up water and discharge it at the southerly boundary of this property, then there is no significant problem. There is a lien contract to cover eventual drainage.

Motion by Brown, seconded by Quidort to waive requirement for improvements at 867 Lincoln Avenue.

Motion carried by unanimous vote of those present.

Mayor Snapp asks if Council wants to set the deletion of the specific plan to public hearing. Councilman Cornett would be in favor of letting it stand for a while. There may be second thoughts and someone may ask Council to revise the district.

12. LTR - EVANS
S.P. 96

By letter dated August 19, 1971, Mr. Neil Evans requests Council to discuss the matter of a 222 square foot addition on the east side of Denny's restaurant for office and storage space, which the Planning Commission found to be a major change to the specific plan.

Mr. Henson states Item No. 5 on the Agenda was Specific Plan No. 96 which Council viewed for sign location. This is the same Specific Plan and the location of the request is outlined on the plan. It is the easterly portion of Denny's Restaurant and the projection is some 6 feet by a little over 35 feet, a total of 222 square feet.

Attorney McDougal advises it would not be necessary to send this back to the Planning Commission if Council finds this to be a minor change instead of a major change. Mr. Henson states it does not interfere with any maneuvering space but it does project into a space which was initially indicated as landscaping.

Neil Evans, 3552 Tomahawk Lane, San Diego, states the addition is all constructed under the present overhang of the building; it does not project into any area where there would be any traffic. He had a rendering prepared but sent to Denny's for their architect's approval and has not received it back yet. He passes photograph of the back entrance of the building. It does not interfere with the walkway. Mr. Evans points out the addition they are requesting to utilize the walk-in box. The corner curb of the present sidewalk is outside the boundary; there is nothing taken out except some shrubbery that is under the overhang.

Mayor Snapp comments it appears to be a minor change in his view; it does not take away any parking area.

Motion by Quidort, seconded by Cornett that Council find this a minor change and allow the applicant to build staying inside the sidewalk.

Discussion.

Councilman Cornett inquires whether this was a decision at the Planning Commission's discretion or upon the advice of the Assistant City Attorney at the meeting. Mr. Henson advises it was at the Planning Commission's discretion.

Votes are now cast on motion by Quidort, seconded by Cornett that Council find this a minor change and allow the applicant to build staying inside the sidewalk.

Motion carried by unanimous vote of those present.

12A. WAIVE. IMPROVE.
NELSON

Application submitted by Clyde W. Nelson is a request to defer installation of improvements at 555-583 West Lexington Avenue.

Mr. Pizzato states the Engineering Department prepared plats on this twice. The plat Council has does not include the property on the north side of Lexington. Technically it is all one parcel - the City required the drainage easement on the property to the north as a part of this process, therefore, would suggest Council recognize that fact when considering this waiver request. These will be two story apartments on both sides of the street.

Councilman Brown states if there is ever a place that needs improvements with that kind of density this is it. Mr. Pizzato advises the curb exists and there would be roughly about 30 to 35 feet of curb replacement and sidewalks. One way to do this would

Motion by Cornett, seconded by Quidort to deny request for waiver of improvements and require as a condition of the building permit dedication for the drainage ditch on the north and south sides of Lexington Avenue.

12B. E. C. RADIO CAB The El Cajon Radio Cab Company has sub-
SCHEDULE OF FEES mitted a schedule of fees, dated August 23,
1971.

It has been verified that the rates are the same as those charged by Yellow Cab Company.

Motion by Cornett, seconded by Quidort to approve refund of the additional \$9.00.

13. Z.R. 965 Hearing was held on August 9, 1971, on
DATZ & NOEL appeal submitted by Thomas Datz and
Harley Noel on the decision rendered by
the Planning Commission Resolution No. 3081 denying Zone Reclassi-
fication No. 965 to reclassify property on the east side of
Jamacha Road, between Main Street and Lexington Avenue, from the
R-P and R-3 Zones to the C-2 Zone.

By letter dated August 18, 1971, the Planning Commission reaffirms its previous recommendation for denial of Zone Reclassification No. 965.

-15-

Councilman Brown states all the arguments they used, if Council accepted them, would also apply to the other piece of R-P and also across the street. Does not think Council is discussing rezoning of just a small piece of property but a very substantial amount, something that would start commercial zoning down Jamacha, more strip zoning which the City does not need. Cannot find any reason to rezone any part of the property.

Mayor Snapp states under the existing C-2 they have, they can use existing R-P for parking; does not see the small frontage of R-3 would make that much difference in transition. Councilman Brown states the General Plan, the economists and the planners have all indicated there is far more commercial than can be used. There are parcels of commercial land that are available that are zoned properly but not used at this point. The City is trying to hold the line on Commercial on Broadway and to start another **strip** here, he would think they would have a very difficult time telling people on Broadway they could not have commercial. Mayor Snapp does not view this as another strip; points out Council has approved at least 10 different parcels on Second Street north of Broadway for C-2 in the last year or two. Mr. Henson advises the General Plan indicates the subject property (R-3 and R-P) as combination high density residential in the corner, with most of the frontage down Jamacha being low density residential. Mayor Snapp does not agree with the General Plan on this general area as being low density. Councilman Brown thinks R-3 is closer to the Plan; it is residential which is substantially different than the commercial use. Mayor Snapp agrees, except if his request is denied and it is built as R-3 and the R-3 is immediately adjacent to C-2 - what is the difference. There will be R-3 adjacent to C-2 somewhere along there; question is would it be this parcel or the next parcel. Councilman Brown thinks if C-2 or C-1 is approved, the adjacent property owner will ask for C-2 and Council could not in any way deny it, because all the arguments would apply to that parcel as well as those that are being considered tonight and the argument would be very strong across the street where it is now zoned R-P. Councilman Brown is not suggesting that either the R-3 or R-P be changed to lesser density, but would very strongly argue that Council should not make this Commercial.

Councilman Cornett comments the question was raised before about having R-P, R-3 and C-2 and they said they could do the whole development in C-1 if it was necessary; it was pointed out that they could put parking in the R-3 Zone. The applicant did indicate there would be offices on the second floor and they did present to Council a rendering of what the whole layout would look like and he thinks that is part of the problem - when Council looked at the proposed development instead of talking about zoning alone, they had it laid out in a particular way which is the most desirable way from the developer's standpoint relating to parking and access to the stores from the parking lot and the general appearance of the site. Does not think there is any question but that they could build a development with the same square footage of stores in the building in the zoning as the lines now exist. He had hoped the Planning Commission would straighten out the zoning lines and orient them more or less parallel to Main Street, which was not done - they are still oriented on an east-west north-south basis instead of diagonal. Agrees with Councilman Brown that this runs exactly opposite from the General Plan in the area, and if a development of this much value were constructed and Council were to allow too much of the same type of development all around it, then its desirability as a development would be diminished. Seems the line has to be drawn here.

Mayor Snapp is not convinced with the discussion of traffic and apartment houses being developed there, that a local shopping area would be any worse. From a practical standpoint, even though Council is holding the line, questions that they would achieve anything.

Councilman Brown states one of the critical points is that there is not a shortage of Commercial land in the City, but a surplus. There are many vacant store buildings and even in the new shopping centers they are having difficulty renting stores. By giving too much is not going to help the property owner and the City should try to avoid too much Commercial zoning. Mayor Snapp would be basically against the strip zoning; part of the problem, as was mentioned previously, is the zoning alignment of the property line.

Councilman Cornett comments if an application were made to straighten the zoning lines, he could see some rationale - they would not be getting any more C-2 than they have now in that area. Councilman Brown believes the boundary line on the R-P was done to coincide with that across the street.

