

CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

October 11, 2011

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: Jack Campbell, Vice-chairman; Guy Winton, Commissioner; Darol Caster, Chairman; Jeffery Weber, Commissioner; Bob McQuead, Commissioner; and Don Yerkes, Commissioner.

Commissioners absent: Edward Lehman, Commissioner.

Staff present: Bill Martin, Principal Planner; Jay Paul, Associate Planner; Owen Tunnell, Associate Engineer; Corrine Neuffer, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Winton, seconded by Commissioner Yerkes, to approve the minutes of the September 27, 2011, meeting. Motion carried. Ayes: Campbell, Winton, Yerkes, and McQuead. Noes: None. Abstained: Caster and Weber (4-0-2)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. MODIFICATION TO A MASTER AND PRECISE DEVELOPMENT PLAN – PHG 11-0007:

REQUEST: A modification to a Master and Precise Development Plan for an ARCO AM/PM to construct an automated self-service carwash facility on the site. The site currently is developed with a gasoline station and convenience store. The project also includes the installation of an approximately 500-gallon above-ground propane tank for propane sales. The tank would be located along the eastern property boundary adjacent to the self-storage facility.

LOCATION: On the northeastern corner of El Norte Parkway and Iris Lane, addressed as 450 W. El Norte Parkway.

Jay Paul, Associate Planner, referenced the staff report and noted staff issues were the appropriateness of an automated carwash facility on the site and whether the facility would be compatible with adjacent uses and create any adverse noise, traffic or visual impacts. Staff recommended approval based on the following: 1) Staff felt that a self-service carwash facility would be appropriate on the site since it is currently developed with a gasoline station/convenience store. Similar automated self-service carwashes typically are incorporated into gasoline stations throughout the City. Appropriate landscape buffers and setbacks from adjacent uses also would be provided in accordance with the General Plan Planned Commercial criteria for the site. The applicant had demonstrated that potential impacts related to land-use compatibility, visual, noise and traffic/on-site circulation had been reduced to meet city standards and minimize adverse effects on neighboring residents.

Commissioner McQuead referenced Condition No. 2 on Page 19 of the staff report and requested input. Mr. Paul noted that the carwash location was specifically limited to the area identified for the carwash.

Commissioner Winton and Mr. Paul discussed how the decibel average was determined.

Commissioner Yerkes asked staff if they felt the proposed safety measures were appropriate for the propane tank area. Mr. Paul replied in the affirmative, and then provided a detailed outline of the safety measures for the propane tank area.

Chairman Caster and staff discussed Page 15, Paragraph 4 of the staff report.

Bob Fadoa, Engineer of record for the project, noted that he was available for questions.

Mike Namoy, Escondido, thanked staff for a job well done and noted he was available for questions.

ACTION:

Moved by Commissioner Campbell, seconded by Commissioner McQuead, to approve staff's recommendation. Motion carried unanimously. (6-0)

2. MODIFICATION TO A CONDITIONAL USE PERMIT AND AN ADMINISTRATIVE ADJUSTMENT – PHG 10-0023; ADM 11-0140:

REQUEST: A modification to the previously approved Conditional Use Permit for St. Mary's Church for the following:

1. Construct a new, approximately 18,400 SF, two-story parish center building, which includes an attached, 4,159 SF covered and partially enclosed basketball court, and courtyard areas with trellis features, and two 20' x 20' detached shade structures for lunch shelters.
2. Reconfigure the existing parking areas, interior circulation patterns and fencing/gates to secure the school buildings and play areas.
3. Addition of approximately 3,076 SF of seating area to the existing 16,951 SF sanctuary building, and relocation of an existing freestanding trellis feature. This is proposed to be developed as part of a second phase.
4. Allow the existing portable buildings located towards the eastern portion of the site to continue to be used for preschool and afterschool programs for up to 45 children.

The proposal also includes a request for an Administrative Adjustment to reduce the side-yard setback for two existing architectural features (bay window elements on the main church sanctuary building) facing 13th Avenue to encroach up to 2.5 feet into the 10-foot street-side setback.

LOCATION: Approximately 8.9 acres generally located on the northeastern corner of Broadway and 13th Avenue, addressed as 1160 S. Broadway and 130 E. 13th Avenue (APNs 233-591-09, -21, -24, -44, -45 and -46).

Jay Paul, Associate Planner, referenced the staff report and noted staff issues were whether the site was suitable to accommodate the new Parish Hall building and recreation area, and compatibility with adjacent residential properties, whether sufficient on-site parking can be provided for the proposed new Parish Hall, Sanctuary expansion and existing uses on the site, the appropriateness of the continued operation of a preschool for up to 45 children on the site, and issuance of permits for the existing undocumented buildings, and the appropriateness of the requested Administrative Adjustment for the existing two front bay windows on the Sanctuary building. Staff recommended approval based on the following: 1) Staff felt the existing 8.9-acre site was appropriate to support the new two-story Parish Hall building since appropriate setbacks would be provided from adjacent residences to the north. On-site circulation would be enhanced and adequate parking would be provided to accommodate all of existing and proposed uses of the site. The height, mass and scale of the proposed buildings, would not conflict with the existing school/church setting, and would not obstruct any existing scenic

views. The building had been designed and oriented to minimize any potential noise or compatibility issues with adjacent residences. Appropriate perimeter landscaping also would be provided; 2) The plan calls for more than a sufficient amount of parking spaces to accommodate all of the uses on the site. A joint-use of parking was appropriate since the hours of operation for the school and peak church hours do not conflict, and the number of spaces exceed code requirements for the most intensive use. Conditions of approval regulating concurrent activities would ensure that adequate on-site parking is available. Overflow parking also is provided along the 13th Avenue and Broadway frontages. Several vacant lots immediately across the street from the church/school are available for overflow parking for larger events; 3) Staff felt the site and existing facilities can accommodate the requested 45 preschool children since the preschool has been operating on the site for several years without incident and has not created any known issues with adjacent residents. Appropriate on-site parking is provided adjacent to the existing buildings to serve the use. More than sufficient outdoor area would be provided to satisfy the California Department of Social Services Community Care Licensing Division requirement of 75 SF per child. The existing modular buildings maintain appropriate setbacks from adjacent residents on the north and east. Appropriate building permits would be obtained for the existing buildings and 4) The Director of Community Development had recommended approval of the proposed Administrative Adjustment since it was an existing approved building addition to the sanctuary building; the windows are an integral part of the entry design; and the encroachment into the street-side setback would not result in any adverse impacts to adjacent properties. The windows also do not conflict with existing or proposed utilities, infrastructure or any future roadway improvements.

Commissioner McQuead questioned whether the four-way stop sign was warranted. Mr. Tunnell noted that the project did not warrant a traffic analysis. He also stated that traffic requests were forwarded to the traffic engineer who then presented them to the transportation commission.

Commissioner Weber asked if the future plans for the property across 13th Avenue from the church were discussed. Mr. Paul noted that discussions had ensued regarding turning the subject property into a parking lot.

Commissioner Winton and Mr. Tunnell discussed the warrants for four-way stop controls.

Commissioner Winton asked if stop signs were installed to slow traffic. Mr. Tunnell replied in the negative.

Commissioner Campbell and staff discussed staff's interpretation of a primary structure.

Commissioner Campbell felt the parking standards for churches needed to be tightened up.

Commissioner Winton asked if discussions had ensued regarding the proposed lifetime and potential uses for the preschool portable buildings. Mr. Paul replied in the negative.

Mary Flores, Escondido, supported the project. She noted her main concern had to do with increased traffic and church patrons blocking driveways. She also expressed concern with the property across from the church becoming a parking lot for the church and creating safety issues for patrons crossing the street.

Jose Flores, Escondido, concurred with his wife's comments and noted concern with increased traffic.

Kevin Kennedy, Escondido, stated that the church was an asset to the community, noting it was well kept. He recommended the Commission approve the subject request.

Commissioner McQuead asked if the on-street parking was counted towards the church's parking requirements. Mr. Paul replied in the negative.

Commissioner McQuead noted that he preferred the appearance of natural brick as opposed to painted brick.

Commissioner Weber noted that he could not support the subject request. He felt the proposed parking and traffic impacts needed to be further mitigated. He also expressed concern with the use being a nonconforming use in a residential neighborhood.

Commissioner Winton noted he favored the brick for the facility. He felt the church needed to have pedestrian crossing guards during services. He supported the proposed 25% reduction in setback along the frontage. He also felt the church provided a benefit to the neighborhood.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner McQuead, to approve staff's recommendation. Motion carried. Ayes: Campbell, McQuead, Yerkes, and Winton. Noes: Weber. Abstained: Caster. (4-1-1)

CURRENT BUSINESS:

1. Discussion of Calvin Christian High School's response to the Notice of Violation alleging non-compliance with the CUP conditions (PHG 08-0018) established for football field lighting.

Bill Martin, Principal Planner, referenced the staff report and noted that staff was presenting the following options for the Commission to consider: 1) Review the school's program to bring the facility into compliance with the conditions of approval and take no further action; 2) direct staff to schedule a public hearing for a future date to potentially modify the conditions of approval or revoke the CUP; and 3) direct staff to keep monitoring the school's efforts to resolve the Notice of Violation and report back to the Planning Commission at a future date.

Terry Kok, Superintendent of Calvin Christian, noted that they had communicated to the surrounding residents when the lights would be turned on and when games were occurring. He stated that the landscaping concerns had been taken care of along with the sound system being adjusted before the last football game. He indicated that all but two of the neighbors were in favor of the games. He noted that they had installed a screen next to Ms. Simpson's property at a cost of approximately \$1,000 and were improving it further. Mr. Kok noted that lighting shields had been ordered and were being installed, noting that the lights were only being used for six football games this season. He also stated that the lights were typically turned off between 8:00 pm and 9:15 pm after soccer games.

Chairman Caster asked if the subject lights had shields in the past. Mr. Kok replied in the affirmative, noting they did a test installation and felt they were not effective.

Commissioner McQuead asked Mr. Kok to explain how the screen functioned next to Ms. Simpson's property. Mr. Kok noted that the screen was on a pulley system which was only up during the evening games.

Commissioner Weber asked if the field lights were on a timer. Mr. Kok noted that the lights impacting neighbors were turned off first and were on an automatic shut off.

Commissioner Yerkes asked if the complaints were about the lights next to the homes or lights across the field. Mr. Kok responded that the complaint was about the lights across the field.

Commissioner Campbell asked how many games were left this year. Mr. Kok noted that there were three football games left.

Commissioner Winton asked how many attendees were at a game. Mr. Kok noted that the maximum number would be about 400.

Commissioner Winton asked Mr. Kok if they had considered a low power radio system versus the PA system. Mr. Kok noted that they had minimized the sound by eliminating speakers on the visitors' side of the field and only having home crowd speakers which were directed to the west away from the adjacent neighborhood.

Patti Simpson, Escondido, noted her house was directly impacted by the subject lighting. She stated that they were not opposed to the games. She expressed concern with this issue taking over two years to be addressed, noting she had numerous emails and correspondences. She stated that she could not hear her television in the house which was just now being addressed. She expressed concern with any mitigation measures not being monitored. She indicated that she preferred modified light fixtures as opposed to the unsightly screen. She also noted that the other two neighbors who originally opposed the use and now were in favor of it were not impacted by the lighting.

Janet Vanderwoude, Escondido, expressed concern with it taking two years to address the concerns being raised about the lighting and noise issues. She stated that her entire front yard was completely lit up by the subject lights. She noted that she could not enjoy her residence during evening games. She expressed her concern that Terry Kok had done nothing to help with the subject issues until he was cited.

Commissioner Campbell felt the project needed to adhere to the original conditions and suggested staff report back if said violations were not remedied.

Chairman Caster noted concern with the conditions stating that the lighting was to have shields which it did not have. He then asked whether there was a set amount of time to mitigate violations. Mr. Martin noted that typically violations were handled on a case-by-case basis.

Commissioner Weber felt the lighting should be modified if it could not be rectified during the off season.

Commissioner Winton noted concern with the amount of time taken to mitigate the issues. He stated that he supported staff monitoring this for 30 days and if not resolved then direct staff to schedule a public hearing to consider revoking the CUP.

Chairman Caster was in favor of directing staff to keep monitoring the school's efforts to resolve the Notice of Violation and report back to the Commission in six weeks. Commissioner McQuead concurred.

Commissioner Yerkes felt shields were available to mitigate the proposed issues, noting he would be in favor of allowing 30 days to rectify the subject issues.

ACTION:

Moved by Commissioner Weber, seconded by Commissioner Campbell, to direct staff to come back on November 8, 2011 to report on the resolution of the Notice of Violation and then decide whether to set a hearing date for December 13, 2011. Motion carried unanimously. (6-0)

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS:

Chairman Caster asked staff to look into the parking requirements for churches with fixed seating noting he felt the current standard did not provide enough parking.

ADJOURNMENT:

Chairman Caster adjourned the meeting at 8:40 p.m. The next meeting was scheduled for October 25, 2011, 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