



City of Escondido Zoning Administrator

MEETING AGENDA

201 North Broadway
City Hall – Council Chambers
Video Conference
May 25, 2021
6 p.m.

Pursuant to Governor Newsom’s Executive Orders, including N-25-20 and N-29-20: Certain Brown Act requirements for the holding of a public meeting have been temporarily suspended and members of the Zoning Administrator and staff will participate in this meeting via teleconference. In the interest of reducing the spread of COVID-19, members of the public are encouraged to submit their agenda and non-agenda comments online at the following link <https://www.escondido.org/public-comment-form.aspx>. Council Chambers will be closed, no public allowed.

Public Comment: To submit comments in writing, please do so at the following link: <https://www.escondido.org/public-comment-form.aspx>. If you would like to have the comment read out loud at the meeting (not to exceed three minutes), please write “Read Out Loud” in the subject line. All comments received from the public will be made a part of the record of the meeting. The meeting will be available for viewing via public television on Cox Communications Channel 19 (Escondido only). The meeting will also be live streamed online at the following link: <https://www.escondido.org/> and click on the graphic showing “**Live stream – meeting in progress**”.

To watch the archived Planning Commission meeting(s) please visit:
<https://escondido.12milesout.com/presentations/boards-and-commissions-and-state-of-the-city-videos>

- A. Call to Order:
- B. Agenda items:

1. [CONDITIONAL USE PERMIT – CASE NO. PL 20-0495:](#)

A Conditional Use Permit to convert an existing motel on 1.53 acres into a residential care facility. Proposed changes to the site include reducing the number of rooms from 80 to 60, expanding dining, lounge, office, laundry and computer areas, reducing parking from 92 to 78 spaces, improving site circulation and landscaping, adding an elevator and security fencing, replacing the pool with outdoor seating, and installation of ADA improvements.

Location: On the west side of N. Centre City Parkway, south of W. Washington Avenue and addressed as 555 N. Centre City Parkway (APN 229-271-25-00)

Applicant: Interfaith Community Services, Inc. (James Thayer, Architect)

Planner: Paul Bingham

DECISION OF THE ZONING ADMINISTRATOR:

- Approved, as set to form
- Conditionally approved with the attached modifications
- Denied
- Continued to: ___ Date Certain (_____) ___ Date Unknown
- Referred to Planning Commission

2. MINOR CONDITIONAL USE PERMIT – CASE NO. PHG 19-0079:

A Minor Conditional Use Permit for the operation of a daycare and preschool facility for up to 73 children (ages 18 months to six years old). The school will occupy two existing buildings (one measuring 1,830 square feet and the other 2,195 square feet) in an existing 0.89-acre commercial center in the Escondido Boulevard District of the South Centre City Specific Plan. Building façade and site modifications are proposed, which include a new 1,385 square foot fenced outdoor playground for the children, construction of a covered loading and unloading area in front of the building for student drop-off and pick-up, reconfiguration of the parking lot circulation and parking space striping, and refurbishment of existing landscaping.

Location: 1911 Sunset Drive; APN (236-311-17-00)
Applicant: Leonardo Dale, MPA Architects, Inc, for Magic Montessori
Planner: Jasmin Perunovich

DECISION OF THE ZONING ADMINISTRATOR:

- Approved, as set to form
- Conditionally approved with the attached modifications
- Denied
- Continued to: ___ Date Certain (_____) ___ Date Unknown
- Referred to Planning Commission

3. MINOR CONDITIONAL USE PERMIT – CASE NO. PL 21-0041:

A Minor Conditional Use Permit to allow a beer and wine establishment in an existing 1,375 square foot building and 166 square foot kiosk building in an existing 0.71-acre commercial center in the Southern Entry District of the South Centre City Specific Plan. The request includes converting an existing 1,700 square foot adjacent outdoor patio area to a fenced outdoor seating and dining area.

Location: 2500 S. Escondido Blvd. (APN: 238-152-21-00)
Applicant: Eric Buchanan, Oasis Architecture & Design, Inc., for Barn Door Public House
Planner: Jasmin Perunovich

DECISION OF THE ZONING ADMINISTRATOR:

- Approved, as set to form
- Conditionally approved with the attached modifications
- Denied
- Continued to: ___ Date Certain (_____) ___ Date Unknown
- Referred to Planning Commission

C. Adjournment:

I certify that these actions were taken at the Zoning Administrator meeting on

Zoning Administrator

Witness

ZONING ADMINISTRATOR

CASE NUMBER: PL 20-0495

APPLICANT: Interfaith Community Services, Inc. (James Thayer, Architect)

PROJECT LOCATION: On the west side of N. Centre City Parkway, south of W. Washington Avenue and addressed as 555 N. Centre City Parkway (APN 229-271-25-00)

REQUEST: A Conditional Use Permit to convert an existing motel on 1.53 acres into a residential care facility. Proposed changes to the site include reducing the number of rooms from 80 to 60, expanding dining, lounge, office, laundry and computer areas, reducing parking from 92 to 78 spaces, improving site circulation and landscaping, adding an elevator and security fencing, replacing the pool with outdoor seating, and installation of ADA improvements.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: General Commercial

ZONING: General Commercial (CG)

BACKGROUND/PROJECT DESCRIPTION:

The existing motel complex has operated at this location since the mid 1970's. The complex was sold last fall to Interfaith Community Services, Inc. Interfaith intends to convert the motel into a residential care facility and operate it as part of their larger efforts to help address homelessness in the community. Proposed changes to the site include reducing the number of rooms from 80 to 60, expanding dining, lounge, office, laundry and computer areas, reducing the number of on-site parking spaces from 92 to 78, improving site circulation and landscaping, adding an elevator and security fencing, replacing the pool with outdoor seating, and installing new ADA improvements.

