

PLANNING COMMISSION

Agenda Item No.: G.2
Date: February 12, 2013

CASE NUMBER: PHG 12-0024

APPLICANT: La Paz-Perches Funeral Homes

LOCATION: Immediately west of the Escondido Public Library, fronting onto S. Broadway, addressed as 240 S. Broadway (APN 233-091-14).

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A Conditional Use Permit to use the former Women's Club building as an office and chapel for La Paz Funeral Homes.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: SPA #9 (Downtown Specific Plan)

ZONING: Historic Downtown District (HD)

BACKGROUND/SUMMARY OF ISSUES:

Staff has received a request to utilize the former Women's Club building as an office and chapel for La Paz-Perches Funeral Homes. The building originally was constructed in 1918 by the Escondido Women's Club for assembly purposes and also has been used by a number of churches over the past century. The approximately 2,580 SF building was last used for religious services in March 2012, and the site has not been occupied since that time. A Conditional Use Permit never has been issued for use of the site for assembly or religious purposes since it has been continually occupied by these uses since 1918, when a use permit was not required. However, since the site has not been occupied/used for more than six months, any legal non-conforming rights have expired in accordance with Section 33-1242(a) '*abandoned use of property*.' Therefore, a new CUP is necessary. The City currently owns the property and the City Council authorized the proposed lease of the site to La Paz Funeral Homes subject to obtaining the necessary permits/CUP. The proposed lease of the building is intended to be an interim use of the site until such time as the property may be needed to facilitate the proposed expansion of the main library.

Staff feels the issues are as follows:

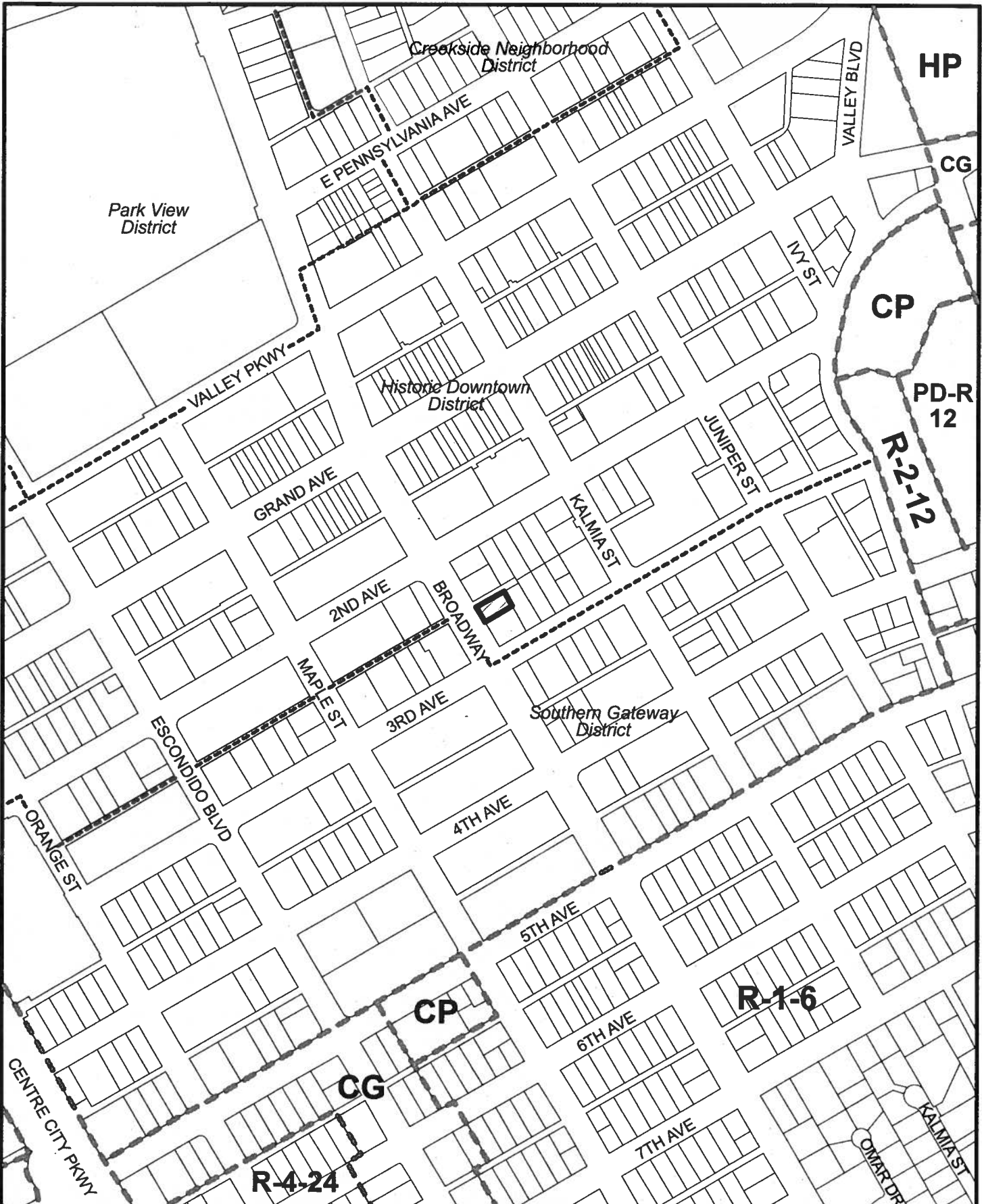
1. Whether the site and existing parking spaces are suitable to accommodate the proposed office/chapel use.

REASON FOR STAFF RECOMMENDATION:

1. The site historically has been used for assembly purposes (meetings and religious services) without creating any adverse impacts to the surrounding properties. Staff feels there is sufficient on-site and adjacent on-street parking to accommodate a small chapel without adversely impacting library operations or other uses throughout the neighborhood.

Respectfully Submitted,


Jay Paul
Associate Planner



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**PROPOSED PROJECT
PHG 12-0024**



LOCATION/ZONING



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**PROPOSED PROJECT
PHG 12-0024**



GENERAL PLAN

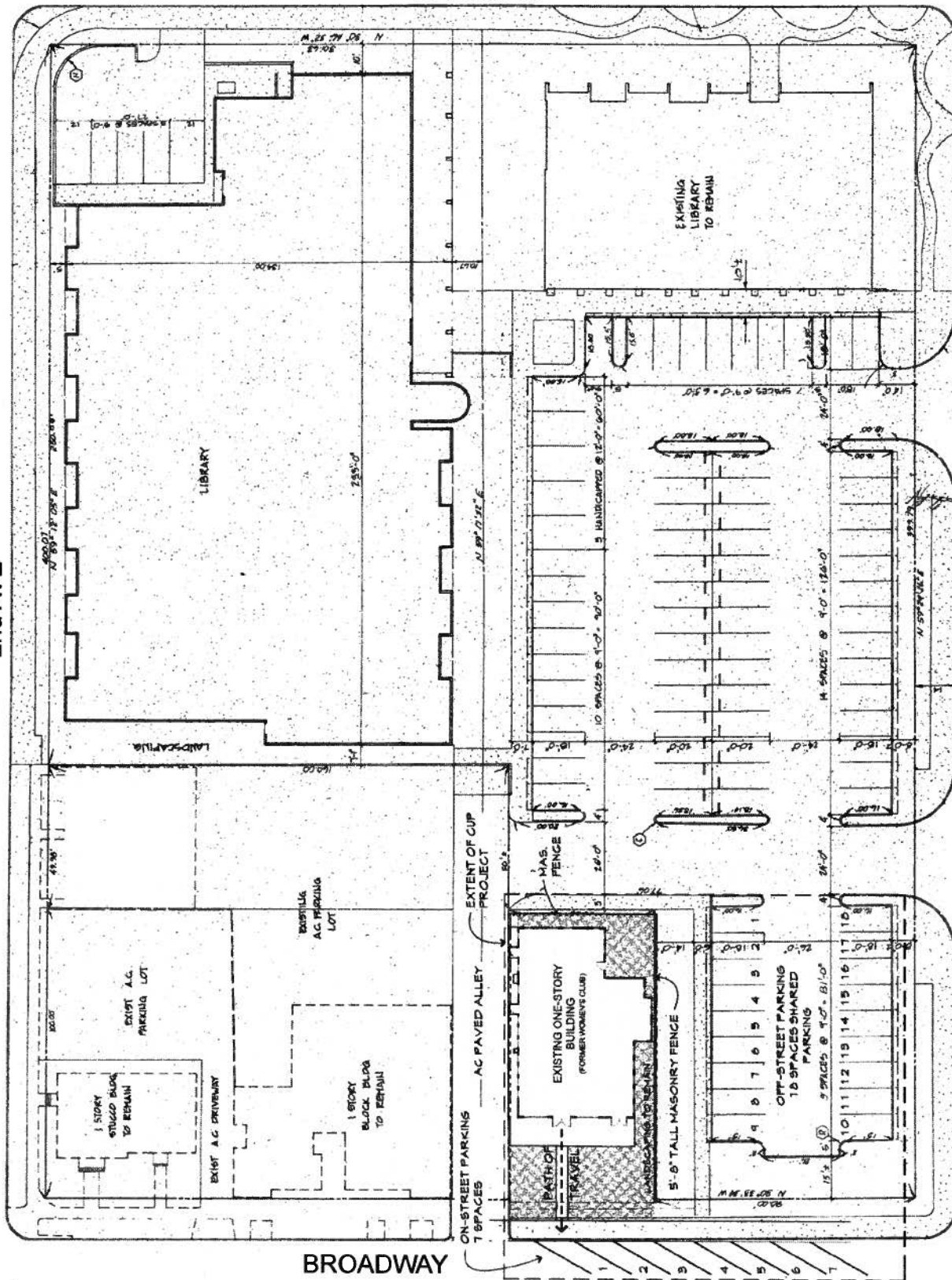
KALMIA ST

NORTH

3rd AVE

FLOOR PLAN

2nd AVE



**PROPOSED PROJECT
PHG 12-0024**



SITE PLAN

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: Downtown Specific Plan Historic Downtown District (HD) / Office buildings are located on the parcels immediately north of the site. Striped-angled on-street parking is provided along S. Broadway. The adjacent parcels provide separate on-site parking spaces.

SOUTH: Downtown Specific Plan Historic Downtown (HD) and Southern Gateway (SG) Districts / A paved city parking lot is located immediately south of the subject site. A variety of office buildings and a church parking lot are located south of Third Avenue. Central Elementary School is located southwest of the site across Third Avenue. Striped-angled on-street parking spaces are provided along both sides of Broadway south of Third Avenue.

EAST: Downtown Specific Plan Historic Downtown District (HD) / The Escondido Library and parking lot are located immediately to the east of the site.

WEST: Downtown Specific Plan Historic Downtown (HD) and Southern Gateway (SG) Districts / The Alhiser-Commer Mortuary is located west across Broadway and a florist is located northwest across Broadway. Striped-angled on-street parking spaces are located along the western side of Broadway.

B. ENVIRONMENTAL STATUS

The proposal is exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Section 15301, "Existing Facilities," and a Statement of Exemption was prepared for the proposed project. In staff's opinion, the request does not have the potential for causing a significant effect on the environment.

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 expressed no concern regarding their ability to serve the site. The site is served by Fire Station No. 1, located at 310 N. Quince Street.
3. Traffic -- The site fronts onto S. Broadway with an alley that provides access to the adjacent commercial offices on the north and to the City Library. Primary access to the library parking spaces is provided from two driveways fronting onto Third Avenue. Broadway is a Collector Street (100' right-of-way) and on-street angled parking is provided along both sides of the street. Third Avenue is an unclassified street (80' existing right-of-way) and on-street parking is permitted with parallel parking along the northern side of the street, and striped-angled parking along the southern side. The Engineering Division indicates that the adjacent streets operate at a Level-of-Service "C" or better under existing conditions, which is consistent with the General Plan Circulation Element Goals. In addition, any anticipated peak-hour trips would not adversely impact the levels of service on nearby intersections.
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 -- There are no significant drainage courses on or adjacent to the project site. Runoff from the project would be directed to the adjoining public street or other drainage facility. The Engineering Department concluded the project would not materially degrade level-of-service of the existing or downstream drainage facilities.

D. CONFORMANCE WITH CITY POLICY

General Plan

The project site is located within the Historic Downtown District (HD) of the Downtown Specific Planning Area (SPA 9). Chapels and mortuaries are conditionally permitted within this zone. The continued use of the existing building would not diminish the Quality-of-Life Standards of the General Plan as the project does not materially degrade the levels-of-service on adjacent streets, utilities or public facilities.

Whether the site is suitable to accommodate the proposed use as a chapel

La Paz-Perches Funeral Home is a family-owned business that has been in operation since 1958, primarily in Texas and New Mexico. They have established a funeral home in San Diego and expressed an interest in offering their services in North County. The former Women's Club building is intended primarily to be used as an office for the purpose of memorial service arrangements with some of the interior space used to display the variety of services and options available. All mortuary related services would be provided from the existing San Diego site and memorial services typically would be conducted at other church facilities. However, the interior of the building provides approximately 1,140 SF of assembly area with a mix of pews and fixed seats (approx. 63 seats) which would be available for memorial services and viewing should the client desire to utilize the facility. Should demand for their services increase, they most likely would seek a larger site that could accommodate the range of services they offer since the size of the existing building is limited along with on-site parking opportunities. Staff feels that use of the existing building for office and limited chapel services would be an appropriate use of the building, which historically has been used for assembly purposes and religious services without creating any adverse impacts to the surrounding neighborhood. Due to the relatively small size of the building and dedicated assembly area, the size of any chapel-type services would be relatively small and parking demand limited. The continued use of the building for office and chapel-type services would allow for a viable use of the building/site until it ultimately redevelops in conformance with the vision for the Downtown area and adjacent City Library. The continued use of this historic building with a viable business also would help contribute to its ongoing maintenance rather than its further deterioration.

Based on the number of seats/assembly area, a minimum of twelve parking spaces would be required. However, the parcel never has provided any on-site spaces and parking is provided by the adjacent library parking lot, which traditionally has served the various uses permitted in city-owned buildings on the block. The library provides 89 on-site spaces with easement rights to 20 spaces in the nearby Graybill medical clinic parking structure. An additional 30 off-site spaces also are available in an adjacent lot owned by a nearby church. Up to 50 on-street spaces also are available on the public street frontages, which currently are used by library patrons as well as customers of the existing two small offices on the west end of the block. There are seven striped on-street spaces along the frontage of the Women's Club building that are infrequently used and would be immediately available to support the office/chapel use. Although the subject parcel is located just outside Vehicle Parking District No.1, the majority of the library campus is located inside the parking district where there is no minimum parking requirement. Staff feels that due to the relatively small size of the facility and limited/intermittent parking demand for such a use, there would be more than sufficient parking to support the chapel without creating any significant impacts to the neighborhood.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The parcel is relatively flat and is developed with a historic craftsman-style single-story building (c1918). The site fronts onto and takes primary access from Broadway. A 20-foot-wide paved alley is located along the northern side of the building.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 5,000 SF (50' x 100')
2. Existing Building: 2,580 SF includes approx. 1,140 SF assembly space with fixed seats and pews, offices, storage rooms, bathrooms, and a kitchen.
3. Day/Hours of Operation: Mon-Fri with occasional weekend services
Service Hours: Typ. 5:00 p.m. to 9:00 p.m. Hours may vary depending on individual requests for earlier or later services
Office Hours Typ. 9:00 a.m. – 5:00 p.m.
4. Employees: 2
5. Parking: No on-site parking is provided on the subject parcel. Zoning Code requires min. 12 parking spaces based on amount of fixed seating (1 space per every 5 fixed seats). The facility provides a mix of pews and fixed seats

Available Parking: The library provides 89 on-site striped spaces plus 30 dedicated spaces in the Graybill Medical Building along Kalmia for a total of 131 spaces, with an additional 15 striped-angled on-street spaces along the Library Kalmia frontage. There also are seven (7) striped-angled on-street parking spaces along the Broadway frontage to serve the Women's Club building. The Library also has arrangements to use up to 30 spaces at a nearby church parking lot.
6. Signage: No signage submitted with this request. All signage subject to conformance with City's Sign Ordinance and any Downtown Specific Plan requirements.

C. RELATED CASES:

79-17-CU

Conditional Use Permit to consider establishment of a church on the site that currently is used by the Escondido Women's Club. The Planning Commission determined (vote 5-2) that the conversion of the Women's Club building to a church is a legal non-conforming use of the site since it has previously been used for church services by a variety of congregations over the years. Therefore, a Conditional Use Permit is not required. On-site parking was not available for the specific use since parking was not required in 1918. On-site parking wasn't required by the Escondido Zoning Code until August 19, 1959 (Ordinance 654).

1918

The building originally was constructed by the Women's Club (approx. 2010 SF) as a meeting hall. During the war years, it served as a U.S.O, Red Cross blood bank and polio clinic.

1924

The building was enlarged by adding an approx. 578 SF to the south side of the structure providing a kitchen and sunroom.

EXHIBIT "A"

FINDINGS OF FACT PHG 12-0024

Conditional Use Permit

1. Granting this Conditional Use Permit to use the former Women's Club building for assembly/chapel services is based on sound principles of land use and would not create a nuisance, cause deterioration of bordering land uses or create special problems for area in which it is located since the subject property has been used for assembly and religious services since 1918 without creating any adverse impacts to the surrounding neighborhood. The proposed use of the existing building for chapel services would be an appropriate use of the site and would be compatible with the variety of commercial, office and institutional uses located throughout the area. This proposal would provide additional options for personal services required by the community.
2. The proposed CUP is consistent with the goals and policies of the General Plan and the Downtown Specific Planning Area (SPA 9) since mortuary and chapels are conditionally permitted within the Historic Downtown (HD) District. The building/site has been historically used for assembly purposes and religious services. One of the goals of the Downtown Specific Plan is to ensure an economically viable Downtown by providing a balance of retail, office, residential, entertainment and cultural uses. The continued use of the building for chapel-type services would allow for a viable use of the building/site to supports the goals of the area until it ultimately redevelops in conformance with the vision for the Downtown Area and adjacent City Library. The continued use of this historic building with a viable business also would help contribute to its ongoing maintenance rather than its further deterioration.
3. The proposal is exempt from the requirements of the California Environmental Quality Act in conformance with CEQA Section 15301, "Existing Facilities," and a Statement of Exemption was prepared for the proposed project. In staff's opinion, the request does not have the potential for causing a significant effect on the environment.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG 12-0024

General

1. The facility shall be used solely for chapel services as detailed in the staff report and Detail of Request, unless specifically authorized in writing by the City.
2. Any proposed construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. Any necessary fire protection facilities and improvements shall be subject to the review and approval of the Fire Department. Appropriate fire access and ADA compliant paths of travel shall be provided, as may be determined by the Fire Department and Building Division.
4. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75). An outdoor lighting plan shall be submitted for any proposed outdoor area or security lighting. Appropriate shielding shall be incorporate into any proposed outdoor lighting fixtures.
5. A services shall be conducted indoors.
6. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08), to the satisfaction of the Planning Division.
7. The subject property shall be kept in a neat and orderly manner.
8. This CUP allows the existing building to be used by La Paz Funeral Home as a satellite facility to their main facility in San Diego for office and sales purposes, and also for chapel related services. The facility is not authorized for use for mortuary, body prep or cold storage type services, as may be determined by the Director of Community Development.
9. This CUP shall become null and void unless utilized within twelve (12) months of the effective date of approval.
10. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
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). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should 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 certified check payable to the "County Clerk" in the amount of \$50.00. 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 specific 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.



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.: Conditional Use Permit for La Paz Funeral Homes (PHG 12-0024)

Project Location - Specific: Immediately west of the Escondido Public Library, fronting onto S. Broadway, addressed as 240 S. Broadway (APN 233-091-14).

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

Description of Project:

A Conditional Use Permit to use the former Women's Club building as an office and chapel for La Paz Funeral Homes. The approx. 2,580 SF building originally was constructed in 1918 by the Escondido Women's Club for assembly purposes and also has been used by a number of churches over the past century.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Sal Perches, La Paz Funeral Homes

Telephone: (915) 373-7677

Address: 3331 Alameda Avenue, El Paso, Texas 79905

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

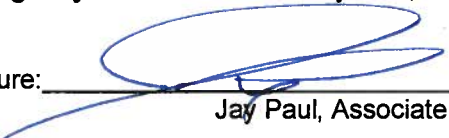
Exempt Status:

Categorical Exemption. CEQA Section 15301 (Existing Facilities)

Reasons why project is exempt:

1. The project site is located within the Historic Downtown District (HD) of the Downtown Specific Planning Area (SPA 9). Chapels and mortuaries are conditionally permitted within this zone. The continued use of the existing building would not diminish the Quality-of-Life Standards of the General Plan as the project does not materially degrade the levels-of-service on adjacent streets, utilities or public facilities.
2. The site historically has been used for assembly purposes (meetings and religious services) without creating any adverse impacts to the surrounding properties.
3. The project site is completely developed with the existing building within a commercial zone and has no value as habitat for endangered, threatened or rare species.

Lead Agency Contact Person: Jay Paul, City of Escondido Area Code/Telephone/Extension (760) 839-4671

Signature: 
Jay Paul, Associate Planner

January 28, 2013
Date

Signed by Lead Agency

Date received for filing at OPR: