

CITY OF ESCONDIDO

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

May 26, 2009

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: Barry Newman, Vice-chairman; Edward Lehman, Commissioner; Bob McQuead, Commissioner; Guy Winton, Commissioner; Jeffery Weber, Commissioner; Darol Caster, Chairman, and Jack Campbell, Commissioner.

Commissioners absent: None.

Staff present: Bill Martin, Principal Planner; Barbara Redlitz, Assistant Planning Director; Owen Tunnel, Associate Engineer; Jennifer McCain, Assistant City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Vice-chairman Newman, seconded by Commissioner Lehman, to approve the minutes of the April 28, 2009 meeting. Motion carried unanimously. (7-0)

WRITTEN COMMUNICATIONS – Received.

NEIGHBORHOOD MEETINGS – None.

CITY COUNCIL UPDATE – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

- 1. CONDITIONAL USE PERMIT – PHG 09-0003:**
REQUEST: Conditional Use Permit for the installation of a proposed outdoor soccer arena for community youth and adult recreational programs during the daytime and evening hours. The soccer arena (approx. 180' x 80') would include artificial turf, arena walls, perimeter fencing/netting and spectator seating. Outdoor lighting would be installed around the arena area along with a lighted scoreboard. The proposed soccer arena would be located towards the eastern boundary of the site

and would replace the existing turf area, adjacent to the outdoor playground equipment. An existing office building (formerly the Acacia Animal Hospital) located towards the southwestern corner of the site is proposed to be demolished and replaced with new parking spaces to serve the YMCA. The office building would continue to be used by the YMCA until construction of the new administration and lobby wing and the final phase of the main building is completed. A new, 15-foot-high, freestanding identification sign also is proposed to be located towards the southwestern corner of the site. Wrought-iron security fencing and electric entry gates are also proposed along the Broadway frontage.

LOCATION: The approximately 7.1-acre Palomar Family YMCA site is located at 1050 North Broadway (APNs 229-050-05, -06, -23, -24, -31, -32 and -35).

Commissioner McQuead recused himself from Item 1.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were the appropriateness of the proposed location of the soccer arena and whether the outdoor events would create adverse noise and lighting impacts to adjacent residents. Staff recommended approval based on the following: 1) The installation of the arena soccer complex and lights to accommodate nighttime events would not result in adverse impacts to adjacent residents due to the previous use of the area for outdoor sports courts and the proposed restriction on the hours of the events. The existing masonry walls would provide appropriate noise attenuation and visual screening of the proposed use, and the incorporation of effective lighting technology would minimize any potential light spillover and glare to adjacent residents. In addition, appropriate parking could be provided for the proposed use.

Commissioner Lehman asked if lighting was being proposed for the parking area north of the soccer arena. Mr. Martin replied there were no additional improvements proposed for that area.

Chairman Caster asked if consideration was given to placing the lighting on timers in order to ensure the lights were turned off by 10:00 pm.

Chairman Caster and staff discussed the ambient noise levels.

Alfredo Velasco, Executive Director Palomar YMCA, referenced the proposed locations for the centers and activities at the site. He noted that the proposed project would help enhance their programs as well as enhance the quality of life for the surrounding residents.

Commissioner Weber noted concern with the hours of operations for the outdoor activities, especially on the weekends.

ACTION:

Moved by Commissioner Campbell, seconded by Commissioner Lehman, to approve staff's recommendation. The motion included requiring that the outdoor lighting be placed on timers and shut off by 10:00 pm. Motion carried. Ayes: Campbell, Lehman, Caster, Newman, Weber, and Winton. Noes: None. Abstained: McQuead. (6-0-1)

2. ZONE CODE AMENDMENT/SPECIFIC PLAN AMENDMENT – AZ 09-0001/PHG 09-0011:

REQUEST: A request for amendments to Article 16-Commercial Zones, Article 64-Design Review of the City's Zoning Code, and the Interim Downtown Specific Plan (SPA 9) to establish development standards regarding the conversion of automobile dealerships to other uses. The amendment would require a plot plan application for the conversion (either in whole or in part) of new and used automobile dealership sites to other uses in order to confirm compliance with the development standards. The development standards would require addressing the site in a comprehensive way regarding such issues as multiple tenants, tenant space entries, display areas, signs, parking and screening, landscaping, street trees, and lighting.

LOCATION: Citywide within the Commercial Zones and the Downtown Specific Plan (SPA 9)

Barbara Redlitz, Assistant Planning Director, referenced the staff report and noted staff issues were whether the proposed plot plan review process would provide the appropriate review for the re-use of existing and vacant automobile dealerships, and the appropriateness of the development standards proposed for the re-use of automobile dealerships in the commercial and SPA 9 Zones. Staff recommended approval based on the following: 1) The proposed Zoning Code Amendment would establish a process for allowing new commercial uses to occupy existing and vacant automobile dealerships. The code amendment to require plot plan review was needed because a change of use may only involve a business license and may not necessitate site improvements triggering design review. The administrative plot plan review process would allow oversight to ensure the business operation was compatible with surrounding land uses and that appropriate improvements were made to the site; 2) Although automobile dealerships were a permitted use within the CG zone, the sites of automobile dealerships were often uniquely designed and developed with standards that differ from the typical commercial site. The proposed development standards were similar to those required of most commercial developments with some flexibility available to take the existing conditions into consideration. Staff had determined that the plot plan process was not needed for automobile dealerships within the Auto Park (PD)

Zone, because the Planned Development process incorporated sufficient review and conditions to address the issues of site development.

Chairman Caster asked whether staff was opposed to the added sentence suggested in the letter dated May 21, 2009 from Avneet Sidhu. Ms. Redlitz noted staff was not opposed to it, but felt it was unnecessary.

Commissioner Campbell and Ms. Redlitz discussed the street tree requirements.

Commissioner Lehman and Ms. Redlitz discussed the review process for used automobile dealers occupying vacant lots with the same use.

Avneet Sidhu, Lounsbury Ferguson Altona & Peek, referenced a letter they had submitted to the City dated May 21, 2009, and asked that it be taken into consideration. She stated that City Council directed staff to establish an administrative review and development standards and to work collaboratively with the affected property owners. She also stated that City Council specified that any amendment should focus on design review and not land use. Ms. Sidhu noted that her firm's position was that the zoning code should remain as it currently stood. She indicated that they wanted to work with the City to meet the goal that the property maintain the standards of the City but felt the proposed amendment would not achieve this. She stated that they still felt the proposed standards were unclear and needed to be made clearer. She noted they were concerned with the plot plan review possibly taking excessive time and money, noting they should be subject to the same conditions as the surrounding property owners.

Vice-chairman Newman asked Ms. Sidhu if she would have the same view if she was the tenant next to a property that proposed changed uses. Ms. Sidhu noted that they agreed that design standards were needed, however, they needed to know what the standards were.

Vice-chairman Newman asked Ms. Sidhu if the use was an equally valued standard. Ms. Sidhu replied in the negative, stating that the code already regulated the uses.

Chairman Caster asked Ms. Sidhu if she had specifics. Ms. Sidhu noted that the subject zoning code currently had standards, noting they were looking for a clarification of the standards and to ensure that said standards were not more onerous than what currently existed.

Commissioner Weber referenced Section 33-340, noting his view that it covered most of the issues. He stated that he supported staff's recommendation.

Commissioner Campbell noted concern with the street tree requirements.

Vice-chairman Newman questioned whether there was a difference between a single use and a multiple use with regard to the tree planting requirement.

ACTION:

Moved by Commissioner Weber, seconded by Vice-chairman Newman, to approve staff's recommendation. Motion carried unanimously. (7-0)

3. CONDITIONAL USE PERMIT – PHG 09-0007:

REQUEST: A request for a Conditional Use Permit to establish a new day care facility for the Escondido Community Child Development Center (ECCDC). The proposed facility would be located on an approximately 33,000 SF, vacant pad in front of the City's East Valley Community Center. The facility would consist of five buildings surrounding a central courtyard with outdoor play areas, and would accommodate a total of 142 children between the ages of 4 months and 6 years of age. The structures would consist of four modular buildings and one conventionally constructed building, containing five classrooms, a kitchen, restrooms, office space, and a reception area, and ranging in size from 1,200 SF to 3,360 SF.

LOCATION: Approximately 33,000 SF located on the southern side of East Valley Parkway, west of Citrus Avenue, addressed as 2245 East Valley Parkway.

Bill Martin, Principal Planner, referenced the staff report and noted that staff's main issue was the suitability of the site for a day care center accommodating 142 children. Staff recommended approval based on the following: 1) The site would be suitable for 142 children, since the number of off-street parking spaces and the size and location of the drop-off area would be adequate to meet the Zoning Code requirements and would be integrated into the site. The facility would be in conformance with the Noise Ordinance with the provision of a seven-foot-high block wall around a portion of the site's boundary. Additionally, there would be adequate outdoor play area to satisfy the California Department of Social Services Community Care Licensing Division requirements for a maximum of 142 children.

Commissioner Winton asked why the State was requiring modular buildings.

Commissioner Weber asked whether the subject request was City or applicant generated.

Mark Baker, Architect for the project, noted the State was requiring modular buildings. He stated that the City was the one who took a proactive approach for the facility. He requested that they be allowed to increase the student population to

144 students, noting the increase would have no impacts. He then referenced the proposed plans for the facility.

Commissioner Campbell and Mr. Baker discussed the formula for teacher per student ratio.

Commissioner Weber noted he would not be supporting the project, noting his view that the use was inappropriate for the location. He also noted concern with the setbacks for the project's wall and students being in close proximity to Valley Parkway.

ACTION:

Moved by Vice-chairman Newman, seconded by Commissioner Winton, to approve staff's recommendation. The motion included increasing the number of students to 144. Motion carried. Ayes: Caster, Lehman, Newman, McQuead, Winton, and Campbell. Noes: Weber. (6-1)

CURRENT BUSINESS – None.

ORAL COMMUNICATIONS – None.

PLANNING COMMISSIONERS – No discussion.

ADJOURNMENT:

Chairman Caster adjourned the meeting at 8:13 p.m. The next meeting was scheduled for June 9, 2009 at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Bill Martin, Secretary to the Escondido
Planning Commission

Ty Paulson, Minutes Clerk