Mr. Henson advises there may be a drainage channel that runs down the north side of the R-P property, but that is not the reason the R-P zoning was located in that fashion. It merely mirrored what had occurred on the opposite side of the street where R-P zoning was put in with the intent of halting Commercial zoning extending down Jamacha.

Councilman Brown states the Planning Commission has considered this twice and both times has unanimously recommended denial.

Motion by Brown, seconded by Cornett to concur with the Planning Commission and deny the request.

Motion carried by unanimous vote
of those present.

Motion by Brown, seconded by Cornett to request the Planning Commission to consider rezoning the parcel that is zoned C-M at the corner of Second Street and Concord Street to a more appropriate zone.

Discussion.

Mayor Snapp asks if it would be creating a non-conforming use to change the zone. Attorney McDougal advises in a situation such as this the only time there would be any inverse condemnation would be at the time that Council abated the use. He was under the impression that the Commercial use was discontinued on the property. Councilman Brown states if they changed the zone and then the use was discontinued, that would be the end of it. Is sure there has been more than one use there in the last several years when it was inappropriately zoned. Attorney McDougal states if that use has been abandoned then they have no legal non-conforming use rights.

Votes are now cast on motion by Brown, seconded by Cornett to request the Planning Commission to consider rezoning the parcel that is zoned C-M at the corner of Second Street and Concord Street to a more appropriate zone.

Motion carried by unanimous vote
of those present.

14. AMEND. C.U.P. 102 A hearing was held on August 9, 1971, on F.H. PRESB. CHURCH appeal on the decision rendered by the Planning Commission Resolution No. 3084 granting amendment of Conditional Use Permit No. 102 to allow directional signs in conjunction with existing church facilities at 455 Church Way. This was referred back to the Planning Commission for their consideration of an exterior lighted sign on the rooftop.

By letter dated August 19, 1971, Planning Commission reaffirms its previous decision recommending denial of that portion of the requested amendment to Conditional Use Permit No. 102 asking for the interior illuminated rooftop identification sign.

Councilman Quidort can see nothing wrong with having the sign on the rooftop of the church as it was prior to the rezoning. Council had discussed sending it back to the Planning Commission with the lights on the outside and not to be illuminated on the inside. Councilman Brown understands that prior to construction the sign was not on the rooftop. Mayor Snapp mentions one of the reasons to install it on either the balcony or the rooftop was to cut down on vandalism of breaking the lights. Councilman Cornett questions if the sign on one of the alternatives previously presented was installed on the balcony wall would it be high enough to be seen from Fletcher Parkway.

Mr. Henson advises any of the three locations which were mentioned in the Planning Commission letter would offer visibility from Fletcher Parkway.

Motion by Cornett to allow a temporary exterior lighted sign located on the balcony level.

Motion lost for lack of a second.

Councilman Cornett advises an interior lighted sign would not be a temporary sign - it would be a very expensive proposition. By temporary, he means if the sign is painted and lighted from the exterior, it will have to be either repainted or discarded after five or six years.

Mayor Snapp does not believe Council should decide whether it should be an interior or exterior lighted sign; it should be the applicant's decision. Councilman Cornett comments the intrusion of the sign on the people who live in the area would be greater if it were a white plastic sign that is lighted from the interior compared to a sign that has some spot lights shining on it. Mayor Snapp doubts that the people down below could even see the sign.

Councilman Brown is not sure what the third alternative is - "The ground location on the northeast side of the building in the 'play yard' of the Education Building." Mr. Henson points out where the "play yard" is located. The sign would be visible just barely over the Ivanhoe Apartments. With reference to the size of the sign either on the ground location or the balcony location, the applicant has proposed the same size sign that had originally been on the property because he feels for the identification he wants, he needs the same size letters he had before.

Motion by Cornett, seconded by Brown to allow a temporary exterior lighted sign located on the balcony level.

Discussion.

Councilman Cornett explains the motion is stated in that manner so that there will not be a sign extended above the roof line, which causes some problem with aesthetics, will not be interior lighted which shines a lot more light on adjacent properties, and if it is a more expensive sign it would more than likely remain even after the church structure itself is built because of the investment in it. The intent in using the word "temporary" is to acknowledge that the sign is to serve until the main sanctuary is completed. That would lead a reasonable person to build a wooden sign that is painted.

Councilman Brown states Council was advised when the main sanctuary was built that it would have identifying markings, probably a cross of some height and size that could be seen, and at that point he would think the sign would come down. Councilman Quidort cannot see where it would bother the property owners below - there are no houses below.

Votes are now cast on motion by Cornett, seconded by Brown to allow a temporary exterior lighted sign located on the balcony level.

Motion carried by unanimous vote of those present.

15. REFUND
N. JOHNSON
1913 IMPROVE. Motion by Cornett, seconded by Quidort to hold over Item No. 15 (Report on North Johnson 1913 Refunds) for one week, as requested by Attorney McDougal.

Motion carried by unanimous vote of those present.

16. PROPOSED ORD.
CLASS A DANCE &
CABARET LIC. Attorney McDougal has prepared a proposed ordinance requested by Council at the meeting of August 16, 1971, which allows waiving the requirement of special officers for Class A Dance and Cabaret Licenses.

Mayor Snapp feels the waiver should be viewed on an individual basis - the number of entertainers has no bearing on the need for a special policeman; management is the key.

Attorney McDougal explains under the present ordinance, there can only be a waiver under the Class "B" and the Class "F" licenses.

Councilman Cornett favors the proposed ordinance because it offers a good balance between administrative approval and review and appeal to the Council. Councilman Brown states it gives the City Manager great discretion if something goes wrong, so the waiver could be instantly suspended. This has all the protection needed.

Motion by Quidort, seconded by Cornett to approve recommended changes in the proposed ordinance amending Article II of Chapter 4 of the Code of the City of El Cajon, and request first reading of ordinance next week.

Motion carried by unanimous vote of those present.

17. LTR-DIR. PUBLIC
WORKS-MONTROSE
COURT By letter dated August 17, 1971, Director of Public Works recommends that Council accept grant of right of way for Montrose Court, subject to certain conditions. The proposed street runs northerly from Madison, between Magnolia Avenue and Bradley Park West.

Motion by Brown, seconded by Quidort to accept the recommendations of the Director of Public Works.

Motion carried by unanimous vote of those present.

18. LTR-CITY ENG.
VAC.-ALLEY
BROADWAY CHANNEL By letter dated August 12, 1971, City Engineer submits a proposal in regard to vacation of an alley, with drainage easement reserved, located between Second Street and Crosby and south of Sumner Street.

Mr. Henson advises the zoning on most of the alley is R-1-6, on the Second Street frontage there is some Commercial zoning, and just north of the alley is County R-2-A Zoning, which allows limited multiple developments.

Mr. Pizzato, displaying map, states the red alternate shows the basic design prepared by Currie Engineering Company, and the blue is the possible alternate to construct the channel within the alley area. There was some action on the part of the County to

acquire the lot running north-south that fronts on Sumner as the property owner was planning to build a duplex or a multiple of some sort. The City-County boundaries are along the north side of the alley. The City has an agreement with the County that was first prepared by the Staff, reviewed by the County and changed and then sent to the City for review and informal approval, and instead of the informal approval the City Council approved and adopted the proposal. It went back to the County and now the County does not like certain aspects of the agreement and will require certain changes. Eventually it will come back to Council for approval. The proposal provides for a joint project to construct this system from Greenfield down to Oro; the County will contribute funds for construction of the channel, the City will design and probably form an improvement district to acquire the right of way, and the City will contribute to the construction based on a City-County split, whether the channel is in the City or the County. The County was approached with the idea that probably the blue alignment would be more economical, but not to forget it was proposed outside the City, so if it is moved into the City, would still expect the County to pay for it. At the staff level they seem to be receptive to that concept that would require a modification of the agreement to provide for contribution based on original alignment even though it is changed. He does not believe the County has budgeted the full amount; they have budgeted a portion in their Zone 2 Flood Control District. Perhaps the agreement can span over the fiscal year.

