Agenda Item No.: D

CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

May 26, 2015

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; Don Romo, Commissioner; James Spann, Commissioner; and Guy Winton III, Commissioner.

Commissioners absent: None.

Staff present: Bill Martin, Deputy Planning Director; Jay Paul, Associate Planner; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Winton, seconded by Vice-chairman McQuead, to approve the minutes of the March 24, 2015, meeting. Motion carried unanimously. (7-0)

ELECTION OF CHAIR & VICE-CHAIR:

Commissioner Hale nominated Commissioner Weber for Chair. With no other nominations Commissioner Weber was elected to Chair by a vote of 6-0-1 (Weber abstained).

Commissioner Spann nominated Commissioner McQuead to Vice-chair. With no other nominations Commissioner McQuead was elected to Vice-chair by a vote of 6-0-1 (McQuead abstained).

WRITTEN COMMUNICATIONS – None.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **<u>MASTER AND PRECISE DEVELOMENT PLAN AND ZONE CHANGE – PHG 14-0020 and ENV 15-0004:</u>**

REQUEST: A Master and Precise Development Plan for a proposed mixed-use development consisting of a 54-unit affordable multi-family residential apartment project for military veterans and their families; on-site administration office, business center, club house and other support spaces for the residents; and a small commercial component to support training opportunities offered at the facility. The residential component includes the construction of 48 new apartment units and preservation of six existing adobe apartment units. The 48 new units would be situated in two, three-story buildings and include 11 one-bedroom units, 32 two-bedroom units and 5 three-bedroom units. The commercial component includes a small retail ground floor space (approx. 1,500 SF). A Zone Change to Planned Development-Mixed Use (PD-MU) is proposed to facilitate development of the project. The project would provide 84 parking spaces consisting of tuck under garage spaces (two-car tandem spaces) and uncovered open spaces. The project is requesting to use the reduced parking ratios and reduce the number of covered spaces as allowed for affordable projects in conformance with the City's Density Bonus and Residential Incentives Ordinance (Article 67, Escondido Zoning Code).

The project site is developed with historic adobe commercial and multi-family residential structures and some of these structures will be retained and incorporated into the project. Project implementation would include demolition of the four-unit apartment building and arched uncovered porch entry feature; carport; workshop/storage building; and portions of the adobe walls including the 8-foot-high wall along S. Escondido Boulevard. The pool and other landscape features also would be removed.

PROPERTY LOCATION: The approximately 1.8-acre project site is comprised of four parcels, addressed as 1556 S. Escondido Boulevard (APNs 236-460-04, -05, -09 and -59).

Jay Paul, Associate Planner, referenced the staff report and noted staff issues were whether the design of the proposed project would be consistent with the General Plan Goals for the South Escondido Boulevard/Felicita Target Area and South Escondido Boulevard Objectives and Design Guidelines for mixed-use residential development, and the appropriateness of the demolition of historic adobe structures. Staff recommended the Commission approve the proposed Master and Precise Development Plan and Zone Change, provide design input and any design recommendations on the architecture and colors of the new three-story buildings, especially the rear elevation of buildings 1 and 2, and perimeter wall materials, and adopt the Final Mitigated Negative Declaration based on the following: 1) The proposed planned residential development would be in conformance with the General Plan which allowed for mixed-use residential development within the target area of the South Escondido Boulevard Area Plan known as the "South Escondido Boulevard/Felicita Area" (page II-70). The project included a minimum density of 30 du/ac as required in the Target Area, and also would provide a commercial component that also would serve the residents as part of the services offered by VVSD. The project would be in conformance with the South Escondido Boulevard Neighborhood Plan Objectives and Design Guidelines that strive to provide opportunities for a balanced mix of housing types, and to revitalize and renew the commercial area. The project would provide additional affordable housing and support services to veterans and their families; 2) The new, three-story apartment buildings would utilize an architectural design that would be compatible with the existing adobe structures and incorporates similar features to provide an appropriate transition between buildings. Adequate on-site parking and circulation would be provided to support the various components/features of the project, and appropriate open space amenities and services would be provided to serve the residents. The project would include a variety of amenities such as common open space and gathering areas; individual patios for selected units and common balconies; enhanced walkways and paving and landscape features; and support services for the residents. A mix of architectural elements had been incorporated into the buildings to be compatible with single-story ranch style adobe structures. Although the buildings would be larger and taller than adjacent one- and two-story commercial and residential structures, the overall mass and height of the three-story units had been addressed through varied wall planes and roof lines; a variety of material and color elements; appropriate setbacks perimeter walls and landscaping, and balcony features to provide a more pedestrian scale along the street; and 3) Staff believed the proposed demolition of the adobe structures would be appropriate because the more historically and architecturally significant Weir Bros. adobe structures (offices and circular apartment units) would be preserved on site and incorporated into the project design and facility operation. The proposed demolition/preservation plan and historic mitigation measures also were recommended for approval by the Historic Preservation Commission.

Vice-chairman McQuead and staff discussed the proposed materials and color for the perimeter wall for the project.

Commissioner Hale felt the color of the new facilities should be consistent with other buildings in the area.

Commissioner Winton and staff discussed the proposed modifications with regard to the 15th Avenue fencing. Staff noted that the overhead utilities and fencing would be removed along with enhancing the landscaping along 15th Avenue.

Commissioner Romo asked if the facility would incorporate elevators. Mr. Paul replied in the negative.

Chairman Weber asked if the project had a secondary access point. Mr. Paul replied in the negative.

Commissioner Winton suggested using faux adobe or adobe design elements in order to create a more consistent look with the historic adobe structures. He also suggested expanding the color pallet of the new structures and utilizing slump block for the perimeter wall.

Vice-chairman McQuead stated he did not object to the use of a white color but concurred with expanding the color pallet for the new construction. He suggested creating some type of protection for the entry doors from weather and sun on the southern side of the facility. He also suggested using slump block block for the perimeter wall with a mortar wash finish in order to create consistency with the adobe structures.

Chairman Weber felt the color palate should be consistent with the existing buildings and Weir adobe structures. He suggested creating some type of protection for the entry doors from weather and sun on the southern side of the facility as well as incorporating architectural treatments on the east facing buildings so neighbors would not subjected to a bland wall. He suggested incorporating design elements into the perimeter wall consistent with the Weir Brother adobe structures. He also expressed concern with blank walls lending themselves to graffiti.

Kent Trimble, representing Veteran's Village, provided an overview of the project and noted that the project incorporated staff's recommendations. He stated that the new facility would serve both active and non-active veterans by providing permanent housing. He then provided an overview of the amenities for the project.

Chairman Weber questioned why elevators were not proposed for the project. Mr. Trimble noted that elevators were not required. He stated that all of their apartments were furnished, thus reducing the need for elevators. He also stated that their other complexes did not have elevators.

Commissioner Romo expressed his concern with the facility not having an elevator. Mr. Trimble noted that they could accommodate anyone with physical disabilities on the first floor.

Greg Le Flore, Architect, stated that they were open to incorporating other colors, noting that their theory behind the white color was to create a contrast and not try to compete with the existing historic adobe structures. He stated that they would take the Commission's input and incorporate it into the project.

Commissioner Johns asked Mr. Trimble if their funding was defined for Veterans only. Mr. Trimble replied in the affirmative and then provided an overview of the limitations on the property given the previous use of VA funding to purchase the site.

Commissioner Johns and Mr. Trimble discussed what constituted a family with regard to occupancy.

Commissioner Romo, Commissioner Spann, and Mr. Trimble discussed the proposed funding for the project.

ACTION:

Moved by Commissioner Hale, seconded by Vice-chairman McQuead, to approve staff's recommendation. Motion carried unanimously. (7-0)

2. <u>AMENDMENT TO THE ZONING CODE – AZ 15-0001:</u>

REQUEST: A proposed amendment to Article 49 of the Escondido Zoning Code regarding Air Space Condominium and Community Apartment Projects, to provide an exception from the condominium permit requirement for new commercial and industrial condominium projects that otherwise comply with Subdivision Map Act and City public noticing requirements. The amendment will also increase the minimum contingency fee requirement for condominium conversion projects and eliminate the fee requirement for new construction, allow for administrative approval of minor changes to proposed condo projects on a case-by-case basis, and include other minor text revisions for clarity purposes. The proposal includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

Bill Martin, Deputy Planning Director, referenced the staff report and noted staff's main issue was whether the proposed changes were appropriate. Staff recommended approval based on the following: 1) The elimination of the condominium permit requirement for new industrial and commercial condominium projects would streamline the approval process, which would help to promote the establishment of businesses in Escondido. The requirement to obtain parcel map approval would remain in place, as mandated by the Subdivision Map Act; 2) Allowing for administrative approval of minor changes to proposed condominium projects would also help to streamline the permit process, since it would eliminate the need for a hearing in some cases. The decision to approve a change administratively would be made on a case-by-case basis, which would give staff the discretion to seek planning commission approval when warranted; 3) The increase in the minimum contingency fund requirement from $500 to $1000 per unit would ensure that a condominium conversion project had sufficient reserves to pay for any emergencies or repairs that may arise within common areas of the development. This would enable Escondido to retain a supply of high-quality, well-maintained condominium projects. Staff had concluded the fee was not warranted for new condominium construction where there is no deferred maintenance and the establishment of a reserve fund was already mandated by the California Bureau of Real Estate.

Commissioner Hale asked if an applicant could take advantage of the State's exemption criteria for commercial condo conversion projects as well as new commercial condo construction. Mr. Martin stated that the Subdivision Map Act did not discern between new construction and conversions when determining whether commercial condominium projects were except from the Tentative Map requirement.

Commissioner Winton questioned whether small postage stamp, commercial parcel map projects would be prohibited. Mr. Martin replied in the negative.

Commissioner Johns and staff discussed what constituted a major change to a condominium development that would still require Council approval.

Commissioner Hale suggested modifying the language to add commercial and industrial condo conversions to the condominium permit exception, noting his view that conversions should not be excluded. Mr. Martin noted that the Planning Commission could make that recommendation.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner Johns, to approve staff's recommendation. The motion included adding commercial and industrial condominium conversions to the projects that would be exempt from the Condominium Permit requirement. Motion carried unanimously. (7-0)

CURRENT BUSINESS:

1. Discussion regarding the unauthorized changes occurring at the Escondido Sports and Fitness facility (Case No. PHG 15-0002); located at 130 E. Lincoln Avenue.

Bill Martin, Deputy Planning Director, provided the staff report and noted that the purpose of this item was to initiate a conversation with the Planning Commission regarding options for resolving the current situation where the property appears to be in the process of being converted to an unauthorized use as a banquet hall/ballroom facility. Planning staff could continue processing the applicant's incomplete CUP application by requesting expensive traffic and noise studies and design modifications for a use that may not be supportable. Another option could involve revoking the current CUP for a fitness facility given that 24 off-site parking spaces previously authorized at the adjacent Domino's property are no longer available and current on-site parking did not meet the requirements for a fitness facility. The applicant could also reestablish the fitness club use in effect at the time he acquired the property and potentially bring the facility back into compliance by building new parking spaces where the pool was located. The property is located in the CG (General Commercial) zone, which allowed the greatest range of commercial uses so potential opportunities for the site appear to exist.

Commissioner Winton asked if neighbors were concerned with lights and noise. Mr. Martin noted that the neighbors expressed concern several years ago when there was a proposal to convert one of the tennis courts to an outdoor basketball court.

Vice-chairman McQuead asked if the applicant had been given deadlines. Mr. Martin noted that several stop-work orders had been issued and staff had given a deadline to file the appropriate land use permits, noting that the applicant had filed an incomplete application for a CUP modification. He noted that staff was looking to the Commission as to whether the proposed use could be supported in the subject location.

Vice-chairman McQuead asked if the applicant had provided any parking plans to staff. Mr. Martin replied in the affirmative, noting that they were looking at creating additional parking in the tennis court and demolished pool areas.

Vice-chairman McQuead questioned whether staff could provide direction to the applicant regarding what the best use of the property would be given the limited parking. Mr. Martin replied in the affirmative. He also stated that the property owner had already expended significant funds on their proposed use and had advertised the facility as being available to the public.

Commissioner Johns asked if the YMCA had provided any input or comments regarding the current use being a good neighbor. Mr. Martin replied in the negative.

Commissioner Hale asked if the subject property was sold in the last year. Mr. Martin replied in the affirmative.

Commissioner Hale expressed his concern with the new owner not adhering to the City's codes and permit process. He did not feel the property could provide adequate parking to meet the proposed use.

Commissioner Spann stated that it appeared there was a blatant disregard to complying with the City's codes. He suggested giving a deadline to meet the conditions of the CUP, and if they could not be met that the CUP be revoked.

Discussion ensued regarding a clarification of the City's occupancy limits.

Commissioner Romo did not feel adequate parking could be provided to meet the proposed use.

Commissioner Johns asked if religious activities were occurring at the subject site. Mr. Martin stated staff was unaware of whether religious activities were occurring on the site.

Chairman Weber expressed his view that the current parking was not adequate to meet the approved fitness use let alone the proposed use.

Commissioner Winton felt staff needed to indicate a willingness to work with the applicant on the highest and best use for the property and at the same time let the owner know the ramifications of not adhering to the City's codes.

The discussion concluded and no action was taken by the Commission on this item.

ORAL COMMUNATIONS: None.

PLANNING COMMISSIONERS:

Chairman Weber noted that he attended the SANDAG-sponsored meeting that was held in the Mitchell Room to discuss the new San Diego Forward Regional Plan.

ADJOURNMENT:

Chairman Weber adjourned the meeting at 8:49 p.m. The next meeting was scheduled for June 9, 2015, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Bill Martin *Ty Paulson*

Bill Martin, Secretary to the Escondido Planning Commission

Ty Paulson, Minutes Clerk