

CITY OF ESCONDIDO**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION****September 27, 2016**

The meeting of the Escondido Planning Commission Meeting was called to order at 7:03 p.m. by Chairman Weber in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Jeffery Weber, Chairman; Michael Cohen, Commissioner; Don Romo, Commissioner; James Spann, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Bob McQuead, Vice-Chair

Staff present: Bill Martin, Director of Community Development; Paul K. Bingham, Assistant Planner II; Jay Paul, Associate Planner; Rozanne Cherry, Principal Planner; Homi Namdari, Assistant City Engineer; Adam Phillips, Deputy City Attorney; Adam Finestone, Principal Planner; and Eva Heter, Assistant City Clerk.

MINUTES:

Moved by Commissioner Weiler, seconded by Commissioner Spann, to approve the minutes of the September 13, 2016, meeting. Motion carried. Ayes: Cohen, Romo, Spann, and Weiler. Noes: None. Abstain: Weber. (4-0-1)

WRITTEN COMMUNICATIONS – None.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:**1. CONDITIONAL USE PERMIT – PHG 16-0011:**

REQUEST: A Conditional Use Permit to allow the expansion of an existing gas station (Arco AM/PM) from four (4) to six (6) pumps, including the replacement of the existing 37' x 52' fueling canopy with a larger 61' x 52' fueling canopy, and the reduction in width of the easterly driveway on E. Valley Parkway. The Conditional Use Permit is required since the existing convenience store sells beer and wine and would continue to do so. (Concurrent sales of fuel and alcoholic beverages requires a Conditional Use Permit for stations with five or more pumps.) The

proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: 2015 East Valley Parkway (APN 231-092-01-00) totaling 0.68 acre and located on the southeastern corner of East Valley Parkway and North Midway Drive.

ENVIRONMENTAL STATUS: The project is exempt from environmental review in conformance with the California Environmental Quality Act's section 15303 "New Construction or Conversion of Small Structures."

Paul K. Bingham, Assistant Planner II, presented the staff report, utilizing a PowerPoint presentation. Suitability of the proposed project was reviewed for land use and zoning compatibility with surrounding development. Originally the site was developed as an automotive service and gasoline station in 1971. The site currently includes a 1,924 SF canopy with four gasoline pump islands, which includes eight pumps. The applicant has proposed six pump islands (12 pumps) with an enlarged canopy. The site has adequate area for the added pumps. The driveway plan was reviewed and requires modifications. Engineering has suggested that the driveway plan include modifications to the existing easterly driveway approach on Valley Parkway by maintaining the west side of the driveway and reconstructing the east side to provide for a 30-foot-wide alley-type driveway. The conditions of approval, included with the staff report, reflect the required changes and have been provided as condition number twenty-four. The proposal includes the continuing sale of alcohol. The proposed uses are allowed by the General Plan and Zoning Code. Gas stations with more than four pumps require a Conditional Use Permit (CUP). Public review and comment for PHG16-0011 is required. The location currently has no CUP. Additionally, City approvals for projects requiring ABC licensing, require that applications submitted must include the necessary documentation for review of the ABC licensing. Plans were routed to City Departments. Operational conditions will be applied to reduce adverse neighborhood affects. Staff recommends approval for the project.

Commissioner Spann: expressed concerns with the traffic backing up along Valley Parkway as traffic gains access to the site.

Chairman Weber questioned the need for a solid cover over the trash enclosure. Mr. Bingham noted that condition number 6 addresses the need for a cover over the existing trash enclosure.

Chairman Weber opened the Public Hearing.

Fred Cohen, CJC Design, Applicant, thanked staff. He noted that the addition of the new pumps wouldn't add to the traffic congestion, it would simply provide more rapid fueling to help alleviate the traffic.

Chairman Weber inquired about additional striping at the location (from West to East), and expressed concerns with the fuel tanker not being able to gain access to the site during fuel deliveries; he noted that during his site visit he observed the fuel tanker having to remain partially in the street while delivering fuel, due to traffic congestion. He further questioned if fuel deliveries could be scheduled for off-peak hours. Mr. Fred Cohen stated that if striping was included as a condition, the location would be striped. Mr. Fred Cohen also noted that he was hoping to alleviate the traffic congestion issues, and limit the time and number of deliveries required for fuel delivery by utilizing a new blender type tank, which holds approximately ten thousand gallons.

Commissioner Weiler questioned if the proposed additional pumps would alleviate traffic congestion, and if the reduction of congestion had been experienced with previous projects. Mr. Fred Cohen stated that the reduction of traffic congestion had been experienced with other projects. He gave an example of his project in Rialto.

Commissioner Spann expressed concerns about parking when fuel dispensing is occurring and questioned the measurement of 25 feet center-to-center on the pump remaining the same at the site. Mr. Bingham reviewed the standard parking measurement requirements.

Commissioner Romo questioned the expected percentage increase in processing/use. Mr. Fred Cohen stated that processing/use would be 40% faster, based on his experience at other locations.

Commissioner Weiler questioned if there was a way to speed the flow of traffic by increasing the speed of the flow from the pump. Mr. Fred Cohen stated that the pump flow is regulated by the State.

Chairman Weber closed the Public Hearing.

Commissioner Spann expressed concerns with no additional speed of processing/use, the added business would impact traffic flow.

Chairman Weber expressed concerns with the badly impacted site, stating that during his site visit the truck for tank filling blocked all parking and stuck out into Midway. All parking was blocked on the Midway side. He also expressed concerns with the ability to process payments faster.

Commissioner Weiler expressed similar concerns with traffic congestion, stating that adding two more pumps would allow more people to utilize the station. The consumer will determine the time it takes to process payments. Existing consumers will be able to be moved through quicker.

Commissioner Cohen stated that additional pumps will allow consumers to be pushed through quicker and alleviate traffic concerns that currently exist. Adding the two pumps is a step in the right direction.

Commissioner Romo expressed that the additional pumps would not alleviate the traffic congestion, it would allow the owner to service more customers. He questioned the number of pumps at the station across the street. Mr. Fred Cohen stated that there are also six pump islands at the station across the street.

Chairman Weber expressed that he would like to see a restriction on the time the delivery tanker can be onsite, restricting delivery times between the hours of 4:00 p.m. – 7:00 p.m.

ACTION:

Moved by Chairman Weber and seconded by Commissioner Weiler, to approve Conditional Use Permit PHG 16-0011, with the added condition to prohibit fuel deliveries between the hours of 4 p.m. – 7 p.m. Motion carried. Ayes: Cohen, Romo, Spann, Weber, and Weiler. Noes: None. Abstain: None. (5-0-0)

2. ZONING CODE AMENDMENT – AZ 16-0006:

REQUEST: An amendment of the Escondido Zoning Code (EZC) to streamline various review processes to change the reviewing authority and eliminate some public hearings for conditional use permits (CUPs) and other applications, including small lot developments, back-up/emergency generators, second dwelling units in the Old Escondido Neighborhood, easement access, animal boarding, hotels/motels, grading exemptions, listing properties on the local register of historic resources, and certain signs. Changes are proposed to EZC Articles 10, 12, 13, 14, 26, 40, 55, 57, 63, 65, 66, and 70. The proposal also includes the adoption of the environmental determination prepared for the project. No development project is proposed.

PROPERTY SIZE AND LOCATION: Citywide

ENVIRONMENTAL STATUS: Exemption under the General Rule, CEQA Section 15061(b)(3).

Rozanne Cherry, Principal Planner, presented the staff report, utilizing a PowerPoint presentation. The proposed amendments to the Zoning Code implement a portion of the "Working Together to Get to Yes!" program, which is part of the City Council's 2016-2017 Action Plan Economic Development goal to "Revamp and clean up policies, practices and standards associated with the development entitlement process." The proposed amendment is the first of several. Revisions to nine separate items were reviewed. Many of the items involved requests or applications for a use that already has established development standards, guidelines and/or criteria. The proposed streamlining of review processes would result in reduced processing times and cost savings for applicants and staff. The value of some processes is no longer balanced with the time delay imposed upon project applicants. Staff recommended approval.

Commissioner Weiler was in favor of the code amendment and streamlining the process to help the applicants. He questioned if the items requiring a Notice of Intended Decision (NOID) would still be noticed. Rozanne Cherry noted that all items requiring a public hearing would receive the normal notices and that the NOID was the form of notice used for administrative applications. However, items 3, 5, 6, 7, and 9, as proposed, would not require public notice.

Chairman Weber questioned if the NOID can be appealed and, if so, should language be added to inform neighbors of their right to appeal. Rozanne Cherry noted that the NOID identifies to the neighbors that they have the right to appeal. Bill Martin confirmed that the language already exists in the ordinance and that staff would add more information about public notices and the NOID in the City Council staff report.

Chairman Weber opened the Public Hearing.

Randal Roberts, Escondido, requested the definition of staff, indicated in the column labeled "To." Bill Martin, noted that "staff" refers to the Director of Community Development or the Director's Designee. He further noted that the language would be clarified.

Randal Roberts, Escondido, requested clarification on when the NOID notices are mailed out. Bill Martin noted that the notices would be sent out at least 10 days prior to the effective date of the decision.

Carlos Bonilla, Escondido, spoke in favor of the item.

Chairman Weber closed the Public Hearing.

Chairman Weber expressed concerns with the changes being in the best interest of the community, and questioned if the applicant can appeal administrative

decisions. Rozanne Cherry noted that the applicant can appeal the administrative decision.

ACTION:

Moved by Commissioner Weiler and seconded by Commissioner Cohen, to approve Zoning Code Amendment– AZ 16-0006. Motion carried. Ayes: Cohen, Romo, Spann, Weber, and Weiler. Noes: None. Abstain: None. (5-0-0)

CURRENT BUSINESS:

- 1. Precise Development Plan to remodel an existing drive-through restaurant for a new El Pollo Loco drive-through restaurant (Case No. PHG 16-0013):**

PROJECT DESCRIPTION: A Precise Development Plan to remodel an existing restaurant building with drive-through on an outpad site within the Del Norte Plaza Commercial Shopping Center for a new El Pollo Loco restaurant.

GENERAL PLAN DESIGNATION/ZONING: Planned Commercial (PC) and Planned Development Commercial (PD-C)

LOCATION: Del Norte Plaza Shopping Center, 350 W. El Norte Parkway, Suite A

Jay Paul, Associate Planner, presented the staff report, utilizing a PowerPoint presentation. The site review of the location included allowing flexibility and more variety for the out pad buildings and the appropriateness of the proposed design for El Pollo Loco. The site design could provide limited outdoor seating opportunities. The western elevation design incorporates a signature metal grill feature that is backlit with red light. In conformance with the new storm water requirements, the existing trash enclosure would be upgraded to include a solid roof structure and new solid gates. The appropriateness of the proposed signage is subject to conformance with the Centers' sign program and the City's sign code. A variety of sign elevations were presented; and staff recommended the location for the new monument sign be located in the same general proximity to the previous Arby's monument sign in order to avoid any sight line issues and conflicts with utilities at the El Norte Parkway driveway entrance, as well as impacts to the existing landscaping at the entrance. Staff recommended approval.

Commissioner Weiler questioned the colors on the photos being more representative of the color scheme, versus the colors presented on the renditions. He expressed that the colors presented on the renditions were too bold. Mr. Paul

noted that the colors presented in the photos were more representative of the color scheme.

Chairman Weber questioned if any comments had been received from the Del Norte Plaza management. He further questioned the location and grade for the monument sign. Mr. Paul reviewed two potential locations for the sign, noting that the new signage is conditioned to be located within the same general proximity as the previous signage.

Gabriela Marks, Architect, thanked planning staff for working closely on the project with her, and made herself available for questions.

Commissioner Weiler questioned the bold colors presented on the elevations versus the photos.

Gabriela Marks, Architect, noted that the color scheme presented in the photos is more representative of the color scheme.

Commissioner Cohen questioned if the proposed signage is within the limitations of the code. Mr. Paul noted that the proposed signage was within the limitations of the Center's sign program and zoning code.

ACTION:

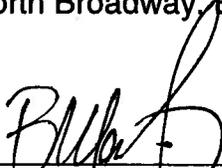
Moved by Commissioner Romo and seconded by Chairman Weber, to approve the remodel of existing drive-through restaurant for a new El Pollo Loco drive-through restaurant – Case No. PHG 16-0013. Motion carried. Ayes: Cohen, Romo, Spann, Weber, and Weiler. Noes: None. Abstain: None. (5-0-0)

ORAL COMMUNICATIONS – None.

PLANNING COMMISSIONERS – None.

ADJOURNMENT:

Commissioner Weber adjourned the meeting at 8:19 p.m. The next meeting was scheduled for October 25, 2016, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.



Bill Martin, Secretary to the Escondido
Planning Commission



Eva Heter, Assistant City Clerk