Councilman Cornett questions if the alley is vacated is there any known amount of severance damages for people whose garages open onto the alley or park vehicles on the alley. Mr. Pizzato states this would be brought out in the public hearing; if there was significant objection the idea would have to be abandoned. The main purpose is to vacate the alley and retain a drainage system.

Motion by Cornett, seconded by Quidort to refer this matter to the City Attorney to set vacation to public hearing.

Motion carried by unanimous vote of those present.

19. LTR-PLAN. DIR. By letter dated August 17, 1971, Planning PROPOSED PROCED. Director sets forth proposed course of NONCONFORMING SPEC. action in reference to altering existing, PLANS. nonconforming specific plans, and requests that Council set a deadline date for putting existing approved specific plans into effect.

Councilman Brown, referring to Item 2 - "Check these plans to see if they comply with the new ordinance requirements for parking and density." - believes this should include lot coverage; and Item 4E should include "lot size requirements".

Councilman Brown states reference is made that the timing should be pegged to the building permit. If 6 months was the requirement to take out a building permit, it could actually be 10 months before they were under construction, and then they must pursue construction diligently by the terms of the building permit. Questions whether 8 months would be more reasonable to give them a full year to start construction. Mayor Snapp would favor the 8 months considering the problems the property owners are encountering with financing.

Motion by Brown, seconded by Quidort to accept the recommendations of the Planning Director with the addition of "lot coverage" to Item 2, and "lot size" to 4E; and establish a time limit of 8 months in which to take out a building permit, from the date the notice is mailed.

Motion amended.

Mr. Henson advises the date would not be the same for all applicants; it would depend on when they were notified.

Attorney McDougal wonders if it is desirable to end them all at different times; he would think it would be better to set a date which is now more than enough time so that everyone would know after a certain date no further building permits would be issued on these items. Believes this would eliminate the possibility of error and make it easier to instruct the employees issuing building permits. Mr. Henson advises all notices could be mailed out by the end of September.

Councilman Brown amends motion that all notices shall be mailed by October 1, 1971, and that building permits must be taken out prior to July 1, 1972.

Votes are now cast on motion by Brown, seconded by Quidort to accept the recommendations of the Planning Director with the addition of "lot coverage" to Item 2, and "lot size" to 4E; notices shall be mailed by October 1, 1971 and that building permits must be taken out prior to July 1, 1972.

Motion carried by unanimous vote of those present.

Attorney McDougal understands when Council states "take out a building permit" the intent is that the applicant has his plans submitted, they have been checked and approved and has actually been issued the permit. Perhaps in the procedure where a receipt for the plan check fee is issued, there could also be written in that improvements would be required. Also it could be stated that any ordinances or changes that are in effect at the time the building permit is purchased will be the requirement that will have to be met. That would be the time when the 120 days start to run; the point is many people come in, pay the plan check fee and turn in their plans and then are under the impression they have bought their building permit.

Councilman Brown states it could be made clear that the intention is that the time the 120 days starts to run is the July 1 deadline. Councilman Cornett states one of the things Mr. Pizzato will report on will be the kind of hand out the Building Department is using or absence of it until one can be worked up.

20. CONSENT ITEMS There were none.

21. RESOLUTION 462-71 Motion by Cornett, seconded by Brown
 to adopt Resolution No. 462-71, approving
Annexation to the City of El Cajon of Pioneer Way No. 6 Annexation.

Motion carried by unanimous vote of those present.

22. RESOLUTION 463-71 Motion by Cornett, seconded by Brown to
 adopt Resolution No. 463-71, ordering
vacation of public alley right of way; portion of Lots 13 and 16,
Block 3, Bostonia Acres.

