

CITY OF ESCONDIDO**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION****February 14, 2017**

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

Commissioners present: Michael Cohen, Commissioner, Joe Garcia, Commissioner; James McNair, Commissioner; Don Romo, Commissioner; James Spann, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Jeffery Weber, Chairman.

Staff present: Bill Martin, Director of Community Development; Mike Strong, Assistant Planning Director; Rozanne Cherry, Principal Planner; Adam Finestone, Principal Planner; Jay Paul, Associate Planner; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

Selection of Interim Chair:

In the absence of a Chair and Vice-chair, the Commission was asked to select a provisional Acting Chair to preside over the February 14, 2017 meeting.

ACTION:

Moved by Commissioner Weiler, seconded by Commissioner Garcia, to nominate Commissioner Romo as interim Chair. Motion carried unanimously. (6-0)

SELECTION OF CHAIR AND VICE CHAIR**ACTION:**

Moved by Interim Chair Romo, seconded by Commissioner Spann, to continue the Selection of the Chair and Vice-chair to the February 28, 2017 meeting. Motion carried unanimously. (6-0)

MINUTES:

Moved by Commissioner Spann, seconded by interim Chair Romo, to approve the minutes of the January 24, 2017, meeting. Motion carried. Ayes: Weiler, Cohen, Romo, Garcia, and Spann. Noes: None. Abstained: McNair. (5-0-1)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS: – None.

Taken out of Order.

CURRENT BUSINESS:**1. Determination of Substantial Conformance (PHG 16-0023; SUB 14-0018):**

REQUEST: Determination of Substantial Conformance for revisions to a one-lot Tentative Subdivision Map and Modification to a previously approved Precise Development Plan to develop a 63-unit attached three-story condominium project within the Planned Development-Residential Zone.

Location: 2516 S. Escondido Blvd.

Jay Paul, Associate Planner, referenced the staff report and noted staff issues were the appropriateness of the project design elements and whether adequate setbacks, parking and open space have been provided for the proposed development, and whether the Tentative Subdivision Map is in substantial conformance with the approved Tentative Map. Staff recommended approval based on the following: 1) The overall mass, scale and design of the proposed residential buildings are approximately similar to the previously approved Planned Development that was approved by the City Council; and are comparable to the existing residential development on the north (Urbana). The project has been designed to function almost as a second phase to the adjacent condominium development on the north by incorporating a similar building style with the buildings located in a manner that allows view corridors to remain through the site. Staff believes the modified design is appropriate for the site because the development provides an increased amount of on-site parking to suit the needs of residents and guests. A variety of open space areas have been provided and distributed throughout the project site that would provide for increased active recreational and passive recreational opportunities. The proposed project design modifications and variety of features would continue to provide a quality environment for the

residents; and 2) The revised Tentative Subdivision Map would be considered in substantial conformance with the previously approved Tentative Subdivision Map because the number of lots and density of the project have not been increased; the project continues to proposed condominium/townhome type development; and the grading design and pad elevations, internal street layout, storm water design and frontage street improvements are similar in design.

Commissioner Weiler and staff discussed the proposed setbacks, guest parking, and potential on-street parking on Cranston.

Rick Puffer, Vice-President Lyon Homes, thanked staff for their presentation. He noted that his team was available for questions. He also stated that they had increased the parking for the project.

Commissioner Weiler asked if the units were intended to be for sale condos. Mr. Puffer replied in the affirmative. He also stated that the Contempo project worked well, feeling that the subject project would do even better with the new design.

Interim Chair Romo expressed his concern with parking and traffic-related issues along South Escondido Boulevard in the area of the subject project.

ACTION:

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

PUBLIC HEARINGS:

1. PRECISE PLAN MODIFICATION – PHG 16-0021:

REQUEST: A modification to a Precise Development Plan to amend the previously adopted Comprehensive Sign Program for the Promenade Commercial Center. The amendment would consolidate all previous amendments to the Sign Program into an updated document; clarify and update the requirements for wall, window, canopy and temporary signage; and allow for additional sign panels on various freestanding pylon signs. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Escondido Promenade Shopping Center generally located on the northern side of Ninth Avenue, eastern side of Auto Park Way, west of Interstate 15, addressed as 1200 Auto Park Way.



Jay Paul, Associate Planner, referenced the staff report and noted whether the proposed changes to the Comprehensive Sign Program are appropriate for the shopping center. Staff recommended approval based on the following: 1) Staff believes the proposed modifications to the comprehensive sign program are appropriate because they would not be out of scale with the existing sign program and size of the center, or the overall design of the subject buildings. The modified provisions would allow for additional flexibility in the design and size of signs based on the allowable sign area and compatibility with the scale and proportions of the individual buildings. The proposed modifications also would provide additional flexibility in the design for individual tenants and suite sizes, while still providing for a well-designed and cohesive program for the center to ensure the continued quality of the signs.

Commissioner Weiler and staff discussed the allowable wall signage with respect to the Target signage, and modifications to the Carl's Jr. signage. Additional discussion ensued regarding clarifying Item b on Page 23 of the staff report.

Mr. Paul noted that Target did not require landlord approval for signage but did require City approval.



Commissioner Cohen and staff discussed the proposed modifications to the monument signage and temporary signage requirements.

Commissioner Romo expressed his concern with setting a precedent for allowing temporary signage on a yearly basis.

Commissioner Weiler and staff discussed what constituted a super graphic.

ACTION:

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

2. ZONING CODE AMENDMENT – AZ 16-0010:



REQUEST: An amendment of Article 19 of the Escondido Zoning Code (EZC) to simplify the Planned Development entitlement process by eliminating the preliminary plan component and clarifying the level of review for different types of modifications. The amendment would also re-organize the code sections, remove redundant text and update references. The proposal also includes the adoption of the environmental determination prepared for the project. No development project is proposed.

PROPERTY SIZE AND LOCATION: Citywide.

Rozanne Cherry, referenced the staff report and noted that staff recommended approval based on the following: 1) The proposed amendments to the Zoning Code implement another portion of the "Working Together to Get to Yes!" program associated with the City Council's 2015-2016 Action Plan Economic Development goal to "Revamp and clean up policies, practices and standards around Planning, Development, Enforcement and Economic Development;" 2) The proposed amendment to the Zoning Code would increase efficiencies and streamline existing Planned Development review processes by eliminating the Preliminary Plan stage; 3) The elimination of the requirement for a Preliminary Plan would eliminate the required application fee and thereby reduce the total Planning application fees required to process a planned development project; and 4) Amending the review authorities for different levels of planned development modifications as proposed would increase efficiencies by providing more flexibility in scheduling meetings or hearings.

Commissioner Weiler and staff discussed the protocol for bringing items to the Planning Commission. Mr. Martin noted items could be elevated to the Planning Commission.

Interim Chair Romo and Mrs. Cherry discussed the protocol for minor changes in a development plan.

ACTION:

Moved by Interim Chair Romo, seconded by Commissioner Cohen, to approve staff's recommendation. Motion carried unanimously. (6-0)

3. ZONING CODE AMENDMENT – AZ 16-0001:

REQUEST: Amendment to the Escondido Zoning Code (EZC), Article 67, to bring City regulations of density bonus applications into compliance with recent State law changes. California Government Code Section 65915, also known as Density Bonus Law, requires cities and counties in the State of California to allow specified density bonuses, incentives and concessions to projects that provide either housing for seniors and other targeted households, or for individuals of low-income, very low-income, or of moderate-income in common interest developments. Density Bonus Law requires cities and counties to specify how compliance with Government Code Section 65915 will be implemented. The proposed EZC amendment fulfills this state-mandated requirement. No development project is proposed.

PROPERTY SIZE AND LOCATION: Citywide.

Mike Strong, Assistant Planner Director, referenced the staff report and noted staff recommended approval based on the following: 1) The purpose of the proposed amendment is to specify how compliance with Government Code Section 65915 will be implemented by the City, as required by Government Code Section 65915(a); and 2) It is the intent of the City to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the Escondido Housing Element.

Discussion ensued regarding a clarification of the area median income (\$65,000+). Additional discussion ensued regarding a clarification of the density bonus law and the benefits of affordable housing being near transportation hub.

ACTION:

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

4. ZONING CODE AMENDMENT – AZ 16-0007:

REQUEST: Amendments to the Escondido Zoning Code (EZC) to bring City regulations of second dwelling units (now called accessory dwelling units) into compliance with recent State law changes. A majority of the proposed changes are focused to Article 70 of the Zoning Code, where specified provisions regarding accessory dwelling units are provided. However, additional EZC amendments are necessary to help maintain internal consistency between various code sections. No development project is proposed.

PROPERTY SIZE AND LOCATION: Citywide.

Mike Strong, Assistant Planner Director, referenced the staff report and noted staff recommended approval of the proposed Resolution, recommending that the City Council adopt, with any suggested edits, amendments to Articles 1, 7, 8, 10, 12, 13, 14, 39, 65, and 70 of the Zoning Code, for the following reasons: 1) The proposed amendments to Article 70 of the Zoning Code address recent changes in State law and provide use and development standards to implement relevant State law requirements. (Any local ordinance adopted prior to January 1, 2017 that is not in compliance with the changes to Accessory Dwelling Unit law are null and void.); 2) Proposed amendments to other code sections help maintain internal consistency between various code sections. They are ancillary to the focused amendments to Article 70 (i.e. they are minor and technical in nature); and 3) It is

the intent of State law that any Accessory Dwelling Unit Ordinance ordinances adopted by local agencies are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create Accessory Dwelling Units in zones in which they are authorized. The proposed amendments would help facilitate Accessory Dwelling Unit construction for homeowners to meet current and future housing needs.

Commissioner Weiler questioned whether the replacement parking had to be covered. Mr. Strong replied that replacement parking could be provided as covered or uncovered in accordance with recent state law changes. He also stated that requiring parking for a second dwelling unit could be waived if it was located within walking distance to transit, as well as other factors as described in state law.

Commissioner Weiler disagreed with the State's position but did agree with second dwelling units serving a beneficial purpose.

Commissioner Spann expressed his concern with the State's mandates and was opposed to garage conversions not requiring covered parking. He felt the City needed to review alternatives. He then questioned whether a property's tax base would be increased upon a garage conversion. Mr. Strong replied in the affirmative.

Interim Chair Romo felt that parking associated with second dwelling units needed to be carefully considered.

Commissioner Spann and staff discussed size requirements for second dwelling units.

Commissioner Weiler expressed his concern with the intrusion of vehicles on the street scene with second dwelling units.

Commissioner Spann expressed his concern with outdoor storage increasing with garage conversion and suggested implementing fines for excessive outdoor storage.

Commissioner Weiler suggested this item be continued in order for staff to come back with some follow-up discussion and action items.

Roy Garrett, Escondido, noted that he and his wife had rentals but had no garage conversions. He stated that the best rental scenario was when there were two units on one lot, noting this allowed for lower rents. He indicated that it was very difficult, if not impossible, to obtain a loan to construct a second dwelling unit. He elaborated that the square footage of a second dwelling unit in many instances was too small to qualify for decent affordable housing. Mr. Garret felt one of the biggest wastes was

back yards and especially those that backed up to alleys where second dwelling units could be provided. He also felt the ordinance needed more review with public input.

ACTION:

Moved by Interim Chair Romo, seconded by Commissioner Cohen, to continue Item H.4 to the March 14, 2017 Planning Commission meeting in order to continue the discussion of the draft ordinance and review additional policy related issues. Motion carried unanimously. (6-0)

ORAL COMMUNATIONS: None.

PLANNING COMMISSIONERS: No comments.

ADJOURNMENT:

Interim Chairman Romo adjourned the meeting at 9:07 p.m. The next meeting was scheduled for February 28, 2017, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.



Mike Strong, Secretary to the Escondido
Planning Commission



Ty Paulson, Minutes Clerk