

PLANNING COMMISSION

Agenda Item No.: G.1
Date: August 14, 2012

CASE NUMBER: PHG 12-0011

APPLICANT: Kisco Senior Living (Cypress Court)

LOCATION: The proposed parking spaces would be located on an approximately 17,500 SF portion of the site addressed as 1231 N. Broadway (APN 229-030-09). The Cypress Court facility is comprised of four separate parcels (APNs 229-030-07, -08, -09 and -48) and the main facility is addressed as 1255 N. Broadway.

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A Modification to a previously approved Conditional Use Permit (City File No. 86-150-CUP/PUA and 2007-26-CUP) to expand the parking lot for the Cypress Court Residential-Care Facility. The proposal consists of installing up to 27 paved parking spaces on an undeveloped portion of the site adjacent to the existing parking spaces located towards the southern side of the building. The existing paved parking spaces would be modified to provide appropriate vehicle access to the new parking spaces. Additional landscape planter areas would be incorporated into the design.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: Urban II

ZONING: R-2-12 (Multi-Family Residential, up to 12 du/ac)

BACKGROUND/SUMMARY OF ISSUES:

The project applicant (Kisco Senior Living) has submitted a Conditional Use Permit to expand their parking lot onto an adjacent undeveloped parcel of land. The existing "Cypress Court" care facility was approved in 1986 and provides independent living and assisted care for up to 178 residents. The interior and exterior of the facility has been remodeled over that past several years, which included upgrades to the interior spaces, exterior building facade, parking areas, walkways and landscaping. Although the facility provides more paved parking spaces than the minimum number required by the Zoning Code parking requirements, the number of independent living units/residents and current staffing levels has created a need for additional parking. Therefore, the facility has been using an adjacent undeveloped area of the site to provide an additional area for employee parking to free up existing paved spaces for residents that drive, visitors and also employees. When the new paved parking spaces are installed, parking on the undeveloped portion of the site would cease and the area would be secured with fencing.

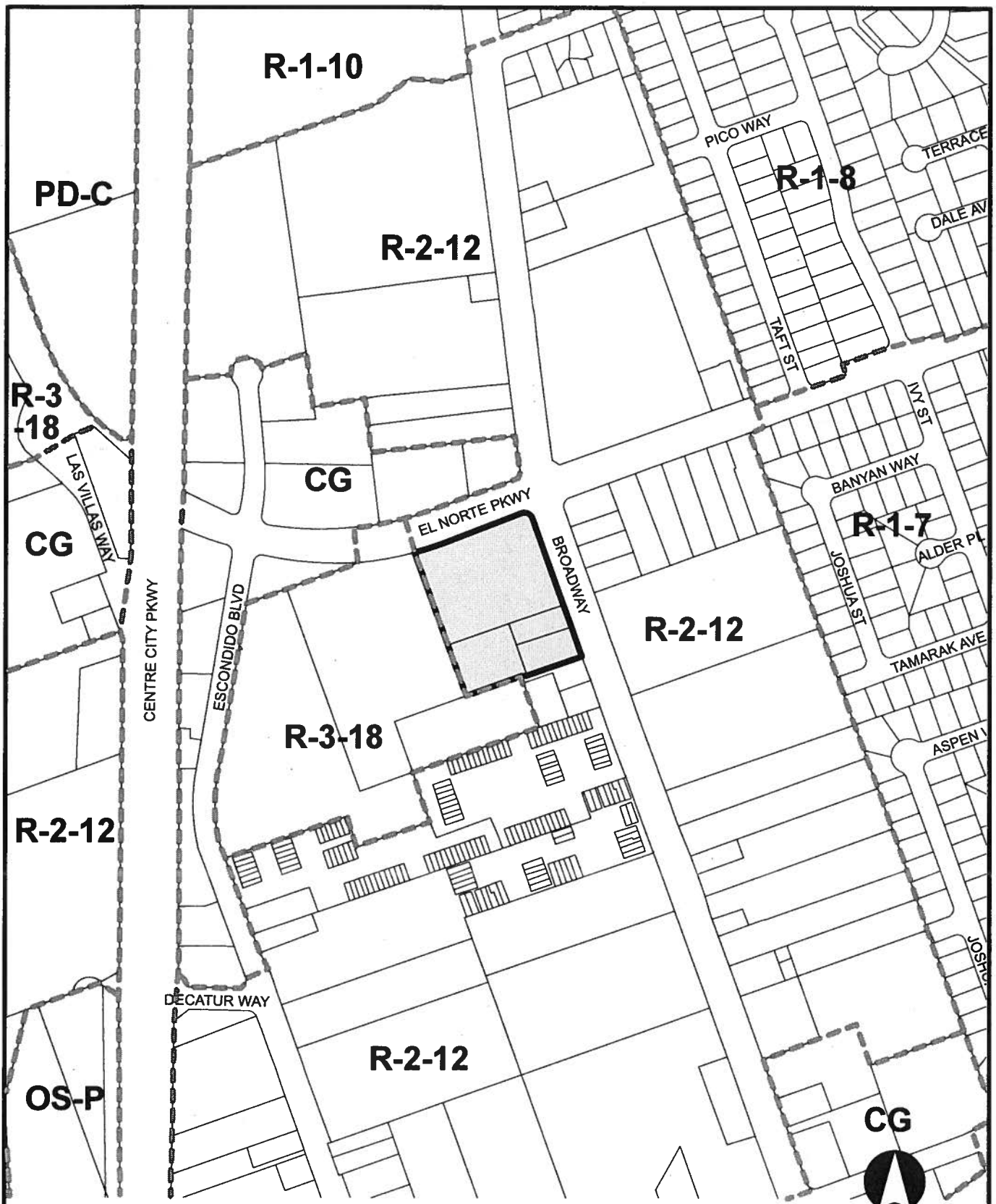
Staff has not identified any issues with the proposed project.

REASON FOR STAFF RECOMMENDATION:

Staff feels the expansion of the parking is appropriate because adequate setbacks, access, interior circulation, perimeter landscaping and fencing would be provided. The proposed parking lot expansion would be located within an area previously approved for parking and would be adjacent to existing parking spaces and drive aisle provided for an adjacent residential condominium development on the south.

Respectfully Submitted,


Jay Paul
Associate Planner

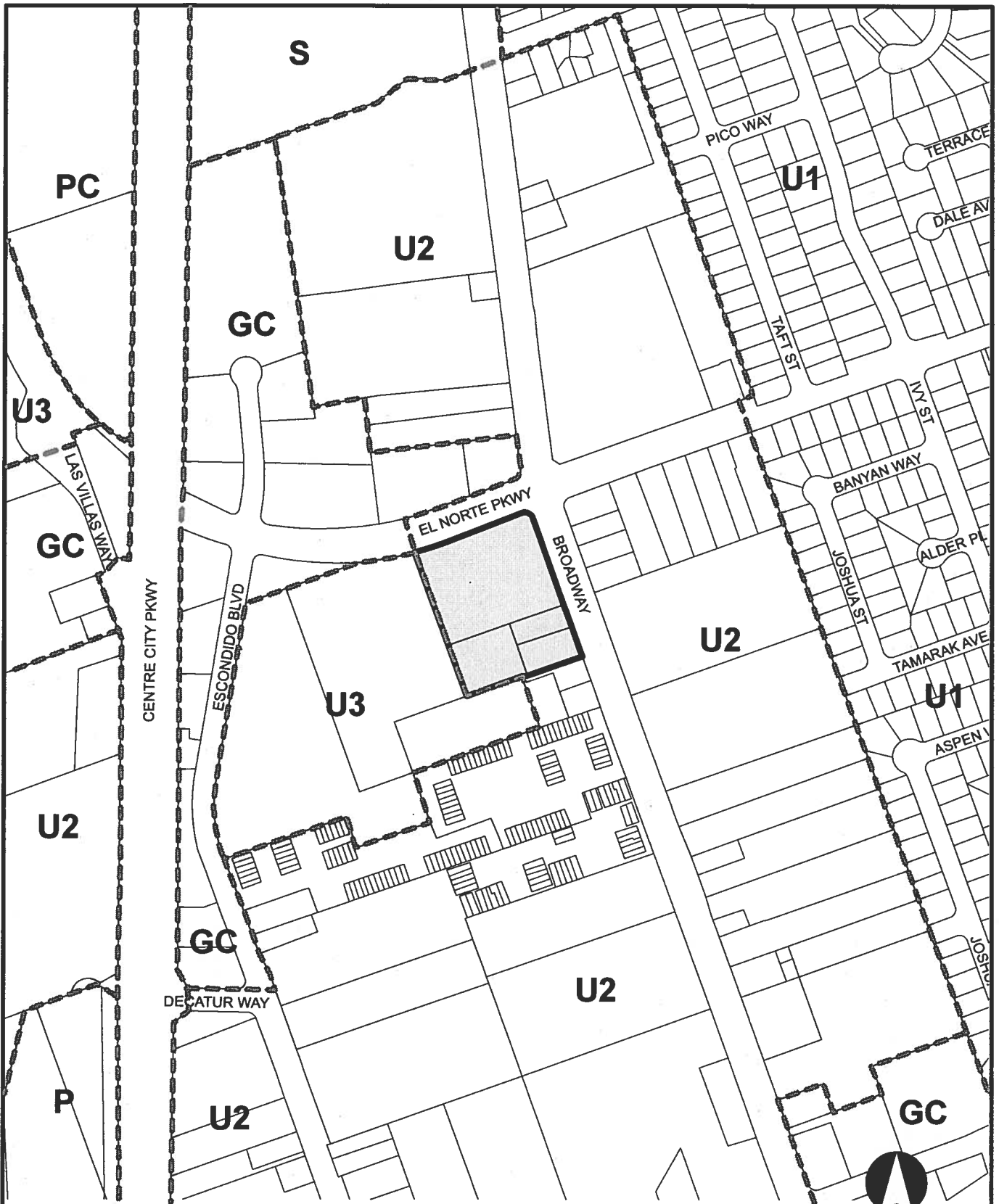


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**PROPOSED PROJECT
PHG 12-0011**



LOCATION/ZONING



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**PROPOSED PROJECT
PHG 12-0011**



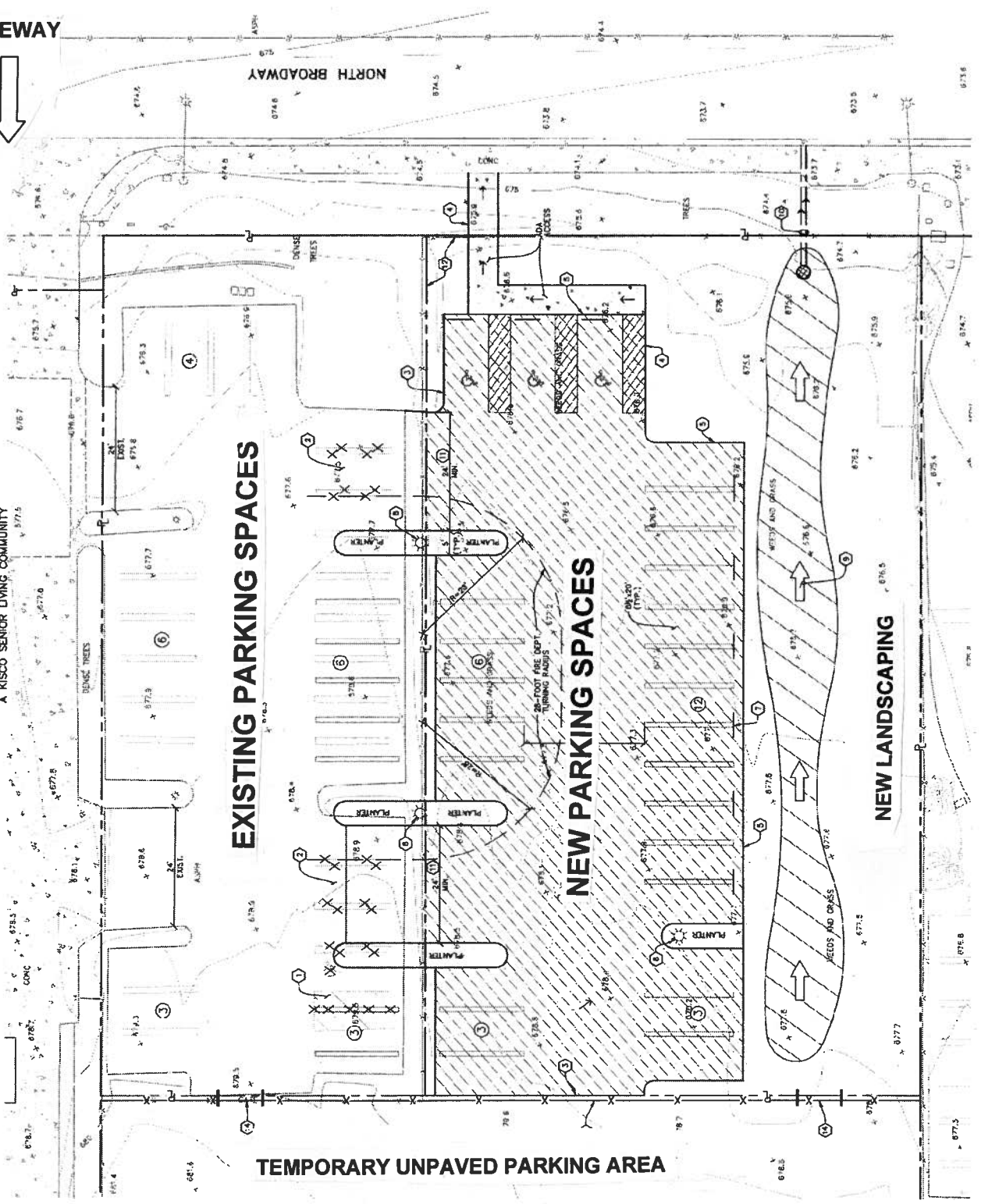
DRIVEWAY



NORTH BROADWAY

PRELIMINARY PARKING LOT PLAN

FOR: CYPRESS COURT
A KISCO SENIOR LIVING COMMUNITY



EXISTING PARKING SPACES

NEW PARKING SPACES

NEW LANDSCAPING

TEMPORARY UNPAVED PARKING AREA

**PROPOSED PROJECT
PHG 12-0011**



SITE PLAN

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

- NORTH – R-2-12 zoning (Multi-Family Residential, up to 12 du/ac) / The four-story "Cypress Court" residential care facility is located immediately north of the proposed new and modified parking spaces. Commercial zoning and a variety of commercial uses are located further north of the care facility across El Norte Parkway, which is classified as a Major Road (102' R-O-W).
- SOUTH – R-2-12 and R-3-18 zoning (Multi-Family Residential, up to 12 and 18 du/ac) / One- and two-story apartment and condominium buildings are located south of the project site. A combination retaining wall (approx. 2' to 5' tall) with wooden fencing on top is located along the shared southern boundary. A drive aisle and parking spaces associated with the adjacent developments are located adjacent to the southern boundary of the project site at a lower elevation
- EAST - R-2-12 zoning (Multi-Family Residential, up to 12 du/ac) / A variety of single- and multi-family residential development (one- and two-story) is located east of the project site across North Broadway, which is classified as a Major Road (102' R-O-W).
- WEST - R-3-18 (Multi-Family Residential, up to 18 du/ac) / A three-story, multi-family residential development is located west of the project site at a higher elevation. An approx. 2' to 8' high retaining wall with a wooden fence is located along the shared western boundary.

B. ENVIRONMENTAL STATUS

The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15311(b), "Accessory Structures – Small Parking Lots."

C. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department expressed no concern regarding their ability to serve the site.
2. Effect on Fire Service -- The Fire Department indicated the project would not impact existing or future fire service or access to the site.
3. Traffic -- The project site fronts onto and takes access from North Broadway, which is classified as a Major Road (102' R-O-W) on the City's Circulation Element. The Engineering Division indicated the proposed parking lot expansion would not impact the existing Levels of Service on the adjacent streets or intersections, and would not impact on-site circulation.
4. Utilities -- City sewer and water mains with sufficient capacity to serve the project are available in the adjoining streets or easement. The Engineering Department concluded the project would not materially degrade the level-of-service of the public sewer and water system.
5. Drainage -- The project site generally slopes and drains from west to east to N. Broadway. The project also has been designed to meet current storm water quality requirements, which would direct runoff into landscape areas. The Engineering Department has determined the project would not materially degrade the levels of service of the existing drainage facilities.

D. CONFORMANCE WITH CITY POLICY

General Plan

The location and design of the proposed facility is consistent with the goals and policies of the Escondido General Plan since the existing facility provides a range of independent and assisted living opportunities for the elderly and disabled. The General Plan supports the development of congregate-care type facilities through the Conditional Use Permit (CUP) process, and the development of older, adult-care facilities within residential land use designations. The proposed

residential care facility is consistent with the zoning and land-use designation which permits care facilities upon approval of a Conditional Use Permit.

E. PROJECT ANALYSIS

Parking

The existing facility currently provides 80 parking spaces, which includes 34 spaces within the ground-level parking garage. The Zoning Code requires a minimum of one parking space for every three beds/residents, which would require 59 spaces for the facility. Cypress Court offers a variety of independent and assisted living services, and approximately 40 residents own vehicles. Although the facility provides more parking spaces than required by code, employees have been using an undeveloped/unpaved portion of the site for parking in order to provide space for the additional demand created by residents with cars, as well as visitors and an increase in staffing levels during peak operating hours. Permanent parking areas are required to be paved and meet specific design and improvement standards. Therefore, the applicant has submitted a request to expand the existing southern parking lot to provide additional paved spaces in accordance with Zoning Code design requirements. The existing southern parking contains 27 paved spaces and six of these spaces would be removed to provide appropriate access and drive aisles for the new parking spaces. The proposed new parking area would provide 27 spaces for a net gain of 21 additional parking spaces for the facility (27 new spaces – 6 removed spaces = 21 spaces). A total of 101 spaces would be provided for the facility with the installation of the expanded parking lot. The southern area of the parking area would be landscaped and include new storm water quality improvements. The remaining undeveloped portion of the site (southwestern area) would be secured with chain-link fencing and slats for screening.

Staff feels the expansion of the parking is appropriate since adequate setbacks, access, interior circulation, perimeter landscaping and fencing would be provided. The expanded parking area would not create any adverse impacts to adjacent uses because the new spaces would be located within an area previously approved for parking (but not installed per previously approved/expired CUP) and would be adjacent to existing parking spaces and drive aisle provided for an adjacent residential development on the south. An existing wooden perimeter fence separates the two properties and the new spaces would be setback approximately 35 feet from the southern property boundary. New parking lot lights would be installed in conformance with the City's lighting provisions to minimize any lighting and glare issues to adjacent residents.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The approximately 3.95-acre project site is comprised of four parcels (APNs 229-030-48, 07, 08, and -09) and the larger corner parcel (2.53 acres) is developed with a four-story care facility and paved parking spaces. The remaining 1.42 acres is undeveloped and contains limited vegetation consisting primarily of a variety weeds and some mature trees. There is no sensitive habitat or species known to be located on the site. The proposed area that would support the new parking spaces fronts onto and takes access from North Broadway.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 3.95 acres (4 parcels)
2. Proposed Parking Lot Expansion Area: Approx. 175' x 100' (17,500 SF)
3. Existing Parking: 80 total spaces (plus one striped area for the Cypress Court van)
75 standard
3 disabled
2 van accessible disabled spaces

existing parking includes 27 open spaces within the southern paved lot,
19 open spaces along the frontage of the building (plus one striped van space)
34 covered spaces within the parking garage
4. Proposed Parking 101 total spaces
95 standard
6 disabled
1 van accessible
5. Existing Number of Rooms/Beds: 145 rooms/178 beds
6. Number of Employees: 75 employees with up to 40 during peak demand. The facility originally anticipated a max. of up to 12 employees during peak demand in 1986.

C. CODE COMPLIANCE ANALYSIS

- | | <u>Proposed</u> | <u>R-2-12 Zone</u> |
|---------------------|----------------------------|----------------------------|
| 1. Setbacks: | | |
| Front (N. Broadway) | 15' to parking | 15' to parking or building |
| Side (South) | Approx. 35 feet to parking | 5' |
| 2. Parking: | 101 total spaces | 59 required (1 per 3 beds) |

D. RELATED CASES:

2007-26-CUP

A Conditional Use Permit to construct a detached, two-story, approximately 27,758 SF addition to the existing "Cypress Court" residential care facility on an adjacent vacant parcel. The new facility is designed to accommodate up to 40 rooms/beds. The project also consists of interior modifications to the existing four-story care facility, improvements to the front elevation facing N. Broadway, and a new paint scheme. The improvements to the existing facility were completed, but the expansion portion of the project never was built and that portion of the CUP has expired.

98-21-CUP

A Conditional Use Permit for a proposed detached, 27,860 SF split-level, 44-bed addition to the existing "Cypress Court" residential-care facility. The project was approved for 6 single rooms and 10 double rooms, and 28 additional parking spaces. A Negative Declaration (City File No. ER 28-26) was adopted for the project. This project never was constructed and the permit expired.

86-150-CUP/PUA

A Modification to the previous Conditional Use Permit and Planned Unit Approval to modify the architectural design, decrease the number of units from 154 to 145, but increase the number of beds from 160 to 178, and modify the unit mix. The average building height also was reduced from 45 feet to approximately 32 feet. 70 parking spaces were proposed with the modified design. Additional parking above code minimum of 59 proposed to serve residents with cars, visitors and anticipated staff during peak operating hours.

86-22-CUP/PUA

Conditional Use Permit for a 149,000 SF, 154-unit/160 beds, three- and four-story, "convalescent./congregate care facility and a Planned Unit Approval. The CUP was required to allow a congregate care facility within the R-2-15 zone, and the PUA was approved to allow a building height of 45 feet and three stories within the R-2 zone, which restricted building to a maximum height of 35 feet and two stories at the time. A Negative Declaration (City File No. ER 85-75) was adopted for the project.

84-136-CUP/PUA

Conditional Use Permit and Planned Unit Approval for a 126-unit Senior Housing project. A PUA was approved to allow the facility to exceed the height limits of the R-2 zone. A Negative Declaration (City File No. ER 84-47) was adopted for the project.

EXHIBIT "A"

FINDINGS OF FACT PHG 12-0011

1. The General Plan encourages compatible in-fill development and discourages the intrusion of uses which do not reflect the character of the existing neighborhood. The existing care facility is compatible with the character of the existing neighborhood since it is adjacent to a variety of multi-family and commercial uses, and similar parking facilities. Access would be provided from a major road, which would not disrupt the traffic pattern or disrupt the physical arrangement of the surrounding neighborhood. The location and design of the proposed parking lot would be consistent with the goals and policies of the Escondido General Plan because additional parking would be provided to meet the current needs of a care facility designed to provide housing opportunities for a wide range of special needs households, including the elderly and disabled. The General Plan supports the development of congregate-care type facilities through the Conditional Use Permit (CUP) process, and the development of older, adult-care facilities within residential land use designations. The proposed project would be in conformance with the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities; would not create excessive noise; and adequate services could be provided to the site.
2. The site is physically suitable to accommodate the use since adequate setbacks, access and landscaping could be provided. The proposed parking lot expansion would be located within an area previously approved for parking and would be adjacent to existing parking spaces provided for an adjacent one- and two-story residential condominium development on the south. Appropriate fencing and perimeter landscaping would be provided.
3. Granting the Conditional Use Permit for the parking lot expansion has been considered in relationship to its effect on the community plan and has been found to be in conformance with the General Plan and surrounding neighborhood for the reasons stated above, and detailed in the Planning Commission staff report. The proposal is in response to services required by the community since the proposed facility would continue to provide housing for a wide range of special needs households, including the elderly and disabled.
4. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15311(b), "Accessory Structures – Small Parking Lots."

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG 12-0011

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.
2. All uses, capacity, hours of operation, activities and project design shall be consistent with the Details of Request and conditions of approval contained within this report, as determined by the Director of Community Development. The final engineering/construction drawings shall incorporate the following items:
 - a. An appropriate backup/kicker area shall be provided at the end row of all parking lot/drive aisles.
 - b. The length of the parking lot finger island shall be increase to be approximately the length of the parking stalls, where feasible.
 - c. The new chain-link fencing along the western side of the parking lot shall include appropriate slats to match the existing slat material. Other screening materials may be used, as approved by the Planning Division. The method of screening shall be indicated on the final plans.
3. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City Wide Facilities fees.
6. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75). Any outdoor lighting adjacent to residential uses shall provide appropriate shields to prevent light from adversely affecting the adjacent properties. This shall be demonstrated on the building and site plans for the parking plot/buildings.
7. No signage is approved as part of this permit. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance.
8. A minimum of 59 parking spaces shall be maintained for the facility. The final number of parking spaces may vary based on the final engineering and landscape design, and the removal of any parking spaces must be approved by the Planning Division. Said parking spaces shall be striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to stripe per City standards. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage
9. All new utilities shall be placed underground, to the satisfaction of the City Engineer.
10. The developer/owner shall be responsible for landscaping, irrigation and maintenance within the public right-of-way along the project street frontage.

11. The City of Escondido hereby notifies the applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). The applicant shall remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable) a check payable to the "San Diego County Clerk" in the amount of \$50.00. In accordance with California Environmental Quality Act (CEQA) section 15062, the filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

LANDSCAPING

1. Five copies of a detailed final landscape and irrigation plan(s) shall be submitted to the Engineering Division prior to issuance of building/grading permits, along with the current plan check fee at the time of submittal. The landscape and irrigation plans shall comply with the provisions, requirements and standards outline in the City's Water Efficient Landscape Regulations (Zoning Code Article 62). The landscape planters and perimeter landscape areas shall include an appropriate mix of shrubs, groundcover, trees and appropriate mulch). The irrigation system shall be fixed/upgraded to include a water efficient system within the new areas. This requirement shall be noted on the plans.
2. Any existing trees to remain and any trees to be removed shall be identified on the landscape and grading plans, to the satisfaction of the Planning Division. An appropriate number of street and perimeter trees shall be included in the plans. Any mature trees removed shall be replaced with min. 24-inch box-sized specimen trees.
3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
4. Prior to final, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

Fire Department

1. No parking will be allowed on 24' wide private driveways. "NO PARKING" must be posted.
2. Speed humps/bumps will not be allowed.
3. Any barricades shall not obstruct fire hydrants or impede emergency vehicle access.
4. Any gated entrances must be equipped with appropriate features to provide access for emergency vehicles. This will need to be coordinated with the Fire Department with the final plans.
5. A min. 28' inside turning radius shall be required on all corners.

Building Division

1. Appropriate accessible paths of travel shall be required from the public way.

ENGINEERING CONDITIONS OF APPROVAL

Cypress Court Parking Lot Expansion

1231 N. Broadway PHG12-0011

GENERAL

1. All onsite and offsite improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the Director of Engineering Services.
2. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards.
3. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.
4. Pedestrian access routes shall be provided into the project to the satisfaction of the Director of Engineering Services.
5. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the City's Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
6. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the Director of Engineering Services.

SITE DRAINAGE

1. A Drainage plan together with erosion control details prepared by a Registered Civil Engineer is required for all onsite improvements and shall be submitted separately to the Engineering Department. Drainage plans are subject to approval by the Planning, Fire and Engineering Departments.
2. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval together with the final improvement and grading plans. Water Quality Technical Report shall include post construction storm water treatment measures and maintenance requirements.
3. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.
4. Erosion control, including riprap, interim sloping planting, gravelbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.

5. All site drainage with emphasis on the parking and driveway areas shall be treated to remove expected contaminants using a high efficiency method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
6. The on-site trash enclosure areas shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the Director of Engineering Services.
7. All storm drains constructed with this project shall be considered private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the property owner.

EASEMENTS

1. All existing and proposed easements, both private and public, affecting subject property shall be shown and labeled on the drainage plans and improvement plans if required.
2. A current preliminary title report shall be submitted with the drainage plans.

CASH SECURITY AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services.
2. The developer will be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.



CITY OF ESCONDIDO
 PLANNING DIVISION
 201 NORTH BROADWAY
 ESCONDIDO, CA 92025-2798
 (760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
 Attn: Deputy County Clerk
 P.O. Box 121750
 San Diego, CA 92112-1750

From: City of Escondido
 201 North Broadway
 Escondido, CA 92025

Project Title/Case No.: PHG 12-0011 (Cypress Court)

Project Location - Specific: The additional parking spaces would be located on an approximately 17,500 SF portion of the site addressed as 1231 N. Broadway (APN 229-030-09). The Cypress Court facility is comprised of four separate parcels (APNs 229-030-07, -08, -09 and -48) and the main facility is located on Parcel 48, addressed as 1255 N. Broadway.

Project Location - City: Escondido, **Project Location - County:** San Diego

Description of Project: A Conditional Use Permit to expand the parking lot for the Cypress Court Residential-Care Facility. The proposal consists of installing up to 27 paved parking spaces on an undeveloped portion of the site adjacent to the existing parking spaces located towards the southern side of the building (adjacent to Broadway).

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name Mitchell Brown (CDO) Kisco Senior Living Telephone (760) 804-5900
 Address 5790 Fleet Street #300 Carlsbad, CA 92008


Private entity School district Local public agency State agency Other special district

Exempt Status: Categorical Exemption. Section 15311(b), "Accessory Structures-Small Parking Lots."

Reasons why project is exempt:

1. The project only involves the expansion of an existing parking facility on a undeveloped portion of the site within an urban area of the city. Access to the facility currently is provided by a major roadway. The project area is classified as disturbed and does not contain any protected or sensitive habitat or considered environmentally sensitive.
2. All service and access to the site is available and would be in conformance with local standards.

Lead Agency Contact Person: Jay Paul, Planning Division Area Code/Telephone/Extension (760) 839-4537

Signature:  July 23, 2012
 Jay Paul, Associate Planner Date

Signed by Lead Agency Date received for filing at OPR: N/A
 Signed by Applicant