

CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

August 11, 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; Darol Caster, Chairman; Guy Winton, Commissioner; Jeffery Weber, Commissioner; and Jack Campbell, Commissioner.

Commissioners absent: Bob McQuead, Commissioner.

Staff present: Bill Martin, Principal Planner; Barbara Redlitz, Assistant Planning Director; Owen Tunnell, Associate Engineer; Ed Domingue, Director of Engineering Services; Homi Namdari, Assistant City Engineer; Corrine Neuffer, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Vice-chairman Newman, seconded by Commissioner Weber, to approve the minutes of the June 23, 2009, meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS – Received.

NEIGHBORHOOD MEETINGS – None.

CITY COUNCIL UPDATE – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT– PHG 09-0015:

REQUEST: A request for a Conditional Use Permit to allow group meetings associated with Alcoholics Anonymous within a 775 SF tenant space in an existing commercial center. No modifications to the buildings, increase in floor area, or changes to the site plan are proposed.

LOCATION: Approximately 1.29 acres bound by Orange Street, Escondido Boulevard, Third Avenue, and a public alley, addressed as 330 West Third Avenue.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were the suitability of the commercial site for an organization's group meetings, and whether there is adequate parking for the proposed group meetings. Staff recommended approval based on the following: 1) The site was suitable for social group meetings, since the suite is located within a commercial center and the center is surrounded mostly by other commercial uses. In addition, the center was developed for office and retail uses, and the proposed meeting hours are generally the opposite of the hours of operation of other businesses in the center. There have been no complaints from other tenants in the center and the number of meeting attendees would be limited to no more than 49 at a time; and 2) There was adequate on-site parking available to accommodate the group meetings and all existing uses, according to the most recent tenant update from the property landlord.

Chairman Caster noted concern with allowing the meetings during daytime hours on weekdays because only eight parking spaces had been allotted for the suite.

Commissioner Campbell concurred.

Commissioner Campbell suggested establishing a maximum occupancy of 20 attendees Monday through Friday before 5:00 p.m.

ACTION:

Moved by Vice-chairman Newman, seconded by Commissioner Winton, to approve staff's recommendation. The motion included a condition which established a maximum occupancy of 20 attendees Monday through Friday before 5:00 p.m. Motion carried unanimously. (6-0)

2. VESTING TENTATIVE SUBDIVISION MAP AND MODIFICATION TO PLANNED DEVELOPMENT -SUB 09-0004:

REQUEST: An eight-lot Vesting Tentative Subdivision Map for the Paramount development to increase the number of residential units from 92 to 116 in conjunction with a modification to the Master and Precise Development Plan for the reconstruction of a revised project design for the residential condominium development on 4.46 acres in the Centre City Urban District of the Downtown Specific Plan. The proposed modifications include an increase of 24 residential units, an increase in the number of residential buildings from 16 to 17 (including the existing four-unit building that would remain), and a reduction in unit sizes. Each new building would have four to 13 three-story, town home-style units with each unit having an attached garage. Proposed unit sizes in the new buildings range from 993 units. Access to the development would be provided via a four-way signalized intersection at North Escondido Boulevard/Woodward Avenue

and from a new driveway on Washington Avenue that would be shared with the Venue development that is under construction.

LOCATION: Former Palomar Lanes property, consisting of 4.46 acres located on the western side of North Escondido Boulevard, between Washington Avenue and Valley Parkway, addressed as 511 N. Escondido Boulevard.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were the appropriateness of reducing unit sizes and increasing residential density, whether the project design is satisfactory in light of the Design Review Board recommendation for denial, the appropriateness of reintroducing a substantial number of tandem parking spaces into the development, and whether the applicant's intent to initially establish the project as a rental community affects the level of support. Staff recommended approval based on the following: 1) Last year staff was on record supporting the approved modification to the Paramount plan that reduced the number of units from 122 to 92. While staff would have preferred to retain a higher density, it was recognized that the proposed changes to the project design were beneficial to both the developer and the future homeowners. The current proposal increases the unit count back up from 92 to 116 units by reducing unit sizes and the overall bedroom count. This allows the density to increase from 20.63 dwelling units per acre to 26 dwelling units per acre. The proposed density and three-story design is consistent with the site's designation as a SANDAG Smart Growth Area that calls for low to mid-rise residential development at densities of 20-45 dwelling units per acre; 2) The project design is appropriate even though the Design Review Board voted 5-1 to recommend denial of the project design on July 9, 2009. The denial vote came following the second DRB meeting for the project, where it appeared the board was going to ask the applicant to come back a third time until the applicant indicated a desire to be released from the Design Review Board and forwarded to the Planning Commission. Staff had recommended approval of the redesigned project during the second DRB meeting, feeling the applicant had addressed the issues staff identified during the first DRB meeting; 3) The original version of the Paramount development had tandem garage parking for every unit. The currently approved 92-unit development does not have any tandem parking, with the exception of the existing building that remains on the site. Staff feels the limited reintroduction of tandem parking is appropriate because all new garages are either side-by-side spaces or single car; and the use of open tandem parking as part of required parking is limited to the 36 two-bedroom U1 units in the development. In other cases where open tandem spaces are provided, they are actually the third parking space for the associated unit and can be used as private guest spaces or driveway parking; and 4) The project was being developed as a condominium development. The applicant had stated that units in the project will initially be offered for lease as part of a rental community until condominium prices recover. While the Council had clearly indicated a preference for ownership units, a thriving residential sector downtown will likely need both ownership and rental opportunities as commonly found in other urban

areas. In any case, a final map will be required to ensure the units can be conveyed to potential homebuyers quickly once the condominium market recovers. Mr. Martin then referenced added conditions.

Commissioner Lehman referenced Page 49 with regard to the CC&Rs and questioned how they fit into a rental project. Mr. Martin noted that the CC&Rs would need to be formulated and approved for the condominium project before building permits were issued. He also noted that the management company would be required to ensure the property was maintained during the rental phase.

Commissioner Lehman noted concern with a significant amount of references to the CC&Rs for the project when, in fact, the project was a rental project and the CC&Rs did not apply without an HOA. He then referenced Landscape Condition No. 8 on Page 51 of the staff report and questioned who would be responsible for the maintaining and irrigating the landscape on Centre City Parkway. Mr. Martin noted that the owner of the project would be responsible.

Commissioner Lehman questioned what process was in place when the project went from a rental project to a for sale project with regard to the tenants. Mr. Martin responded that tenant notification and a first right of refusal would be provided as required by the Subdivision Map Act.

Commissioner Campbell and staff discussed the level of services for the surrounding streets as outlined in the staff report as well as the calculations used for determining the daily trips per dwelling unit.

Commissioner Campbell asked whether any of the upper floors had ADA access. Mr. Martin replied in the negative.

Commissioner Winton felt the conditions needed to be clear with regard to when the units would be conveyed.

Commissioner Weber asked if the 8 lot vesting tentative map was due to phasing the project. He then referenced the vesting map and questioned whether staff was aware or concerned with the loopholes on the face page of the vesting map as outlined in Notes 8, 9, and 13. Mr. Martin replied in the negative, noting any changes to the Tentative Map would require a substantial conformance finding.

Commissioner Weber and staff discussed the proposed garage sizes.

Vice-chairman Newman referenced the section for pets in the CC&Rs and noted concern with the language indicating that the list of permitted animals and pets in the development shall be consistent with the R4 zoning standards or as otherwise specified by the CC&Rs.

Chairman Caster asked if the CC&Rs would override the zoning standards. Ms. Redlitz replied in the negative. She also stated that the language regarding the number of pets could be reworded so that the CC&Rs could be more restrictive than the zoning standards.

Peter Zak, Vice President for Lyon Realty Advisors, Newport Beach, provided a PowerPoint presentation outlining the William Lyon Company as well as the proposed changes to the project. He stated that their intent was to enhance the current project approvals, improve the marketability of the units, and to enhance the architecture. He stated that their intent was to create a for sale project, noting they were recording a condominium map with CC&Rs being established for the future HOA. He indicated that they had completed similar projects in the past. Mr. Zak noted that the Subdivision Map Act required that the leases state that the units could be made for sale and that the tenant had the first right of refusal. He stated that they had met the requirements for accessibility of the site. He indicated that the reason for phasing the project was for financing purposes. He also elaborated that they had no problem with the CC&Rs being more restrictive than the zoning standards as well as concurring with staff's added conditions.

Chairman Lehman asked if consideration was given to registering the project as a condominium project and immediately offering units for sale to interested buyers. Mr. Zak noted that if there was a market to sell the units, they would sell them. He also stated that from a management standpoint it was easier to begin selling the units when the market was right, instead of having a few condo owners in a predominantly rental community.

Commissioner Winton asked Mr. Zak what the target price would be for the units and when the units might become available to purchase. Mr. Zak noted their plan was to complete construction on the project in 2011. He also stated that he did not have the prices being proposed for the units.

Vice-chairman Newman asked what the present plan was for water meters. Mr. Zak noted they planned on installing one meter per building with each unit being submetered.

Susan Dusharme, Escondido, Downtown Business Association, noted she was speaking on behalf of the Design Advisory Committee. She then provided an overview of the Design Advisory Committee and stated that they supported the project. She felt that the project would encourage residents to use Grape Day Park and businesses in the area.

Commissioner Campbell supported the proposed modifications to the design and was in favor of the project.

Chairman Caster felt the project was a quality project.

Commissioner Weber noted concern with the proposed guest parking not being adequate to handle the project.

Commissioner Winton was in favor of the project noting the design was consistent with his vision for a downtown residential development.

Commissioner Lehman was concerned with the project potentially remaining a rental project.

Vice-chairman Newman was in favor of the project, but also felt the guest parking was inadequate for the project.

ACTION:

Moved by Vice-chairman Newman, seconded by Commissioner Winton, to approve staff's recommendation. The motion included changing Planning Condition No. 24 to add "if more restricted" after the word "or", and including the two new additional conditions recommended by staff (Planning Condition No. 38 and Engineering Division Street Improvements Condition No. 5). Motion carried. Ayes: Winton, Campbell, Newman, and Caster. Noes: Lehman and Weber. (4-2)

ORAL COMMUNICATIONS – None.

PLANNING COMMISSIONERS – No discussion.

ADJOURNMENT:

Chairman Caster adjourned the meeting at 8:18 p.m. The next meeting was scheduled for August 25, 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