



PLANNING COMMISSION

Agenda Item No.: _____
Date: September 14, 2010

CASE NUMBER: PHG 10-0013

APPLICANT: City of Escondido, Community Services Department

LOCATION: The property is located on the northern side of Woodward Avenue, between Broadway and N. Escondido Blvd., addressed as 120 W. Woodward Avenue.

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A Conditional Use Permit for the conversion of an existing 2,609 SF office building to a preschool facility (Tiny Tots). The program provides two daily sessions Monday through Friday from 8:30 A.M. to 2:30 P.M. with a maximum of 20 children in each session. No exterior changes to the building are proposed. Interior improvements consist of modifying former offices to activity rooms, an art room and a game room as well as making the restrooms more age appropriate. Outdoor playground equipment and a shade canopy have been added to the site.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: SPA #9 (Downtown Specific Plan)

ZONING: Park View District of the Downtown Specific Plan

BACKGROUND/SUMMARY OF ISSUES: The City of Escondido has operated a Tiny Tots program for pre-school aged children for many years. The program formerly operated at a site on E. Mission Avenue that was abandoned when it was discovered that hazardous contaminants were in the soil. The program was quickly relocated to a temporary facility in Washington Park, while city staff searched for a new permanent location.

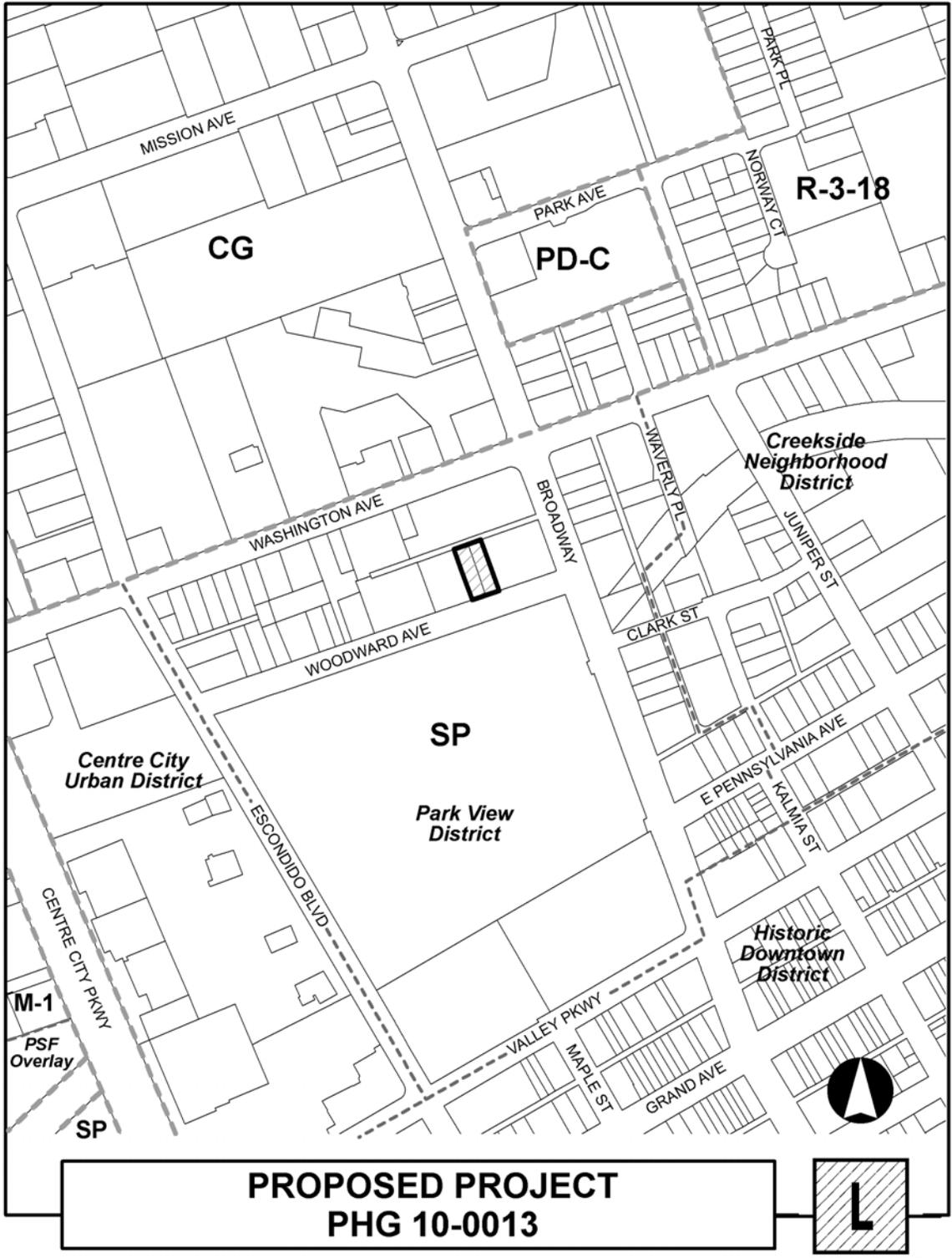
In December of 2009, the City purchased the subject property from the Classical Academy for the purpose of providing a permanent location for the Tiny Tots program. Classrooms were set up in the former office building and the facility was upgraded with interior renovations, outdoor play equipment and new fencing. A Conditional Use Permit is required for daycare facilities and schools located in the Park View District of the Downtown Specific Plan. The Tiny Tots program has been operating on the site while the CUP is being processed because of a need to vacate their temporary location in Washington Park. Staff has not identified any issues related to the proposal.

