CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

May 27, 2014

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

Commissioners present: Jeffery Weber, Chairman; Bob McQuead Vice-chairman; Ed Hale, Commissioner; Gregory Johns, Commissioner; James Spann, Commissioner; and Commissioner Guy Winton III.

Commissioners absent: Merle Watson, Commissioner.

Staff present: Bill Martin, Principal Planner; Jay Petrek, Assistant Planning Director; Homi Namdari, Assistant City Engineer; Gary McCarthy, Senior Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Winton, seconded by Commissioner Hale, to approve the minutes of the April 22, 2014, meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **ZONE CHANGE, SUBDIVISION MAP AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION – PHG 13-0003; SUB 13-0001 AND ENV 13-0004:**

REQUEST: A request for a change of zoning for twenty-one (21) parcels from RE-30 Zone (Residential Estates, 30,000 SF minimum lot size) to RE-20 zone (Residential Estates, 20,000 SF minimum lot size), in conjunction with the subdivision of two parcels totaling 7.41-acres into six (6) residential lots, ranging in size from 20,210 SF to 31,237 SF, and off-site improvements to the existing water mains in Cranston Drive (approximately 500 feet) which will extend south just past Citracado Parkway. Said project is located in the RE-30 zone (Residential Estates, 30,000 SF minimum lot size) and the Estate II (E2) General Plan Land Use designation

PROPERTY SIZE AND LOCATION: Approximately 7.41-acres, located on the east side of Cranston Drive, just north of Citracado parkway and south of Brotherton Road, addressed as 2460 & 2466 Cranston Drive (APN 238-142-25 & 26)

Jay Petrek, Assistant Planning Director, referenced the staff report and noted staff issues were whether the proposed Zone Change from RE-30 to RE-20 was appropriate, and the appropriateness of the project design, grading, and whether the proposed subdivision would be compatible with the surrounding development. Staff recommended approval based on the following: 1) Staff felt that the Zone Change from RE-30 zone (Residential Estates, 30,000 SF minimum lot size) to RE-20 zone (Residential Estates, 20,000 SF minimum lot size) was appropriate since the proposed zoning designation would be consistent with the current Estate II (E2) General Plan designation, and with the surrounding properties and existing pattern of development; 2) Staff felt the proposed six lots, would be consistent with surrounding development patterns and lot sizes; adequate parking could be provided on each lot; sufficient fire access could be maintained, and no grading exemptions were needed. The access easement would not adversely impact any native vegetation or mature trees and would be in the same location as the existing driveway; and 3) The proposed lots would meet all requirements of the proposed RE-20 zone, including minimum lot size, lot frontage, and lot width.

Commissioner McQuead and staff discussed the sewer conditions.

Armin Luther, Escondido, noted that his property was located on Cranston Crest and questioned whether he could maintain the gate to his back yard in conjunction with the subject request. Mr. Martin noted that staff had no condition to require removal of the subject gate.

ACTION:

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

2. TENTATIVE MAP, GRADING EXEMPTIONS AND DEVELOPMENT AGREEMENT – SUB 13-0003:

REQUEST: A proposed Tentative Subdivision Map with 16 single-family residential lots and seven grading exemptions for fill slopes up to 13 feet in height on a 4.63-acre parcel (Boer Property) on the southern side of Stanley Avenue in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes range from 10,013 SF to 11,830 SF. Access to the new residences would be provided from a single cul-de-sac street extending south from Stanley Avenue. The project also includes a proposed Development Agreement with a five-year term to authorize residential construction within the North Broadway Deficiency Area in return for payment of fees and construction of necessary upgrades to streets and infrastructure in the area.

PROPERTY SIZE AND LOCATION: The project site is a vacant parcel of land located on the southern side of Stanley Avenue and northern side of Lehner Avenue, between Conway Drive and Ash Street (APN 224-142-04).

