



PLANNING COMMISSION

Agenda Item No.: _____
Date: January 8, 2013

CASE NUMBER: PHG 12-0025

APPLICANT: City of Escondido

LOCATION: Amendment to the Historic Downtown District of the Interim Downtown Specific Plan that encompasses approximately 170 acres generally between Centre City Parkway, Fig Street, Second Avenue and Valley Parkway within the 460-acre Downtown Specific Plan Area (SPA)

PROJECT TYPE: Specific Plan Amendment

PROJECT DESCRIPTION: A request to amend the Interim Downtown Specific Plan to allow 'Educational Facilities for Adults' in the Historic Downtown District on the ground floor along Grand Avenue with a Conditional Use Permit.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: SPA #9 (Specific Planning Area No. 9 – Downtown Specific Plan)

ZONING: SP (Specific Plan)

BACKGROUND/SUMMARY OF ISSUES: A specific plan for the downtown area was first approved by the City Council in 1992 and has been periodically amended over the years. A comprehensive update was conducted in 2005 involving numerous SPA amendments including expanding the SPA boundaries, consolidating and realigning land use districts, updating permitted land uses, and amending development standards pertaining to building heights, setbacks and densities.

Phase I of the comprehensive update involving certain land uses and development standards were adopted in 2007. Modifications to the downtown parking requirements were adopted in 2011. Modifications to the land use matrix, provisions regarding outdoor displays, outdoor dining and special events were adopted earlier in 2012. Phase II of the comprehensive update involving expanding the SPA boundaries, and amending building heights, densities, population build out and setbacks were evaluated in the General Plan Update EIR and will be considered for adoption in early 2013.

The Interim Downtown Specific Plan contains a matrix that identifies all permitted (P) or conditionally permitted (C) land uses in each of the seven districts within the Specific Plan Area. Unlisted land uses are generally prohibited unless they are determined to be similar to listed land uses.

At issue is whether the amendment proposed for adult educational facilities listed in the project description above will benefit the community and support existing and future business in downtown.

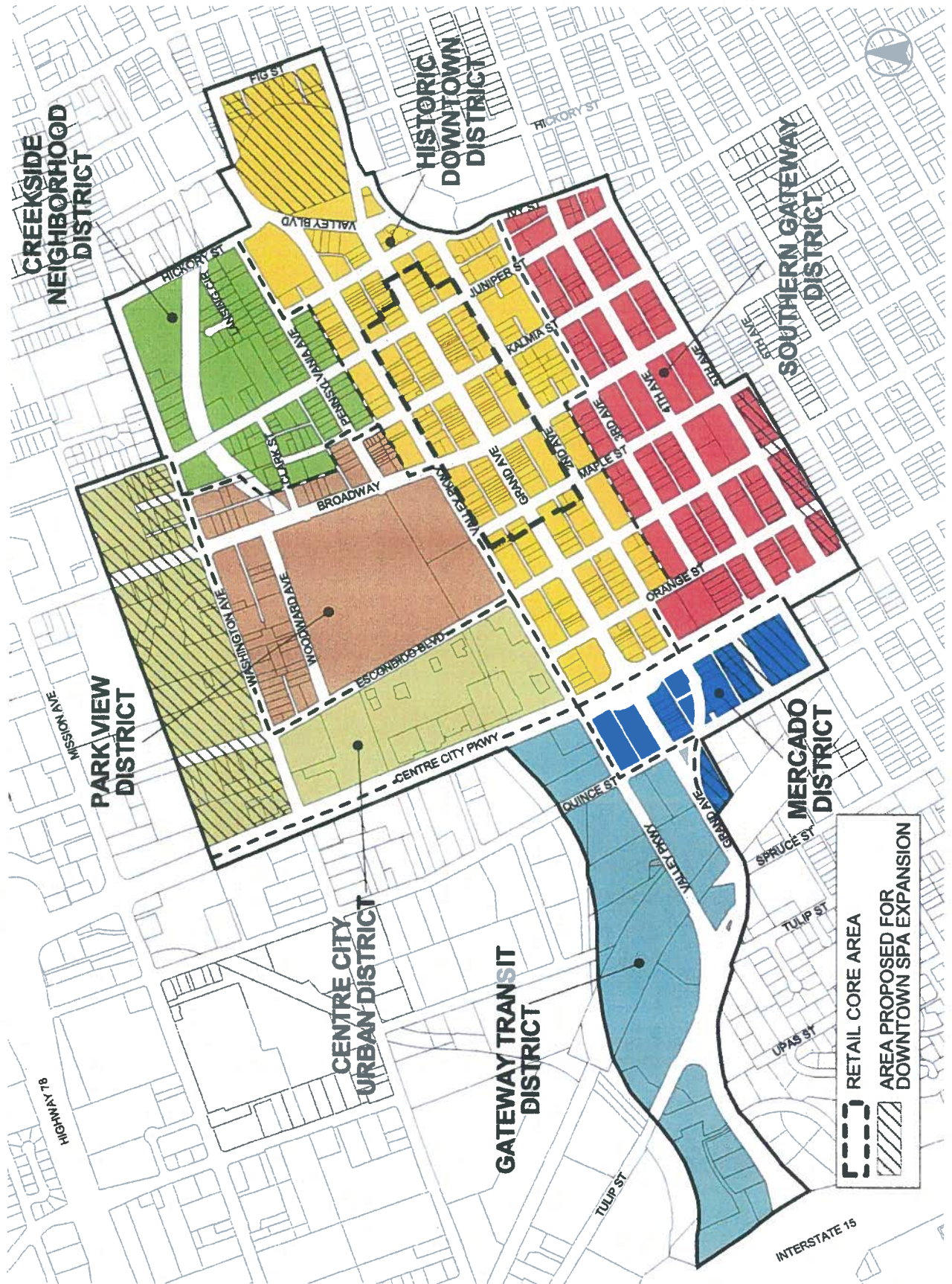
REASONS FOR STAFF RECOMMENDATION:

1. The Downtown SPA Vision Statement notes that Downtown Escondido is envisioned as a dynamic, attractive, economically vital city center that is entertaining and vibrant with activity occurring throughout the day, evening and weekend hours. The proposed amendment will expand the variety of land uses allowed in the downtown.
2. The Downtown Specific Plan provides for a variety of unique, pedestrian-oriented uses and activities that draw people to the area. Requiring a Conditional Use Permit for adult schools that locate on Grand Avenue will retain a case-by-case review of operating characteristics to ensure that future facilities incorporate pedestrian ambiance.
3. The proposed amendment would be consistent with the General Plan Guiding Principles for SPA #9 (Downtown Specific Plan) because a Conditional Use Permit for adult schools will retain provisions for a dynamic, attractive, economically vital city center that focuses on pedestrian orientation to attract and accommodate local and non-local visitors and encourage the attraction of businesses.
4. The proposed amendment to the Interim Downtown Specific Plan would be consistent with the goals and policies of the Economic Prosperity Element of the General Plan, to strengthen workforce qualifications by expanding opportunity for educational and job training facilities.

Respectfully submitted,



Jay Petrek
Principal Planner



ANALYSIS

A. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan

The amendment is consistent with the Guiding Principles identified in the General Plan for Specific Planning Area No. 9 (Downtown Specific Plan) that state:

- 1) Downtown's vision embraces a dynamic, attractive, economically vital city center providing social, cultural, economic, and residential focus while respecting its history.
- 2) The environment shall focus on pedestrian orientation to attract and accommodate local and non-local visitors to experience an atmosphere that is entertaining and vibrant with activity occurring through the day, evening and weekend hours.

The proposed amendment is also consistent with the goals and policies of the Economic Prosperity Element of the General Plan, to strengthen workforce qualifications by expanding opportunity for educational and job training facilities.

Revisions to the Permitted Use Matrix

The Downtown Specific Plan Land Use Matrix has been amended several times since it was first adopted in order to respond to changing market conditions and facilitate new business opportunities. Staff has received several requests over the past year aimed at expanding retail, educational, and dining opportunities. The primary focus has been on the Historic Downtown District and near Grape Day Park.

The adopted Downtown Specific Plan's seven land use districts allow 'Educational Facilities for Adults' as either a permitted or conditional use (see attached Land Use Matrix page). Examples of an educational facility for adults could include a college or trade school. In the Historic Downtown District such facilities are allowed with a Conditional Use Permit except along Grand Avenue on the ground floor between Grand Avenue and the adjacent allies where they are restricted to second floor locations (refer to 'NOTES' on the Land Use Matrix). This provision has been established for uses that may be desirable in a downtown environment yet do not typically maintain a pedestrian orientation or continuous retail frontage. The proposed amendment would retain the requirement that 'Educational Facilities for Adults' secure a Conditional Use Permit in the Historic Downtown District, but provide flexibility regarding the ground floor location. By maintaining the Conditional Use Permit requirement the City retains the ability to review potential future requests on a case-by-case basis to ensure that such facilities provide an engaging pedestrian frontage along Grand Avenue.

B. ENVIRONMENTAL STATUS

1. The proposed amendment to the Interim Downtown Specific Plan is exempt from the California Environmental Quality Act in accordance with CEQA Section 15061(b)(3), "General Rule." A Notice of Exemption was issued on December 18, 2012 (see attached).

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2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.
3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

Proposed Amendment to the Land Use Matrix:

Amendment would eliminate the locational requirement for adult educational facilities in the Historic Downtown District but retain the CUP provisions

LAND USE	HD	PV	CCU	GT	M	SG	CN
EDUCATION*							
Educational facilities for adults	C40	P	C	P	P	P	C6
Daycare facilities	C10	C	C	C	C	C	C6
Schools-(primary education)		C		C	C	C	C
Schools-(secondary education)	C6	C		C	C	C	C
COMMUNICATIONS (wireless facilities subject to Article 34)							
Broadcasting (radio and/or television stations)	C7	C	C	C	P	C	C6
Newspaper, printing and publishing	C7		C1	C1	C1	C1	C6
TRANSPORTATION AND MISCELLANEOUS SERVICES*							
Car-rental services, excluding maintenance and repair of vehicles			C	C			
Parking lots (municipal)	P	P	P	P	P	P	P
Parking lots (private full fee)	C	C	C	C	C	C	C
Taxicab, trolley, shuttle and pedicab stands	P	P	P	P	P	P	P
Transit stations and car-rental services, including maintenance and repair				P			
Seasonal sales not exceeding 30 days, (including pumpkin, Christmas tree and wreath sales between October 1 and December 31, both dates inclusive, to the extent permitted by other statutory and ordinance provisions). Any structures and materials used for seasonal sales shall be removed from the premises immediately after December 31 and the property shall be restored to a neat condition	P	P	P	P	P	P	P
Miscellaneous Government Operations	C	C	C	C	C	C	C

NOTES:

P = Permitted C = Conditional Use Permit required

- Under 3,000 square feet
- Within Grand Avenue's "retail-core area" use is not permitted on ground floor facing Grand Avenue unless located behind a solid wall, and such wall shall be located at least 25% of the building depth back from the front, with a minimum of 25 feet of front retail depth, whichever is more. Primary entrance to this use must be from the alley. No signage facing Grand Avenue is permitted.
- Only permitted on Escondido Boulevard.
- Only permitted within a multi-tenant building. May not occupy more than 30% of the gross floor area.
- Only when integrated into a residential project.
- Only permitted on Pennsylvania Avenue and the north side of Valley Parkway between Kalmia and Ivy Streets.
- Not allowed along Grand Avenue on ground floor within the "retail core area."
- Residential and mixed-use projects are permitted in specified areas, subject to a Planned Development approval in Article 19 of the Escondido Zoning Code.
- No residential uses permitted between Woodward Avenue, Washington Avenue, Escondido Boulevard and Broadway.
- Not allowed along Grand Avenue on ground floor between Grand and adjacent alleys.
- Permitted on Local Historic Register properties.
- Existing automobile dealerships were a non-conforming use at the time of adoption of the Interim Downtown Specific Plan. Conversion of these sites to a new, substantially different, use shall require plot plan review pursuant to Article 16 of the Escondido Zoning Code.

NOTE: Should a conflict arise between this matrix and the land-use district text, the land use district text discussion shall take precedence in determining the appropriateness of the land use.

DOWNTOWN DISTRICTS:

- HD Historic Downtown
- PV Park View
- CCU Centre City Urban
- GT Gateway Transit
- M Mercado
- SG Southern Gateway
- CN Creekside Neighborhood

FACTORS TO BE CONSIDERED
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EXHIBIT "A"

1. The public health, safety and welfare would not be adversely affected by the proposed amendment to the Interim Downtown Specific Plan because the amendment would maintain discretionary approval for adult schools allowing a case-by-case review of future requests to ensure public health, safety and welfare.
2. The proposed amendment to the Interim Downtown Specific Plan would not be detrimental to surrounding properties, since the requirement for future adult school educational facilities would be subject to a Conditional Use Permit ensuring adequate review and oversight of the facilities' operations and the ability to condition future requests to ensure safeguards against potential nuisances.
3. The proposed amendment to the Interim Downtown Specific Plan would be consistent with the General Plan Guiding Principles for SPA #9 (Downtown Specific Plan) because they promote a dynamic, attractive, economically vital city center that focuses on pedestrian orientation to attract and accommodate local and non-local visitors and encourage the attraction of businesses.
4. The proposed amendment to the Interim Downtown Specific Plan would be consistent with the goals and policies of the Economic Prosperity Element of the General Plan, to strengthen workforce qualifications by expanding opportunity for educational and job training facilities.



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: Linda Kesian
P.O. Box 121750
San Diego, CA 92112-1750

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

Project Title/Case No.: Amendment to the Historic Downtown District of the Interim Downtown Specific Plan (PHG 12-0025)

Project Location - Specific: The Historic Downtown District encompasses approximately 170 acres generally between Centre City Parkway, Fig Street, Second Avenue and Valley Parkway within the 460-acre Downtown Specific Plan Area (SPA).

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

Description of Project:

A request to amend the Interim Downtown Specific Plan to allow 'Educational Facilities for Adults' in the Historic Downtown District on the ground floor along Grand Avenue with a Conditional Use Permit.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project

Name: City of Escondido Planning Division - Jay Petrek Telephone: (760) 839-4556
Address: 201 N. Broadway, Escondido, CA 92025

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

Exempt Status:

Categorical Exemption. CEQA Section 15061(b)(3), "General Rule"

Reasons why project is exempt:

- 1. The proposed project is limited to modifying the list of businesses allowed within an existing specific plan area, No physical changes are proposed to any existing structures located within the specific plan area.
2. The Downtown Specific Plan encompasses the urban core of the city and has no value as habitat for endangered, threatened or rare species.
3. The proposal would refine existing land use regulations within an established urban area. No construction is proposed and the project would not result in any significant effects related to traffic, noise, air quality or water quality.
4. In staff's opinion the proposal would not have the potential to cause an adverse impact on the environment. Therefore, the proposal is not subject to further CEQA review.

Lead Agency Contact Person: Jay Petrek Area Code/Telephone/Extension (760) 839-4556

Signature: Jay Petrek
Jay Petrek/AICP, Principal Planner

December 18, 2012
Date

Signed by Lead Agency Date received for filing at OPR: