

CITY OF ESCONDIDO
ACTION MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION

June 26, 2018

The meeting of the Escondido Planning Commission Meeting was called to order at 7:00 p.m. by Chairman Spann, in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: James Spann, Chairman; Don Romo, Vice-chairman; Michael Cohen, Commissioner; Joe Garcia, Commissioner; Mark Watson, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: James McNair, Commissioner.

Staff present: Bill Martin, Director of Community Development; Mike Strong, Assistant Planning Director; Darren Parker, Associate Planner; Ann Dolmage, Associate Planner; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Garcia, seconded by Commissioner Cohen, to approve the minutes of the May 8, 2018, meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS: Received.

FUTURE NEIGHBORHOOD MEETINGS: Received.

ORAL COMMUNICATIONS: None.

PUBLIC HEARINGS:

1. **DOWNTOWN SPECIFIC PLAN AMENDMENT AND CONDITIONAL USE PERMIT – PHG 17-0014; PHG 17-0015 AND ENV 17-0003:**

REQUEST: The project includes three components. The first component modifies Article 1 (Definitions) of the Escondido Zoning Code to define drive-through establishments. The second component is an Amendment to the Downtown Specific Plan to allow drive-through restaurants within the Center City Urban (CCU) and Gateway Transit (GT) Districts, which currently prohibits this type of use. The third component of the project is a Conditional Use Permit (CUP) to allow the construction of a 1,900-square-foot Starbucks coffee shop with drive-through, at 350 West Valley Parkway. The proposed Specific Plan Amendment enables the review and consideration of the site development plan application and would authorize future development of drive-through establishments within the Centre City Urban and Gateway Transit Districts of the Downtown Specific Plan area with issuance of a CUP. Upon issuance of a CUP and completion of the project, the existing Starbucks franchise operating at 320 W. Valley Parkway would relocate to the new facility. The vacated building would remain vacant or be leased to another permitted business or land use activity. The proposal also includes the adoption of a Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

PROPERTY SIZE AND LOCATION: The proposed Downtown Specific Plan Amendment (SPA) would change the use allowance matrix of the Gateway Transit (GT) and the Centre City Urban (CCU) Districts. The proposed Starbucks-drive through business would be located within an approximately 4.58-acre commercial center on the north side of West Valley Parkway between Escondido Boulevard and Center City Parkway, addressed as 350 West Valley Parkway (APN 229-332-45).

Darren Parker, Associate Planner, referenced the staff report and noted staff issues were the appropriateness of the proposed Specific Plan Amendment to allow drive-through establishments within the Downtown Specific Plan (Center City Urban and Gateway Transits Districts), and whether the subject commercial site is appropriate for the proposed drive-through establishment and whether the operation would impact adjacent uses. Staff recommended approval for the following reasons:

- The Zoning Code Amendment adds definitions for “drive-through business” to the Zoning Code. This amendment is necessary to establish parameters to this particular use category type. The Specific Plan Amendment proposes to add a new land use category to the Specific Plan to conditionally permit drive-through businesses. This would maximize the City’s ability to exercise

discretionary review of applications for drive-through establishments. Discretionary review is a higher level of review of land use development applications. The decision-maker may exercise discretion in granting approval of drive-through establishments proposals.

- The subject site is appropriate for a drive-through business since the site is located within a large commercial shopping center, with adequate access, and conditions of approval would be applied to the Project, which would address any potential impacts the business may have on other adjacent businesses and adjacent properties.
- The Final IS/MND has been prepared in compliance with all requirements contained on the California Environmental Quality Act and Article 47 (Environmental Quality Regulations) of the Escondido Zoning Code. The project applicant has agreed to implement all mitigation measures identified in the Final IS/MND in order to reduce all potentially significant environmental impacts to a less-than-significant level, in accordance with the Mitigation Monitoring Reporting Program (MMRP) prepared for the project.

Commissioner Watson asked several clarification questions to City staff and the applicant regarding customer-base use limitations, ADA accessibility, the proposed lighting schedule, trash collection and architectural design issues.

ACTION:

Moved by Chairman Spann, seconded by Commissioner Weiler, to approve staff's recommendation. Motion carried. Ayes: Weiler, Cohen, Romo, Spann, and Garcia. Noes: Watson. (5-1)

2. REZONE, MASTER DEVELOPMENT PLAN, TENTATIVE SUBDIVISION MAP, GRADING EXEMPTION, SPECIFIC ALIGNMENT PLAN, AND DEVELOPMENT AGREEMENT – SUB 15-0002, PHG 15-0004, and ENV 15-0001:

REQUEST: The proposed project would rezone the 40.62-acre development site from RE-20 (Residential Estates; 20,000 SF minimum lot size) to PD-R (Planned Development- Residential), and a Master Development Plan would implement lot clustering and establish development standards for a new residential subdivision. The project also includes a Tentative Subdivision Map for 55 single-family

residential lots, eight open space lots, a private street lot, and an emergency access street lot. Residential lot sizes in the new development would range from approximately 10,005 SF to 24,557 SF, with an average residential lot size of 11,915 SF. Approximately 20.04 acres of open space would be provided to offset the reduction of residential lot sizes as required by the Escondido General Plan, as well as to provide recreation space, stormwater facilities, and protection of biologically sensitive areas. Grading Exemptions are requested to allow fill slopes up to 64' within 50' of the property line; fill slopes up to 65' beyond 50' of the property line; and cut slopes up to 42'. An application for a Precise Development Plan would be filed at a later time to provide details on architectural design. A Specific Alignment Plan application was filed in conjunction with the proposed project and proposes improvements to Bear Valley Parkway between Ranchito Drive and the north end of the residential development site. A Development Agreement proposes terms for the acquisition of right-of-way to complete these improvements, as well as financial responsibility for their completion. The request also includes certification of the Final Environmental Impact Report prepared for the project.

PROPERTY SIZE AND LOCATION: The 40.62-acre residential development site is located on the east side of Bear Valley Parkway, north of Sunset Drive/Ranchito Drive and south of Choya Canyon Road. It is addressed as 661 Bear Valley Parkway (APNs 237-131-01 and 237-131-02).

Ann Dolmage, Associate Planner, referenced the staff report and noted staff issues were whether the proposed residential lot clustering, and the Rezone and Planned Development approvals necessary to implement this clustering, are appropriate for the project site and the surrounding area, whether the development standards proposed under the Preliminary and Master Development Plan are appropriate for the project and consistent with standards for similar residential developments in the area, whether the proposed Specific Alignment Plan improvements are appropriate for the affected segment of Bear Valley Parkway and beneficial to the residential development as well as the wider community, and whether the project conforms to guidelines and policies for development on slopes, as described in the Grading Ordinance and the General Plan. Staff recommended approval based on the following:

- The current zoning of the project site is RE-20 (Residential Estates; minimum lot size of 20,000 SF). The applicant has proposed a development design that

would establish 55 residential lots, with net lot sizes ranging from 10,005 SF to 24,557 SF, and an average net lot size of 11,645 SF. The General Plan's Residential Clustering Policy 5.1 allows single-family residential projects in the E2 designation to contain lots as small as 10,000 SF when a planned development or specific plan is in effect and lot clustering is utilized. The applicant requests approval of a Rezone to Planned Development-Residential to implement lot clustering. Per Residential Clustering Policy 5.2, clustering is intended not to maximize density or yield or circumvent zoning, but as a tool to preserve slopes, ridgelines, or sensitive habitat, or to provide a community benefit. The proposed clustering would allow the project to designate open space areas to protect slopes and biologically sensitive areas, and to provide recreational amenities and bioretention facilities.

- Although the development would require review and approval of a Precise Development Plan to include details on building elevations, floor plans, recreational amenities, etc., the applicant has provided details about proposed development standards with the Master Development Plan request, which enables sufficient land use character context assessment and site design review. Many of the proposed standards are similar to those of the Single Family Residential (R-1) zone, the zone characterized by lot sizes similar to those in the proposed development. All proposed deviations from R-1 standards are identified. As set forth, the proposed project would create a viable solution to a unique set of design challenges and spatial complexities on-site.
- The project includes a Specific Alignment Plan (SAP) for widening and improvements on a segment of Bear Valley Parkway between Sunset/Ranchito Drive and the northernmost point of the proposed residential development site. The SAP would be implemented across three phases, each of which would require acquisition of additional right-of-way and/or vacation of existing right-of-way as depicted on the plans provided by the applicant. The first phase would construct improvements along the residential development frontage, to include a second northbound lane, curb, gutter, "green street" stormwater facilities (e.g., vegetated swales and street tree wells), bike lane relocation, and utility pole relocation. The second phase would extend these improvements southward, along the eastern frontage between Sunset/Ranchito Drive and the south end of the proposed development site. The third phase would install similar improvements along the west side of Bear Valley Parkway for the entire road segment between the north end of the project site and Sunset/Ranchito Drive, including a second southbound lane (bringing the total number of lanes to four), curb, gutter, sidewalk, green street measures, and bike lane relocation. The third phase would also construct a median in this segment of Bear Valley