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were whether the proposed design for the subdivision was consistent with the density conformance requirements of the Subdivision Ordinance (Section 32.202.03), the appropriateness of the proposed grading exemptions and alternative mass grading plan, and whether the proposed Development Agreement adequately addresses infrastructure deficiencies in the area. Staff recommended approval based on the following: 1) The General Plan land use designation on the site was Suburban which allowed up to 3.3 dwelling units per acre. The project density of 3.45 du/acre slightly exceeded the allowable density for the Suburban designation. However, Section 32.202.03 of the Subdivision Ordinance states Tentative Subdivision Maps may be considered in conformance with the density requirements of the General Plan if it could be determined that the project conformed with the minimum lot size specified in the General Plan and zoning designations, the project was infill and proposes lot sizes that were compatible with the size and design of surrounding properties, and the project conformed with General Plan Goals regarding the preservation of sensitive resources. Staff felt the proposed development was consistent with these criteria; 2) The applicant was proposing seven Grading Exemptions, all of which are for fill slopes that exceed 10 feet in height within 50 feet of the property boundaries. The slope areas would be most visible from southern properties, particularly the Rincon Middle School located across Lehner Avenue. Views of the slope areas would not be unimpeded as the slopes would be partially screened by the proposed homes and landscaping. Staff felt the proposed exemptions would be appropriate given the screening that will occur, combined with limited view opportunities from nearby residences and the minimal increase over the allowed height specified in the Grading Ordinance. The applicant has indicated that he intends to market all of his "Stanley Block" subdivisions together to a single homebuilder. It was anticipated that the homebuilder would then revise all of the individual grading plans to a single grading plan that employs a comprehensive drainage plan and eliminates mid-slope property lines between the tracts. If the properties were consolidated into a single development, the proposed Development Agreement includes language that specifies the property lines between the individual tracts would no longer be considered exterior boundaries. This would likely eliminate most of the proposed Grading Exemptions because the 13-foot-high slopes would be interior to the overall project where a 20-foot height limit was permitted by the Grading Ordinance; and 3) Staff felt the Deficiency Fee and other terms proposed in the Development Agreement were reasonable and prudent since the agreement would allow the construction of the residential development and street and water line improvements in a coordinated fashion that will result in reduced costs while maximizing public and private resources to construct necessary public infrastructure at the earliest practicable time

Discussion ensued regarding a clarification of the pedestrian access routes for the project.

Commissioner Johns questioned whether the cumulative impact of the projects on the schools had been considered. Mr. Martin replied in the affirmative and noted there was no indication from the School District that they could not handle the students generated from the subject projects.

Discussion ensued regarding a clarification of the drainage for the subject property.

Pat Mues, Escondido, expressed her concern with City Council reducing the North Broadway Deficiency fee from the $17,000 previously recommended by staff to $12,500, which equated to a loss of $572,000 needed to mitigate existing deficiencies. She asked that the Commission recommend to City Council to reinstate the higher fee.

Patricia Borchmann, Escondido, stated that she had been following the subject project as well as other projects by Pacific Land Investors, feeling some of the projects were not fully mitigating their impacts. She expressed her concern with the North Broadway Deficiency fees being reduced. She was also concerned with the proposed street patterns of the project proposing cul-de-sacs with no secondary access.

Dave Ferguson, Escondido, representing Pacific Land Investors, noted that the two projects the Commission was considering had been already been approved by the Commission but had to be abandoned due to economical issues. He stated that the projects would improve drainage and traffic for the subject area. He also noted that the projects in question had been evaluated together in order to mitigate the cumulative impacts.

Commissioner Spann asked if the Fire Department had approved the cul-de-sac dimensions. Mr. Namdari replied in the affirmative.

Commissioner McQuead questioned whether his understanding was correct that the Commission could not take action regarding fee policies. Mr. McCarthy replied in the affirmative.

Chairman Weber felt that it was unfair to place the burden of upgrading neighborhood infrastructure on the last person developing in the area when all residents of the area would benefit from the new improvements. He felt it would be more reasonable if future developers and existing residents shared the cost of correcting existing infrastructure deficiencies and constructing neighborhood upgrades through the formation of an improvement district or some other financing mechanism.

ACTION:

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

3. <u>TENTATIVE MAP, GRADING EXEMPTIONS AND DEVELOPMENT AGREEMENT – SUB 13-0010:</u>

REQUEST: A proposed Tentative Subdivision Map with 16 single-family residential lots and five grading exemptions for fill slopes up to 20 feet in height on two parcels totaling 4.63 acres (Baker Property) on the southern side of Stanley Avenue in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes range from 10,012 SF to 13,245 SF. Access to the new residences would be provided from a single cul-de-sac street extending south from Stanley Avenue. The project also includes a proposed Development Agreement with a five-year term to authorize residential construction within the North Broadway Deficiency Area in return for payment of fees and construction of necessary upgrades to streets and infrastructure in the area.

