

Date filed 11-18-86

Effective Date 11-28-86

RESOLUTION NO. 4238

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONVERT AN EXISTING 96 BED "INTERMEDIATE CARE" CONVALESCENT FACILITY TO A 96 BED "SKILLED NURSING" FACILITY

APPLICANT: Palomar-Pomeroado Hospital District

CASE NO.: 86-123-CUP

WHEREAS, the Planning Commission of the City of Escondido did, on November 13, 1986, hold a noticed public hearing to consider a request for a Conditional Use Permit to allow the conversion of an existing 31,000 s.f. "intermediate care" convalescent facility with 96 beds, to a "skilled nursing" convalescent facility (96 beds) in the R-1-10 (Single Family Residential, 10,000 s.f. minus lot size) zone on property generally located east of Valley Parkway, south of Avenida Del Diablo, west of Del Dios Road, addressed as 1817 Avenida Del Diablo, more particularly described in the legal description, attached as Exhibit C.

WHEREAS, the following determinations were made:

1. That a notice was published and mailed as required by the Escondido Zoning Code and applicable State Law.
2. That the application was assessed in conformance with the California Environmental Quality Act and that a Determination of No Significance was issued.
3. That a staff report was presented, discussing the issues in the matter.
4. That a public hearing was held and that all persons desiring to speak did so.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido:

1. That the above recitations are true and correct.
2. That the Planning Commission certifies that it has reviewed and considered the environmental review and determined that it is complete and adequate for this project, and there are no significant environmental effects which are not mitigated.

3. That the Findings of Fact, attached as Exhibit A were made by said Commission.
4. That, considering the Findings and applicable law, the Planning Commission hereby APPROVES said Conditional Use Permit, subject to the Conditions attached as Exhibit B.

PASSED, ADOPTED AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 13th day of November, 1986, by the following vote, to wit:

AYES:	COMMISSIONERS:	Tucker, Daniel, Broxholme, Barber, Kelley, Mitchell, Cate
NOES:	COMMISSIONERS:	None
ABSTAINED:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None




KEITH KELLEY, CHAIRMAN
Escondido Planning Commission

ATTEST:



JONATHAN BRINDLE, SECRETARY
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.



CLAUDIA WITT, CLERK
Escondido Planning Commission

**planning commission
findings of fact**

EXHIBIT "A"
86-123-CUP

1. Due to the site's location and the attached conditions, granting the request would be based on sound land use principles, and the facility is already adequately provided with City services.
2. As recommended and conditioned, the modification to the proposed Conditional Use Permit should not cause deterioration of bordering land uses or create special problems for the area in which it will be located, due to the shift schedule and a coordinated limitation on visiting hours, the program to facilitate alternate forms of transportation, thus reducing the number of employee vehicles, the availability of 17 on street parking spaces on the site's frontage.
3. The proposed "skilled nursing" convalescent facility should prove compatible with the residential neighborhood in which it is proposed.
4. The establishment of a "skilled nursing" care and physical therapy facility will help fulfill a need for the type of service within the community.

conditions

EXHIBIT "A"
86-123-CUP

1. A revised site plan shall display 2 additional parking spaces by expanding the existing lot in front of the facility in a northeasterly direction to provide a total of 36 spaces. Additionally, one existing parking space shall be converted into a turnaround (striped and designated "No Parking") at the west end of the existing lot to allow vehicles to turn around and exit the lot in a forward motion. A note shall appear on the plans indicating spaces will be double striped per City standard, with minimum dimensions of 18' x 8.5'.
2. The use of the facility shall conform to information contained in Details of Request in terms of the maximum number of 96 patients, employees, schedule patterns, and implementation of an employee ridership program for carpools, use of bus systems, limitation on visiting hours.
3. The parking lot shall be inspected by the Planning Department prior to notification by a letter to the State, regarding compliance with Conditional Use Permit conditions. Said inspection shall be performed to verify that 1 additional space and a turnaround have been constructed, parking lot striping and signage (turnaround, visitor spaces, etc.) has been installed to the satisfaction of the Planning Department.
4. Visiting hours shall be restricted to avoid the peak afternoon shift overlap. Visiting hours shall be limited to 10:00 a.m. - 1:45 p.m., and 3:45 p.m. - 7:00 p.m.
5. No exterior building modifications are proposed or considered. The interior modifications are minor, and should not substantially change the previously approved floor plan.

EXHIBIT "C"

86-123-CDP

LEGAL DESCRIPTION

ALL THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND OF LOTS 4 AND 5 IN SECTION 29, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF APPROVED DECEMBER 14, 1885, LYING EASTERLY OF A LINE WHICH IS PARALLEL WITH AND 650.10 FEET EASTERLY AT RIGHT ANGLES TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 29; AND LYING NORTHWESTERLY OF THE CENTER LINE OF A 60.00 FOOT PUBLIC HIGHWAY KNOWN AS ROAD SURVEY NO. 476 AS GRANTED TO THE COUNTY OF SAN DIEGO IN DEED RECORDED IN BOOK 71, PAGE 304 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION LYING EASTERLY OF A LINE WHICH BEARS SOUTH $00^{\circ}06'00''$ EAST FROM A POINT ON THE NORTH LINE OF SAID LOT 5 DISTANT THEREON SOUTH $89^{\circ}26'00''$ WEST 654.00 FEET FROM THE NORTHEAST CORNER OF SAID LOT 5.

ALSO EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY AND SOUTHWESTERLY OF THE FOLLOWING DESCRIBED BOUNDARY:

COMMENCING AT THE INTERSECTION OF A LINE WHICH IS PARALLEL WITH AND 650.10 FEET EASTERLY AT RIGHT ANGLES TO THE WESTERLY LINE OF THE EAST HALF OF SAID SECTION 29 WITH THE CENTER LINE OF SAID ROAD SURVEY NO. 476; THENCE ALONG SAID PARALLEL LINE NORTH $01^{\circ}46'00''$ EAST 828.41 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH $89^{\circ}09'30''$ EAST 359.79 FEET; THENCE SOUTH $59^{\circ}04'10''$ EAST 458.56 FEET TO THE CENTER LINE OF SAID ROAD SURVEY NO. 476.

ALSO EXCEPTING THEREFROM THAT PORTION GRANTED TO THE CITY OF ESCONDIDO BY DEED RECORDED JUNE 11, 1973 AS FILE/PAGE NO. 73-157684, DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 4 AND 5 OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, APPROVED DECEMBER 14, 1885, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PICTORIAL ESTATES UNIT NO. 2 ACCORDING TO MAP NO. 4516 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 20, 1960; THENCE NORTH $52^{\circ}25'30''$ EAST ALONG THE NORTHWESTERLY LINE OF DEL DIOS HIGHWAY 509.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH $37^{\circ}34'30''$ WEST, 1.00 FOOT TO THE INTERSECTION WITH AN 1149.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, AT WHICH POINT A RADIAL OF THE CURVE BEARS SOUTH $37^{\circ}34'30''$ EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $40^{\circ}16'12''$, 807.57 FEET; THENCE NORTH $12^{\circ}9'18''$ EAST 122.01 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 35.70 FEET TO A POINT ON THE SOUTHERLY LINE OF AVENIDA DEL DIABLO; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF AVENIDA DEL DIABLO NORTH $89^{\circ}53'35''$ EAST 145.29 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $77^{\circ}44'17''$, 27.14 FEET; THENCE SOUTH $12^{\circ}9'18''$ WEST, 152.88 FEET TO THE BEGINNING OF A TANGENT 1251.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $7^{\circ}59'45''$ 174.58 FEET TO THE BEGINNING OF A TANGENT 50.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL

86-123 CDP

(legal description: page 1 of 2)

LEGAL DESCRIPTION CONTINUED

ANGLE OF $147^{\circ}43'33''$ 128.92 FEET TO A POINT ON THE NORTHWESTERLY LINE OF DEL DIOS HIGHWAY; THENCE ALONG THE NORTHWESTERLY LINE OF DEL DIOS HIGHWAY SOUTH $52^{\circ}25'30''$ WEST 694.70 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION GRANTED TO DEL DIOS WOODS COMPANY BY DEED RECORDED AUGUST 13, 1976 AS FILE/PAGE NO. 76-262441, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LOTS 4 AND 5 OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PICTORIAL ESTATES UNIT NO. 2, ACCORDING TO MAP THEREOF NO. 4516, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 20, 1960, BEING A POINT IN THE NORTHWESTERLY LINE OF DEL DIOS HIGHWAY, SHOWN ON SAID MAP NO. 4516; THENCE ALONG SAID NORTHWESTERLY LINE, NORTH $52^{\circ}25'30''$ EAST 509.08 FEET TO THE SOUTHWESTERLY CORNER OF THE LAND DESCRIBED IN DEED TO THE CITY OF ESCONDIDO, RECORDED JUNE 11, 1973 AS FILE/PAGE NO. 73-157684; THENCE ALONG THE BOUNDARY OF SAID LAND AS FOLLOWS: NORTH $37^{\circ}34'30''$ WEST 1.00 FOOT TO THE INTERSECTION WITH A 1149.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, A RADIAL LINE OF SAID CURVE BEARS SOUTH $37^{\circ}34'30''$ EAST TO SAID POINT; NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $40^{\circ}16'12''$ A DISTANCE OF 807.57 FEET; NORTH $12^{\circ}09'18''$ EAST 122.01 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; AND NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE BEING THROUGH A CENTRAL ANGLE OF $102^{\circ}15'43''$ A DISTANCE OF 35.70 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 5; THENCE ALONG SAID NORTHERLY LINE, NORTH $89^{\circ}53'35''$ WEST 797.82 FEET (MAP NO. 4516 - NORTH $89^{\circ}55'00''$ WEST) TO AN INTERSECTION WITH THE NORTHEAST CORNER OF SAID PICTORIAL ESTATES UNIT NO. 2; THENCE ALONG THE EASTERLY LINE OF SAID PICTORIAL ESTATES UNIT NO. 2, SOUTH $01^{\circ}44'35''$ WEST, (MAP NO. 4516 - SOUTH $01^{\circ}46'00''$ WEST), 1122.45 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION GRANTED TO THE CITY OF ESCONDIDO BY DEED RECORDED NOVEMBER 22, 1983 AS FILE/PAGE NO. 83-424700, DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 5 OF FRACTIONAL SECTION 29, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO U.S. GOVERNMENT SURVEY APPROVED DECEMBER 14, 1885, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 5 DISTANT THEREON 654.60 FEET WESTERLY FROM THE NORTHEAST CORNER OF SAID LOT 5, SAID POINT OF BEGINNING BEING ALSO THE NORTHEAST CORNER OF THAT LAND CONVEYED TO R. VICTOR VENBERG BY DEED RECORDED BY THE SAN DIEGO COUNTY RECORDER SEPTEMBER 3, 1964 AS FILE/PAGE NO. 161545; THENCE SOUTH $89^{\circ}54'35''$ WEST, CONTINUING ALONG SAID NORTH LINE OF SAID LOT 5, BEING ALSO THE SOUTHERLY RIGHT OF WAY LINE OF AVENIDA DEL DIABLO, 66.00 FEET WIDE, 98.19 FEET TO A CUSP FORMED BY A TANGENT 267.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $21^{\circ}33'23''$, 100.45 FEET TO THE EAST LINE OF SAID VENBERG LAND; THENCE NORTH $0^{\circ}11'44''$ EAST, ALONG SAID EAST LINE 18.68 FEET TO THE POINT OF BEGINNING.