

PLANNING COMMISSION

Agenda Item No.: G.1
Date: December 11, 2012

CASE NUMBER: PHG 10-0021

APPLICANT: Faith Harbor Church

LOCATION: 442 and 444 S. Escondido Boulevard (APNs 233-150-20, -21 and -22)

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A Conditional Use Permit to operate a church and related religious and social activities within an existing commercial/office building within the Downtown Specific Plan Area.

STAFF RECOMMENDATION: Denial

GENERAL PLAN DESIGNATION/TIER: SPA 9 (Downtown Specific Planning Area)

ZONING: SP (Southern Gateway District)

BACKGROUND/SUMMARY OF ISSUES: Faith Harbor Church has been using an existing office building to conduct a variety of church and related activities over the past several years. The subject site is located within the Gateway District of the Downtown Specific Plan Area. A Conditional Use Permit is required to operate a religious facility; social, professional and youth organizations that conduct group meetings; primary and secondary schools; daycare facilities; as well as other similar religious-based and secular assembly type uses within this specific commercial district. Other assembly type uses (such as dance halls, indoor athletic arenas, and theaters are not allowed uses within the Southern Gateway District, but are allowed or conditionally allowed in some of the other commercial districts of the Downtown Specific Plan. In response to a Code Enforcement action regarding the use of the site by the Church without the appropriate approvals/permits, the Church submitted a Conditional Use Permit application on August 30, 2010. The City has been working with the Church since that time to address specific building and fire code issues regarding the current assembly use of the site; interior improvements that have been done that will require appropriate building permits; as well as ongoing property maintenance concerns. The Church has continued to use the facility while the CUP is being processed.

The site previously contained a bank (Wells Fargo and North County Bank) and a variety of office uses. The property contains two separate two-story office buildings under a single roof with a central landscaped courtyard/atrium. The church has modified the first-floor interior of one of the buildings to conduct their main assembly/services and the first-floor of the other building is used for a variety of office, recreation, small meeting and counseling-type functions. The church also operates a food pantry (San Diego Dream Center Food Pantry) where they distribute pre-packaged food and groceries generally to families with children, seniors and the disabled two days a week. The parking lot area also is proposed to be used for various outdoor community functions on a limited basis. It is anticipated that use of the previously vacant building(s) as a church would be an interim use of the buildings until such time as the existing building is used for office or other allowed commercial uses and/or the site is redeveloped in conformance with the Downtown Specific Plan.

A Master and Precise Development Plan, Tentative Subdivision Map and Development Agreement (City File Nos. 2007-03-PD and TR 958) were approved by the Escondido Planning Commission and City Council in 2007 to demolish the existing buildings on the property and develop a mixed-used residential/commercial project on the site in conformance with the goals of the Downtown Specific Plan to revitalize the area with a balance of retail, office and residential uses. Redevelopment of the site along with several other approved commercial and mixed-use projects throughout the Downtown Area and along the South Escondido Boulevard commercial corridor have stalled due to the current economy. The Development Agreement for the project had a term of five years and recently has expired. Faith Harbor Church does not own the property, but currently operates on a short-term lease basis. The applicant feels the church is a good interim use of the building until such time as the property is redeveloped in accordance with the Downtown Specific Plan. A

Conditional Use Permit does not have a sunset provision and runs with the land, not the owner or applicant. The CUP would transfer to a subsequent owner/operator if the current applicant decides to leave the site and the owner leases to another church. A CUP would expire only if the approved use is discontinued for twelve consecutive months.

Staff feels the issues are as follows:

1. Whether the applicant has the ability and/or intends to fulfill the project conditions of approval.
2. Whether the site is appropriate to accommodate the proposed project and is consistent with the goals and vision of the Downtown Specific Plan and General Plan.

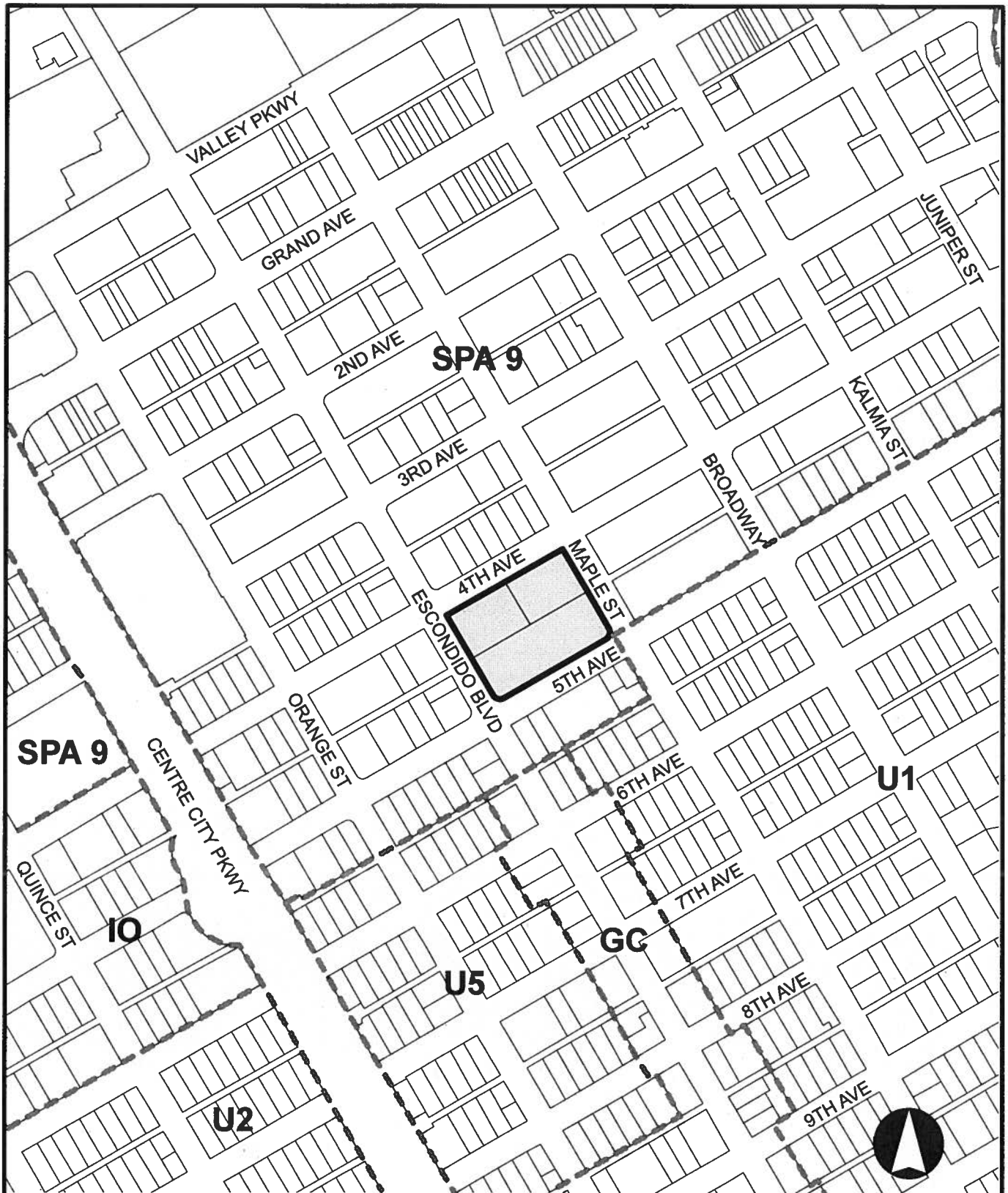
REASON FOR STAFF RECOMMENDATION:

1. Staff feels there are other suitable commercial locations throughout Escondido and within the Downtown Specific Plan Area that could potentially serve the needs of the Church without burdening the applicant with the necessary property upgrades to support the proposed uses. The Church also has not demonstrated the ability to adequately maintain such a large site and indicated they may not be able and/or willing to complete the necessary improvements to support the change of occupancy and use permit. The owner also has not provided much needed upgrades to the site's infrastructure and building to support the current use of the site and the proposed change of occupancy to an assembly type use.
2. Staff feels the existing site is not appropriate to support the proposed project and since it is not in conformance with the previously approved Master and Precise Development Plan for the site to redevelop the site with a mixed-use commercial/residential development. The proposed project also is not consistent with the overall strategic goals of the Downtown Specific Plan to revitalize the area with the development of business and professional offices and services, and higher density residential development that would help to promote a vibrant and exciting Downtown environment.

Respectfully Submitted,



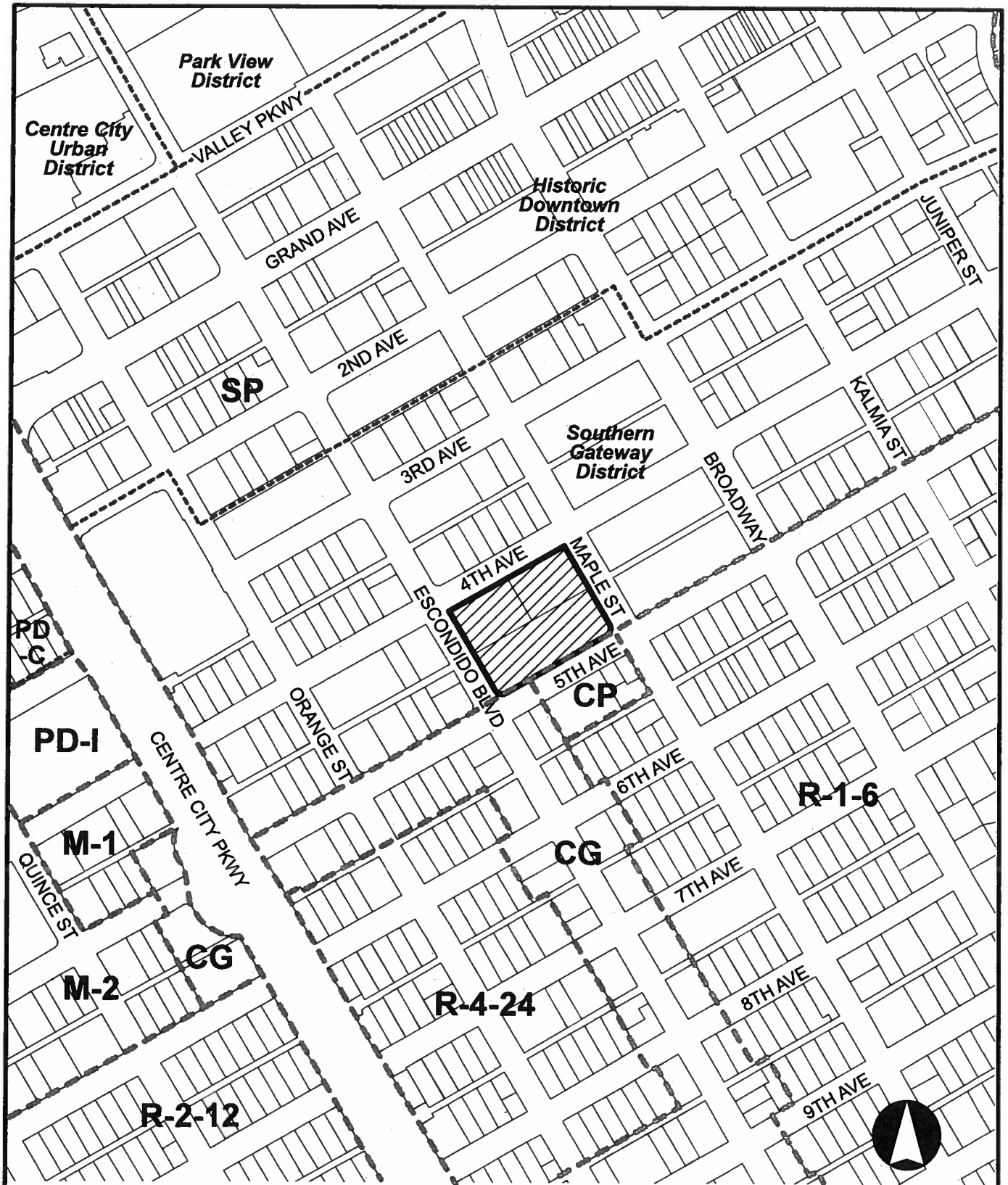
Jay Paul
Associate Planner



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**PROPOSED PROJECT
PHG 10-0021**





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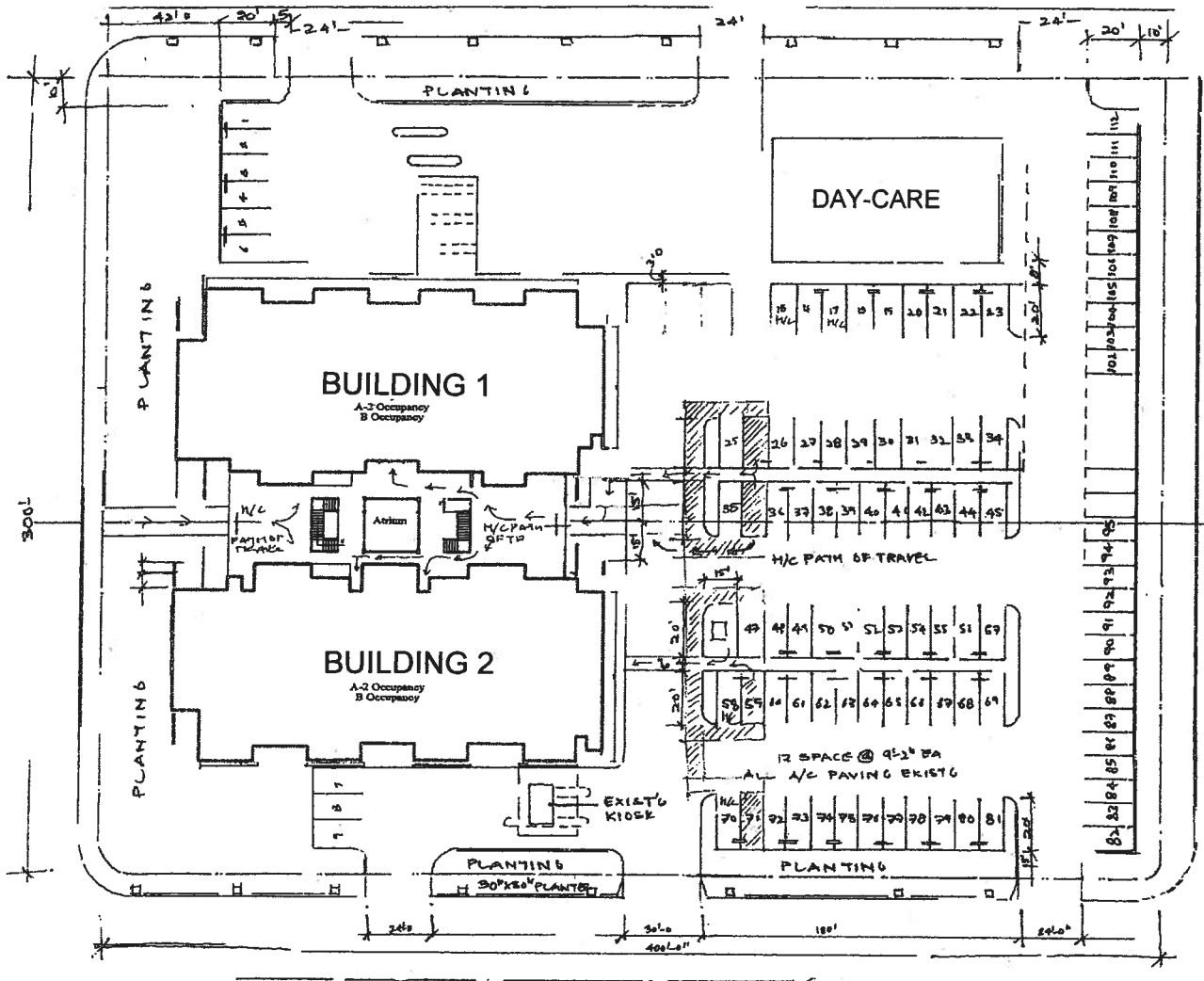
**PROPOSED PROJECT
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4TH AVE

ESCONDIDO BLVD

MAPLE ST



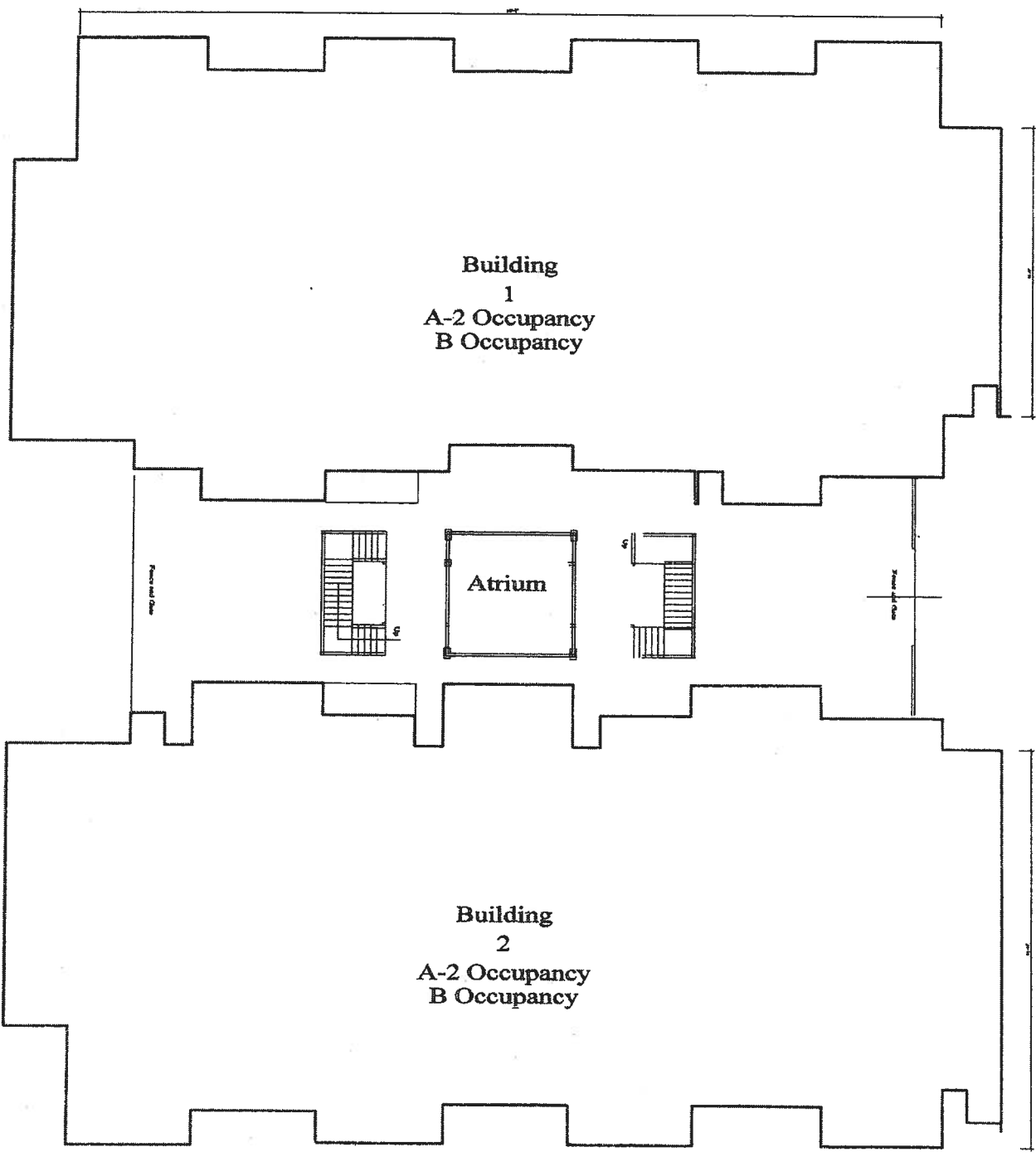
5TH AVE

SITE PLAN BUILDING USE CHANGE 
 NO ADDITIONAL SQUARE FOOTAGE
 NO CHANGE TO EXIST'G SLOPE FOR SITE DRAINAGE

PROPOSED PROJECT
PHG 10-0021



SITE PLAN

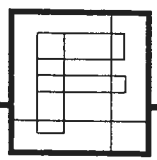


**Building
1
A-2 Occupancy
B Occupancy**

Atrium

**Building
2
A-2 Occupancy
B Occupancy**

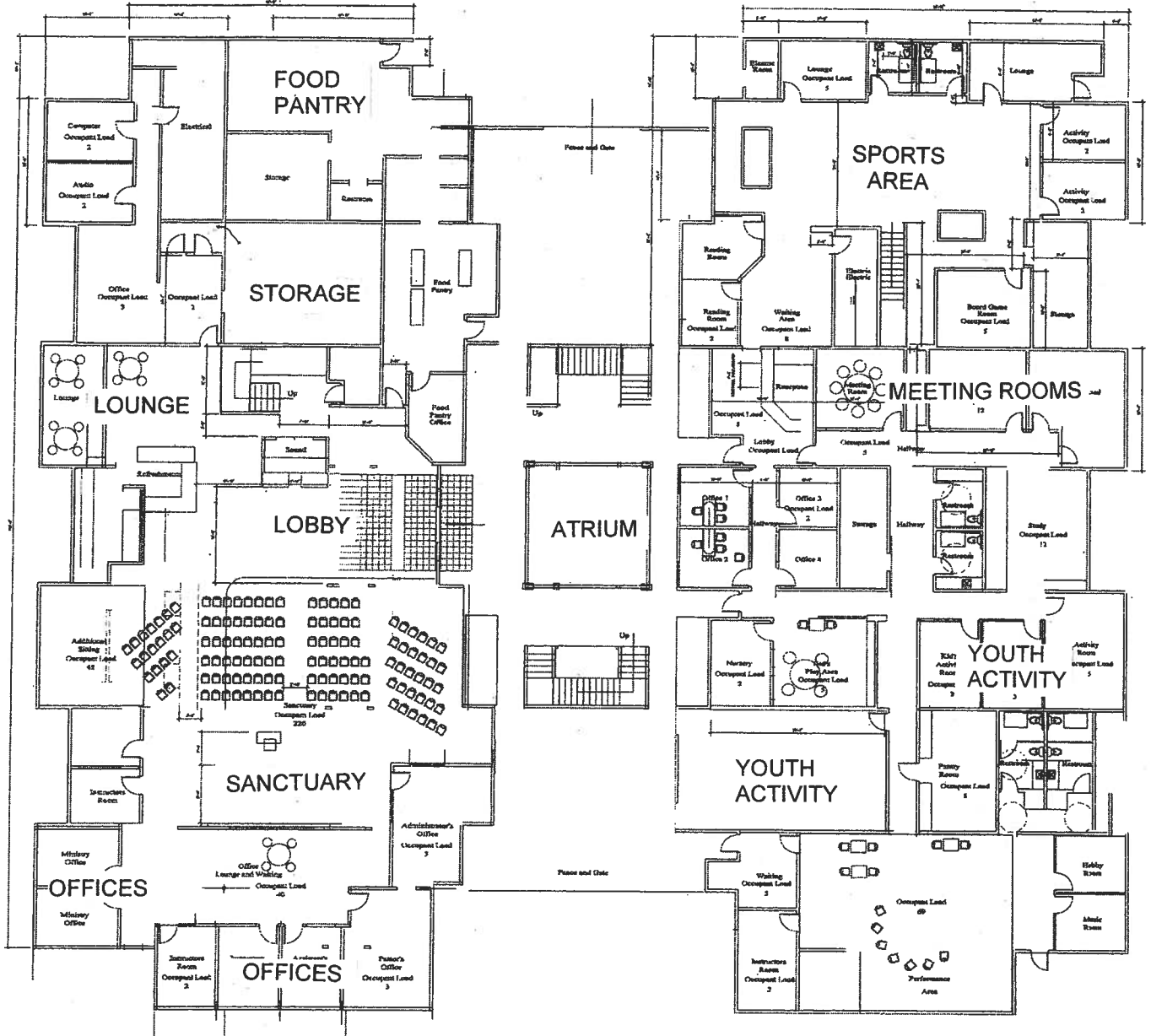
**PROPOSED PROJECT
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PARKING

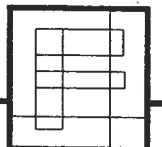
BUILDING 1

BUILDING 2



FIRST FLOOR PLAN

PROPOSED PROJECT
PHG 10-0021



FLOOR PLAN

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: SP (Specific Planning Area) A used auto dealership is located west of the site across 4th Avenue. There also are four single-family homes to the northeast across 4th Avenue. The front of the homes orient towards the project site and parking lot of the facility. On-street parking along 4th Avenue is not restricted.

SOUTH: CP and CG zoning (Commercial Professional and General Commercial) Commercial offices and limited residential uses are located south of the site across 5th Avenue. Residential homes also are located to the southeast of the site and parking lot for the facility. On-street parking along 5th Avenue is not restricted.

EAST: SP (Specific Planning Area) Central Elementary School is located east of the site across Maple Street. On-street parking along Maple Street is not restricted,

WEST: SP (Specific Planning Area) A variety of commercial/office uses are located west of the site across Escondido Boulevard. On-street parking along Escondido Boulevard is restricted within the vicinity of the project.

B. ENVIRONMENTAL STATUS

1. In accordance with the California Environmental Quality Act (CEQA) Section 15301, "Existing Facilities" a Categorical Exemption has been prepared in draft form for the proposed project. The environmental document was prepared should the Planning Commission consider and recommend approval of the project. CEQA does not require environmental review for projects rejected or disapproved by a public agency.

C. AVAILABILITY OF PUBLIC SERVICES

1. **Effect on Police Service** -- The Police Department expressed no concern regarding their ability to serve the site. The Police Department did indicated the site/building has been a target of vandalism and graffiti, and been used by vagrants, homeless and others for unlawful type purposes in overgrown landscape areas and other areas that are hidden from public view. The Pastor of the Church indicated they continue to address this issue as best as possible, but do not maintain a presence on the site at all times. He also indicated they have eliminated a great deal of the transient issues by trimming some of the heavily landscaped areas.
2. **Effect on Fire Service** -- The Fire Department indicated their ability to provide adequate serve to the site and building(s) from the adjacent streets and driveways. The site is served by Fire Station No. 1, located at 310 N. Quince Street. The project includes a change of occupancy from an office type use to an assembly use. The project will be required to incorporate appropriate fire safety measures to include items such as fire extinguishers and fire alarm systems as part of the necessary building permits and change of occupancy for the facility. The Fire Department initially indicated the change of occupancy from a type 'B' office use to a type 'A' assembly use would trigger the need to install fire sprinklers within the building. The Pastor of the Church indicated that it would cost in excess of \$200,000 to install sprinklers in order to bring the building into compliance with current code, which they would not have the resources to do (see attached letter). However, working with the Church and Building Division, the Fire Department was able to determine that in this specific case, the Building Official also has the ability to determine whether or not the change of occupancy would require the installation of fire sprinklers, provided the occupant meets all necessary life safety requirements set forth by the California Building Code. Due to the limited resources of the Church, the Building Office also conducted a preliminary analysis of the building plans to make the initial determination the building would not require fire sprinklers provided that other relevant code items would be met. The Building Official notified the applicant that certain building/safety code items would need to be provided in order to conduct assembly uses within the building in lieu of fire sprinklers. However, the Church has yet to accomplish these items. The applicant would be required to provide any final analysis of on-site/building conditions and the level of improvements needed to support the proposed change of occupancy through the building permit process.
3. **Traffic/Circulation** – The project site fronts onto four streets (4th Avenue, Maple Street, 5th Avenue and Escondido Boulevard). Escondido Boulevard and 5th Avenue are classified as Collector Roads (84' R-O-W). Access is provided from multiple driveways along 4th Avenue and 5th Avenue. Parking along 4th Avenue, 5th Avenue and Maple Street is not restricted. The Engineering Division indicated the vehicle trips generated by the church are not anticipated to

result in any adverse impacts to the adjacent street segments or intersections since the streets would continue to operate at acceptable levels, and the bulk of the traffic typically is generated during non-peak hours and on the weekends. However, due to the change in occupancy and condition of existing infrastructure, the Engineering Division has included conditions that the applicant/property owner upgrade current ADA access ramps at certain intersections and repair any damaged sidewalks around the project frontages in order to adequately serve pedestrians that would be served by this proposed project and anticipated activities.

4. Utilities -- City sewer and water mains with sufficient capacity to serve the project are 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.
5. Drainage -- There are no significant drainage courses on or adjacent to the project site. 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 or downstream drainage facilities.

D. CONFORMANCE WITH CITY POLICY

General Plan

The proposed CUP modification would not be consistent with the goals and policies of the General Plan for this specific zoning district since the proposed project would not be a catalyst to facilitate the redevelopment of the site to support the Downtown Specific Planning Area Strategic Goals to provide for an appropriate mix of retail, commercial and higher-density residential uses.

Public Input

Staff consulted with the Downtown Business Association (DBA) early in the review process and the DBA did not oppose the interim use of the existing office building to support church services. However, they did express concerns regarding the operation of a food kitchen or other uses that might not be compatible with the overall vision and goals of the downtown area. Staff also received a call from a nearby property owner expressing concern with use of the site for social services that have the potential to result in loitering and other unwanted activities within the neighborhood and adjacent elementary school. Staff also received a letter (attached) from a nearby property owner expressing concern regarding the ongoing maintenance of the facility, insufficient security lighting and security for on-site transient activity. The Pastor responded to the letter (attached) indicating their attempts to address these issues, including painting a section of the building and trimming landscaping.

Property Maintenance - Maintenance of the building, grounds and landscaping has been a reoccurring issue for the site since the former bank and other offices uses vacated the buildings in anticipation of the site being redeveloped as a mixed-use project. The church has been the only tenant since that time, and the Church's Pastor (Robert Granger) indicated they have tried to respond to past code requests to address specific issues such as graffiti, trash, landscape maintenance, loitering and recreational vehicles parking on the site. However, the Pastor indicated that since they only lease the site, their small congregation has limited resources and maintenance is provided by church members to the best of their ability. The Pastor also indicated they are reluctant to commit any significant capital resources into the building and grounds because they do not own the property and the owner has future plans to redevelop the site. The Church currently operates on a short-term lease of the site. Staff feels that ongoing maintenance is both the responsibility of the property owner and the church. Although some property maintenance issues have been addressed, the current distressed state of the building and grounds continue to be an ongoing concern. An appropriate level of building and property maintenance would need to be accomplished prior to the issuance of required building permits and certificate/change of occupancy to facilitate this or any other similar type project. In addition, the Engineering Division has conditioned the project to repair any damaged sidewalks and upgrade certain ADA ramps to support anticipated pedestrian traffic associated with existing and future activities and growth for the site.

The property also has been a target for graffiti, trash and vagrant use. The Pastor feels that previous and potential issues regarding transient activities at the site and other inappropriate activities that might occur have been greatly diminished by their presence on the site. Although, he also indicated since the church is still relatively small, but growing, they do not maintain personnel at the facility on a day-to-day basis to monitor all activities that might occur on the property. Although the Church currently limited in their ability to upgrade the site, the Pastor feels that some use of the site, even on an interim basis is better than no use of the site.

Whether the site is appropriate for the proposed use and related activities, and consistent with the Goals and Polices of the General Plan and Downtown Specific Plan.

The 2.3-acre commercial site is located within the Southern Gateway District of the Downtown Specific Planning Area and encompasses an entire city block. The General Plan and Downtown Specific Plan vision for the area seeks to revitalize employment and activity opportunities within this area in support of smart growth development principles. The Downtown Specific Plan Strategic Goals are to ensure an economically viable Downtown by providing a balance of retail, office, residential, entertainment and cultural uses that foster an "18-hour" atmosphere. The Vision of the Southern Gateway District is to "provide for the expansion and development of business and professional offices and services." "New Commercial development with strong connections to Grand Avenue and Escondido Boulevard, as well as residential opportunities with higher densities, are encouraged to provide an optimal setting for those uses." Staff feels that use of the site for the proposed assembly uses would not be consistent with these goals since the proposed use could adversely hamper the future redevelopment of the site/building to support the General Plan and Downtown Specific Plan Vision and goals as stated above. The City continues to support the use of suitable sites for religious and other similar type assembly uses, but feel that the unique character, size and location of this site near the heart of the downtown core and along this busy Commercial Circulation Element Street is not consistent with the recently approved development plans for the site.

The two-story building does not have any elevators to service the second floor offices/suites. Since the church occupies all of the first floor space in both buildings, the use of the upper floor spaces are significantly limited without the installation of elevators to conform to ADA requirements. In addition, without the installation of elevators, the unused upper floor spaces also could not be leased out to another commercial or office tenant while the church utilizes the lower spaces, which further complicates the leasability of the buildings. Therefore, staff does not support the use of the site for the proposed use and feels that a more suitable commercial site could be used that would better accommodate the current and future needs of the organization without presenting such a potential burden on the applicant to provide necessary upgrades and ongoing maintenance.

Developers continually approach the City seeking out larger development areas with suitable parcels under a single ownership that would allow a wide range of commercial and mixed-use residential opportunities with available infrastructure, access and nearby transit. There are not many sites within the city left that meet these highly sought after characteristics and this site offers many of these characteristics, as demonstrated in the previously approved mixed-use development proposal. Larger project sites such as this one allow for a more comprehensively planned and cohesive commercial and residential development. Staff feels that if the proposed assembly use of the site were to grow and the project proponent was to invest more time and assets into the site for their interim use, the ability or desire of the applicant to seek out an alternative location would be diminished and would reduce the potential for this highly unique city block to redevelop in accordance with the Vision of the General Plan.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The approximately 2.75-acre site is comprised of three parcels and is developed with a two-story office building(s) and separate single-story building that was constructed in the 1920s. The site contains a paved parking lot and is surrounded on all sides by public streets (including curb, gutter and sidewalks). Ornamental landscaping is provided along all the project frontages/parkways. Access is provided from existing driveways along 4th Avenue and 5th Avenue. The sidewalks around the site fallen into disrepair in some locations (i.e., raised, cracked and/or separate sections), and the existing corner ramps and driveways that serve the project are not constructed in accordance with current ADA standards. Perimeter landscaping, including parkway trees also has fallen into disrepair and in some areas are missing. The on-site paved asphalt parking lot also will need some maintenance and new striping due to the lack of maintenance.

B. SUPPLEMENTAL DETAILS OF REQUEST

- 1. Property Size: 2.75 acres (3 parcels)
- 2. Existing Buildings 1 and 2 26,300 SF
 - Building 1 (10,500 SF 1st Floor, 2,650 SF 2nd Floor)
 - Building 2 (10,500 SF 1st Floor, 2,650 SF 2nd Floor)
 - Day Care Bldg.: 2,750 SF

3. Description of Church Activities

Typical Daily and Weekly Activates:

Services	Sunday	10:00 a.m. – 12:00 p.m. 1:30 p.m. p 3:00 –p.m.	General Service Alternate Language Service
	Wed.	7:00 p.m. – 8:30 p.m.	Midweek Service
	Other Functions:	Thurs. 6:30 p.m. – 8:00 p.m. 6:30 p.m. – 8:00 p.m.	Youth Group Night\ Women’s Meeting
	Sat.	10:00 a.m. – 11:30 a.m. 3:30 p.m. – 4:30 –p.m.	Adopt-A-Block community outreach Prayer Meetings

Food Pantry: Mon. and Fri. 10:00 a.m. – 11:30 a.m.

Outdoor Functions: Typically conducted on a limited basis, to include community fair/block party type events. Requires a separate Temporary Use Permit for each event to be issued by the City.

Note: These are typical hours, but days and hours may vary depending on need and demand

- 4. Parking: 109 required at max operation of church functions and existing day-care facility.
 - Existing 114 striped spaces
 - Required Church: 103 spaces if all uses functioning at same time (Sanctuary spaces/services requires a min. of 42 parking spaces. The balance of uses, such as office, meeting rooms, recreational and performance areas, generates the remaining parking requirement).
 - Required Day-Care: 6

Note: On-street parking currently allowed along 5th Street, 4th Street and Maple Street.

- 5. Signage: All signage subject to Sign Ordinance and Commercial Standards.

C. RELATED CASES:

TR 958
2007-03-PD

Tentative Subdivision Map, Specific Plan Amendment, Master and Precise Development Plan for a 133-unit mixed-use residential development with 10,010 SF of commercial/office space and a parking garage on the 2.74-acre property. The project was approved by the City Council on September 12, 2007. The project also includes a Development Agreement with a 5-year term, which is scheduled to expire in 2012.

2000-20-CUP

Conditional Use Permit to operate a day-care facility for up to 48 children within a 2,750 SF building.

EXHIBIT "A"

FINDINGS OF FACT PHG 10-0021

Conditional Use Permit

1. A conditional use permit should not be granted if it will create special problems for the area in which it is located. The proposed project would continue to create special problems for the surrounding area since the project applicant has not demonstrated the ability to adequately maintain such a large site and indicated they may not be able and/or willing to accomplish the necessary improvements to support the change of occupancy and terms of the use permit. In addition, since the applicant does not own the site and operates under a short term lease basis, they have indicated they would be reluctant to invest significant resources into the on-site infrastructure (such as parking lot resurfacing, striping, landscape rehabilitation and maintenance, and exterior building maintenance). The owner also has not provided much needed upgrades to the site's infrastructure and building to support the current use of the site and the proposed change of occupancy to an assembly type use, as detailed throughout various sections of the staff report.
2. A conditional use permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located. The subject site is located within the Gateway District of the Downtown Specific Plan Area. A Conditional Use Permit is required to operate a religious facility; social, professional and youth organizations that conduct group meetings; primary and secondary schools; daycare facilities; as well as other similar religious-based and secular assembly type uses within this specific commercial district. Other assembly type uses (such as dance halls, indoor athletic arenas, and theaters are not allowed uses within the Southern Gateway District, but are allowed or conditionally allowed in some of the other commercial districts of the Downtown Specific Plan. The City continues to support assembly and other similar type uses that would support the strengthen the economically viable Downtown by providing a balance of retail, office, residential, entertainment and cultural uses that foster an "18-hour" atmosphere. Granting this Conditional Use Permit to use the existing commercial building(s) and site for proposed project and related activities would not be consistent with the goals and policies of the General Plan, and overall strategic goals of the Downtown Specific Plan to revitalize the area with the development of business and professional offices and services, and higher density residential development that would help to promote a vibrant and exciting Downtown environment. There are other suitable commercial locations throughout Escondido and within the Downtown Specific Plan Area that could potentially serve the needs of the Church, without burdening the applicant with the necessary property upgrades to support the proposed uses.

Developers continually approach the City seeking out larger development areas with suitable parcels under a single ownership that would allow a wide range of commercial and mixed-use residential opportunities with available infrastructure, access and nearby transit. There are not many sites within the city left that meet these highly sought after characteristics and this site offers many of these characteristics, as demonstrated in the previously approved mixed-use development proposal. Larger project sites such as this one allowed for a more comprehensively planned and cohesive commercial and residential development. Staff feels that if the proposed assembly use of the site were to grow and the project proponent was to invest more time and assets into the site for their interim use, the ability or desire of the applicant to seek out an alternative location would be diminished and would reduce the potential for this highly unique city block to redevelop in accordance with the Vision of the General Plan.

3. In accordance with CEQA Section 15301, Class 1, "Existing Facilities" the request is exempt from environmental review. The proposed project would not result in any adverse impacts to the environment and no mitigation measures are required.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG 10-0021

These are draft conditions for the project should the Planning Commission desire to recommend approval of the project.

General

1. All construction and any site improvements shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Department, Building Division, and Fire Department. Appropriate building permits shall be submitted for the proposed interior improvements, perimeter lighting, change of occupancy, and shall address any required access, occupancy, egress, ADA and fire safety requirements.
2. Appropriate fire access and ADA compliant paths of travel shall be provided to the facility from the parking areas and public way, as required by the Fire Department, Engineering Division and Building Division. This shall be indicated on final site plans and building plans.
3. 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.
4. All uses, hours of operation, and activities related to the daycare/preschool operation shall be consistent with the Details of Request and conditions of approval contained within this report, as determined by the Community Development Director. A separate Temporary Use Permit is required for each outdoor/parking lot special event.
5. The facility shall not schedule concurrent activities and/or use of all the buildings at the same time that would creating a peak parking demand that could potentially exceed the amount of parking available on site.
6. As indicated on the plans and staff report details of request, a minimum of 114 striped parking spaces shall be provided and maintained in conjunction with this development. Said parking spaces shall be striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan the intent to stripe per City standards. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with chapter 2-71, Part 2 of Title 24 of the State 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. The required striping shall be installed prior to the issuance of certificate of occupancy, and the parking lot surfacing repaired as necessary to bring it into a good condition.
7. All two-way drive aisles shall be provided between parking spaces, unless specifically noted on the plans and approved by the City. Any gates shall provide appropriate access into parking areas, and also allow appropriate fire access, to the satisfaction of the Fire Department.
8. All on-site parking spaces shall be made available for peak events, unless otherwise approved by the City.
9. The upper floors of the buildings shall not be utilized for any office, classroom, and/or meeting type spaces unless specifically approved by the Building Division due to the lack of elevators.

10. 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.
11. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75). An outdoor lighting plan shall be submitted with the building permits. Appropriate shielding shall be incorporate into outdoor lighting fixtures. The existing parking lot lighting shall be repaired and be fully operational. Appropriate security lighting shall be installed around the perimeter of the site, including any exterior alcove type areas. This shall be noted on the building plans.
12. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08), to the satisfaction of the Planning Division.
13. The subject property (building, parking and landscaping) shall be kept in a neat and orderly manner.
14. This CUP shall become null and void unless utilized within twelve (12) months of the effective date of approval.
15. 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 the facility or non-compliance with the Conditions of Approval.
16. An inspection by the Planning Division will be required prior to operation of the project. 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.
17. 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.

Landscaping

1. All landscaping shall be permanently maintained in a flourishing manner. Existing landscape areas in disrepair shall be rehabilitated and cleaned, as may be necessary. All irrigation shall be maintained in fully operational condition. The required landscaped areas shall be free of all foreign matter, weeds, trash, and plant material not approved as part of the landscape plan. Any missing landscaping, including street trees, shall be replaced with an appropriate species at min. 15 gallon. Any area with overgrown landscaping that could result in potential security concerns (generally obscured/hiding area) shall be trimmed and cleaned appropriately. All landscape improvements shall be completed prior to issuance of a Certificate of Occupancy/Change of Occupancy for the building.

Engineering Division

1. The project owner shall remove and replace all damaged sidewalks and curb & gutters along project frontages on Escondido Blvd. Maple Street, 4th and 5th Ave., to the satisfaction of Director of Engineering, prior to issuance of Certificate of Occupancy/Change of Occupancy permits.

2. The project owner shall modify existing driveways to comply with ADA requirements to the satisfaction of the Director of Engineering, prior to issuance of Certificate of Occupancy/Change of Occupancy.
3. The project owner shall replace existing frontage curb ramps on Maple Street (2 ramps) and Escondido Blvd. (2 ramps) with new ADA compliance ramps to the satisfaction of the Director of Engineering, prior to issuance of Certificate of Occupancy/Change of Occupancy.
4. The project owner shall replace any missing trees in the existing tree wells along the property frontage on Escondido Blvd., to the satisfaction of Planning Director, prior to issuance of Certificate of Occupancy/Change of Occupancy Permits. The choice of street trees shall be approved by the City Planning Division prior to installation to ensure conformance with the approved Street Tree List.



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: Deputy County Clerk
P.O. Box 121750
San Diego, CA 92112-1750

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

Project Title/Case No.: PHG 10-0021 (Faith Harbor Church)

Project Location - Specific: 442 and 444 S. Escondido Boulevard (APNs 233-150-20, -21 and -22)

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

Description of Project: A Conditional Use Permit to operate a church and related religious and social activities within an existing commercial/office building within the Downtown Specific Plan Area.

Name of Public Agency Approving Project City of Escondido

Name of Person or Agency Carrying Out Project

Name Robert Granger -Pastor (Faith Harbor Church) Telephone (760) 432-9003

Address 444 S. Escondido Blvd, Escondido, CA 92025


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

Exempt Status: Categorical Exemption. Section 15301, "Existing Facilities."

Reasons why project is exempt:

1. In staff's opinion, the request does not have the potential for causing a significant effect on the environment since the church facility will utilize an existing office/commercial building(s) with sufficient parking to service the peak demand at the facility. No issues remain unresolved through compliance with code requirements, required county, state and federal standards and permits.
2. The site is in an area where all public services and facilities are available to allow for the proposed use.
3. The project site is not in an area that is environmentally sensitive.
4. The project would not create any significant increase in vehicle trips, nor impact vehicular circulation on or around the site. Appropriate parking is provided on the site to accommodate all uses. The project would not generate any significant noise impacts to adjacent uses through the project design and compliance with the project Conditions of Approval. The project would not result in the destruction of desirable natural features, nor be visibly obtrusive or disharmonious with surrounding areas.

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

Signature: 
Jay Paul, Associate Planner

October 4, 2012
Date

Signed by Lead Agency

Date received for filing at OPR: N/A

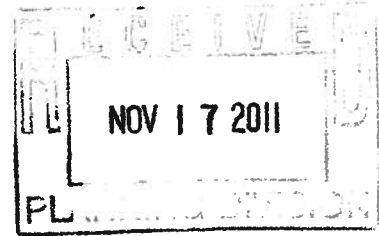
faithharborchurch

faith, love... power

escondido, california

November 14, 2011

Mr. Jay Paul
Planning Department
CITY OF ESCONDIDO
201 N. Broadway
Escondido, CA 92025



RE: 444 S. Escondido Boulevard

Dear Jay:

In the interest of being as forthright and transparent as we possibly can, I need to notify you that we have not moved our Sunday morning services out of our present location as we had originally intended to do, per our last e-mail correspondence several weeks ago. Obviously, some explanation is in order.

When it became clear that the City was going to require sprinklers to be installed in our meeting areas, we gathered some preliminary estimates, only to find that it would cost in excess of \$200,000 alone to install sprinklers, not including other costs, to bring the building into compliance. Since it wouldn't make sense to invest that amount of money in a building we don't own, even if we had the funds to do so, we began to explore other venues that would accommodate meetings that exceed 49 persons -- primarily our Sunday morning services -- since the other activities at our present location involve far fewer numbers.

As a church, we observe sound business and financial principles and we are a responsible community member, committed to abide by the laws and government regulations in order to be a blessing to our city. Most important, though, we are guided by what we believe God's will is for our church. As I began making the arrangements to move our Sunday morning meetings off site to a school multipurpose room, it became immediately clear through prayer to me and later to our church leadership and congregation that God was telling us we were not going to have to move our services. Obviously, the easiest course for us to take would be to move the Sunday services off site, but God has asked us to take a step of faith and wait on Him. It has been my experience that God is faithful, orderly, and timely in His responses. Meanwhile, I continue to be in diligent prayer about the details that would allow us to keep our worship services on site.

Again, we want to be forthright. To that end, I'm available to meet with you at your earliest convenience to explore any and all options that would allow us to conduct all our activities at our present location. In the meantime, I will keep you informed about any further developments on our end.

Please know that I greatly appreciate your past forbearances and any future considerations.

Yours in Christ


Rob Granger
Senior Pastor

The Church That Never Sleeps...

Mailing Address: P.O. Box 301128, Escondido CA 92030 • Tel (760) 435-9003

Church Address: 444 S. Escondido Blvd., Escondido CA 92025

Service times: Sunday 10:00am • Wednesday 7:00pm

www.faithharborchurchsd.com info@faithharborchurchsd.com

Dear Sir:

This letter is in response to the Notice of Public Hearing for the conditional use permit PHG 10-0021:

This permit should NOT be issued for the utilization of another building located 422 South Escondido Blvd.

I am a property owner in the area in question and have had problems with the exterior maintenance and up keep of the church and the church grounds. The people operating this church do not have the personal, equipment or maintenance services needed to maintain another building, regardless of its use.

I have written two letters to this church's Pastor asking that these maintenance issues be addressed with little effect. The landscape up keep has gotten and is getting so bad that I will have to contact Code Enforcement AGAIN to address these issues.

I have watched this building and property degrade since this church group took control some 20 months ago.

This may not be the time nor place to list the issues with this property but as the notice states, I would like to make these points part of the record.

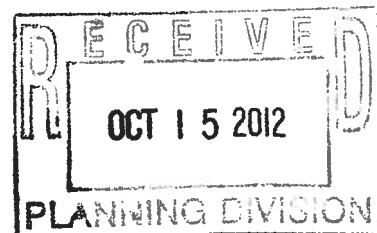
#1 There is little or no lighting in the main parking lot.

#2 The landscape throughout the property is overgrown and has a heavy layer of vegetation debris and mixed trash.

#3 Exterior alcoves and niches are unlighted and are often used as a place of refuge by street people who come to the church for food hand outs twice a week.

In closing, allowing this church to operate another building, without addressing the existing code violations is not prudent.

Raymond Bialk
222 W. 6th Ave.
Escondido, CA 92025

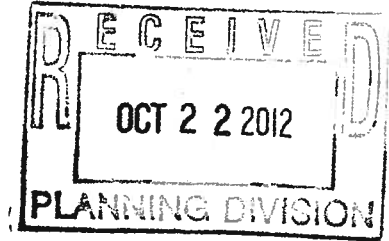


faithharborchurch

faith, love... power

escondido, california

Raymond Bialk
222 W. 6th Ave.
Escondido, CA 92025



October 18, 2012

Dear Mr. Bialk,

Thank you for your recent letter. I wanted to send a response to your concerns and then I would be happy to speak with you by phone to further discuss how we can be of assistance to you, if you are open to it.

Since we have been in the facility, we have been attempting to bring order in a number of ways. First, we have been making sure the homeless realize they are not allowed to reside on the premises. Of course, this requires constant policing, but we've minimized it greatly. We have worked to bring the vegetation and landscaping to appropriate levels, as directed by the City Code Enforcement office, and we are working to keep the grass cut and presentable. Because we have limited resources, we are applying them as we can. That said, in the future, it is our desire to be able to hire a professional landscaping company; however, currently our help is made up entirely of volunteers.

Recently, we painted the parking lot side of the building and we are planning to paint the Escondido Blvd. side as well. So, our intent is to make the property much more presentable for the community. As to the issue of lighting in the parking lot, that is easily resolved. We had not previously kept the lights on due to the huge difference in cost of electricity.

Our church feels a strong sense of responsibility to the community to reach out to the poor. We have a partnership with Feeding America San Diego, which supplies food items we distribute to the needy two times per week. While this does attract needy people, it has also attracted a greater presence of the Escondido Police, which we welcome.

In closing, I appreciate your concerns and they are not falling on deaf ears. As our church grows, our resources grow, which will help further resolve these areas. I'm sure you understand our sense of community and I welcome your support in helping us make our community better. Our presence, I would hope, would be welcome to you, as having no occupant would only propagate further degradation of the facilities and the homeless and vandalism would be a larger issue.

I welcome the opportunity to speak with you. My number is (760) 445-6722. Please feel free to call me anytime.

Respectfully,

A handwritten signature in black ink, appearing to read "Rob Granger".

Rob Granger
Senior Pastor

cc: Jay Paul, City of Escondido

The Church That Never Sleeps...

FAITH HARBOR CHURCH

444 S. Escondido Blvd., Escondido CA 92025 • Tel (760) 435-9003

Service times: Sunday 10:00am • Wednesday 7:00pm

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• Service Times

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The San Diego Dream Center Food Pantry began operations in January of 2011, taking over serving all the clients from the Society of St. Vincent de Paul Food Pantry, which closed in January. SDDCFP distribute 35,000 pounds of food monthly to over 4,000 clients, mostly families with children, seniors, and the disabled. All of our food comes from Feeding America San Diego.

Faith Harbor Church is blessed to be able to provide nutritious, healthy, fresh fruits, vegetables along with meat, eggs, milk, and cheese to so many in need. One in seven North County San Diegans face food insecurity. SDDCFP is proud to be part of the solution to fight hunger in San Diego and we look forward to expanding the ministry to meet even more needs in our community.



The Pantry is open Wednesdays and Fridays from 10am-11:30am to anyone in San Diego county. On the fourth Wednesday of every month, we have a "Community Food Distribution." Feeding America provides us an extra 10,000 pounds of food on this day. Please bring a valid ID.

SAN DIEGO DREAM CENTER FOOD PANTRY



Sunday Morning: 10:00 am

Wednesday Evening: 7:00 pm