Motion carried by unanimous vote of those present.

23. RESOLUTION 464-71 Motion by Cornett, seconded by Brown to
 adopt Resolution No. 463-71, ordering
vacation of utility easement over portion of Lots 10 and 11, Re-
subdivision of Fletcher Hills Unit No. 2.

AYES	Cornett, Brown, Snapp
NOES	None
ABSENT	Van Zanten
ABSTAIN	Quidort

Motion carried.

24. RESOLUTION 465-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 465-71 approving agreement with California Decorating to provide Christmas decorations for the years 1971, 1972 and 1973.

Motion carried by unanimous vote of those present.

25. RESOLUTION 466-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 466-71, approving modification to Tentative Subdivision Map No. 179 of Valle Verde Views.

Motion carried by unanimous vote of those present.

26. RESOLUTION 467-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 467-71, awarding bid for purchase of Pipe for Street Department to Industries Supply Co. (Sections 1 and 3)

Motion carried by unanimous vote of those present.

27. RESOLUTION 468-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 468-71, awarding bid for purchase of pipe for Street Department to Penn Pipe and Supply. (Sections 2 and 4)

Motion carried by unanimous vote of those present.

28. RESOLUTION 469-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 469-71, approving agreement to furnish fire prevention and fire protection services to certain high schools in the Grossmont Union High School District, rescinding Resolutions Nos. 933 and 385-71.

Motion carried by unanimous vote of those present.

29. RESOLUTION 470-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 470-71 determining the amount of revenue from property taxes necessary for the fiscal year 1971-1972.

Motion carried by unanimous vote of those present.

30. RESOLUTION 471-71 Mr. Acker briefly explains the several Tax Districts within the City.

Motion by Cornett, seconded by Brown to adopt Resolution No. 471-71, setting tax rates for the City of El Cajon for the fiscal year 1971-1972.

Motion carried by unanimous vote of those present.

31. RESOLUTION 472-71 Attorney McDougal advises the resolution establishing fees for fingerprints exempts City employees from fingerprint fees. It also includes a \$2.00 charge for persons who have the fingerprint card filled out and certified but not processed by the State. Also, the State has set other charges on certain groups, so rather than enumerate them, he inserted "unless otherwise indicated by the State of California".

Motion by Cornett, seconded by Brown to adopt Resolution No. 472-71 establishing a fee for fingerprinting by City.

Motion carried by unanimous vote of those present.

32. RESOLUTION 473-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 473-71 accepting grant of interest in real property by City of El Cajon for public street purposes from J. Harvey Chambers, John M. Rumsey, Muriel F. Rumsey, Francis J. Burns and Kathryn W. Burns. (Pioneer 1913 Act Improvement District).

Motion carried by unanimous vote of those present.

33. RESOLUTION 474-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 474-71 accepting grant of interest in real property by City of El Cajon, an easement for drainage purposes. from John N. Mortenson, Inc., a California corporation. (Specific Plan No. 157 and Zone Reclassification No. 917).

Motion carried by unanimous vote of those present.

34. RESOLUTION 475-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 475-71 accepting grant of interest in real property by City of El Cajon for public street purposes from Interstate Properties, Inc., A California Corporation. (Zone Reclassification No. 937).

Motion carried by unanimous vote of those present.

35. RESOLUTION 476-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 476-71 approving contract for improvements from Howard C. Jacobs and Helen I. Jacobs. (Split Lot Application No. 730).

Motion carried by unanimous vote of those present.

36. RESOLUTION 477-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 477-71 approving contract for improvements. (Hagan) (Building Permit No. 3985).

Motion carried by unanimous vote of those present.

37. RESOLUTION 478-71 Motion by Cornett, seconded by Brown to adopt Resolution No. 478-71 approving contract for improvements. (Maurer) (Building Permit No. 4311).

Motion carried by unanimous vote of those present.

38. ORD. FIRST Motion by Brown, seconded by Cornett to
READING Z.R.964 have first reading of Item 38, Zone
PLANNING COMM. Reclassification No. 964.

Motion carried by unanimous vote of those present.

City Clerk reads heading of an ordinance establishing permanent zoning of Chase Avenue Annexation into Zone "R-S-9". Zone Reclassification No. 964. Repealing Ordinance No. 2380. Amending the Zoning Ordinance of the City of El Cajon.

Motion by Quidort, seconded by Brown to waive first reading of the above ordinance.

Motion carried by unanimous vote of those present.

39. ORDINANCE 2399 City Clerk reads heading of an ordinance rezoning portion of Lot 80, Subdivision No. 1, Chase Rancho, into Zone "R-1-6". Zone Reclassification No. 963. (Planning Commission)

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2399 rezoning portion of Lot 80, Subdivision No. 1, Chase Rancho, into Zone "R-1-6". Zone Reclassification No. 963. (Planning Commission)

Motion carried by unanimous vote of those present.

40. ORDINANCE 2400 City Clerk reads heading of an ordinance rezoning portions of Lot 4, Block 9, "S" Tract, Rancho El Cajon, into Zone "R-3-R". Zone Reclassification No. 966. (Hines)

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2400 rezoning portions of Lot 4, Block 9, "S" Tract, Rancho El Cajon, into Zone "R-3-R". Zone Reclassification No. 966. (Hines)

Motion carried by unanimous vote of those present.

41. ORDINANCE 2401 City Clerk reads heading of an ordinance pre-zoning unincorporated area located at the southeast corner of Greenfield Drive and Mollison Avenue, being a portion of Lots 2 and 4, Subdivision No. 1, Chase Rancho, into Zone "R-3-R". Zone Reclassification No. 906. (McKeon Construction Co.)

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2401 pre-zoning unincorporated area located at the southeast corner of Greenfield Drive and Mollison Avenue, being a portion of Lots 2 and 4, Subdivision No. 1, Chase Rancho, into Zone "R-3-R", and waive 30 day waiting period in accordance with the Indemnity Agreement executed by the applicant. Zone Reclassification No. 906. (McKeon Construction Co.).

Motion carried by unanimous vote of those present.

42. ORDINANCE 2402 City Clerk reads heading of an ordinance rezoning portion of Lot 6, Subdivision No. 1, Chase Rancho. Zone Reclassification No. 914. (Hansen)

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2402 rezoning portion of Lot 6, Subdivision No. 1, Chase Rancho, and waive 30 day waiting period in accordance with the Indemnity Agreement executed by the applicant. Zone Reclassification No. 914. (Hansen)

Motion carried by unanimous vote of those present.

43. WARRANTS Motion by Quidort, seconded by Brown to approve Commercial Warrants No. 29734 through 29789 in the amount of \$213, 397.76, and Payroll Warrants No. 22007 through 22366 in the amount of \$136,315.31.

Motion carried by unanimous vote of those present.

44. REPORTS OF
COUNCILMEN
CPO MEETING

Councilman Brown states a special meeting of Comprehensive Planning Organization has been called for Monday, August 30, 1971 at 9:00 a.m. to discuss SANCOG. Attendance

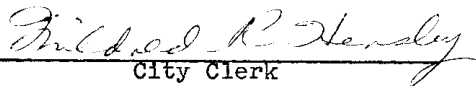
is encouraged.

45. ORAL COMMUNICATIONS There were none.

ORDER OF ADJOURNMENT

Motion by Quidort, seconded by Brown that the adjourned regular meeting of the City Council of the City of El Cajon, California, held this 23rd day of August, 1971, is adjourned at 10:29 o'clock p.m., to Thursday, August 26, 1971, at 7:30 o'clock p.m. in the Council Chambers of the City Hall, 150 East Lexington Avenue, El Cajon, California.

Motion carried by unanimous vote of those present.


City Clerk