PROPERTY SIZE AND LOCATION: The project site has two existing residences (to be demolished) and is located on the southern side of Stanley Avenue and northern side of Lehner Avenue, between Conway Drive and Ash Street, addressed as 839 Stanley Avenue and 926 Lehner Avenue.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were whether the proposed design for the subdivision was consistent with the density conformance requirements of the Subdivision Ordinance (Section 32.202.03), the appropriateness of the proposed grading exemptions and alternative mass grading plan, and whether the proposed Development Agreement adequately addressed infrastructure deficiencies in the area. Staff recommended approval based on the following: 1) The General Plan land use designation on the site was Suburban which allowed up to 3.3 dwelling units per acre. The project density of 3.45 du/acre slightly exceeded the allowable density for the Suburban designation. However, Section 32.202.03 of the Subdivision Ordinance states Tentative Subdivision Maps may be considered in conformance with the density requirements of the General Plan if it could be determined that the project conformed with the minimum lot size specified in the General Plan and zoning designations, the project was infill and proposes lot sizes that were compatible with the size and design of surrounding properties, and the project conforms with General Plan Goals regarding the preservation of sensitive resources. Staff feels the proposed development is consistent with these criteria; 2) The applicant was proposing five Grading Exemptions, all of which were for fill slopes that exceed 10 feet in height within 50 feet of the property boundaries. The slope areas would be most visible from southern properties and future adjacent parcels the applicant is proposing for development. Views of the slope areas would not be unimpeded as the slopes would be partially screened by the proposed homes, future adjacent homes and landscaping. Staff felt the proposed exemptions would be appropriate given the screening that will occur, combined with limited view opportunities from existing nearby residences. The applicant had indicated that he intended to market all of his "Stanley Block" subdivisions together to a single homebuilder. It was anticipated that the homebuilder would then revise all of the individual grading plans to a single grading plan that employs a comprehensive drainage plan and eliminates mid-slope brow ditches and property lines between the tracts. If the properties were consolidated into a single development, the proposed Development Agreement includes language that specifies the property lines between the individual tracts would no longer be considered exterior boundaries. This would likely eliminate most of the proposed Grading Exemptions because the fill slopes would be interior to the overall project where a 20-foot height limit was permitted by the Grading Ordinance; and 3) Staff felt the Deficiency Fee and other terms proposed in the Development Agreement were reasonable and prudent since the agreement would allow the construction of the residential development and street and water line improvements in a coordinated fashion that would result in reduced costs while maximizing public and private resources to construct necessary public infrastructure at the earliest practicable time

Commissioner Johns asked if the School District was approached with the concept of handling all of the projects being proposed. Mr. Martin replied in the affirmative with the exception of one that had not been received yet by the Planning Division.

Commissioner Spann and staff discussed the status of the retention basins.

Patricia Borchmann, Escondido, expressed her concern with property in question having sensitive vegetation that would be removed as a result of the project and asked that the mitigation plan be improved. She also felt the North Broadway Deficiency fees should not be waived, feeling the long-term impacts needed to be considered.

Barry Baker, Escondido, noted that he owned the property in question. He stated that most of the green matter in the photographs was vegetation in containers due to the property being rented to a nursery and would be moved off of the property.

Commissioner Spann felt increasing the North Broadway Deficiency fee would increase the cost of the homes.

ACTION:

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

CURRENT BUSINESS:

1. **General Plan Conformance Finding (pursuant to Government Code Section 65402) for County of San Diego lease of property at 649 W. Mission Ave. for proposed offices for the Health and Human Services Agency (HHSA) and Department of Child Support Services (Case No. ADM 14-0070).**

   Location: 649 W. Mission Ave

Jay Petrek, Assistant Planning Director, referenced the staff report and noted that staff felt that the proposed use of the existing commercial building by County HHSA for office, administrative and general service purposes was in substantial conformance with the Land-Use and Community Health and Services Elements of the General Plan, and goals and policies discussed above; and therefore recommended that the Planning Commission determine that the acquisitions conformed to the General Plan in accordance with Section 65402 of the Government Code.

County Supervisor Dave Roberts, Representing the 3rd District, stated that he loved the City of Escondido, noting that he opened his first district office in Escondido. He indicated that the County Board of Supervisors voted unanimously to consolidate its health and human services operations in North County at the subject location. He noted that the subject location fit in with the City's plan to develop the area as a business park and would bring over 400 high-paying jobs to the area. He stated that the project would include a new Veterans service center and an innovation facility that would work with nonprofits. He then encouraged the Commission to approve staff's recommendation.

Don Greene, Escondido, supported staff's recommendation. He stated that the project would benefit all of the residents of North County. He stated that the project would provide over 400 high-paying quality jobs, occupy a vacant property, and keep existing services in the City. He then thanked Supervisor Roberts and the Board of Supervisor for their recommendation.

Michael Abrams, Diamond Development Company, stated that the subject revitalization project would optimize the use of a property that had been vacant since June of 2006. He noted that the project would provide over $10 million in property renovations, provide a county health services center with over 400 high-paying jobs, provide small ancillary services, and supported the City vision for property revitalization.

Chairman Weber asked if the site would contain a cafeteria. Mr. Abrams replied in the negative.

Carl Harry, Escondido, Real Estate Manager, noted that they were available for questions.

Brian Mooney, San Diego, Mooney Planning Consultants, thanked staff for a job well done. He stated that the project was in conformance with the City's land use policies, would create 414 jobs, provide street and landscape improvements, and be architectural compatible.

Adam Wineberg, Chief of Real Estate for the County of San Diego, noted that he was available for questions.

Commissioner Winton asked if the County would be paying the City in lieu property taxes for the subject property. Mr. Harry noted the County would be leasing the property and that Diamond Development or one of their entities would be paying the property taxes.

Roy Garrett, Escondido, was in favor of the project and asked that the Commission approve the project.

Patricia Borchmann, Escondido, was in favor of the project and asked that the Commission approve the project.

Olga Diaz, Escondido Deputy Mayor, supported the project and asked that the Commission approve staff's recommendation. She stated that she and City Council supported the project. She noted that this project provided the most real and significant opportunity for the subject area in years. She indicated that over $10 million would be put into renovating the property along with the developer not asking for subsidies or fee waivers. She felt this project would be the catalyst for future projects in the area.

ACTION:

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

2. **A request for design review (Case No. ADM 14-0062) of a new freestanding pole sign proposed for the Grocery Outlet store. The proposed sign structure would be 15' high by 9'-10" wide with a main sign cabinet area of 48 SF and a side panel showing the address.**

Location: 1516 E. Valley Parkway

Bill Martin, Principal Planner, referenced the staff report and noted staff recommended approval of a modified monument-style sign either for staff design review or as a continued item to come back to the Planning Commission.

Commissioner McQuead asked if the sign could be moved into the future right-of-way. Mr. Namdari noted that the ordinance allowed for signage under $5,000 to be allowed to put in the future right-of-way as long as the sign could be easily relocated. Commissioner McQuead asked if a condition could be added to allow the sign to be put in the future right-of-way. Mr. Namdari replied in the affirmative.

Commissioner Hale asked if one of the design criteria was the mass of the sign. Mr. Martin replied in the affirmative.

Commissioner Hale asked if the applicant was made aware of staff's concerns. Mr. Martin replied in the affirmative.

Marcy Williams, Applicant/Owner, did not feel it was fair to deny their signage when similar signage was approved for Wal-Mart. She stated that new customers were indicating that they were not aware of the store, noting she was looking for help from the City.

Frank Williams, Applicant/Owner, stated that he and his wife had been in the grocery business for 55 combined years. He stated that they were owner operators trying to run a successful business in the city. He noted that they worked with the high schools, provided scholarships, and provide employment in the City. He elaborated that they were subject to the decisions of the City and Grocery Outlet Incorporated. He indicated that they needed the sign to attract customers.

Chairman Weber asked if Grocery Outlet Incorporated drove the design for the sign. Mr. Williams noted that it was a combined effort. Chairman Weber asked if they had other sign designs to pull from. Mr. Williams stated that they might but noted they would like to have the sign they submitted.

Marc Drasin, Vice-President of Real Estate for Grocery Outlet Incorporated, stated that the subject business provided a service to the community by providing national brand foods at lower prices. He stated that the subject store had poor visibility and needed better signage. He noted that they had redesigned the sign to match the color and architecture of the building. He also indicated that that they would adhere to staff's recommendations.

Commissioner Johns asked how a pole sign was distinguished from a monument sign, noting he felt the proposed sign was a monument sign. Mr. Martin provided a brief description of the City's definition of a pole sign and monument sign.

Commissioner Johns felt the City's definition of a monument sign was incorrect, noting that the subject sign was a monument sign according to industry standards.

Commissioner McQuead suggested that the applicant work out the details at an 8- to 10-foot height and that it be allowed to be located in the future right-of-way. Chairman Weber concurred.

Commissioner Winton felt the East Valley Parkway Plan was flawed and need to include site-specific context. He stated that he supported the applicant's request.

Commissioner Hale was in favor of the applicant's request, noting that it was unfair to allow Wal-Mart to install similar signage while requiring smaller competitors to operate with less exposure. He felt the applicant's design was appropriate.

Commissioner Spann was in favor of the applicant's request, noting that it was unfair to allow Wal-Mart to install similar signage. He felt the applicant's design was appropriate.

ACTION:

Moved by Commissioner McQuead, seconded by Chairman Weber, to direct the applicant to work with staff regarding revising the location and size of the signage. Motion did not carry. Ayes: McQuead and Weber. Noes: Winton, Hale, Johns, and Spann. (2-4)

ACTION:

Moved by Commissioner Hale, seconded by Commissioner Johns, to approve the sign as proposed by the applicant. Motion carried. Ayes: Winton, Hale, Johns, and Spann. Noes: McQuead and Weber. (4-2)

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS: No comments.

ADJOURNMENT:

Chairman Weber adjourned the meeting at 9:08 p.m. The next meeting was scheduled for June 24, 2014, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

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Bill Martin, Secretary to the Escondido
Planning Commission

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Ty Paulson, Minutes Clerk