REASON FOR STAFF RECOMMENDATION:

1. The pre-school facility is located in an area that has traditionally hosted a mix of commercial, school, church and child-oriented facilities. The proposed facility would be consistent with established land uses in the area. The building is adequately sized for the programs that are offered and an appropriate amount of outdoor play area and parking has been provided. Circumstances required the Tiny Tots program to commence operations on the site while the CUP request was being processed. The facility appears to operate efficiently and has not caused any problems in the area. No complaints have been received from neighboring property owners and no comments were received in response to the public noticing for the Conditional Use Permit.

Respectfully submitted,

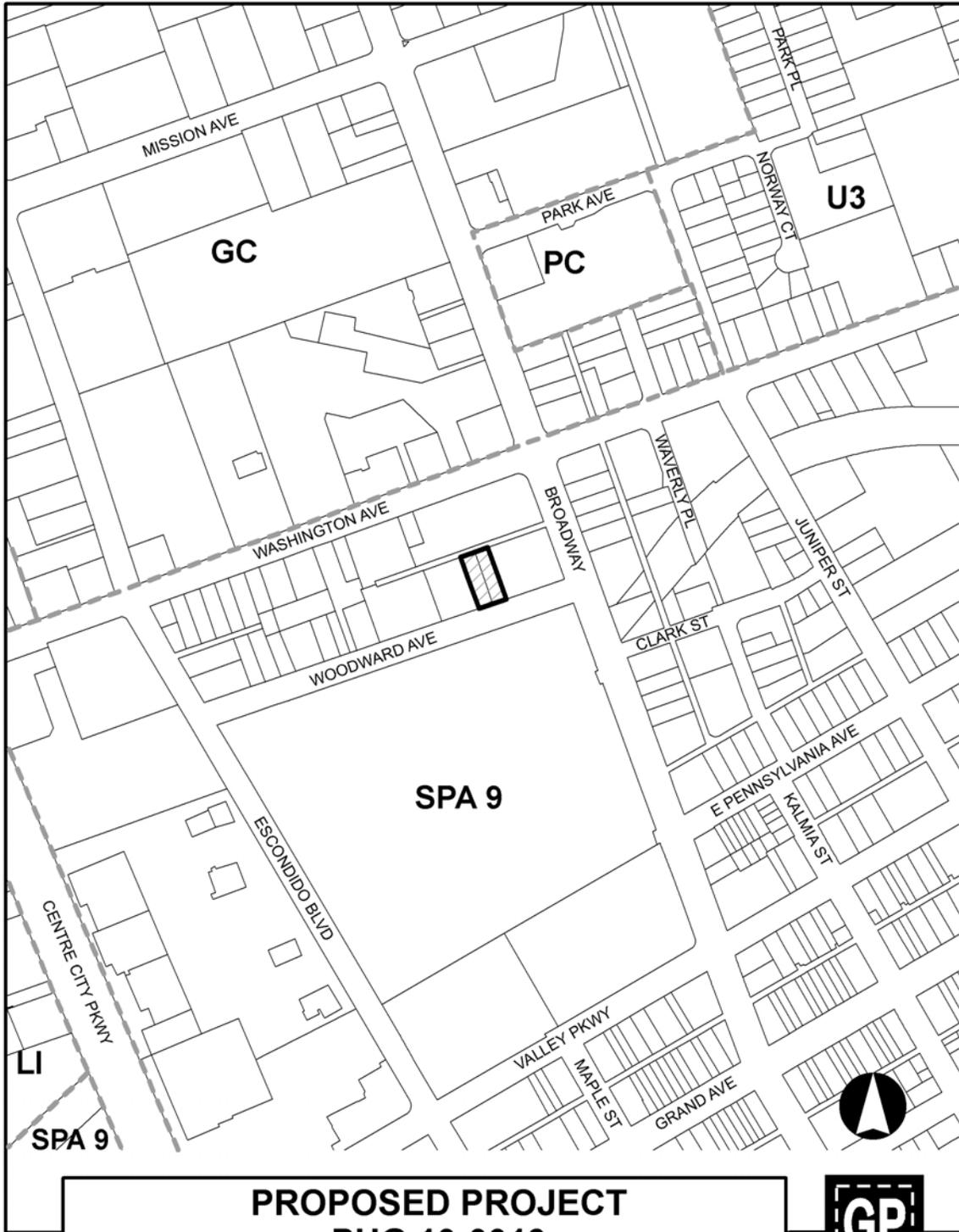
Bill Martin
Principal Planner



**PROPOSED PROJECT
PHG 10-0013**

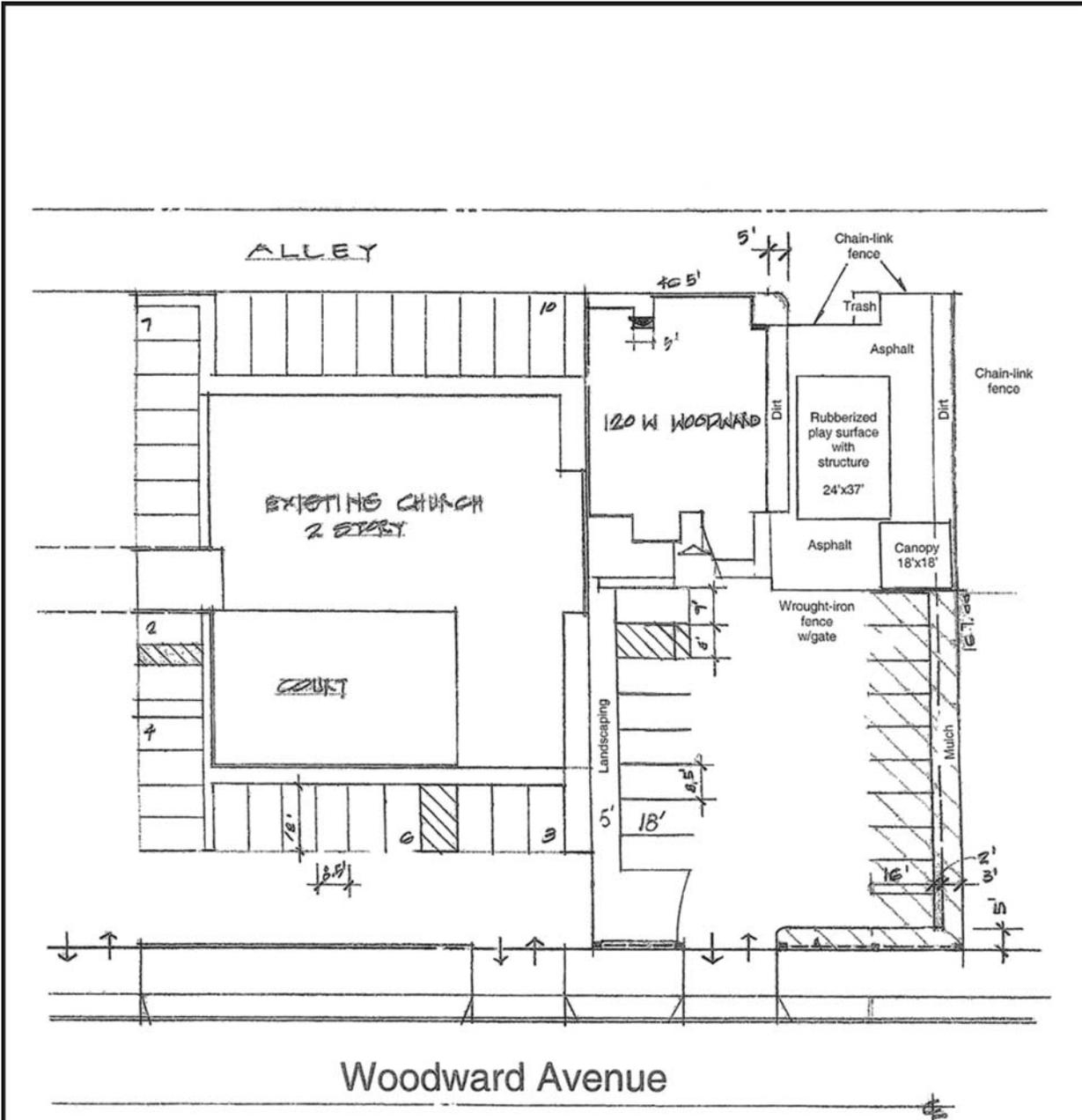


LOCATION/ZONING



**PROPOSED PROJECT
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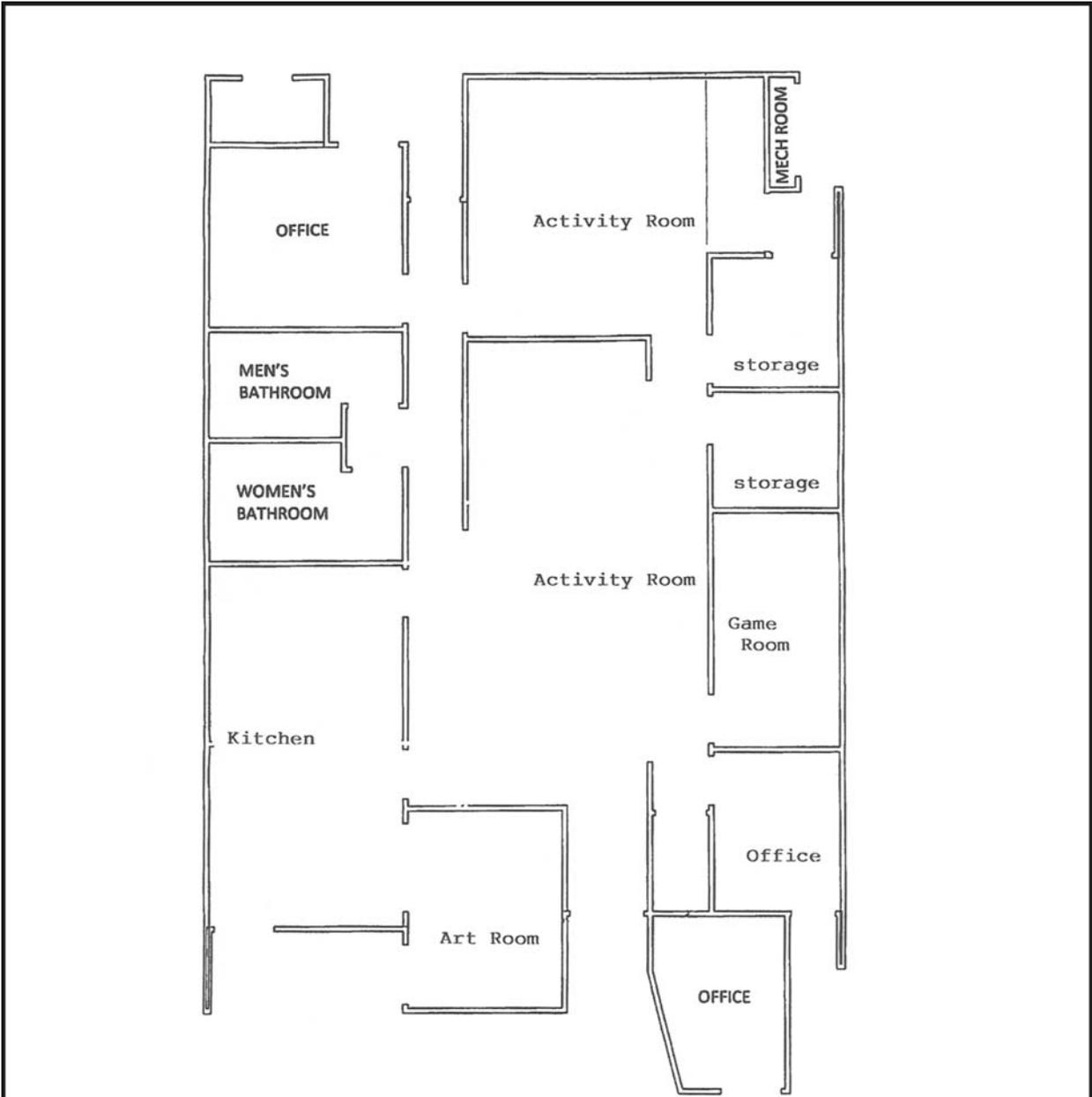




PROPOSED PROJECT
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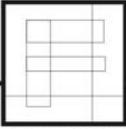
SITE PLAN



FLOOR PLAN "AS BUILT"

120 W. Woodward Ave.

**PROPOSED PROJECT
PHG 10-0013**



FLOOR PLAN

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - Park View District of Downtown Specific Plan/ A Walgreens drug store is located directly across the alley from the subject property. Views to the north from the playground area are limited to the back of the drug store building.

SOUTH - Park View District of Downtown Specific Plan/ Across Woodward Avenue from the site is a gymnasium building for the Boys and Girls Club and a public parking lot utilized by city staff, swimming pool patrons and church members.

EAST - Park View District of Downtown Specific Plan/ A parking lot located to the rear of a small commercial center is separated from the site by a wrought iron fence and landscaping.

WEST - Park View District of Downtown Specific Plan/ A church campus including a sanctuary, classrooms, offices and parking is located on the western side of the site. Classrooms on the church campus are also used during the week by the Classical Academy High School.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service – The Police Department has expressed no concern regarding their ability to provide service to the site.
2. Effect on Fire Service – The site is served by Fire Station No. 1 (310 North Quince Street), which is within the seven and one-half minute response time specified for urbanized areas in the General Plan. The proposal would contribute an incremental increase in demand for fire services. The Fire Department has indicated that adequate services can be provided to the site and the proposed project would not impact levels of service.
3. Traffic – The project takes access from Woodward Avenue which is an unclassified commercial street. Based on SANDAG's traffic generation rates for the San Diego region, the project would generate approximately five vehicle trips per child, or approximately 200 ADT (based on two daily sessions with 20 children each), which is well within the capacity of the surrounding streets. According to the Engineering Division, the project does not materially degrade the levels of service on the adjacent streets.
4. Utilities – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining street or easement. The project does not materially degrade the levels of service of the public sewer and water system.
5. Drainage – The project site is not located within a 100-year Flood Zone as indicated on current FEMA maps. There are no significant drainage courses within or adjoining the property. The project does not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. A Notice of Exemption was issued on August 23, 2010, in accordance with CEQA Section 15301, "Existing Facilities."
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.
3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

Use of the former Office Building for a Preschool Facility

The proposed facility is located within a commercial area of the Downtown Specific Plan that is developed with a mix of commercial businesses, educational facilities, and a church campus on the western side of the property. The Escondido Boys and Girls Club is located directly across the street from the project site; and the Classical Academy High School occupies several buildings west of the site. Educational and child-oriented facilities are well represented in the area and the addition of a Tiny Tots facility would be compatible with existing land uses in the area.

The existing building is relatively small in scale and needed only minor interior renovations to meet the needs of the Tiny Tots program. Two 2.5-hour sessions would be provided Monday through Friday with a maximum of twenty children in each session. A half-hour break between sessions would allow sufficient time for parent pick-up and drop-off without creating excessive congestion in the area. Adequate space exists on the site to provide outdoor play area that would meet the standards for child care licensing, although this pre-school facility is not required to secure a license from the County Department of Social Services. The outdoor play area includes a play structure and a covered canopy area for shade. Additional landscape areas will be provided on the western and southern perimeter of the parking lot and a new trash enclosure will be built to meet code requirements. Modifications to the parking area to accommodate landscaping will still allow an adequate amount of parking spaces to be provided to meet the needs of the facility as described below.

As noted earlier in this report, circumstances required the Tiny Tots program to commence operations on the site while the CUP request was being processed. The facility appears to operate efficiently and has not caused any problems in the area. No complaints have been received from neighboring property owners and no comments were received in response to the public noticing for the Conditional Use Permit.

Parking

The site is comprised of two lots that have been combined to function as a single property. The building was originally developed on the western lot and sufficient parking was provided on that parcel to accommodate the office use. The eastern parcel was used as a grass play area by the Classical Academy during the time they used the office building for their administration. They later removed the grass and developed additional parking spaces on the eastern parcel.

A total of 19 parking spaces currently exist on the site which far exceeds the minimum requirement for the proposed preschool. The Zoning Code requires a minimum of one parking space for each employee which would require three parking spaces for the proposed preschool. However, staff typically requests additional parking be provided to assure adequate parking for parent pick-up and drop-off. Based on the maximum number of 20 children in each session, staff feels an additional six spaces should be adequate to handle the needs of the program. Once landscaping is added adjacent to the western property line, a total of 17 parking spaces will remain on the site, this is more than adequate to meet the needs of preschool employees and parents.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The property is located within the urbanized core of the city and has been completely disturbed by past commercial activities. There is no native vegetation on the site. The block on the northern side of Woodward Avenue is fairly level and has been developed with several small commercial buildings utilized by a variety of businesses as well as a church and a charter high school. The building on the subject property is located to the rear of the site adjacent to the alley. A small playground with a rubberized surface and a canopy shade structure are located on the eastern side of the building. Most of the remaining property consists of a paved parking lot with existing and proposed perimeter landscaping.

B. SUPPLEMENTAL DETAILS OF REQUEST

- | | | | |
|-------------------------|----------------------------|-----------------------------------|-----------------------------------|
| 1. Property Size: | 15,865 SF | | |
| 2. Building Size: | 2,609 SF | | |
| 3. Hours of Operation: | Monday through Friday | <u>Session 1</u>
8:30-11:00 AM | <u>Session 2</u>
11:30-2:00 PM |
| 4. Number of Employees: | 3 | | |
| 5. Number of Students: | Maximum of 20 per session. | | |
| 6. Age of Students: | 3 – 5 years | | |

C. CODE COMPLIANCE ANALYSIS

- | | <u>Proposed</u> | <u>Required</u> |
|-----------------------|----------------------------------|--|
| 1. Parking: | 17 spaces | 3 for employees
(recommended that 6 additional spaces
be maintained for parent pick-up/drop off) |
| 2. Outdoor Play Area: | 3,420 SF
(within fenced area) | 1,500 SF
(typical for child care @ 75 SF per child) |

**FINDINGS OF FACT
PHG 10-0013
EXHIBIT "A"**

1. Granting the proposed Conditional Use Permit would be based upon sound principles of land use and in response to services required by the community since the preschool facility is completely secured by fencing and gates and surrounded by compatible school, church and commercial uses. Adequate outdoor play areas, parking spaces and drop-off and pick-up area would be provided.
2. The proposed use would not cause a deterioration of bordering land uses or create special problems in the area in which it is located, since the preschool facility would be located within an existing commercial structure and all project-related parking would be accommodated on the site. The site can support the requested number of children, as the required number of parking spaces, size of play area and location of drop-off area would be provided in accordance with city regulations. In addition, the facility would meet all requirements of the Building Division and Fire Department.
3. The proposed Conditional Use Permit has been considered in relationship to its effect on the neighborhood and has been determined to be compatible with the surrounding properties. The site is surrounded by commercial, school and church uses. The site would provide adequate parking and drop-off/pick-up areas on-site and the site would be fenced and landscaped. The weekday vehicle trips generated by the facility can be accommodated on adjacent streets with no negative impact according to the Engineering Division.

**CONDITIONS OF APPROVAL
PHG 10-0013
EXHIBIT "B"**

Planning Division Conditions

1. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
3. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties.
4. A minimum of nine striped parking spaces shall be maintained in conjunction with this facility to accommodate employees and parent pick up/drop off. Said parking spaces shall be double-striped and dimensioned per City standards.
5. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
6. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
7. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including the existing trash enclosure) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
8. Colors, materials and design of the project shall be in substantial conformance with the exhibits and details in the staff report to the satisfaction of the Planning Division.
9. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code).
10. All new utilities shall be underground.
11. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
12. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act

(CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

13. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
14. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
15. The uses, type of activities and hours of operation shall comply with those listed in the staff report, to the satisfaction of the Planning Division.
16. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding performance of the operation of the facility and/or non-compliance with the conditions of project approval.

Landscaping Conditions

1. All perimeter and parking lot landscaping shall be installed as indicated on the site plan. All vegetation (including existing vegetation required as part of previous project approvals) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
2. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the satisfaction of the Planning Division. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code.
3. Street trees shall be provided along the site's street frontage, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.

Engineering Division Conditions

1. All damaged sidewalks and driveways shall be removed and replaced in accordance with City standards, to the satisfaction of the City Engineer.
2. The on-site trash enclosure shall drain toward the landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer.