

## PLANNING COMMISSION

Agenda Item No.: G.2

Date: August 10, 2010

**CASE NUMBER:** PHG 10-0015

**APPLICANT:** Xiao Yan Hu

**LOCATION:** The approximately 9,475 SF property is located on the northern side of East Pennsylvania Ave, between Ash Street and Beech Street, addressed as 1130 E. Pennsylvania Ave (APN 230-122-10).

**TYPE OF PROJECT:** Conditional Use Permit

**PROJECT DESCRIPTION:** A Conditional Use Permit to convert an existing 1,620 SF commercial office building to a preschool/childcare facility for up to 30 children.

**STAFF RECOMMENDATION:** Approval

**GENERAL PLAN DESIGNATION/TIER:** General Commercial/Tier 1- Central Neighborhood

**ZONING:** CG (General Commercial) and East Valley Parkway Overlay Zone

**BACKGROUND/SUMMARY OF ISSUES:**

The project applicant has submitted a request to convert an existing 1,620 SF commercial-office building to a preschool/daycare facility to accommodate up to 30 children. The building was constructed in 1965 and moved onto the subject site. The building has been primarily used for office/professional uses. The property is zoned General Commercial and also located within the East Valley Commercial Overlay Zone, which requires a Conditional Use Permit for a preschool/daycare facility. The site will require some interior and exterior modifications to the building and site to accommodate a preschool facility, including disabled access, outdoor recreation area, perimeter fencing, additional parking spaces and landscaping.

Staff feels the issues are as follows:

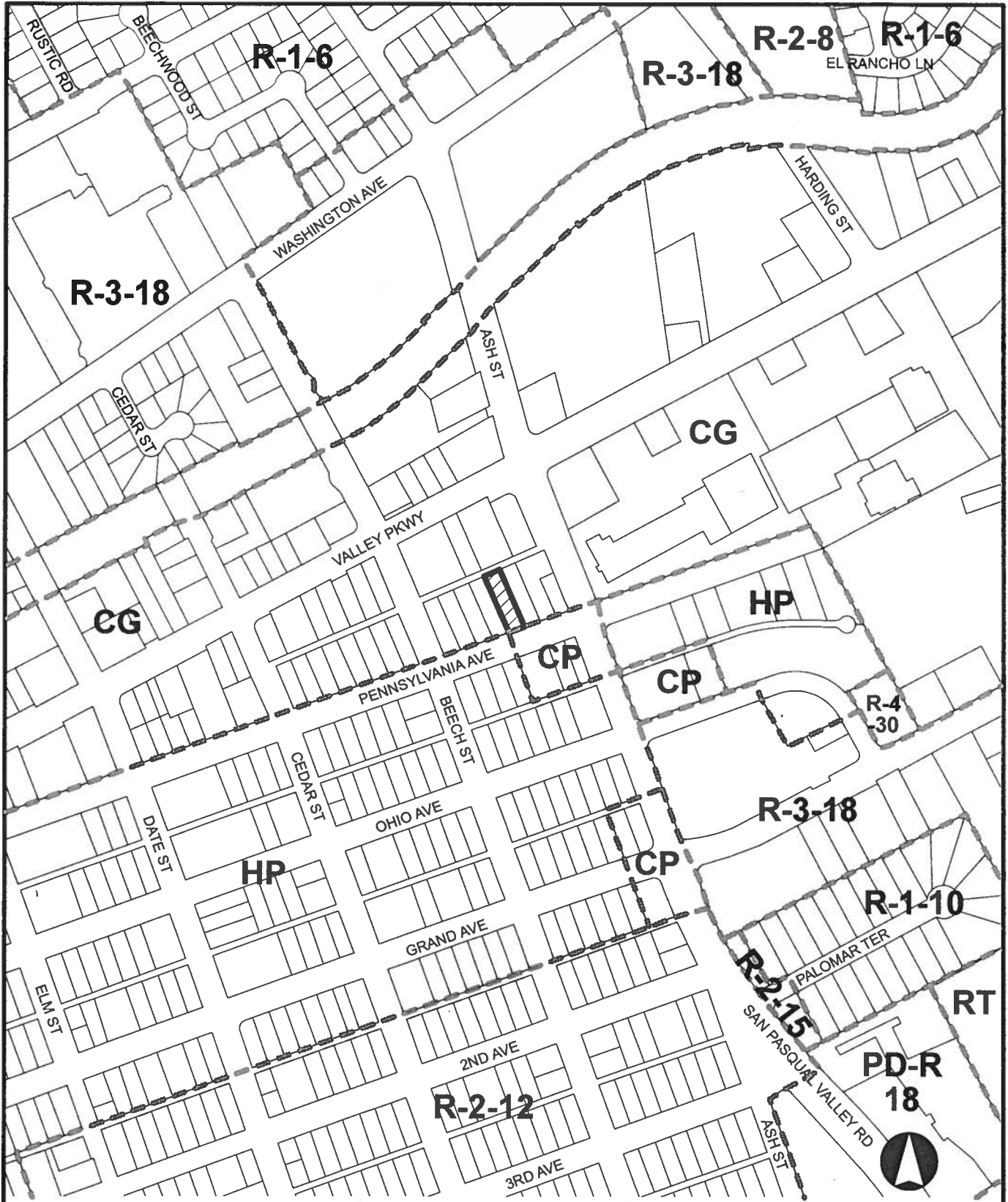
1. Whether the site is appropriate for a preschool facility and number of children proposed.
2. Whether adequate parking and drop-off/pick-up areas are provided.

**REASON FOR STAFF RECOMMENDATION:**

1. Staff feels the site and existing facilities can accommodate the requested 30 children since the existing office building is suitable for conversion to a preschool building and the site would not be exposed to excessive noise levels, traffic or incompatible uses. Appropriate outdoor recreation areas would be provided, along with perimeter fencing and walls. Sufficient outdoor area would be provided to satisfy the California Department of Social Services Community Care Licensing Division requirement of 75 SF of outdoor recreation area per child.
2. Nine parking spaces would be provided on site, which would be more than sufficient to support the number of employees anticipated and also provide a parking/loading area. On-street parking also is available along Pennsylvania Ave.

Respectfully submitted,

  
Jay Paul  
Associate Planner

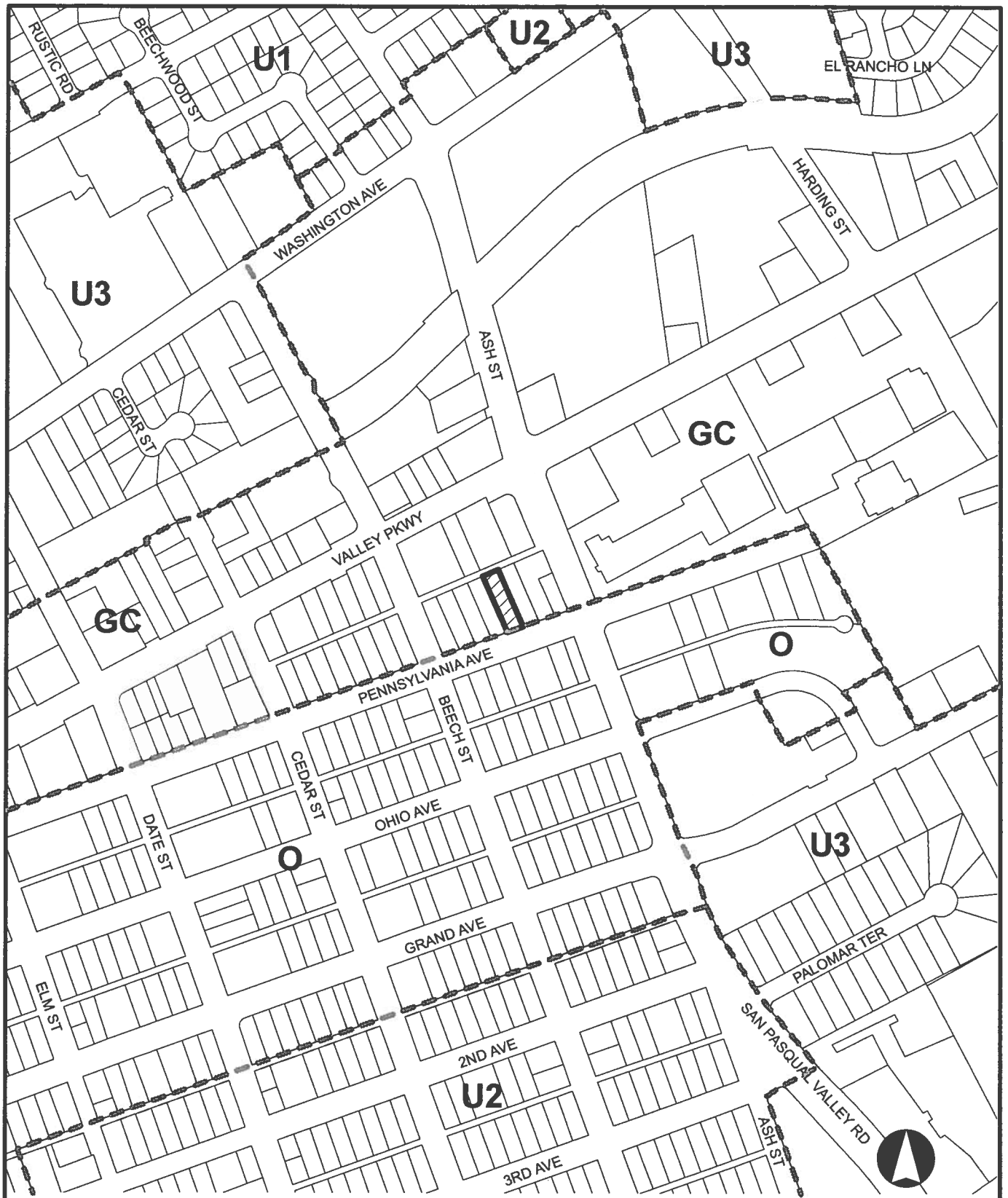


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**PROPOSED PROJECT  
PHG 10-0015**



LOCATION/ZONING



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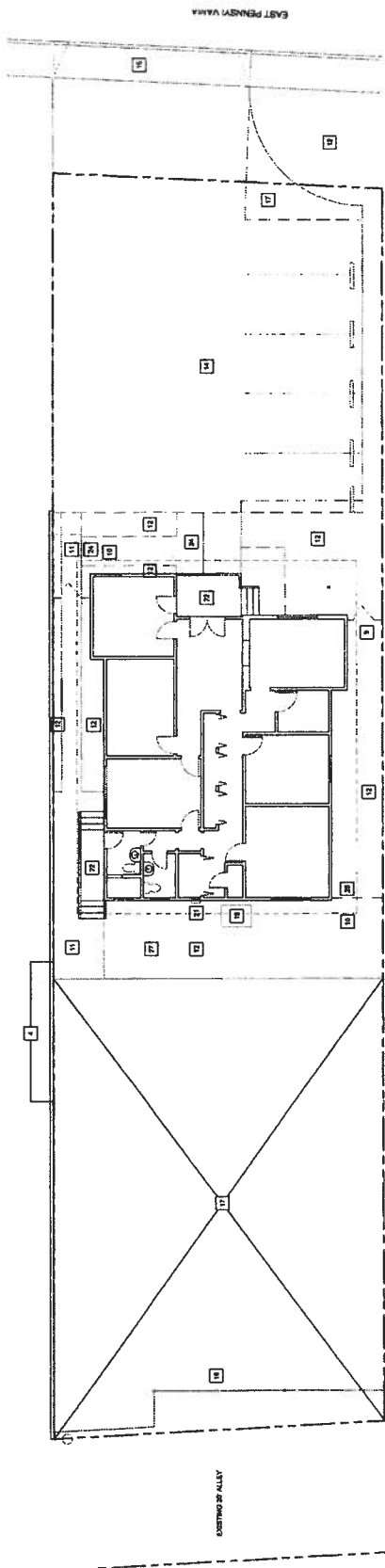
**PROPOSED PROJECT  
PHG 10-0015**



# PROPOSED PROJECT PHG 10-0015



SITE PLAN



## EXISTING SITE PLAN

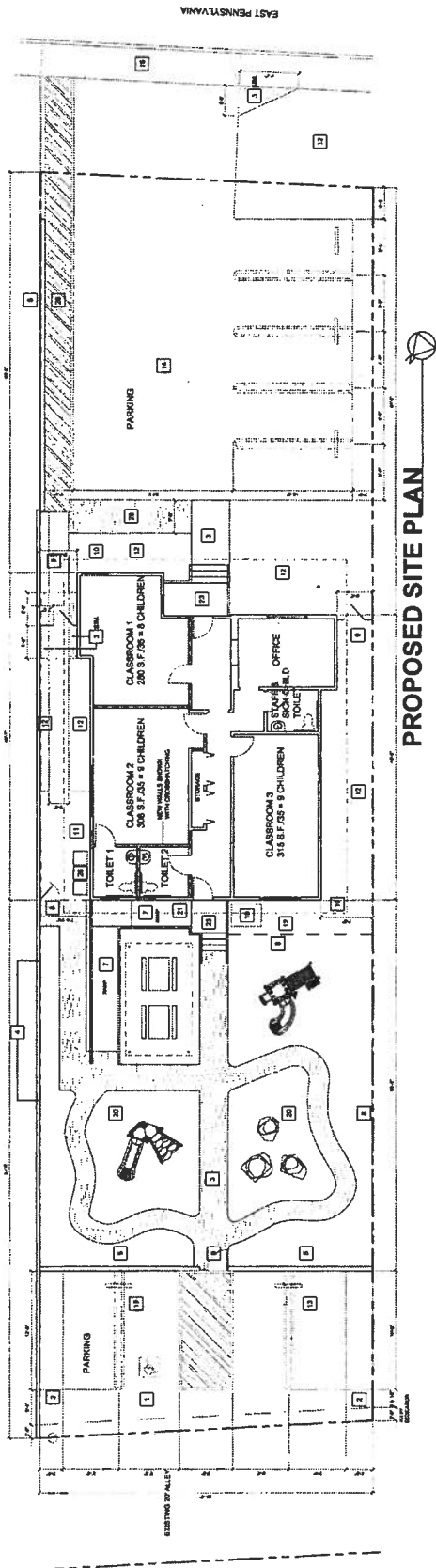
I CERTIFY THAT THE EXISTING ENTIRE SITE IS SLOPED LESS THAN 10%. ARCHITECT C 11787

**STATEMENT OF OPERATIONS**  
FACILITY WILL BE OPERATED AS A LICENSED CHILD CARE FACILITY FOR APPROXIMATELY 30 CHILDREN. THE FACILITY WILL BE OPERATED FROM 8 A.M. TO 5 P.M. MONDAY THROUGH FRIDAY. THERE WILL BE THREE STAFF.

## KEYNOTES

- |    |  |    |  |    |  |
|----|--|----|--|----|--|
| 1  | NEW ASPHALTIC CONCRETE PAVING  | 15 | EXISTING CONCRETE SIDEWALK AND CURB CUT  | 22 | EXISTING WOODEN FRONT PORCH AND STEPS AND REAR PORCH AND STEPS - REMOVE  |
| 2  | NEW PLANTING AREA  | 16 | EXISTING WOOD FENCE ON NEIGHBORS PROPERTY  | 23 | NEW WOOD FRAMED FRONT PORCH AND STEPS AND REAR LANDINGS, STEPS, AND RAMP |
| 3  | NEW 4" WIDE CONCRETE SIDEWALK WITH BROOM FINISH (CURVED PATHS 36')   | 17 | EXISTING PAVING - REMOVE   | 24 | EXISTING CONCRETE SIDEWALK - REMOVE                                      |
| 4  | EXISTING CMU WALL (ON NEIGHBORING PROPERTY) APPROX. 85" HIGH   | 18 | EXISTING REAR FENCING AND GATE - REMOVE  | 25 | EXISTING WOOD FENCE - REMOVE   |
| 5  | NEW PAINTED CMU WALL - 34" HIGH IN FRONT AND 88" HIGH IN REAR  | 19 | EXISTING PAD MOUNTED MECHANICAL UNIT - SHIFT TO WEST AS REQUIRED BY NEW REAR LANDING AND REWORK MAIN DISTRIBUTION PLENUM | 26 | PAINTED STRIPES AT PATH FROM PUBLIC R.O.W. REMOVE EXISTING TREE          |
| 6  | NEW WROUGHT IRON GATE WITH SIDE PANEL  | 20 | PLAY AREA - A COMBINATION OF SAND AND GROUND COVER - SEE SHEET 1A2   | 27 | 85 GAL. TRASH CAN STORAGE (2) AND 65 GAL. RECYCLE CAN                    |
| 7  | NEW WOOD FRAMED RAMP - SLOPE 1:12 - HANDRAILS BOTH SIDES - SLIP RESISTANT SURFACE  | 21 | EXISTING ELECTRICAL SERVICE PANEL TO REMAIN  | 28 | NEW AC PAVING TO MATCH EXISTING  |
| 8  | NEW 6" WOOD FENCE AND/OR GATE - VERTICAL 1 X 6 CEDAR - PAINT   | 22 | EXISTING CONCRETE SIDEWALK AND CURB CUT  | 29 |  |
| 9  | EXISTING GATE TO REMAIN  | 23 | EXISTING WOOD FENCE ON NEIGHBORS PROPERTY  |    |  |
| 10 | EXISTING ROOF OVERHANG ABOVE DASHED  | 24 | EXISTING PAVING - REMOVE   |    |  |
| 11 | EXISTING CONCRETE SIDEWALK TO REMAIN   | 25 | EXISTING REAR FENCING AND GATE - REMOVE  |    |  |
| 12 | EXISTING LANDSCAPE AREA  | 26 | EXISTING PAD MOUNTED MECHANICAL UNIT - SHIFT TO WEST AS REQUIRED BY NEW REAR LANDING AND REWORK MAIN DISTRIBUTION PLENUM |    |  |
| 13 | RELOCATE EXISTING CONCRETE WHEELSTOP   | 27 | PLAY AREA - A COMBINATION OF SAND AND GROUND COVER - SEE SHEET 1A2   |    |  |
| 14 | REPAIR AND RESEAL EXISTING ASPHALTIC CONCRETE PAVING AND RE-STRIPE PARKING SPACES PER CITY OF ESCONDIDO STANDARDS REMOVE AND REINSTALL EXISTING CONCRETE WHEEL STOPS AS SHOWN. | 28 | EXISTING ELECTRICAL SERVICE PANEL TO REMAIN  |    |  |

# PROPOSED PROJECT PHG 10-0015

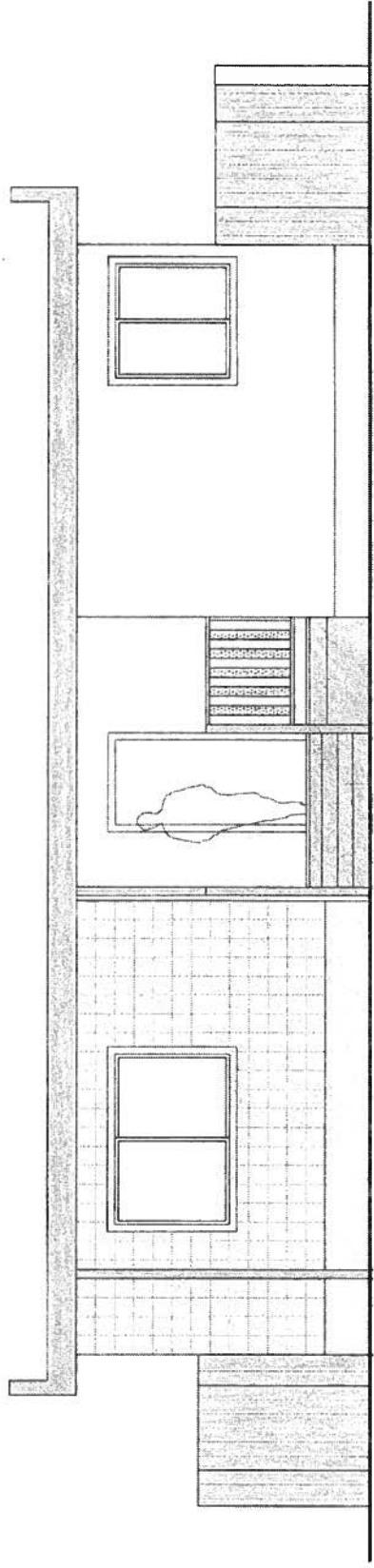


PROPOSED SITE PLAN

## KEYNOTES

- 1 NEW ASPHALTIC CONCRETE PAVING
- 2 NEW PLANTING AREA
- 3 NEW 4" WIDE CONCRETE SIDEWALK WITH BROOM FINISH (CURVED PATHS 387)
- 4 EXISTING CMU WALL (ON NEIGHBORING PROPERTY) APPROX. 65" HIGH
- 5 NEW PAINTED CMU WALL - 34" HIGH IN FRONT AND 65" HIGH IN REAR
- 6 NEW WROUGHT IRON GATE WITH SIDE PANEL
- 7 NEW WOOD FRAMED RAMP - SLOPE 1:12 - HANDRAILS BOTH SIDES - SLIP RESISTANT SURFACE
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- 15 EXISTING CONCRETE SIDEWALK AND CURB CUT
- 16 EXISTING WOOD FENCE ON NEIGHBOR'S PROPERTY
- 17 EXISTING PAVING - REMOVE
- 18 EXISTING REAR FENCING AND GATE - REMOVE
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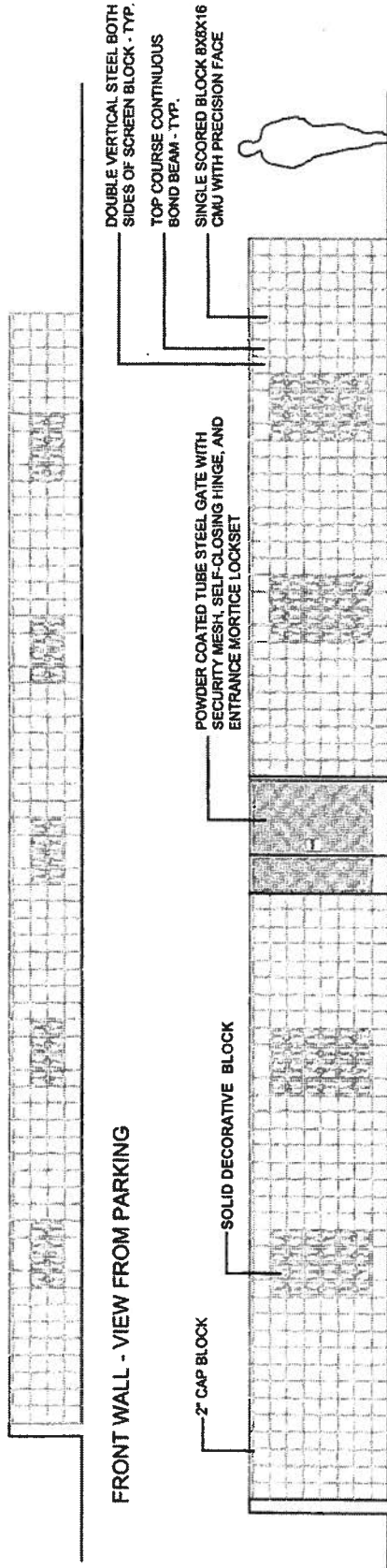




**FRONT ELEVATION WITH NEW ENTRANCE**

**PROPOSED PROJECT  
PHG 10-0015**

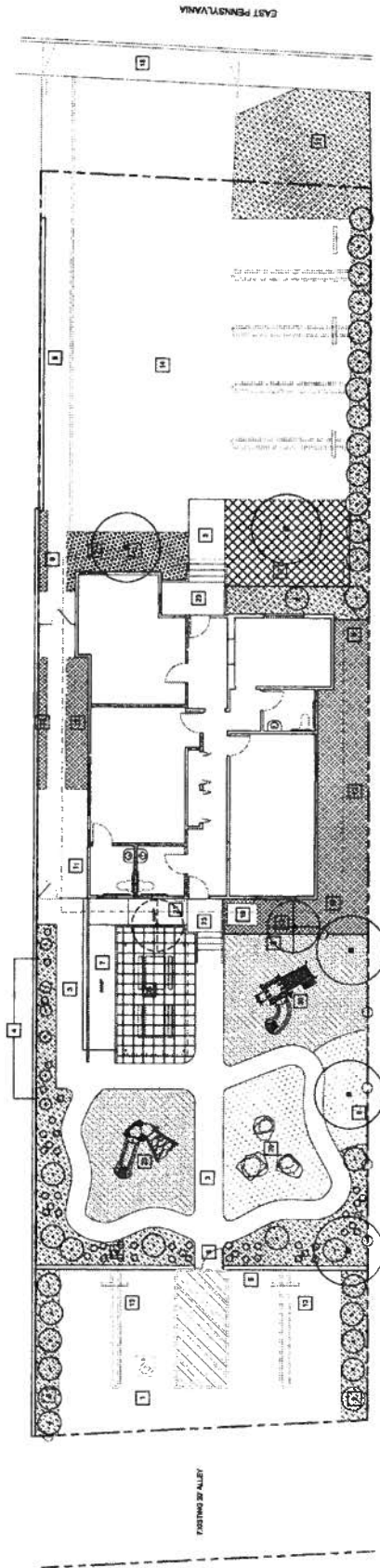




**PROPOSED PROJECT  
PHG 10-0015**



ELEVATIONS



NOTES:  
ALL LANDSCAPING TO INCLUDE WATER EFFICIENT  
LANDSCAPE TECHNIQUES AND PLANTS.

PROPOSED LANDSCAPE PLAN

LEGEND

- EXISTING LANDSCAPING TO REMAIN
- BACK MULCH
- DECORATIVE FLOWERING GROUNDCOVER
- SAND
- SQUARE PRECAST CONCRETE PAVERS SET ON COMPACTED BASE
- DECORATIVE GRAVEL BELOW EXISTING ESTABLISHED XEROSCAPE PLANTINGS
- TURF
- NEW WOOD FENCE - STAIN
- EXISTING SHRUBS TO REMAIN
- NEW 24" BOX FLOWERING TREE - E.G. CHINESE FLAME TREE OR GRAPE MYRTLE
- NEW 15 GALLON FLOWERING SHRUBS - E.G. RHAPHIOLEPIS OR ESCALLONIA
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- MIXTURE OF LOW WATER USAGE SHRUBS - 5 GALLON

**PROPOSED PROJECT  
PHG 10-0015**





# ANALYSIS

## A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: CG zoning (General Commercial) / A variety of commercial uses are located north of the project site across a 20-foot-wide public alley, which include retail, fast food restaurant with drive through, parking lot, and a gas station/convenience store. The rear of these businesses orient towards the rear of the subject site.

SOUTH: HP and CP (Hospital Professional and Commercial Professional) / A variety of office uses are located south of the site across E. Pennsylvania Ave.

EAST: CG zoning (General Commercial) / A residential structure/commercial office use is located immediately east of the subject site. The site is separated by a solid masonry wall (approx. 5'-6") along the eastern property boundary. Retail commercial uses are located further to the east.

WEST: CG zoning (General Commercial) / A single-family residence is located immediately west of the subject site. The site is separated by an older wooden fence, which is proposed to be replaced by a new wooden fence. A mix of single- and multi-family residential development is located further to the west along Pennsylvania Ave.

## B. ENVIRONMENTAL STATUS

1. In accordance with the California Environmental Quality Act (CEQA) Section 15303, "Conversion of Small Structures" the request is exempt from environmental review. The request involves the conversion of a commercial office to a preschool and only minor modifications to the exterior of the building are proposed. The property is located within an area where all public service and facilities are available, and no upgrades to the system would be required. The use also would not involve the use of hazardous wastes. The property is located within an urban area and fully developed. There are no environmental sensitive resources located on or adjacent to the property.
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.

## C. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department expressed no concern regarding their ability to serve the site.
2. Effect on Fire Service -- The Fire Department has expressed no concerns relative to its ability to provide service to the site. Appropriate interior improvements and paths of travel will need to be provided to the site as part of the final improvements prior to operation of the facility.
3. Traffic -- The project takes primary access from Pennsylvania Avenue, which is an unclassified street (80' R-O-W) with on-street parking. Based on the SANDAG traffic generation rates for the San Diego region, the project will generate approximately 5 trips per child or 150 average daily trips (ADT). The Engineering Division indicated the proposed change of use from office/commercial to a preschool would not result in any adverse impacts to the adjacent streets and intersections due to the relatively low volume of traffic along Pennsylvania Avenue.
4. Utilities -- City sewer with sufficient capacity to serve the project is available in the adjoining streets or easement. The Engineering Department concluded the project would not materially degrade the level-of-service of the public sewer and water system and no additional upgrades are required to these systems.
5. Drainage -- There are no significant drainage courses within or adjoining the property and the site is not located within a 100-year flood zone. Runoff from the project would be directed to the adjoining public street or other drainage facility. The Engineering Department concluded the project would not materially degrade level-of-service of the existing drainage facilities.

## **D. CONFORMANCE WITH CITY POLICY**

### **General Plan**

The General Plan land use designation on the site is General Commercial, which allows a wide variety of retail and service activities. The site also is located within the East Valley Parkway Area Plan. The proposed Conditional Use Permit would be consistent with the General Plan since a child care facility is permitted within the Area Plan with a Conditional Use Permit and since the General Plan encourages the development of child care facilities in locations convenient to residents and employees.

### **Whether the Site and Building are Appropriate for use as a Preschool/Day Care Center Accommodating 30 Children**

The project applicant has submitted a request to convert an existing 1,620 SF commercial-office building to a preschool/daycare facility to accommodate up to 30 children. The building primarily has been used for office/professional uses and the property has parking spaces in the front and rear of the building. Although a child care facility is typically permitted in a commercial zone by right, the East Valley Parkway Area Plan requires a Conditional Use Permit for a day care facility.

The interior of the existing building would be remodeled to provide three classrooms, office, bathrooms and storage areas. A separate kitchen is not proposed. The front and rear entrances to the building would be remodeled with appropriate ramps and stairs to provide more convenient and accessible access. The driveway entrance from Pennsylvania Avenue would be modified to provide appropriate disabled access/path of travel to the site. The building would be repainted, existing landscaping repaired, and new perimeter landscaping installed. The existing signage on the building also would be removed.

The California Department of Social Services Community Care Licensing Division requires 75 SF of play area per child for a daycare/preschool facility. A minimum of 2,250 SF of outdoor play area would be required to serve 30 children and approximately 2,500 SF of outdoor area is proposed (50' x 50'). This area would contain typical play structures, hardscape and softscape areas, and portable shade structures. A final design is required to be submitted with the building and landscape plans. A six-foot-high decorative masonry wall would be constructed along the northern boundary of the play area to provide a barrier between the outdoor play area and the proposed new parking spaces, alley and commercial uses. There is an existing masonry block wall along the eastern property boundary and the existing wooden fencing along the western property boundary would be replaced with a new six-foot-high fence. Additional perimeter landscaping would be provided around the recreation area including trees. The Design Review Board recommended approval of the proposed site/building improvements, masonry wall and fencing design on July 8, 2010, and did not raise any concerns about the design or use of the site for a preschool.

### **On-site Parking and Drop Off/Pick Up**

Section 33-1103 of the Zoning Code (Miscellaneous Use Restrictions) allows a Conditional Use Permit to be granted for a daycare facility if there is adequate off-street parking available and if there is an adequate loading and unloading area for the children. Zoning Code Section 33-760 (Parking Ordinance) requires one parking space per employee for day care facilities. The applicant indicated that 30 children would require a minimum of 3 employees and nine parking spaces would be provided for the facility. There currently are five paved parking spaces in the front of the site that take access from Pennsylvania Avenue. On-street parking along Pennsylvania Avenue also is provided. Four new spaces (including a van accessible space) would be provided along the rear of the site that would be accessed from the alley. These four new spaces are intended to be used by the employees, while the spaces along the front of the facility would be used for drop off and pick up. Staff feels that with the addition of the four new spaces, adequate on-site parking, circulation and loading area would be provided.

**Noise Ordinance-** The City's General Plan Noise Element contains policies, which outline acceptable noise levels associated with each type of land use. A preschool facility is a noise sensitive use and appropriate siting of buildings and outdoor recreation areas are necessary to ensure appropriate outdoor and indoor noise levels are met. A portion of the site is located within a projected year 2000 noise contour with an anticipated CNEL of 60 dB or greater due to the project's location near Circulation Element Streets. The General Plan goal for noise levels for a playground is a CNEL between 60 and 70 dBA CNEL or less. The major noise generator affecting the site and outdoor play area is E. Valley Parkway located approximately 200 feet to the north. The project is proposing to construct a six-foot-high solid masonry wall along the rear of the site facing the alley and E. Valley Parkway. Based on previous noise studies for similar projects along Circulation Element Streets (including E. Valley Parkway), outdoor noise levels are not anticipated to exceed 60 dB due to the distance from the major noise source and proposed solid masonry wall. In addition, it is anticipated that the proposed building would meet the interior noise standards for classrooms with conventional construction techniques.

Due to the existing commercial zoning of the site and surrounding commercial zoning, noise generated within the proposed outdoor recreation area is not anticipated to result in any adverse impacts to adjacent uses. A non-conforming

single-family residence is located adjacent to the site to the west. A six-foot-high wooden fence is proposed to be installed to provide an appropriate physical barrier between the two uses, along with the installation of landscaping, including tall growing shrubs/hedges and trees.

Conclusion - With the improvements proposed to the building and site, and implementation of the project conditions, staff feels the Conditional Use Permit to use the site for a preschool is appropriate, since the site can accommodate the drop-off area and number of parking spaces needed for the additional children, and since all requirements of the California Department of Social Services Community Care Licensing Division, including size of play area would be met.

# SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

## **A. PHYSICAL CHARACTERISTICS**

The approximately 9,475 SF site is developed with a single-story commercial/office building that was moved onto the site. The site is flat (less than 5% slope) and contains paved parking spaces and ornamental landscaping. The property fronts onto and takes access from Pennsylvania Ave, which is fully developed with curb, gutter and sidewalks. A 20-foot-wide public alley also is located along the rear of the property.

## **B. SUPPLEMENTAL DETAILS OF REQUEST**

1. Property Size: 9,475 SF
2. Building Size: 1,620 SF
3. Number of Children: Up to 30 (typ. ages 2-5)
4. Number of Employees: 3-4, depending on final licensing requirements
5. Hours of Operation: Typically 7:00 a.m. – 6:00 p.m. Monday - Friday (hours may vary according to client needs)
6. Outdoor Recreation Area: 2,500 SF proposed
7. Parking: 9 total spaces which includes 5 existing spaces in front of building (access from Pennsylvania Ave) and 4 new spaces towards rear of site (access from alley) which includes one accessible space.
8. Building Color: Building to be repainted which includes light cream/gray stucco, darker gray tones on exterior block façade, and darker gray trim, stairs, railing and wooden fencing.
9. Fencing/Walls: New decorative masonry wall to be constructed along the rear (northern) area of the site to separate the outdoor play area from the new parking spaces. Metal gate to provide access. New six-foot-high wooden fence to be installed along the western property boundary and painted gray with anti-graffiti coating. Existing fencing to be repaired or replaced as necessary. New low wall along the eastern boundary of the property in the front parking area to separate the site from the adjacent driveway/parking area to the east.
10. Landscaping: Existing landscaping to be repaired and new landscaping added to existing and new parking areas. Mix of landscaping, hardscape, shade structures and play equipment to be included in the outdoor recreation area.

**EXHIBIT "A"**  
**FINDINGS OF FACT**  
**PHG10-0015**

Conditional Use Permit

1. Granting this Conditional Use Permit for the proposed childcare/preschool facility is based on sound principles of land use and in response to services required by the community since it would offer day care opportunities within walking distance of many residential units, and convenient to surrounding commercial uses along the East Valley Commercial Corridor. The facility would be in conformance with all requirements of the Zoning Code and adequate outdoor play areas, parking spaces and drop-off/pick-up area would be provided.
2. The proposed project would not create a nuisance, cause deterioration of bordering land uses or create special problems for area in which it is located since the property is zoned and developed for office/commercial uses and is surrounded by a mix of commercial and residential uses. Appropriate on-site parking and drop-off areas would be provided, along with sufficient outdoor recreation area for the children. A combination of solid masonry walls and wooden fencing would be provided around the outdoor play area and building to provide appropriate screening, security and buffers from adjacent uses. The project will not diminish the Quality-of-Life Standards of the General Plan as the project would not degrade the levels of service on adjacent street and intersections, and adequate public facilities would be provided (as discussed in the staff report prepared for the project). In addition, the facility would meet all requirements of the Building Division, Fire Department, and California Department of Social Services Community Care Licensing Division.
3. The General Plan land use designation on the site is General Commercial, which allows a wide variety of retail and service activities, including local commercial, community shopping/office complexes, and regional shopping centers. The site also is located within the East Valley Parkway Area Plan. The proposed Conditional Use Permit would be consistent with the General Plan since a child care facility is permitted within the Area Plan with a Conditional Use Permit and since the General Plan encourages the development of child care facilities in locations convenient to residents and employees. There are appropriate services and utilities to serve the project site. The Engineering Division indicated the proposed new building would not adversely impact traffic or circulation, utilities or drainage systems. Therefore, the proposed addition would not diminish the Quality-of-Life Standards of the General Plan as the project does not materially degrade the levels-of-service on adjacent streets or public facilities. The goals of the East Valley Parkway Area Plan include many ways to revitalize the area. The proposed child care facility is consistent with the goals of the Area Plan, since the Plan encourages uses that serve the increasing residential base and capture visitor traffic. Parents and employees of the facility would help support the commercial and retail uses along the East Valley Parkway corridor. In addition, the facility would provide child care opportunities in the eastern part of the City, within walking distance to several residential projects and employers.
4. 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 zoning and commercial/residential uses. The site would provide adequate parking and drop-off and pick-up areas on-site and the site would be fenced and landscaped. The additional daily vehicle trips could be accommodated on adjacent streets with no negative impact according to the Engineering Division.
5. In accordance with the California Environmental Quality Act (CEQA) Section 15303, "Conversion of Small Structures" the request is exempt from environmental review. The request involves the conversion of a commercial office to a preschool and only minor modifications to the exterior of the building are proposed. The property is located within an area where all public service and facilities are available, and no upgrades to the system would be required. The use also would not involve the use of hazardous wastes. The property is located within an urban area and fully developed. There are no environmentally sensitive resources located on or adjacent to the property. The proposed project would not result in any adverse impacts to the environment, and would have no impact to fish and wildlife.

## **EXHIBIT “B”**

### **CONDITIONS OF APPROVAL PHG10-0015**

#### **General**

1. This Conditional Use Permit is for a preschool/day care facility for a maximum of 30 children. All uses, hours of operation, activities and design of the project shall be in substantial conformance with the plans/exhibits, Details of Request and conditions of approval contained within this report, to the satisfaction of the Planning Division.
2. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City Wide Facilities fees.
3. All construction and change of use/occupancy shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department, including any life/safety interior and exterior improvements that may be required by the Fire Department.
4. 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.
5. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
6. No signage is approved as part of this permit. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance. All existing building signage (including roof signage) and any freestanding signs shall be removed.
7. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
8. All project-generated noise shall comply with the City’s Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division. There shall be no loud speaker system, school horns or whistles used in conjunction with the subject building.
9. The subject site shall be designed to conform to current regional storm water requirements (if required) to the satisfaction of the Engineering Department.
10. As indicated on the plans, nine parking spaces shall be provided for the preschool facility, which includes one van accessible space. Said parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards. 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. All new parking areas shall be designed and surfaced in accordance with Article 39 (Off-Street Parking) of the Escondido Zoning Code and Engineering Division design requirements.
11. Parking for disabled persons shall be provided (including “Van Accessible” spaces and access aisle) in full compliance with chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage.
12. Any proposed rooftop equipment must be fully screened from all public view utilizing materials and colors which match the buildings.

13. Prior to occupancy, all proposed and/or required improvements shall be installed, to the satisfaction of the Planning Division.
14. All new utilities shall be underground.
15. All requirements of California Department of Social Services Community Care Licensing Division shall be met.
16. Appropriate pedestrian paths of travel shall be provided to the site along with appropriate fire access. This shall be demonstrated on the building plans.
17. The front parking area (fronting onto Pennsylvania Ave) shall be repaired, resealed and restriped. The new wall along the front parking area/drive aisle shall provide appropriate sight distance at the driveway entrance. This shall be demonstrated on the building and landscape plans.
18. A backup kicker area shall be provided in the front parking area (typically five feet in depth).
19. A solid masonry wall shall be installed along the rear (northern side) of the outdoor play area to provide an appropriate barrier between the new parking spaces, alley and commercial uses to the north. The proposed metal entry gate (sheet metal cover of 18-gauge minimum, or ¾ -inch or better wood) shall be designed with overlapping closures. The final design of any perimeter walls shall be submitted to the Planning Division for approval. The new masonry wall along the rear of the property shall include appropriate decorative pilasters and decorative cap rather than a rolled mortar cap.
20. 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.
21. 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, installation of "do not enter signs," 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.
22. 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 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 specified 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.

### **Landscape Conditions**

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. 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. The plans shall be prepared by, or under the supervision of a person qualified to prepare such plans. The landscape plans also shall include the following:

- The plan shall include appropriate drought-tolerant species appropriate to the zone along with a water efficient irrigation design.
  - The existing street tree located along Pennsylvania Avenue shall be pruned to ensure the ongoing health of the tree and to clear the understory to provide appropriate line of sight along the sidewalk.
  - The landscape planter along the front (eastern elevation) of the building shall include an appropriate mix of shrubs and groundcover and accent trees.
  - All area of existing landscaping to remain shall be repaired as necessary.
  - A row of dense tall-growing shrubs/hedge (min. 5 gallon) shall be planted along the western boundary of the site along with appropriate trees (min. 15 gallon).
2. Prior to occupancy, all perimeter and parking lot landscaping shall be installed. 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.
  3. All existing ornamental trees to remain within the development site and any trees proposed to be removed shall be identified on the landscape plans, to the satisfaction of the Planning Division.
  4. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.

#### **Building Division Conditions**

1. The building plans shall demonstrate compliance with the 2007 California Building Codes.
2. The plans shall show the accessible path of travel from the public sidewalk to the new buildings.
3. Proposed shade canopies and structures require building permits.
4. Verify ramp and landing dimensions are in compliance with Title 24, Chapter 11B, 2007 CBC.



**ENGINEERING CONDITIONS OF APPROVAL**  
**PHG10-0015 1130 E. Pennsylvania Ave**

**STREET IMPROVEMENTS**

1. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of plans and the issuance of Building Permits.
2. The S/W side of the existing 32' wide driveway apron off of Pennsylvania Ave. shall be modified by adding a triangular section of PCC sidewalk so that this side of the driveway conforms to San Diego Regional Standard Drawing G-14A.
3. All improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
4. The developer will be required to provide a to-scale and detailed plan for all construction within the public rights-of-way, to the satisfaction of the City Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

*An engineered improvement plan is required for all public improvements (unless only sidewalks, driveways and/or streetlights are required). The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.*

**STREET DEDICATION**

1. The developer shall dedicate to the public an additional 2 feet along the Alley.
2. Plats and legal descriptions for the dedication together with supporting survey data shall be prepared by persons able to legally practice Land Surveying in the State of California, and submitted for review by the Engineering Dept.

*Material necessary for processing a dedication or easement shall include: a current grant deed or title report, a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying (document size) and traverse closure tapes. The City will prepare all final documents.*

**CASH SECURITY AND FEES**

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
2. The developer will be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.



CITY OF ESCONDIDO  
PLANNING DIVISION  
201 NORTH BROADWAY  
ESCONDIDO, CA 92025-2798  
(760) 839-4671

### Notice of Exemption

To: San Diego County Recorder's Office  
Attn: Linda Kesian  
P.O. Box 121750  
San Diego, CA 92112-1750

From: City of Escondido  
201 North Broadway  
Escondido, CA 92025

**Project Title/Case No.:** PHG 10-0015 (Pennsylvania Ave Preschool)

**Project Location - Specific:** The approximately 9,475 SF property is located on the northern side of East Pennsylvania Ave, between Ash Street and Beech Street, addressed as 1130 E. Pennsylvania Ave (APN 230-122-10).

**Project Location - City:** Escondido, **Project Location - County:** San Diego

**Description of Project:** A Conditional Use Permit to convert an existing 1,620 SF commercial office building to a preschool/childcare facility for up to 30 children.

**Name of Public Agency Approving Project:** City of Escondido

**Name of Person or Agency Carrying Out Project:**

Name Xiao Yan Hu Telephone (858) 380-8939

Address 3189 Katharine Drive, Escondido, CA 92027

Private entity     School district     Local public agency     State agency     Other special district

**Exempt Status:** Categorical Exemption. Section 15303, "Conversion of Small Structures."

**Reasons why project is exempt:**

1. The request involves the conversion of a commercial office to a preschool and only minor modifications to the exterior of the building are proposed. The property is located within an area where all public service and facilities are available, and no upgrades to the system would be required. The proposed preschool also would not involve the use of hazardous wastes. The property is located within an urban area and fully developed. There are no environmental sensitive resources located on or adjacent to the property.
2. All service and access to the proposed facility are available and would be in conformance with local standards.

**Lead Agency Contact Person:** Jay Paul, Planning Division Area Code/Telephone/Extension (760) 839-4537

Signature:  July 26, 2010  
Jay Paul, Associate Planner Date

Signed by Lead Agency    Date received for filing at OPR: N/A  
 Signed by Applicant