Parkway and realign and signalize the Encino/Bear Valley intersection. Phase Three would not be the responsibility of the applicant or developer, and at this time there is no timeline for its completion; it is shown on the applicant's SAP plans only for informational purposes so that City staff and decision-makers can see how improvements installed by the applicant/developer will fit in with the ultimate configuration for Bear Valley Parkway. The proposed SAP improvements would bring the segment of Bear Valley Parkway adjacent to the proposed residential development into closer conformity with Major Road design standards as described in the Mobility and Infrastructure Element of the General Plan. The additional northbound lane to be provided by the applicant or developer would help to ease congestion for motorists in the relative short-term, as would the additional southbound lane to be constructed at some point in the future. New sidewalks on Bear Valley Parkway would provide a safe walking environment for pedestrians and existing bike lanes would be retained with minor relocation to make room for other improvements. The design of the street improvements incorporates measures for managing stormwater runoff. While not included in the SAP per se, the applicant has proposed to signalize the project entrance as a project feature, which would simplify ingress and egress for residents of the development and promote safety for other motorists and roadway users on Bear Valley Parkway.

- The City's Grading Ordinance (Article 55 of the Zoning Code) includes policies and guidelines for the Hillside and Ridgeline Protection Overlay District. This district includes parcels that are located in proximity to an identified intermediate or skyline ridge and/or contain slopes of 15 percent or greater on any portion of the parcel. Per General Plan Residential Development Policies 3.11 and 3.13 and Community Character Policy 1.12, as well the Grading Ordinance, development on slopes over 35 percent is prohibited. Density allowed in this slope category by the applicable General Plan land use designation may be transferred to flatter slopes on the development site, when the site is located within a planned development zone or specific plan.

Though no ridgelines are identified on the project site per the hillside and ridgeline overlay map on file in the Community Development Department, a slope analysis provided by the applicant indicates that the site contains slopes over 15 percent, including some slopes that exceed 35 percent. The proposed project includes a request for a Rezone from Residential Estates, 20,000 SF minimum (RE-20) to Planned Development-Residential (PD-R), as well as approval of a Preliminary and Master Development Plan. Therefore, density assigned to the slopes exceeding 35 percent may be transferred to lesser slopes on the project site.

Per the slope analysis, most slopes over 35 percent on the project site are concentrated within areas that are precluded from any grading or construction activities, such as Lot H. However, small and isolated areas of steep slopes do exist within areas of the project site where grading and/or improvements are proposed, including Open Space Lots C through E, a portion of Lot G that falls within the grading boundary, the right-of-way dedication area along Bear Valley Parkway, the emergency access road lot, and the far rear corner of Lot 43. The Grading Ordinance states that "small isolated areas of slope over thirty-five (35) percent will be reviewed by the director for their development potential" (Section 33-1067.B of the City of Escondido Zoning Code), which gives the City the discretion to allow development on slopes that do not meet the standards for protection as envisioned by the General Plan and implementing ordinances. For the reasons stated within this staff report, sufficient information has been provided to make a determinative finding to support the foregoing encroachments into limited steep slope areas.

Rick Monteiro, Escondido, expressed his concern with the project impacting the ingress and egress to his property. He did not feel the infrastructure was adequate to handle the traffic, noting his concern with the increase in average daily trips the project would create.

Mike Peters, Escondido, felt the developer did a good job with the project. He expressed his concern with the current traffic issues and felt Phase 1 and 2 should be completed at the same time. He also expressed concern with the traffic study not being current.

Steven Slebioda, Escondido, was not opposed to the project but was concerned with how the drainage would be mitigated for the area. He noted that the drainage pipes underneath Choya Canyon Road were currently plugged with roots and created drainage issues. He also felt Phase 1 and 2 should have strict timelines due to being concerned with issues with traffic patterns and being able to enter onto Bear Valley Parkway from his property.

William Cox, Escondido, referenced his letter dated June 26, 2018 along with providing some pictures of Choya Canyon Road with regard to drainage and flooding issues. He stated that the drainage pipe under Choya Canyon Road needed to be cleaned out along with trees being removed. He also stated that he represented approximately 20 homeowners.

Dana Wohlford, Escondido, owner applicant, provided the background history for the subject property and noted that they had worked with staff and concurred with their findings. She asked that the Commission approve staff's

recommendation. She then noted that her consultant team was available for questions.

Jack Henthorn, Consultancy Team, stated that Phase 1 and 2 would be installed concurrently. He then referenced the proposed street improvements. He stated that the drainage pipe underneath Choya Canyon Road was not on their property, noting they were happy to help with drainage coming off of the subject property.

Commission discussion ensued regarding a clarification of Phase 3, the proposed architecture for the project, setbacks, and age of the traffic counts.

ACTION:

Moved by Commissioner Weiler, seconded by Vice-chair Watson, to approve staff's recommendation. Motion carried unanimously. (6-0)

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS: No comments.

ADJOURNMENT:

Chair Spann adjourned the meeting at 9:03 p.m. The next meeting was scheduled for July 10, 2018, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.



Mike Strong,
Secretary to the Planning Commission



for Ty Paulson,
Minutes Clerk