

CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

June 23, 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; Jack Campbell, Commissioner; Edward Lehman, Commissioner; Darol Caster, Chairman; Bob McQuead, Commissioner; Guy Winton, Commissioner, and Jeffery Weber, Commissioner.

Commissioners absent: None.

Staff present: Bill Martin, Principal Planner; Barbara Redlitz, Assistant Planning Director; Owen Tunnell, Associate Engineer; Jay Paul, Associate Planner; Jennifer McCain, Assistant City Attorney; Rozanne Cherry, Principal Planner; Homi Namdari, Assistant City Engineer, Corrine Neuffer, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Vice-chairman Newman, seconded by Commissioner Lehman, to approve the minutes of the May 26, 2009, meeting. Motion carried unanimously. (7-0)

WRITTEN COMMUNICATIONS – Received.

NEIGHBORHOOD MEETINGS – None.

CITY COUNCIL UPDATE – None.

ORAL COMMUNICATIONS – None.

Stephen Wheeler, Escondido, questioned whether the Planning Commission was the appropriate body to request a future agenda item regarding keeping the community apprised about the California medical marijuana program with respect to establishing related uses within the City.

Ms. McCain noted that City staff was currently looking at this issue.

Mr. Wheeler asked Mr. Martin if he could be his contact. Mr. Martin replied in the affirmative and noted that the City Attorney's Office and Community Development Department were looking into this issue.

PUBLIC HEARINGS:

1. MODIFICATION TO A CONDITIONAL USE PERMIT - PHG 09-0010 (Continued from 6/9/09):

REQUEST: A request for a modification to a previously approved Conditional Use Permit (2002-69-CUP) to expand Meadowbrook Village, a 145-unit senior care facility which would be expanded to 147 units. The proposed modifications include moving the dining and kitchen area from the previously-approved clubhouse building to an expanded three-story previously-approved windmill building. Additionally, the applicant proposes to add a gift shop, six bathrooms, two apartments, three offices, a conference area, and a museum-style display area to the 13,418 SF windmill building, which also provides access to the adjacent windmill at the second and third story level. The existing clubhouse building would be modified to increase the size of the swimming pool and exercise area, and to add a retracting roof over the pool.

LOCATION: Approximately 25 acres between North Broadway and Iris Lane, south of Village Road (APNs 224-302-17 & 226-840-13 & 15) addressed as 1980 North Iris Lane.

Rozanne Cherry, Principal Planner, referenced the staff report and noted staff issues were whether the proposed use would be consistent with the existing development, whether the proposed modification would create traffic or parking impacts to the site, and the appropriateness of the architecture. Staff recommended approval based on the following: 1) The site of the existing Meadowbrook Village is zoned R-1-10 with senior care facilities listed as a conditionally permitted use in the City's Zoning Code. The care facility has received appropriate approvals from the City and is under construction. The proposed new building will provide conference rooms, a gift shop, offices, and a display area for residents/employees of the facility. The proposal would also include two new apartments for senior residents. These uses are appropriate for a senior care facility located within the R-1-10 zone; 2) The Engineering Division has determined that the traffic generated by the proposed units will not significantly impact the traffic in the area. Additionally, adequate parking exists on site to more than meet the City's parking requirement; and 3) The proposed modification to construct the windmill building was reviewed and approved by the Design Review Board on April 23, 2009. The proposed building will be placed within the site of a large senior care facility, which will not create a negative view to adjacent properties or streets. The architecture is of high quality and is compatible with the other structures on-site.

Discussion ensued regarding a clarification of the operations of the windmill feature.

Commissioner Weber asked if the elevator would be required to meet the design guidelines for the Fire Department. Ms. Cherry replied in the affirmative.

Commissioner Winton and Ms. Cherry discussed Condition No. 5 on Page 17 of the staff report.

Chairman Caster asked if the access to the observation deck would have occupation limits. Ms. Cherry replied in the affirmative.

Jack Brouwer, Escondido, applicant, noted that the upper deck was for observation and viewing the operations of the mill. He also noted that the second floor was more of an open space area.

Chairman Caster asked if the windmill had a stairway. Mr. Brouwer replied in the affirmative.

Commissioner Winton asked if the staff report included a request for a motor for the second level. Ms. Cherry replied in the negative.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner Campbell, to approve staff's recommendation. Motion carried. Ayes: Campbell, Lehman, McQuead, Caster, Weber, and Winton. Noes: Newman. (6-1)

2. AMENDMENT TO THE ZONING CODE - AZ 08-0008 (Continued from 6/9/09):

REQUEST: Amendment to Article 34 of the Escondido Zoning Code (Communication Antennas) to include provisions regarding the following: Processing requirements for the installation of wireless facilities within the public right-of-way and within residential zones; Development standards for the placement of wireless facilities within the public right-of-way and on residential properties developed with residential uses; Clarification of processing requirements for facilities within Planned Developments and Specific Planning Areas; and Requirements for the installation of necessary infrastructure to support a wireless facility.

LOCATION: Citywide

Jay Paul, Associate Planner, referenced the staff report and noted staff recommended approval of the following amendments to the Communication Antenna provisions of the Zoning Code which include the following:

Right-of-Way

- Require wireless providers to consider the public right-of-way first before proposing a wireless facility on a residentially developed site.
- Continue to require a Conditional Use Permit in residential zones.
- Establish development standards for wireless facilities within the public right-of-way.

Residential Sites

- Continue to require a Conditional Use Permit.
- Establish additional development standards for wireless facilities on residentially developed parcels.

Other Requirements

- Clarify processing requirements in PD and SP zones, which require modification of the Master Plan or Specific Plan if the individual developments do not contain specific language regarding wireless facilities.
- Require applicants to submit details with the original submittal regarding the ability to provide the necessary utilities and access to the site. All new utility services shall be underground.

Commissioner Weber and Mr. Paul discussed the proposed amendment in relation to public and private right-of-ways in residential zones.

Commissioner Weber questioned whether the cellular industry would continue using antenna arrays in the near future or whether other types of technology were on the horizon.

Commissioner Lehman and staff discussed the proposed design for street lights with antenna systems.

Commissioner Winton and staff discussed Page 3, Paragraph 1, of the staff report regarding the feasibility study.

Commissioner Winton questioned whether the applicant would have to analyze right-of-ways the same as residential sites. Mr. Paul replied in the affirmative.

Commissioner Winton asked how the proposed change in standards came about. Mr. Paul noted that the proposed change in standards came about at City Council's direction with the intent of minimizing wireless facilities on residential properties.

Commissioner Weber referenced Item 1 in the staff report and noted most residential properties had less than 10,000 square foot lots, noting his concern

with developing guidelines for equipment that might become obsolete in the near future. He felt more information was needed.

Darrell Daugherty, PlanCom, noted his experience was that providers rarely looked at right-of-way sites. He also noted that locating on residential properties were not favorable as well. He felt the standards should remain the way they currently were. He felt not allowing flexibility in the standards reduced the ability to make the facilities less visually intrusive. He noted that he was in favor of the CUP process. He concurred with encouraging the use of right-of-ways when possible. He also recommended including language that indicated that where appropriate the goal shall be to use vaults.

Commissioner Weber asked if the technology was moving away from multiple antennas. Mr. Daugherty replied in the negative.

Commissioner Campbell noted concern with allowing antennas in the right-of-way in the front yard of a property owner and not allowing it in the rear yard. He felt this could be intrusive on said property owner. He also felt that if antennas were approved for right-of-way areas that setbacks be established so as not to be intrusive upon said property owners.

Commissioner Winton was opposed to staff's recommendation. He was concerned with Alternative 'A' as outlined in the staff report, noting concern with the requirements being imposed on residential lots.

MOTION: Commissioner Winton moved to deny staff's recommendation. Commissioner Campbell seconded the motion and asked to include language in the motion regarding adding comments regarding needing a setback for r.o.w sites, and not establishing a minimum lot size for residential sites.

Chairman Caster questioned whether the proposed standards were appropriate. He was in favor of denying staff's recommendation and retaining the existing standards.

Commissioner Weber was opposed to the proposed standards, feeling they would force carriers into public right-of-ways. He also felt that the vaulting standards for associated equipment needed more discussion.

Commissioner Campbell noted the reason for his motion regarding including comments was to show the Commission had unanimous concerns, noting his view that this item might go before the City Council regardless of the Commission's action.

Vice-chairman Newman was in favor of denying staff's recommendation. He questioned whether the motion to deny with comments expressed the Commission's view to leave the standards the way they were.

Ms. McCain stated that the Commission's motion to deny expressed the view not supporting the proposed changes. Vice-chairman Newman asked that the record reflect that his vote was for the purpose of not supporting the proposed changes.

ACTION: Motion carried unanimously. (7-0)

3. CONDITIONAL USE PERMIT MODIFICATION – PHG 09-0013:

REQUEST: A request for a modification to a previously approved Conditional Use Permit (90-03-CUP) to expand the existing child care facility at the Community Lutheran Church to accommodate an increase in the number of children from 144 to 180. No modifications to the buildings, increase in floor area, or change to the site plan are proposed.

LOCATION: Approximately 8.16 acres located on the southeastern corner of Lake Wohlford Road and East Valley Parkway, addressed as 3575 East Valley Parkway.

Bill Martin, Principal Planner, referenced the staff report and noted staff's main issue was the suitability of the site for the proposed increase in the number of children from 144 to 180. Staff recommended approval based on the following:

- 1) The site would be suitable for a maximum of 180 students, since the number of off-street parking spaces and size of the drop-off area meet the Zoning Code requirements. The increase in the number of children served would not result in any modifications to the building or the site, as adequate buildings and outdoor play area are existing, and the existing structure meets all applicable Fire and Building codes. Also, there would be adequate outdoor play area to satisfy the California Department of Social Services Community Care Licensing Division requirements for a maximum of 180 children.

Commissioner Lehman questioned whether the facility would be able to accommodate the increase in students. Mr. Martin replied in the affirmative, noting the increase would calculate an increase of approximately 3 more students per classroom. He also indicated that the County would ensure compliance.

Discussion ensued regarding a clarification of the maximum allowable students.

Tim Johnson, representative, noted that his understanding was that 180 students allowed for the State's maximum.

ACTION:

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

CURRENT BUSINESS - None.

ORAL COMMUNICATIONS – None.

PLANNING COMMISSIONERS:

Commissioner Weber asked if the Maple Street closure was still being pursued. Ms. Redlitz replied in the affirmative.

Commissioner Campbell provided an update on the Proposition 42.

ADJOURNMENT:

Chairman Caster adjourned the meeting at 8:23 p.m. The next meeting was scheduled for July 14, 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