

**CITY OF ESCONDIDO**

**MINUTES OF THE REGULAR MEETING OF THE  
ESCONDIDO PLANNING COMMISSION**

**July 28, 2015**

The meeting of the Escondido Planning Commission was called to order at 7:00 p.m. by Chairman Weber in the City Council Chambers, 201 North Broadway, Escondido, California.

**Commissioners present:** Jeffery Weber, Chairman; Bob McQuead, Vice-chairman; Ed Hale, Commissioner; Gregory Johns, Commissioner; Don Romo, Commissioner; James Spann, Commissioner and Guy Winton, Commissioner.

**Commissioners absent:** None.

**Staff present:** Bill Martin, Deputy Planning Director; Homi Namdari, Assistant City Engineer; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

**MINUTES:**

Moved by Commissioner Johns, seconded by Commissioner Romo, to approve the minutes of the July 14, 2015, meeting as amended by Vice-chairman McQuead. Motion carried. Ayes: Weber, Johns, and Romo. Noes: None. Abstained: Hale, Spann, and Weber. (3-0-3) Commissioner Winton was absent from the vote.

**WRITTEN COMMUNICATIONS – None.**

**FUTURE NEIGHBORHOOD MEETINGS – None.**

**ORAL COMMUNICATIONS – None.**

**PUBLIC HEARINGS:**

Commissioner Winton entered the meeting at this time.

1. **TENTATIVE SUBDIVISION MAP AND MASTER AND PRECISE DEVELOPMENT PLAN – SUB 15-0003:**

**REQUEST:** The project proposes a one-lot Tentative Subdivision Map in conjunction with a Master and Precise Development Plan for 112 residential

condominium units on a 3.44-acre parcel in the Centre City Urban District of the Downtown Specific Plan. The proposed development includes six, three and four-story residential buildings with a maximum building height of 49 feet. The residential complex includes 60 one-bedroom units and 52 two bedroom units with unit sizes ranging from 788 SF to 1,336 SF. The units are designed as walk-up residential flats with fourth story lofts provided for some of the third floor units. Access to the new condominium development would be provided from a 28'-wide driveway on Centre City Parkway leading to an internal driveway secured with gates. Secondary emergency exits with gates would be located on Washington Street and Centre City Parkway. A total of 209 parking spaces would be provided in a mix of single-car garages, carports and open parking spaces. Open space generally consists of a resort-style pool with barbeques, pet wash station, clubroom, fitness center and private balconies for each unit. The proposed project design includes using public right-of-way on Centre City Parkway for bio-retention storm water treatment and would require several exceptions to the established standards in the Downtown Specific Plan including parking and sign setbacks, amount of open space provided and covered parking. The proposal also includes the adoption of the environmental determination prepared for the project.

**PROPERTY SIZE AND LOCATION:** The project site is located on the northeastern corner of Centre City Parkway and Washington Avenue, addressed as 382, 426, 429, 430, and 444 W. Washington Avenue.

Bill Martin, Deputy Planning Director, referenced the staff report and noted staff issues were the appropriateness of the proposed project design for the downtown area and whether the design justifies the proposed exceptions to the development standards of the Downtown Specific Plan, the appropriateness of using city right-of-way for the project's storm water bio-retention needs and whether adequate landscaping can be provided in this area, the appropriateness of the proposed land swap and the related proposal to allow off-site signage for the adjacent motel to be included on the freestanding sign for the project, and whether existing easements on the site could affect the proposed development. Staff recommended approval based on the following: 1) The site was constrained by numerous easements and by the location of the adjacent motel property that creates two finger pockets of land on the project site that extend to Washington Avenue. Taking these constraints into account, the applicant has designed a development that very efficiently utilizes all areas on the site. This has led to a need for several exceptions to the established development standards in the Downtown Specific Plan and includes requests for reductions in setbacks for buildings, parking and signs, a reduction in the number of covered parking spaces and the size of carports, and a reduction in the amount of open space provided. With the exception of the request to reduce the amount of covered

parking, staff supports the requested exceptions from the development standards as a means to facilitate a proposed downtown development that will provide an upscale living environment for people desiring an urban lifestyle; 2) The use of excess Centre City Parkway right-of-way for bio-retention purposes will alter the way this area can be landscaped due to the need to use engineered fill material to allow for proper infiltration in the basins. The basins have been designed with a corrugated appearance to provide pockets where street trees can be accommodated into the landscape design. Most of the remaining basin area is proposed to be planted in rush and senecio, which are typical for retention basins but used less for parkway landscape areas. Staff supports use of the right-of-way for the applicant's bio-retention purposes with the inclusion of additional shrub materials that complement other nearby parkway landscape plantings along Centre City Parkway; 3) The adjacent Escondido Inn owns a detached 450 SF triangular parcel of land next to Centre City Parkway where their pole sign is located. The applicant is attempting to acquire that parcel for more parking and to enhance their project design in exchange for allowing the motel to place signage on the proposed monument sign on the project site. The Escondido Sign Ordinance generally prohibits off-premise signage. The proposal for motel signage on the applicant's property is part of the exceptions to established development standards being requested by the applicant. Staff supports the proposed exception because the shared monument sign is a better solution aesthetically than having two freestanding signs in such close proximity; and 4) The proposed development includes 25 parking spaces, two carport structures and landscaping along the eastern property line in an area constrained by an existing road easement held by an adjacent commercial property owner. The applicant has informed staff that he has reached an agreement with the neighboring property owner to quitclaim the easement. Because the existence of the easement could negatively affect the amount of parking provided on the site, a condition of approval has been added to require that quitclaim prior to recordation of the final map or issuance of a grading permit.

Vice-chairman McQuead requested information regarding the number of ground floor units that had direct access to garages, clarification on the number of ADA accessible units, and the reason for the setback variance request. Mr. Martin suggested the applicant could answer those questions during his presentation.

Vice-chairman McQuead and staff discussed the need for the proposed Planned Development application. Mr. Martin confirmed the Downtown Specific Plan requires a planned development for all projects in this area that propose ground floor residential units.

Commissioner Winton and staff discussed the process for permitting the applicant the use of Centre City Parkway right-of-way for storm water detention.

Chairman Weber and staff discussed the applicant's contribution towards the widening of Centre City Parkway.

Chairman Weber questioned why there was no provision of office parking for the leasing office. Mr. Martin noted that issue had not been raised before and that the 24 guest parking spaces provided in the development could be used by visitors to the leasing office.

Vice-chairman McQuead and staff discussed Item 4 on Page 39 of the staff report.

Chairman Weber referenced the July 14<sup>th</sup>, 2015 letter from Girish Hagen, owner of the adjacent Escondido Inn, and asked staff to elaborate on the comments in the letter. Mr. Martin suggested letting Mr. Hagen answer any questions related to the letter due to the nature of the comments describing discussions between the applicant and Mr. Hagen.

**Susan Lambson, San Diego, attorney representing the owners of Escondido Inn,** noted that their main concern had to do with the project's proposal to plant Brisbane trees adversely impacting their view corridor and potentially being a fire hazard. She noted that 40% of their business came from walk-ins, noting they depended on the visibility of the site. She expressed her concern with the proposed project's wall also impacting visibility of the site. She indicated that they had been in discussions with the applicant. She noted their concern with the Bureau of Real Estate possibly not approving the proposed signage arrangement. She stated that their preference would be to do a land swap so they could have a parcel on the corner of Centre City Parkway and Washington for a retail use. She indicated that their second choice would be to reduce the landscaping on their western boundary to ensure their property maintained visibility from the street.

Commissioner Winton asked Ms. Lambson if a monument sign on the corner of Centre City Parkway and Washington would solve the visibility issue. Ms. Lambson replied in the negative, noting that the proposed trees were the main issue.

**Peter Zak, President of NCA Developments, representing the applicant,** stated that the subject project was a joint venture between NCA Developments and Lyon Communities. He provided the background history for the Latitude 33 project they had constructed across the street, noting that it was very successful and similar to the subject project. He then provided the background history for the subject project, noting that the property was encumbered with easements and challenges, noting they were encouraged by City staff and Council members to move forward with the project. He indicated that they acquired the property in 2014 and took the guidance of the City for developing the subject project. He felt the project would be better than Latitude 33. He then provided an overview of the proposed architecture

and amenities for the project. He stated that they would be able to cover three additional parking spaces and accepted staff's conditions. Mr. Zak then responded to the Commission's comments. He noted that 18 of the 24 ground floor units would provide direct access from the garage. All of the ground floor units would have burglar alarms and be ADA accessible. He stated that they were unable to create a mixed-use project since they were unable to purchase the Escondido Inn. Mr. Zak noted that the perimeter wall would help mitigate the setback variances. He elaborated that they had asked and received City staff support with regard to being able to use the right-of-way on Centre City Parkway for their storm water requirements, noting that they would provide all of the facilities and maintenance in perpetuity. He indicated that he was unaware of the need for office sales parking. He indicated that they were open to using alternative types of landscape options. He did not feel there would be any issues with the Department of Real Estate with regard to the signage. He also stated that they had agreed to everything the motel owners have asked for with exception of the view corridor, noting that the City dictated this issue.

Vice-chairman McQuead stated that he did not see the connection between Latitude 33 and the subject project, noting his concern with the subject project not providing an elevator for third floor access. Mr. Zak noted that the third floor units would be premium units, noting they did feel elevator access would be an issue. He stated that the interior finishes and quality would be more updated than Latitude 33. He also indicated that the project would have more amenities at 112 units than Latitude 33 with 198 units.

Vice-chairman McQuead asked Mr. Zak why they ignored the setback requirements. Mr. Zak noted that they had numerous meetings with City staff and the Fire Department over a 15-month period to create a high-quality project. He stated that they felt the perimeter wall would mitigate any setback impacts, noting that they tried to adhere to all of the requirements of the Downtown Specific Plan.

Commissioner Johns asked Mr. Zak if they considered constructing fewer units as a means to comply with the downtown development standards. Mr. Zak stated that the City's desire was to drive the density. He noted that losing units would impact the feasibility of the project and the ability to get the project financed.

Commissioner Johns noted that the previously approved DR Horton project on the site proposed 64 units whereas the subject project proposed 112, feeling this was the reason for the variances. Mr. Zak noted that the DR Horton project also had variances.

**Girish Hagen, Owner of Escondido Inn**, expressed his view that the issues between him and the developer were of a symbiotic and commercial venture

whereby their triangular piece of land used for signage would remain the same or be taken away in return for a comparable five-foot strip of land added to their westerly border. He expressed concern with losing their view corridor from Centre City Parkway, feeling the proposed project's signage plan would create confusion for Escondido Inn's customers as well as issues with being able to maintain the signage. He stated that he could sell the property for twice the amount the applicant offered. He noted that he was in favor of a grander land swap that would allow him to acquire the entire corner and redevelop his property with a retail use. He also elaborated that they were still in negotiations with the developer.

Commissioner Hale expressed concern and sympathized with the owners of Escondido Inn regarding the visual impacts of the proposed landscaping, noting he felt both parties should mediate this issue between themselves.

Commissioner Winton supported the concept for eliminating some of the proposed trees that could impact the visual corridor for Escondido Inn. He noted no concern with the density or proposed setbacks for the project given the number of constraints on the site and the proposed design. He also suggested that staff help ensure that Escondido Inn's interests were taken into consideration.

Commissioner Spann did not feel the reduced setbacks would have visual impacts. He also liked the fact that the carports would not be seen from Centre City Parkway. He expressed his support for the project.

Commissioner Johns expressed his concern for the demographic with disposable income not being there for the subject project.

Vice-chairman McQuead was not comfortable with the proposal and felt the project needed elevators and some redesign. He stated he could not recommend this to the City Council as a good project.

Chairman Weber felt the proposed parking was marginal, noting there were no offsite parking opportunities. He questioned the three-story walk-up design and whether the project could sell as condos in the future without elevators, limited access, and limited parking. He stated that he appreciated the work that went into the project but was opposed to the project. He felt the City already had too many apartments and needed to re-evaluate its residential parking standards and third-floor access requirements.

**ACTION:**

Moved by Commissioner Winton, seconded by Commissioner Hale, to approve staff's recommendation. The motion included requiring 112 covered parking spaces and that staff work with N.C.A. Real Estate and Escondido Inn owners regarding the landscaping along the western property line of the Escondido Inn. Motion carried. Ayes: Winton, Hale, Romo, and Spann. Noes: Weber, McQuead, and Johns. (4-3).

**2. TENTATIVE PARCEL MAP AND CONDITIONAL USE PERMIT – SUB 13-0008; PHG 13-0035:**

REQUEST: A proposed Tentative Parcel Map to subdivide an existing single-family residential lot in the R-1-7 (Single-Family Residential, 7,000 SF minimum lot size) zone into four (4) lots (7,069 SF, 7,019 SF, 7,019 SF & 11,294 SF), in conjunction with a Conditional Use Permit for a 24- to 34-foot wide private easement road access.

PROPERTY SIZE AND LOCATION: Approximately 0.95-acre, on the southern side of West 15<sup>th</sup> Avenue, west of South Upas Street and east of Russell Place, addressed as 1055 W. 15<sup>th</sup> Avenue (APN 235-320-37).

Bill Martin, Deputy Planning Director, referenced the staff report and noted staff's main issue was whether the 34-foot wide private access easement was appropriate. Staff recommended approval based on the following: 1) Staff felt the additional three lots with easement access would be consistent with surrounding development pattern and lot sizes, adequate parking could be provided on-site, sufficient fire access could be maintained, and an existing six-foot high wooden fence along the western property line would buffer the potential noise and light impacts associated with vehicles utilizing the access easement. The easement would not adversely impact any native vegetation or mature trees; and 2) A public road was not needed for the subject site since a private road easement would be adequate to serve all four (4) lots, and emergency vehicle turn-around would be provided, parking would be allowed along one side of the road easement, and a road access and maintenance agreement between the parcel owners will be required.

**ACTION:**

Moved by Commissioner Hale, seconded by Commissioner Spann, to approve staff's recommendation. Motion carried unanimously (7-0).

### **3. CONDITIONAL USE PERMIT – PHG 14-0013:**

**REQUEST:** A proposed Conditional Use Permit for a new wireless communication facility for Verizon Wireless, consisting of up to 12 panel antennas, 12 remote radio units (RRUs), and a four-foot-diameter microwave dish mounted onto a new 40-foot-tall faux eucalyptus tree. A 10 kilowatt (kW) emergency diesel generator with a 55-gallon fuel tank would be housed within a 408-square-foot concrete block enclosure with a chain-link lid, along with electrical equipment and cabinets. The facility will be located on a hill between two existing water tanks, at the eastern end of an open space lot within the Emerald Heights subdivision. The proposal also includes the adoption of the environmental determination prepared for the project.

**PROPERTY SIZE AND LOCATION:** The 71.77-acre property is located within the Palos Vista Specific Plan Area and is addressed as 1901 7/8 Woodland Parkway.

Bill Martin, Deputy Planning Director, referenced the staff report and noted staff issues were whether the design and location of the proposed facility is appropriate for the site and consistent with the Wireless Facility Guidelines, whether the proposal is consistent with the Zoning Code standards for standby generators, and whether the proposal is consistent with Federal Communications Commission (FCC) limits for radiofrequency emissions. Staff recommended approval based on the following: 1) The proposed wireless communications facility would not create any adverse compatibility, visual, noise, or air-quality impacts. The closest residential dwelling in the area is approximately 260 feet to the southeast of the project site, and sits at a lower elevation. The proposed facility would incorporate stealth technology, since it would be designed to resemble a live eucalyptus tree and the antennas would be concealed by branches and camouflaged with “socks”. The facility would be located near several existing wireless communication facilities installed by other carriers, and some of the existing towers have also been designed to look like trees. The applicant has provided visual simulations to demonstrate that the new Verizon facility would coordinate with the existing facilities, and would not create a visual disturbance for the surrounding neighborhoods. The backup diesel generator and other equipment would be housed within a concrete block equipment shelter, which would reduce noise and visual impacts, and generator use would be limited to 52 hours per year to limit impacts to air quality. Though landscaping is not included in the proposal due to lack of irrigation, the applicant has offered to paint the equipment shelter to better match the surrounding hillside. This proposal has been included as a condition of approval; 2) per Section 33-1122 of the City of Escondido Zoning Code, a Conditional Use Permit is required for any electric generating facility with a maximum production capability of five or more



kilowatts (kW) of power. The proposed wireless communications facility includes a 10-kW diesel backup generator, so a CUP is required. Regardless, a CUP would still be necessary for this project, since the Palos Vista Specific Plan requires a CUP for any wireless facility at this site, regardless of generator status. The proposed generator would be located within an enclosed equipment shelter, which would screen it from view and reduce noise. Per San Diego Air Pollution Control District regulations and Section 33-1122 of the City of Escondido Zoning Code, non-emergency generator use (testing and maintenance) is limited to 52 hours per year to minimize impacts to air quality. Section 33-1122 further limits generator maintenance and testing to the hours of 7:00 a.m. to 5:00 p.m. to minimize noise impacts to surrounding properties. The project has been conditioned to limit use of the generator to these hours; 3) The proposed facility would not result in a potential health hazards to people in the area because the Radio Frequency (RF) study prepared for the project indicates that the facility would be within maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) radio frequency emission guidelines.

**ACTION:**

Moved by Commissioner Winton, seconded by Commissioner Hale, to approve staff's recommendation. Motion carried unanimously. (7-0)

**CURRENT BUSINESS:** None.

**ORAL COMMUNATIONS:** None.

**PLANNING COMMISSIONERS:**

Commissioner Hale felt the Commission needed to give direction to staff regarding its position on the need for elevators for three-story projects as well as revising the parking standards. He also stated that he would be voting no on future three-story or more projects without elevators.

Commissioner Romo agreed that three-story residential buildings should not be approved without elevators.

Chairman Weber expressed his concern with three-story projects being slated as condominium projects without proper parking and elevators, feeling they would always remain as apartment complexes. He felt the City needed to re-evaluate its parking regulations, especially along South Centre City Parkway and Centre City

Parkway. He asked staff to provide the Commission with the demographics for Escondido.

Mr. Martin noted that he would forward the Commission's comments to Planning staff and project applicants.

Commissioner Winton noted that he had accepted a job offer and would be moving to San Bernardino, and as such resigning from the Planning Commission. He thanked the commissioners and City staff for their services.

Chairman Weber and Mr. Martin thanked Commissioner Winton for his service on the Planning Commission.

**ADJOURNMENT:**

Chairman Weber adjourned the meeting at 8:57 p.m. The next meeting was scheduled for August 11, 2015, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.



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Bill Martin, Secretary to the Escondido  
Planning Commission



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Ty Paulson, Minutes Clerk