



City of Escondido Zoning Administrator

MEETING AGENDA AND RECORD OF ACTIONS

201 North Broadway
City Hall – Parkview Conference Room

May 15, 2019
3:00 p.m.

A. Call to Order:

Zoning Administrator:

Staff Present:

B. Agenda items:

1. **MINOR CONDITIONAL USE PERMIT – PHG 18-0022:**

A Minor Conditional Use Permit to modify an existing car wash in the General Commercial (CG) zone. The proposal also includes the adoption of the environmental determination for the project.

Location: 315 W. El Norte Parkway

Applicant: The Namou Group

Planner: Ann Dolmage

DECISION OF THE ZONING ADMINISTRATOR:

- Approved, as set to form
- Conditionally approved with the attached modifications
- Denied
- Continued to: ___ Date Certain (_____) ___ Date Unknown
- Referred to Planning Commission

C. Adjournment:

I certify that these actions were taken at the Zoning Administrator meeting on

Zoning Administrator

Witness

ZONING ADMINISTRATOR

- CASE NUMBER:** PHG 18-0022
- APPLICANT:** Mark Watson, The Namou Group
- PROJECT LOCATION:** On the southeast corner of West El Norte Parkway and Seven Oakes Road, addressed as 615 West El Norte Parkway (APN 226-390-13).
- REQUEST:** A Minor Conditional Use Permit to modify an existing car wash in the General Commercial (CG) zone. The proposal also includes the adoption of the environmental determination for the project.
- STAFF RECOMMENDATION:** Approval
- GENERAL PLAN DESIGNATION:** General Commercial
- ZONING:** CG (General Commercial)

BACKGROUND/PROJECT DESCRIPTION: The subject property is a 2.41-acre commercial center, consisting of two adjoining lots. One lot (APN 226-390-14; approximately 1.11 acres) is occupied by a tire shop, smog station, and automotive repair center, while the other lot (APN 226-390-13; approximately 1.3 acres) is occupied by a gas station, convenience store, and car wash. The lots are currently under separate ownership; however, the center has a reciprocal access agreement for shared parking and access. Additionally, prior Plot Plans and Conditional Use Permits for the site considered the entire center as one entity when calculating parking requirements.

The current proposal would affect the car wash and convenience store. The project would construct two new canopies (791 SF each) in a side-by-side configuration just north of the car wash tunnel exit. These canopies would provide shade for car wash staff as they dry vehicles that have just been washed. The project would also fully enclose an existing 941-SF patio on the north side of the convenience store, to create a more comfortable waiting area (with seating) for car wash customers. A new 273-SF outdoor patio with overhead trellis and additional seating would be constructed just outside the newly-enclosed patio, with a landscape planter separating this patio from the parking lot. Inside the existing convenience store, a corner currently occupied by restrooms would be converted into a display area for distilled spirits, and the restrooms would be relocated to the new enclosed customer waiting area.

Staff believes the issues are as follows:

1. Whether the proposed expansion is appropriate for the site.
2. Whether adequate parking can be provided on the site to accommodate the expansion.

ENVIRONMENTAL STATUS:

The project is exempt from CEQA in conformance with Section 15332, "Infill Development".

REASON FOR STAFF RECOMMENDATION:

1. The proposed changes would support uses that already exist at this location. The new canopies would provide shelter for car wash staff who work outdoors and are exposed to sunlight and heat for much of the year. Similarly, enclosing the existing patio would give car wash customers a climate-controlled area in which to wait while their vehicles are cleaned. The proposed distilled spirits display within the convenience store would be adjacent to the cash wrap counter, enabling store staff to monitor any minors who may enter that area. The project underwent design review on September 27, 2018 and December 6, 2018, and recommendations from those reviews regarding landscaping, employee parking, and canopy colors have been incorporated into the project design and/or designated as conditions of approval.
2. With the project in place, the overall parking requirement for the center would be 46 spaces. The project would exceed this requirement by providing 47 spaces across both lots within the center. An existing reciprocal access agreement would remain in place to ensure that all visitors to the center can use parking spaces on either lot. As a condition of approval, four parking spaces near the exit of the car wash tunnel would be re-striped and designated as "employee parking only" spaces, as shown on the site plan. This designation was a condition of approval for a prior discretionary permit (93-18-CUP, which allowed the concurrent sale of alcohol and gasoline at this location), but at some point these spaces were removed. These spaces would be in an area of the site not easily accessed by customers, so directing employees toward these spaces would free up prime parking spaces in other parts of the parking lot for public use.

Respectfully submitted,

Ann Dolmage

Ann Dolmage
Associate Planner

Exhibits:

- A. Findings of Fact
- B. Conditions of Approval
- C. Location Maps
- D. Project Plans

EXHIBIT "A"

FINDINGS OF FACT PHG 18-0022

Conditional Use Permit:

1. Granting the Conditional Use Permit for the proposed use would be based on sound principles of land use and in response to services required by the community. The General Plan land use designation and zoning designation for the site are both General Commercial (GC in the General Plan and CG in the Zoning Code). Car washes are a conditional use within the CG zone, and the proposed canopies and enclosed patio would enhance comfort for staff and customers of an established car wash business. Concurrent sales of gasoline and alcohol are also a conditional use within the CG zone, and since the site already has a Conditional Use Permit to sell both of these goods (approved under 93-18-CUP), the relocation of interior restrooms within the convenience store to create a spirits display area will not create any conflicts. The project conforms to all development standards for this zone, and all required parking can be provided on-site. A public notice was issued in accordance with city codes and state law for a public hearing to consider the proposed Conditional Use Permit, and no issues were identified at said hearing that would deem the proposed use to be incompatible with surrounding properties and uses.
2. Granting the Conditional Use Permit will not cause deterioration of bordering land uses or create special problems for the area in which it is located. The project underwent design review on September 27, 2018 and December 6, 2018, and recommendations concerning landscaping, employee parking, and canopy colors have been incorporated into the project design or conditioned. The project is not expected to increase traffic to the site, as it would provide additional shelter to areas of the property that are already used by car wash staff and customers. Additionally, conditions of approval relating to operational characteristics will be applied to the project to address potential concerns.
3. The proposed Conditional Use Permit has been considered in relationship to its effect on the surrounding area and would not result in a negative impact. The project site is zoned for commercial use, as are the properties to the direct north and west. A mobile home park is located to the east and south, but fencing along the property line provides separation. Any potential issues will be governed by the Escondido Municipal Code, the City's Business License Division, the County's Department of Environmental Health, and the Conditions of Approval in Exhibit "B".
4. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15332, "Infill Development." A Notice of Exemption was prepared for the proposed project, and incorporated by this reference. The request does not have the potential for causing a significant effect on the environment.

EXHIBIT “B”

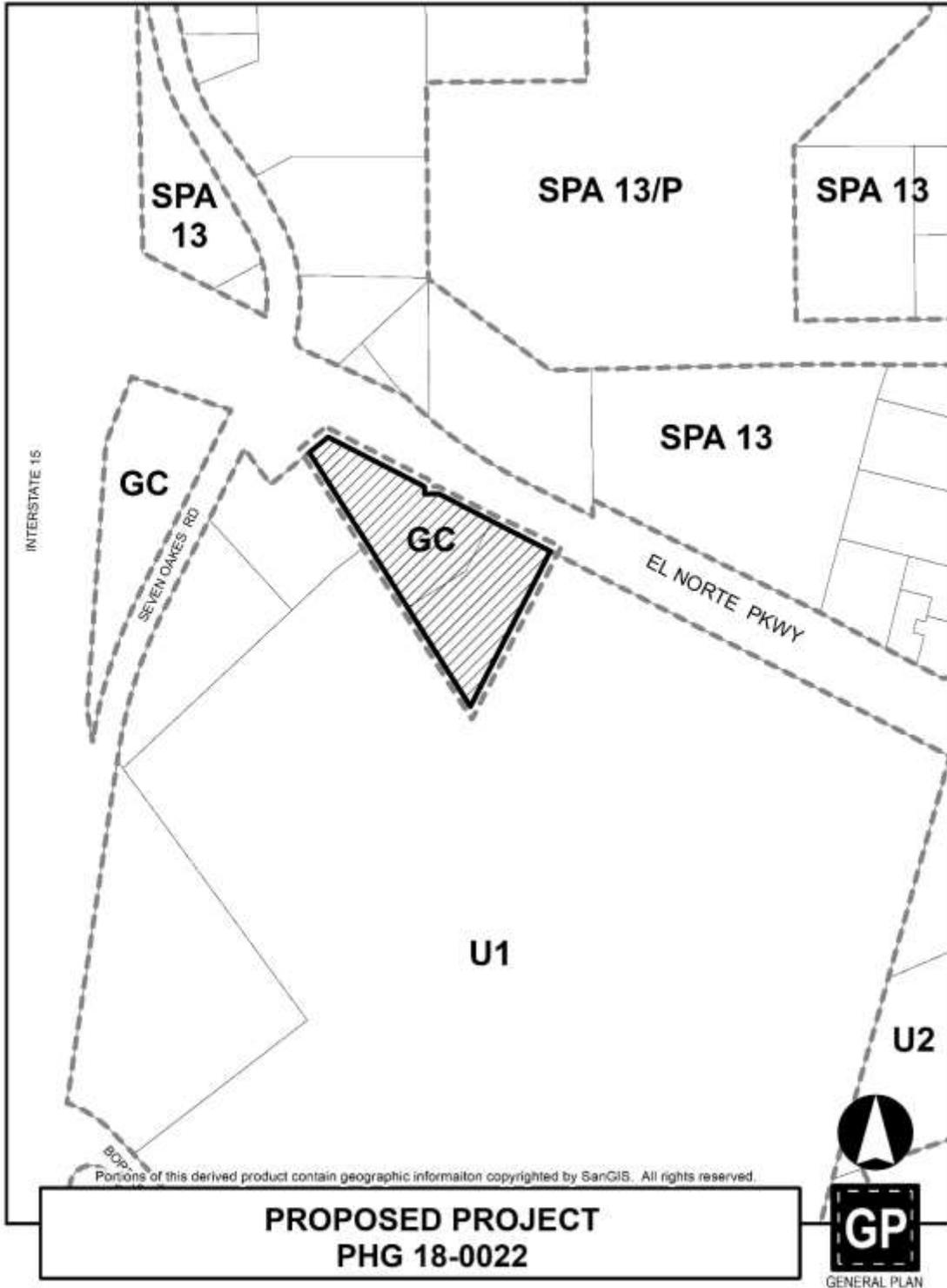
**CONDITIONS OF APPROVAL
PHG 18-0022**

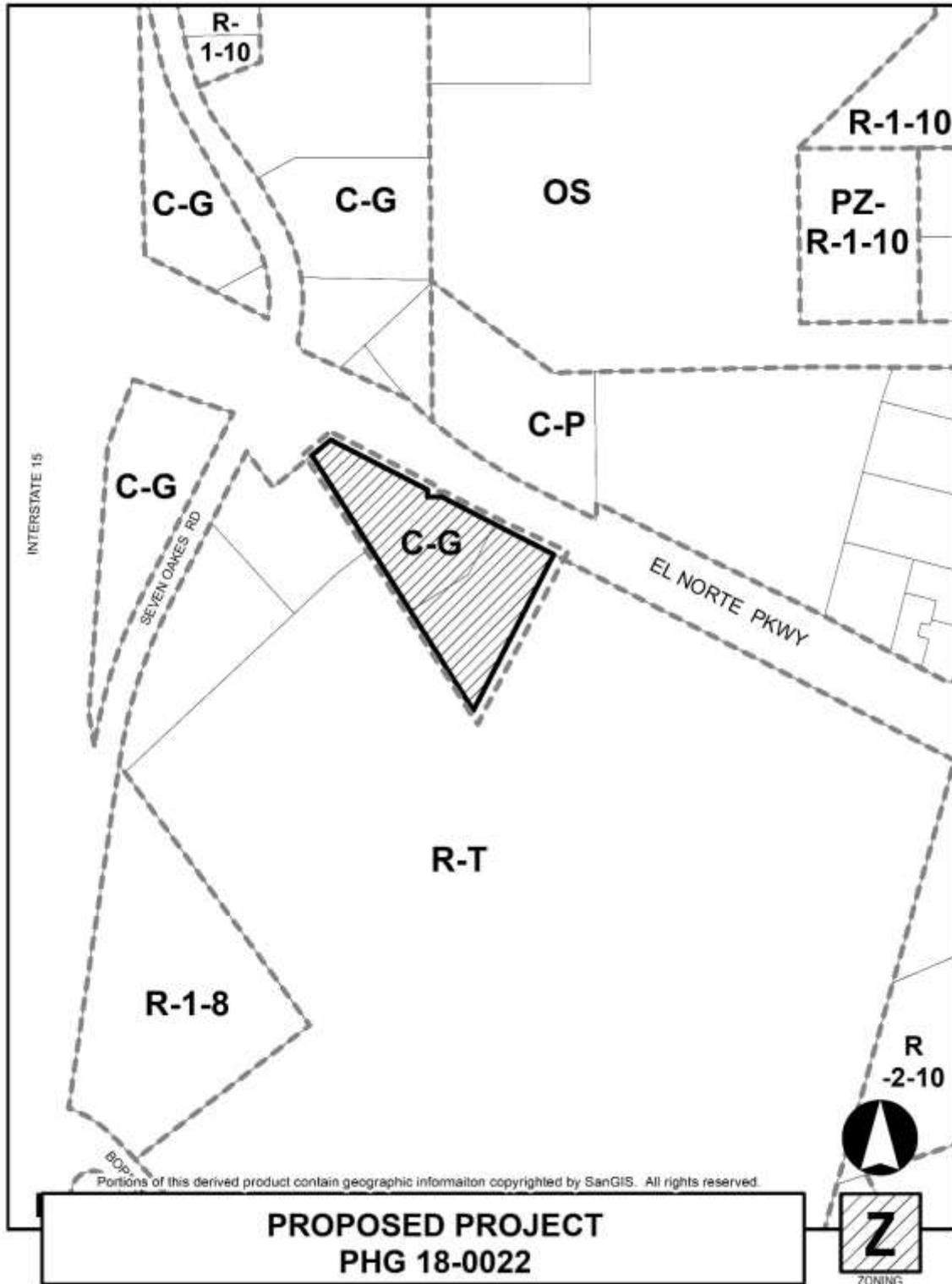
1. Approval of this Conditional Use Permit does not supersede any previous approval or conditions of the site. All previous conditions shall remain in full force and effect and are incorporated herein by this reference unless modified herein.
2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
3. This permit does not approve any building signage. Any desired signage must obtain a sign permit by separate application with payment of the review fees applicable at the time.
4. Prior to issuance of any building permits for the proposed canopies, the applicant shall obtain approval from SDG&E to install these canopies within their easement.
5. The design of the project shall be consistent with the approved plans. Any changes must be approved by the City through the appropriate review process. Approved colors for the new canopy structures are off-white or beige for the metal frames, and blue for the fabric awning (to match the existing awning on the detailing building, to the extent possible).
6. A minimum of forty-six (46) parking spaces meeting City standards shall be provided on site as discussed in the staff report and to the satisfaction of the City Engineer and Director of Community Development. Parking for disabled persons shall be provided in the form of two ADA spaces, one of which shall be a “van accessible” space and access aisle, in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage.
7. Four (4) parking spaces near the car wash tunnel exit shall be marked for employee use, as shown on the project site plan, and as originally conditioned for 93-18-CUP.
8. Per direction from the Fire Department, the two parallel parking spaces near the western driveway shall be removed, as shown on the project site plan.
9. Per recommendation of the Police Department, the new outdoor patio with trellis shall include lighting to discourage overnight trespassing. Lighting in this area and other areas of the site shall conform to the City’s Outdoor Lighting Ordinance (Article 35 of the Zoning Code).
10. The existing trash enclosure shall meet City standards (as defined in Section 33-337 of the Zoning Code), to the satisfaction of the City Engineer and Director of Community Development. The enclosure shall be covered, and shall be screened with vines and hedges to the extent practicable.
11. A minimum 6” sewer lateral is required for commercial use. There shall be no grading or permanent structures within the public utility easements, and no trees or deep rooted bushes within 15’ of the sewer mains.

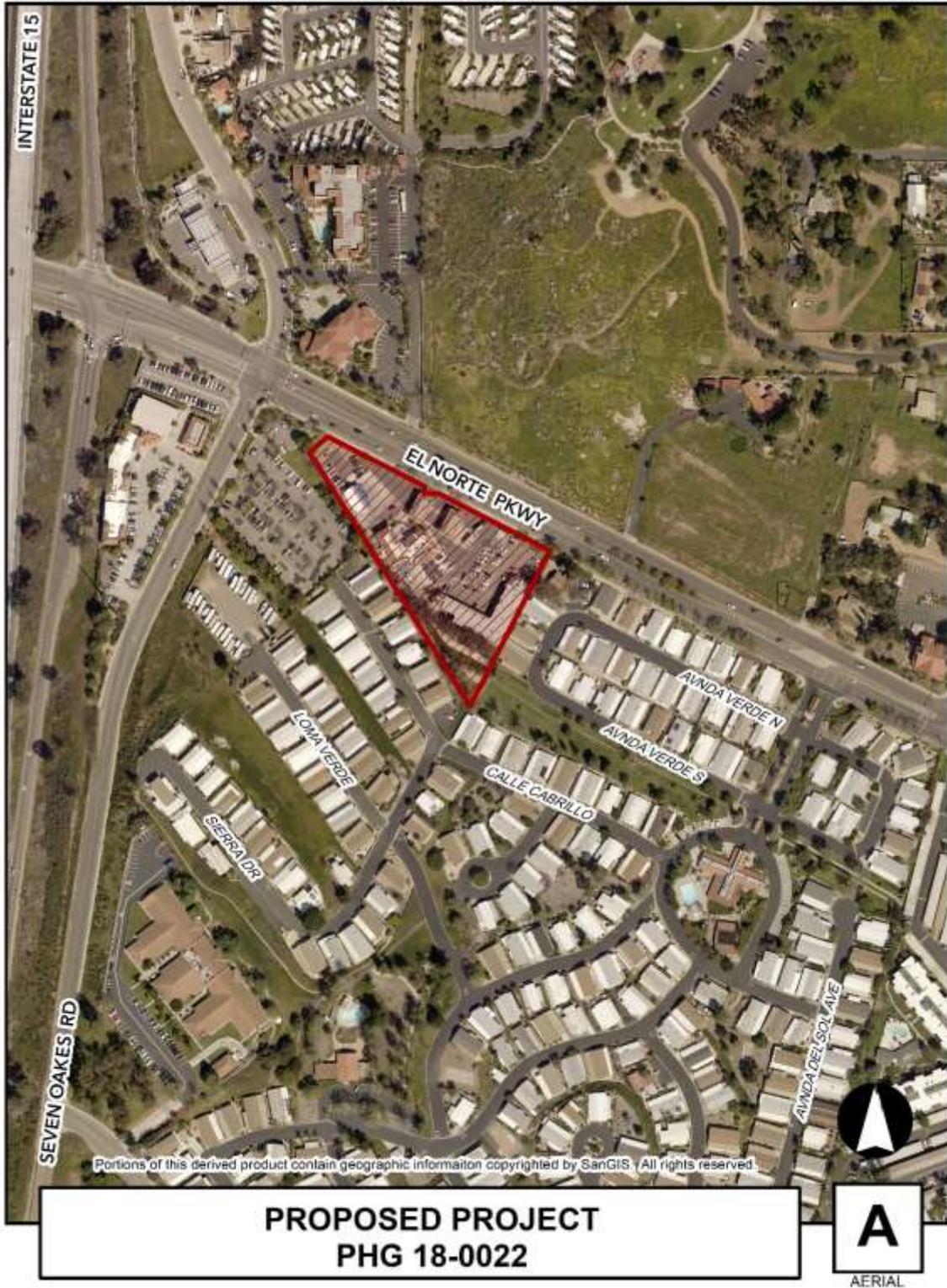
12. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
13. All existing vegetation required as part of previous approvals, shall be maintained in a flourishing manner and kept free of all foreign matter, weeds and plant material not approved as part of previous landscape plans. All existing irrigation shall be maintained in fully operational condition. Planning shall verify the condition of landscaping prior to issuance of building permits.
14. The holder of the Conditional Use Permit shall make the premises available for inspection by City staff during operating hours, and shall provide such business records, licenses, and other materials necessary to evidence compliance with the conditions of approval.
15. This CUP shall become null and void unless utilized within twelve (12) months of the effective date of approval.
16. This Conditional Use Permit may be referred back to the Zoning Administrator, or to the Planning Commission, for review and possible revocation or modification at a noticed public hearing upon receipt of nuisance complaints and/or non-compliance with the conditions of approval.
17. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project, a check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

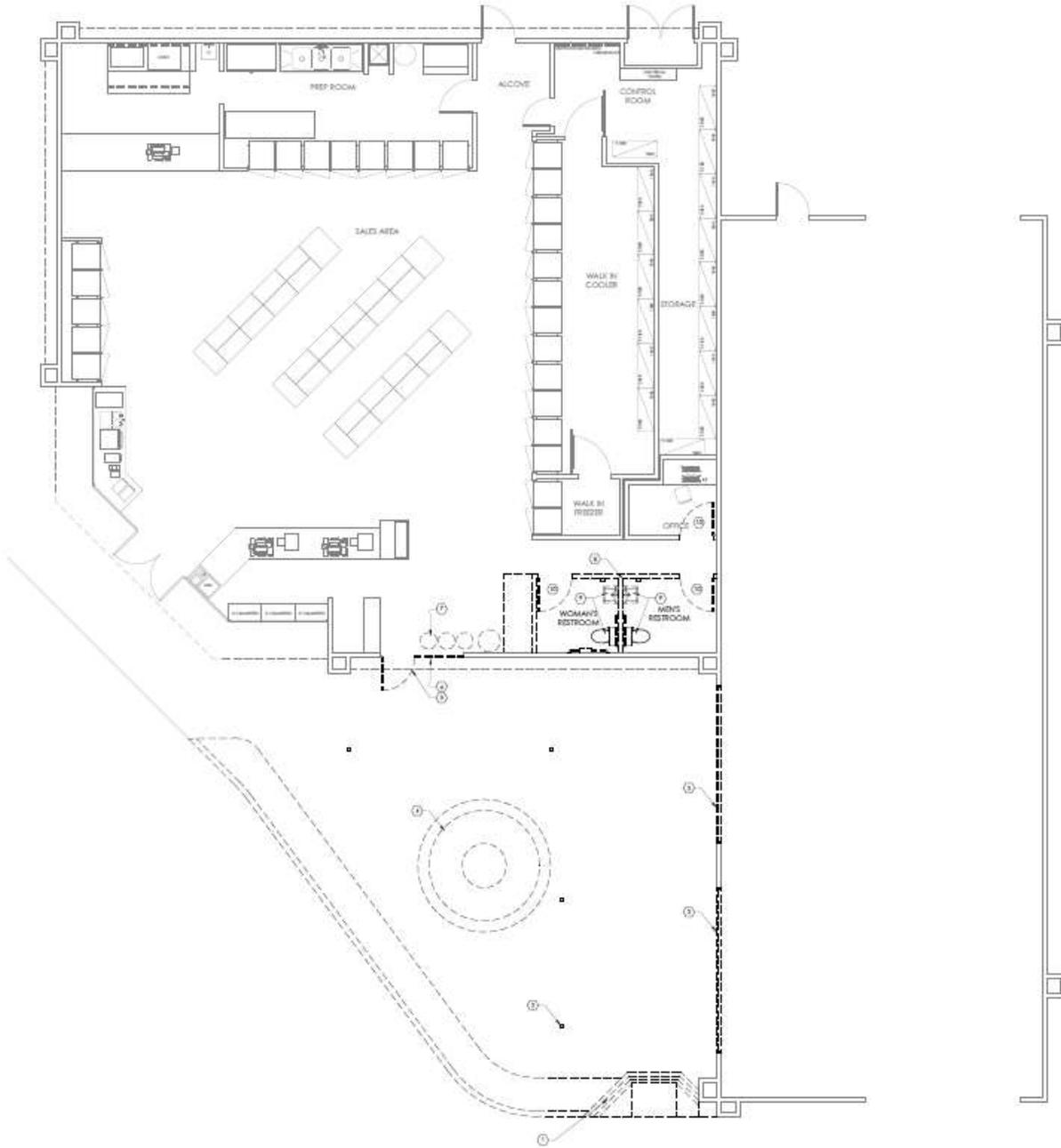
EXHIBIT "C"

**LOCATION MAPS
PHG 18-0022**

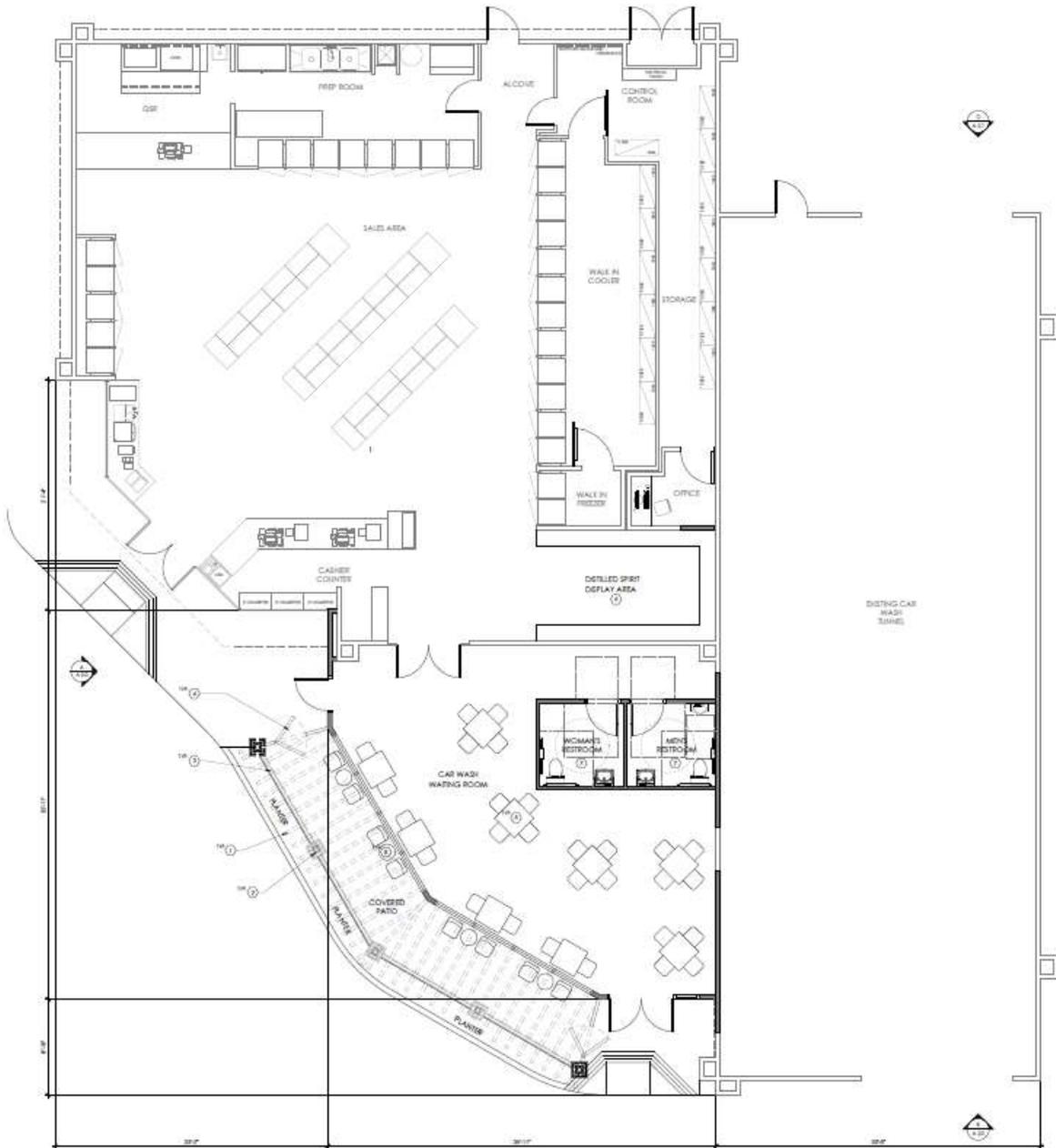




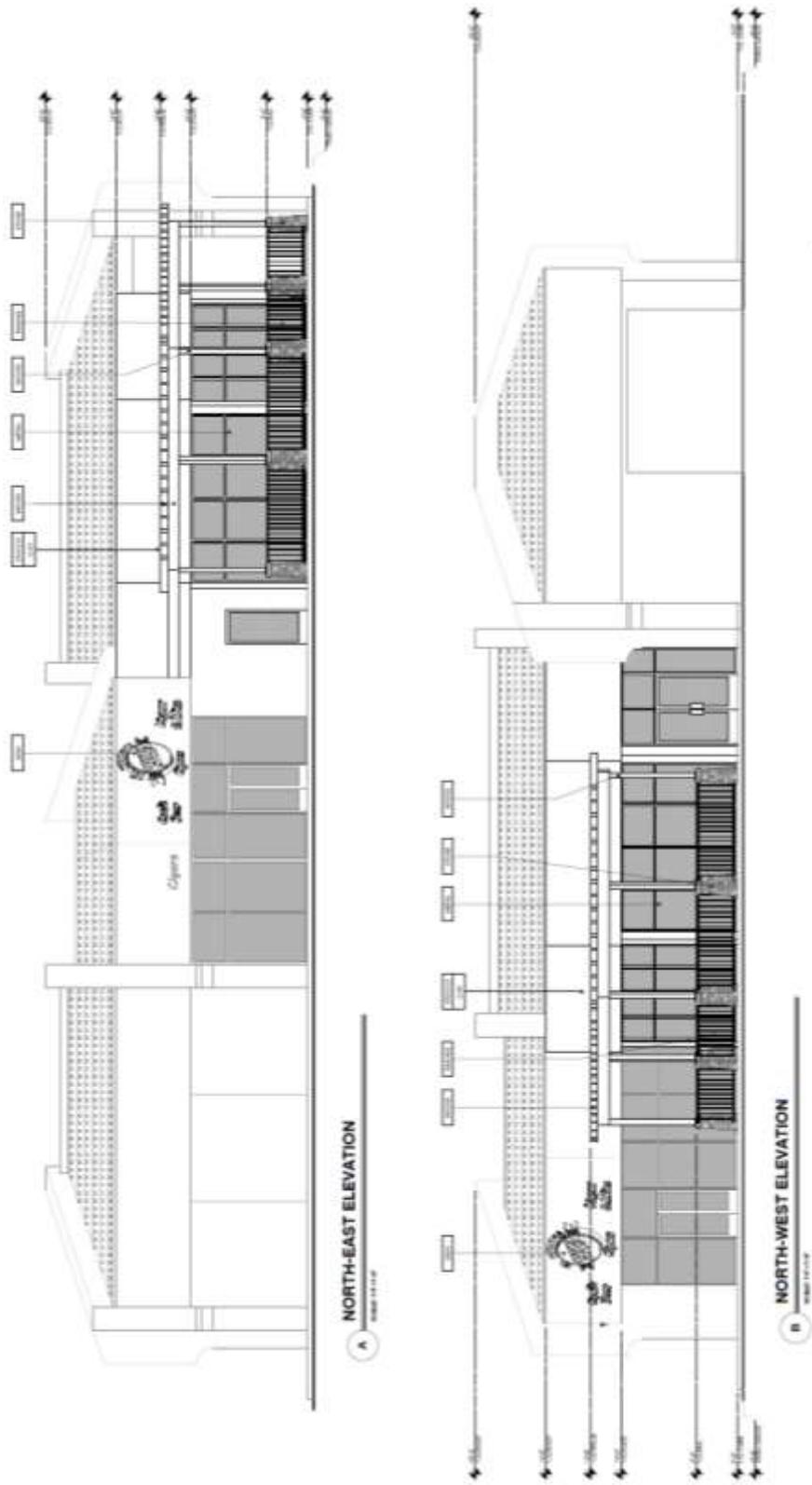




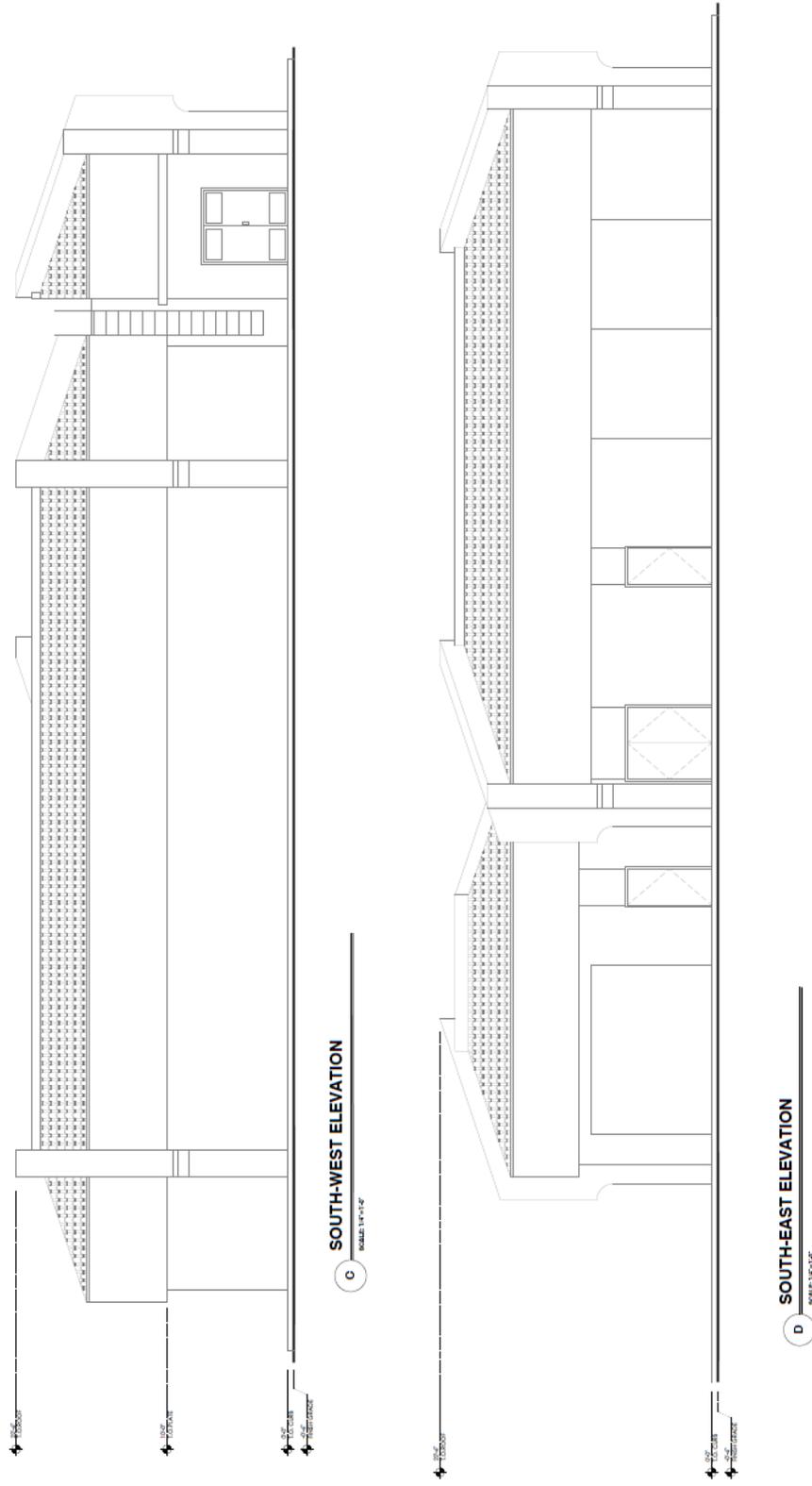
Demo Floor Plan



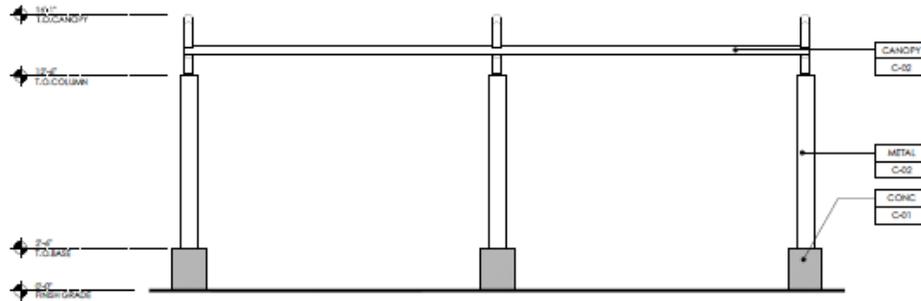
New Construction Floor Plan



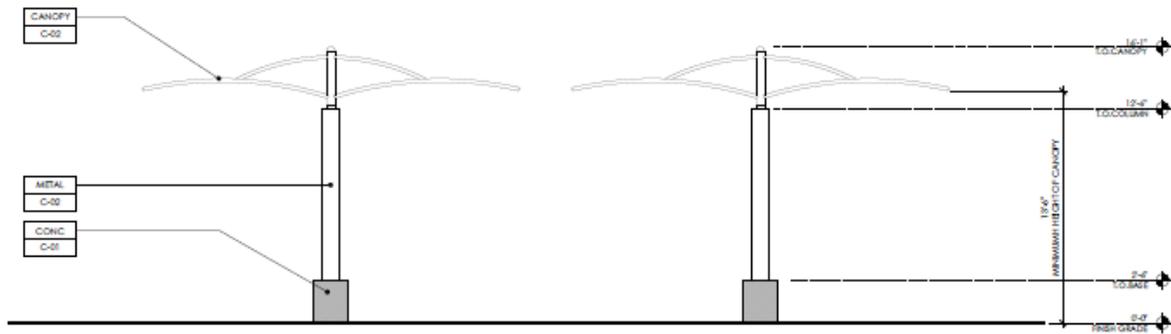
Elevations (Northeast and Northwest)



Elevations (Southwest and Southeast)



A SOUTH-EAST ELEVATION
 SCALE: 1/4"=1'-0"



B SOUTH-WEST ELEVATION
 SCALE: 1/4"=1'-0"

Colors

- Canopy: Blue (to match awning on detailing building, to extent possible)
- Metal frame: Almond 90% Gloss (T009-BG01 or equal)
- Concrete footings: Almond (to match metal frame)

Canopy Elevations