

CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

January 26, 2010

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

Commissioners present: Darol Caster, Chairman; Jack Campbell, Commissioner; Edward Lehman, Commissioner; Guy Winton, Commissioner; and Jeffery Weber, Commissioner.

Commissioners absent: Barry Newman, Vice-chairman, and Bob McQuead, Commissioner.

Staff present: Bill Martin, Principal Planner; Homi Namdari, Assistant City Engineer; Barbara Redlitz, Assistant Planning Director; Rozanne Cherry, Principal Planner; Jay Paul, Associate Planner; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Lehman, seconded by Commissioner Winton, to approve the minutes of the January 12, 2009, meeting. Motion carried unanimously. (5-0)

WRITTEN COMMUNICATIONS – None.

NEIGHBORHOOD MEETINGS – None.

CITY COUNCIL UPDATE – None.

PUBLIC HEARINGS:

- 1. AMENDMENT TO THE SOUTH ESCONDIDO BOULEVARD AREA PLAN AND CONDITIONAL USE PERMIT – 2004-02-AZ; 2004-66-CUP:**
REQUEST: A Conditional Use Permit for an automobile service commercial development consisting of an approximately 5,500 SF automated car wash and oil change facility and a 4,150 SF restaurant. The proposal also includes an amendment to the South Escondido Boulevard Neighborhood Plan to allow the car wash, which currently is not a permitted use on the site.

LOCATION: The site consists of 1.34 acres of land, located on the northwestern corner of the intersection of Centre City Parkway and Brotherton Road, addressed as 400 Brotherton Road (APN: 236-381-03).

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were the appropriateness of amending the South Escondido Boulevard Area Plan to conditionally allow car washes in Area "B," and whether the proposed development is compatible with the adjacent residential neighborhood. Staff recommended approval based on the following: 1) At the time the South Escondido Boulevard Area Plan was developed, it was recognized that auto sales, service and repair should receive additional review considering the goal to create a more pedestrian friendly streetscape on the northern end (Area "A") and the general lack of established auto related businesses in the southern end (Area "B"). All auto related uses are either conditionally permitted or not permitted. An amendment was approved in 1998 to allow carwashes, but was so restrictive as to allow them only where a previous automotive-related business had been legally established. Staff feels the amendment to conditionally allow carwashes in Area "B" is appropriate in this case since the underlying commercial zoning would permit the use; and the Conditional Use permit process would provide the extra level of scrutiny to ensure that potential effects generated by a carwash are minimized to the extent feasible; and 2) The revised project design that relocates the carwash tunnel closest to Centre City Parkway has enhanced the suitability of the project and that the applicant has demonstrated that potential impacts related to noise, odors, light spillover and traffic can be reduced and mitigated to meet city standards and minimize adverse effects on neighboring residents.

Chairman Caster and Mr. Martin discussed the proposed mitigation measures.

Commissioner Campbell asked if the traffic count data taken on December 23 took into account that the schools were all closed and traffic was atypical. Mr. Namdari noted that the study took into account previous counts and what the anticipated counts would be for 2030.

Commissioner Lehman referenced the onsite traffic patterns for the project and questioned whether staff anticipated any stacking problems. Mr. Namdari noted that the project was required to create a deceleration lane on Centre City Parkway as well as provide adequate onsite space so as not to create stacking issues. He also noted that the site would have onsite circulation striping.

Commissioner Lehman referenced the hours of operation and felt there would be issues with vehicles leaving the site onto Centre City Parkway which was already congested in the morning hours.

Commissioner Weber asked if the applicant agreed with the hours of operation in relation to the summer hours being longer. Mr. Martin replied in the affirmative.

Commissioner Winton noted there were impediments that could impact the traffic counts due to the construction in the area.

Chairman Caster asked if a detour was present on the day the traffic counts took place. Mr. Namdari replied in the negative.

Commissioner Winton asked if “No Right Turn” signage could be installed at the driveway exit. Mr. Namdari replied the commission could add that as a condition of approval.

Commissioner Winton asked if “No Right Turn” violations were enforceable. Mr. Namdari replied in the affirmative.

Ed McArdle, representing the applicant, provided a PowerPoint presentation outlining the history for the project and the proposed plan for the property. He noted that they began this process in January of 2004. He stated that they had revised their plans numerous times in order to be compatible with the area and to alleviate the concerns of the surrounding residents and the City. He stated that by moving the primary source of noise to Centre City Parkway, they were able to eliminate the sound wall and be further away from the residences. He indicated that the project would incorporate very dense landscaping between the project and the residential area. Mr. McArdle noted the project would incorporate decorative pavement in order to further enhance the project. He stated that they felt the traffic report and signage would help mitigate any traffic issues. He elaborated that the project’s lighting would be shielded in order to reduce spill over. He indicated that the project proposed a recycled water system as well as utilizing state-of-the-art equipment. He also stated that the signage would not resemble a typical commercial development. In conclusion, he asked that the Commission approve the project.

Commissioner Winton asked if the air flow of the carwash was directed toward Brotherton. Mr. McArdle replied in the affirmative.

Kimber Allison, Escondido, noted the New Traditions HOA, residents, and Escondido Chamber of Citizens were opposed to the project based on the negative impacts it would have on traffic, air quality and orders, nuisance and lighting glare. She stated that the project would result in a reduction of property values and quality of life for the surrounding residents. She indicated that the carwash component was not a permitted use on the site and conflicted with the South Escondido Area Plan and General Plan. Ms. Allison noted that the project had been denied in the past with direction to the applicant to develop an alternative use for the carwash, noting her view that the project had not changed. She stated that the project was inconsistent with the area plan in that it would not encourage pedestrian traffic and be pedestrian friendly. She questioned whether Escondido needed another carwash, noting there were already 15 located within the City. She stated that the traffic counts were inaccurate, noting they were

conducted in June of 2008 when schools were closed and on July 3, 2008. She also noted that the preschools were not mentioned in the report, noting that the addition of over 1500 ADTs would adversely impact the residents and students in the area. She also stated that the traffic report indicated that the speed limit on Centre City Parkway was 55 mph when it was actually 65 mph. Ms. Allison felt the City needed to take into consideration all of the cumulative impacts of all the businesses and schools in the area when considering the subject project.

Lisa Prazeau, President of the Escondido Chamber of Citizens, noted that the surrounding residents would be adversely impacted by odors and noise from the restaurant, vehicles, and carwash. She stated that New Traditions HOA welcomed a new project but not this one. She indicated that the proximity of the project to the adjacent residences rendered the site inappropriate for the use. Ms. Prazeau stated that the project proposed too many exemptions, mitigation measures, and amendments. She requested that the City request a project that would be consistent with the goals and policies of the General Plan and South Escondido Boulevard Area Plan.

Mark Weddleton, Escondido, noted concern with the project creating adverse traffic impacts on Felicita and by the traffic that would be turning right onto Centre City Parkway. He questioned whether the restaurant would be viable as well as questioning where the employees would park. He expressed his view that the traffic study was inaccurate. He also expressed concern with the noise that would be created by the carwash equipment and vehicles. Mr. Weddleton noted concern with the new plan not proposing any mitigation measures for Brotherton. He indicated that the residents in the area had been opposed to the carwash component since first hearing about the project. He also expressed concern with the proposed landscape plan in the rear of the property, noting his view that it would add to the existing problems with migrant camps.

Rex Little, Escondido, expressed his view that the proposed project had not changed from the previous project that was denied. He also noted that the proposed project would not be compatible with surrounding neighborhoods.

Kjerstie Bourne, Escondido, provided pictures of the surrounding neighborhoods. She expressed concern with the project's traffic adding to the already dangerous condition on Brotherton with students and residents.

Sam Sapia, Escondido, concurred with the previous speakers opposed to the subject project. He stated that he and all of his neighbors were opposed to it.

Kevin Weinberg, Escondido, noted he currently had an offer to purchase one of the residences behind the proposed project, noting the offer would be taken off the table if the project was approved. He expressed concern with vehicle stacking issues, noting this currently happened with the carwash on Hale. He

also expressed concern with the noise pollution the project's equipment and vehicles would create.

Andrea Weinberg, Escondido, noted she was in the process of purchasing a residence behind the subject property, noting she would not purchase it if the project was approved. She expressed concern with the project creating light, noise, and traffic impacts.

Gayle Lebedda, Escondido, expressed concern with the project's traffic adding to the already poor shape of the surrounding roads. She also expressed her concern with the project's traffic and potential loitering being difficult to monitor.

Richard Thompson, Escondido, expressed concern with the project adding to the problems of vehicles speeding on Brotherton. He also expressed concern with changing the traffic patterns in the area based on a business and not on the residents.

Commissioner Winton noted that the new site plan mitigated concerns he had in the past with the project. He felt that any project built on the subject property would have impacts on the surrounding neighborhoods. He stated that a Conditional Use Permit required the applicant to be held to higher standards. He did not feel the subject use would create additional loitering. He was in favor of the project, feeling that the proposed landscaping, hardscape, and architecture made the project appropriate for the site. He stated that he would support adding a condition not allowing any electronic announcement systems as well as restricting noise associated with the queuing up of vehicles for the carwash. He also suggested that a condition be added that would require the installation of noise walls if the noise levels exceeded the threshold at the project's property line.

Commissioner Weber did not feel the subject property would remain vacant, noting any project would have impacts on the surrounding area. He stated that the only use on the site that was in question was the carwash, noting all of the other uses were allowed. He felt the project was well designed and addressed many of the concerns raised in the past.

Commissioner Lehman noted concern with the onsite traffic patterns for the project. He objected to using the site for a non-conforming use. He also felt the project had not changed from the previous project that was denied.

Commissioner Campbell asked Mr. Namdari if one of the traffic counts was conducted on July 3rd. Mr. Namdari replied in the affirmative. Commissioner Campbell asked if the level of service projected for 2030 on Centre City Parkway between Felicita and Brotherton was at an LOS 'F'. Mr. Namdari replied in the affirmative.

Commissioner Campbell was opposed to changing the neighborhood plan for the subject project. He was concerned with the proposed project adding significant traffic to Brotherton and impacting students in the area.

Chairman Caster felt the project would be a quality project but felt the carwash use would be too intense for the subject property. He also felt the project was the same as previously proposed.

ACTION:

Moved by Commissioner Campbell, seconded by Commissioner Lehman, to deny staff's recommendation. Motion carried. Ayes: Caster, Campbell, and Lehman. Noes: Winton and Weber. (3-2)

2. CONDITIONAL USE PERMIT – PHG 09-0047:

REQUEST: A Conditional Use Permit to allow six dogs where the Zoning Code allows four dogs, on a 20,000 SF lot in the RE-20 zone.

LOCATION: Approximately 20,000 SF on the eastern side of Lomica Place, south of Dexter Place and Derrick Way, addressed as 2320 Lomica Place.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were the appropriateness of allowing six dogs on the site and whether the property was large enough to accommodate the dogs. Staff recommended approval based on the following: 1) The request to increase the number of dogs permitted on the site is appropriate, since the dogs appear to be well-maintained, there is sufficient yard area to reasonably accommodate the dogs, the yard has perimeter fencing, and an interior area in the home is provided to secure the dogs. In addition, there have been no complaints from neighbors regarding barking or roaming.

Sonia Rydder, Escondido, applicant, stated that she did not originally plan on having six dogs, noting that three were found homeless and needed a home.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner Campbell, to approve staff's recommendation. Motion carried unanimously. (5-0)

3. CONDITIONAL USE PERMIT – PHG 09-0043:

REQUEST: A modification to an existing Conditional Use Permit to add up to six round directional antennas and two rectangular panel antennas to an existing Sprint/Nextel wireless communication facility. The existing Sprint/Nextel facility consists of six panel antennas mounted on the roof of the existing equipment building. The antenna panels are concealed behind solid screen walls. Clearwire proposes to remove or consolidate several of

the existing Sprint/Nextel antennas to accommodate the new antennas. The existing rooftop enclosure is proposed to be enlarged to contain the existing and new antennas for a total of up to twelve antennas. New, associated equipment would be located within the existing equipment building. The equipment building would not be increased in size.

LOCATION: An approximately 8.6-acre city owned property (A-11 reservoir) generally located south of 11th Avenue, west of Bernardo Ave/Interstate 15, addressed as 1495 W. 11th Avenue (APNs 235-201-03 and -05).

Jay Paul, Associate Planner, 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. Staff recommended approval based on the following: 1) The proposed facility would be consistent with the Communication Antennas Ordinance since the facility would co-locate on an existing communications antenna. Existing panel antennas would be removed and the number of new panels are limited and would be installed on an existing antenna array to be in scale with the existing facilities. The proposed equipment cabinets would be placed within an existing enclosure area. The facility (as conditioned) would be consistent with the Wireless Facility Guidelines since it would not result in any adverse visual impacts; is located on a non-residential site in a residential zone; would use an existing facility to mount the panels rather than construction of an additional structure; and would be in conformance with FCC emission standards; and 2) The proposed facility would not result in a potential health hazards to nearby residents since the Radio Frequency (RF) study prepared for the proposed project indicates the facility would be within maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) standards.

Michael Salins, Escondido, expressed concern with the access road for the site being in disrepair and creating issues with erosion onto his property. He asked that the access road be repaired.

Harry Ehrlich, Escondido, noted he was not opposed to the project, but asked that additional screening be installed. He also thanked staff for being so accommodating.

Chairman Caster asked if the City was responsible for the maintaining the access road. Mr. Namdari noted he would check into the condition of the roadway.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner Weber, to approve staff's recommendation. Motion carried. Ayes: Caster, Winton, Weber, and Lehman. Noes: None. Abstained: Campbell. (4-0-1)

CURRENT BUSINESS:

- 1. Zoning Code Amendment – AZ 09-0007: Briefing on proposed changes to the Landscape Ordinance, which incorporate comprehensive water conservation in landscaping regulations mandated by state law.**

Rozanne Cherry, Principal Planner, provided the staff report and requested input.

Commissioner Weber asked if exceptions were provided for wells. Mrs. Cherry replied in the negative.

Commissioner Winton asked if individuals being required to install street trees were compensated since it would require more water. Mrs. Cherry replied in the negative.

Commissioner Winton asked if there were any exemptions for projects to maintain existing fruit bearing orchards. Mrs. Cherry noted that edible landscape areas had a higher ratio of water allowance.

Commissioner Winton felt the subject amendment provided no incentive for individuals to use a well or captured rainwater. Commissioner Weber concurred. Mrs. Cherry noted that the focus of the State legislation was the statewide efficient use of water.

Commissioner Weber noted concern with the expense a typical homeowner would have by hiring someone to create a landscape plan that would be appropriate according to the State. He felt the State needed to have a cost benefit analysis before imposing it on the public.

Harry Ehrlich, Escondido, noted he was the architectural committee chair for his homeowner's association. He asked if the Rincon Water District would be subject to the same ordinance. Mrs. Cherry replied in the affirmative. Mr. Ehrlich stated that they had not received any notifications about the proposed water plan. He felt the implementation of the program would be significant.

No action was taken by the Commission.

- 2. ADM 10-0001: General Plan Conformance Findings for the Escondido Union High School District to construct a new high school, Citracado High School. The project involves the proposed construction of a new career/technology high school to serve 500 to 800 students in grades 9 through 12.**

Location: 2050 Del Dios Highway

Jay Paul, Associate Planner, referenced the staff report and noted staff recommended the Commission find that acquiring and locating a public high school on the subject parcels is in substantial conformance with the City's General Plan and the subject property is an appropriate site for a new school based on the analysis contained in this report.

Chairman Caster asked what ability the City had to enforce the subject recommendation. Mr. Paul noted that the School District could override the commission's decision on a conformance finding by a two-thirds vote. Chairman Caster did not feel the subject site was in conformance with the General Plan policies.

Commissioner Winton felt the General Plan was too specific in this instance.

Ms. Redlitz noted that the standards and siting criteria for schools were being revisited in the General Plan, recognizing the fact that the character of schools was changing.

Commissioner Lehman asked if the School District was aware of the City's General Plan policies. Ms. Redlitz noted that the original policy in the General Plan was developed with the various school districts; however, staff was aware that the characteristics for schools were changing.

Commissioner Lehman suggested approving the project, but recognizing the fact that it was not in compliance with the current policies of the General Plan. Ms. Redlitz noted staff had worked in conjunction with the School District, noting staff was aware that it did not meet the letter of the current policy. She also noted that any recommendation was not binding upon the School District.

Commissioner Campbell felt that schools should be developed with the concept of creating shared uses. He then cited examples of surrounding jurisdictions where the schools had shared uses.

Chairman Caster noted concern with the high schools in Escondido not allowing shared use of their playing fields.

Harry Ehrlich, Escondido, felt the conformance findings should be denied. He also noted that the site would have all of the impacts of a typical high school.

Tom Clark, Escondido, noted he was the coordinator for the facilities at the High School District. He noted that the State paid more money for constructing schools on smaller sites and he concurred with opening dialogue between the City and the School District to create shared use opportunities.

Chairman Caster stated that the project was not in conformance with the adopted General Plan. Commissioner Campbell concurred.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner Lehman, to find the proposed high school was not in conformance with the General Plan and to request the School District to consider the Planning Staff's site recommendations for the property. Ayes: Campbell, Caster, Lehman, and Winton. Noes: Weber. (4-1)

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS – No discussion.

ADJOURNMENT:

Chairman Caster adjourned the meeting at 10:08 p.m. The next meeting was scheduled for February 9, 2010 at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Bill Martin, Secretary to the Escondido
Planning Commissioner

Ty Paulson, Minutes Clerk