PROPOSED OPERATION OF THE FACILITY

1. Resident arrival, access to services and discharged from the facility

The facility will operate on a referral basis and all intakes will be first scheduled with Interfaith staff. Walk-ins clients are not accepted. Clients referred to the Site will arrive

by vehicle transport (either by their own personal vehicle, transport by Interfaith, or by a 3rd party such as ride sharing services) or on foot. Limited personal belongings must be stored within designated locations in client rooms. No drugs, alcohol, or weapons are permitted onsite. All personal belongings must be taken by client upon discharge. All discharges are carefully planned by Interfaith staff, supporting exit to permanent housing or another stable housing destination. Any individuals who must exit without stable housing are supported to return to the community origin (i.e. location where they came from), via transport or transportation voucher. Each client will work with an assigned case manager on their Individual Service Plan, which will identify key goals and milestones, including connecting to primary care for health, securing employment or disability income, and securing permanent housing in the community of their choice. Case management and counselling services will be provided onsite. Clients will be provided transportation to offsite community healthcare options and appointments.

2. Program steps, goals, timelines, milestones and paths to placement or discharge

Recuperative Care

Eligible Clients: persons experiencing homelessness and needing further recuperation when being discharged from local hospitals

Program Services:

- Ability to place an individual on the same day of referral from a hospital
- Connection to primary care for off-site medical services
- Treatment for medical / mental health needs, and/or access additional treatment for newly identified additional health conditions
- Structured group activities as appropriate (i.e.: social skills training, Alcoholics Anonymous, Narcotics Anonymous, vocational counseling and physical activities)
- Individual professional counseling with focus on areas including but not limited to self-care skills, adaptive coping, education of the process of illness and recovery, and social skill enhancement
- Intensive case management
 - Assistance with obtaining income if needed
 - Assistance with obtaining necessary identification and records (i.e.: birth certificate, California ID, etc.)
 - Support to identify stable housing options
 - Discharge planning to appropriate community housing, including referrals and application assistance

Graduate Lodging:

Eligible Clients: Persons graduating Interfaith shelter, treatment, recuperative care, or other programs, who are still in need of transitional residential care services, or persons otherwise facing homelessness

Program Services:

- Connection to Interfaith Case Manager (see Intensive case management above)
- Development of permanent housing plan for Client

- Identification of additional supportive services to help secure permanent housing
- Identification of transition plan for access to relevant supportive services after securing permanent housing

3. ADA path of travel out to Washington

Because the subject property is land-locked, an easement document will be prepared for the locations where the pathway is outside the current access easement. All affected property owners are aware of this pathway and have indicated their willingness to provide Interfaith a direct pathway to Washington Blvd.

4. New internal and external amenities

Site will be enclosed with an exterior fence to provide security and to prevent access by unauthorized visitors. All exterior finishes will be upgraded, including new paint, parking lot slurry seal, and landscaping. The pool is being replaced with an outdoor seating area. A multi-purpose dining hall to be created for meals and group meetings. Additional outdoor seating will be created near the proposed dining hall. Offices for onsite staff and confidential client meeting rooms will be created. Community rooms and an onsite computer room to support employment and housing searches will be created. Eight ADA bathrooms will be added to existing residential rooms. A gurney-size elevator will be constructed to provide additional access to second floor rooms and offices.

5. Parking provided and how it will be managed

Parking for staff and guests will be so marked. 14 parking spaces have been removed to add landscaping and loading zones. 78 parking spaces remain. Based on prior experience operating its programs, Interfaith anticipates 25% Recuperative Care residents will have vehicles, and 20% Graduate Lodging residents will have vehicles. The accompanying chart shows there will be ample parking on the Site. Interfaith will also operate and enforce a managed parking plan, and non-operational vehicles will not be allowed onsite.

Recuperative Care Staffing & Parking Details Chart

Program	Monday – Friday 8am – 5pm	Monday – Friday 5pm – 5am	Saturday & Sunday
<i>Recuperative Care Clients</i>	54	54	54
25% Recuperative Care Clients with Vehicles	14	14	14
Recuperative Care Staff	12	3	3
<i>Graduate Lodging Clients</i>	34	34	34
20% Graduate Lodging Clients with Vehicles	7	7	7
Graduate Lodging Staff	5	2	2
Maximum Parking Utilization	38	26	26

Parking Spaces at 555 N Centre City Parkway	78	78	78
Unused Parking Spaces	40	52	52

6. Bike parking and how is it managed

Bicycle racks are provided within 200 feet of the building. Staff and guests are responsible for their own bikes and locking to the rack. No assignment of bicycle parking spaces is proposed and spaces will be available on a first-come, first-served basis. The number of bicycle parking spaces exceeds the requirement in the California Green Building Code.

7. The rooms in the facility

Graduate Lodging Residential Rooms: 34
Recuperative Care Residential Rooms: 28
Case Management Meeting Rooms: 9
Community Rooms: 2
Multi-Purpose Dining Halls: 2
Computer Room: 1
Additional Office Rooms: 6
Laundry Rooms: 2

8. Operation of food services

Food will be prepared at Interfaith's licensed commercial kitchen at 550 W Washington Ave., and transported by vehicle to the Site, where clients can eat in multiple multipurpose dining halls, in their rooms, or outdoors.

9. Site traffic

Clients and employees parking onsite will access the interior parking lot via an electric gate accessible through a keypad. As noted, the vast majority of clients will not have vehicles. Pedestrian access is provided as noted in plans. Visitors will park in a front lot accessible to the public (outside the gated parking area), and will check in via the front lobby, which is also publicly accessible.

10. Site security

Resident coordinators and site security employees will provide 24/7 site supervision, making regular rounds to check in on clients and maintain a visual on the property. From where employees are based in the front lobby, all incoming pedestrian and vehicular traffic is monitored. Additionally the site is fully covered through close circuit security cameras, monitored by onsite employees. External community members seeking help or seeking access will be directed to Interfaith's 550 W Washington location. As noted, site intakes will be scheduled, on a 100% referral basis. Interfaith has agreed to work with the City's Police Department to complete a comprehensive security plan for the facility.

11. Loading areas

Two Loading areas are proposed on site. They are separated from the ADA loading areas, and are not intended for use by visitors.

12. Number of clients processed per day

Intakes are dependent upon bed availability. On a typical business day there will be less than five individuals discharged and five individuals arriving. Additional arrivals can be scheduled should there be demand and appropriate staffing to support.

13. Total occupancy for each type of care/service

Graduate Lodging: 34 residential rooms, with one household per room, and most households comprised of one single adult. All residents must be aged 18 years or older.
Recuperative Care: 54 planned beds across 28 residential rooms

14. Number of employees and case managers on site

During regular business hours 17 employees will be onsite. After hours and on weekends 4-5 employees will be onsite.

15. Shifts and hours of operation

Recuperative Care Staffing:

24/7 staffing will be provided by Resident Coordinators, Behavioral Health Aids, Masters-level Social Workers, Licensed Clinical Social Workers, Certified Nursing Assistants, Licensed Vocational Nurses, and Registered Nurses. During regular business hours, Monday – Friday 8 a.m. – 5 p.m., up 12 staff will be onsite. After hours and weekend staffing will include three onsite personnel, consisting of Resident Coordinators, Behavioral Health Aids, Certified Nursing Assistants, and Licensed Vocational Nurses.

Graduate Lodging Staffing:

24/7 staffing will be provided by onsite Resident Coordinators and social work Case Managers. During regular business hours, Monday – Friday 8 a.m. – 5 p.m., up to five staff will be onsite. After hours and weekend staffing will include one onsite Resident Coordinator.

16. Fire Department and Utilities modifications

Fire Hydrants will be added as a condition of project approval, and a Fire Sprinkler System is proposed. A Civil Engineer will finalize the engineered plans & calculations.

17. Facility maintenance

Interfaith employs an agency-wide facilities maintenance team capable of addressing almost all maintenance and repair needs in-house. Outside specialty services are hired and engaged on an as-needed basis. Interfaith manages more than 30 properties in North County with all maintained at the highest level of safety, function, and cleanliness.

Landscaping, cleaning of linens, and other onsite upkeep functions will be completed by a variety of Interfaith personnel.

18. Wayfinding within the site

Guests are provided with a map of the facility for way finding. The pathway to different amenities will be marked out with wayfinding signage on the walls of the building and on the doors, such as Dining Room, Guest Laundry, Guest Lounge, Counseling, Front Desk, Outdoor Lounge, Elevator etc. A 4-foot wide concrete walkway will lead to all of these amenities.

Project plans are attached as Exhibit "C" to draft Zoning Administrator Resolution No. 2021-04, which itself is attached hereto for reference as Attachment 2.

ENVIRONMENTAL STATUS

California Environmental Quality Act ("CEQA") Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The Project is categorically exempt from further CEQA review, as separate and independent bases, pursuant to CEQA Guidelines section 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) as described further in the Findings of Fact, attached as Exhibit "B" to draft Zoning Administrator Resolution No. 2021-04 (see Attachment 2 to this staff report).

REASON FOR STAFF RECOMMENDATION:

1. Staff recommends approval of this Minor CUP to allow Interfaith Community Services, Inc. to convert the existing motel complex from motel use into a residential care facility because of the growing need to provide assistance to our Escondido homeless population. .
2. Their operation would occupy the entire site, without adding new floor area to any of the existing buildings or increasing its footprint. Their operations would also upgrade and improve the existing facility and provide security by managing all who enter or leave the site.

Respectfully submitted,

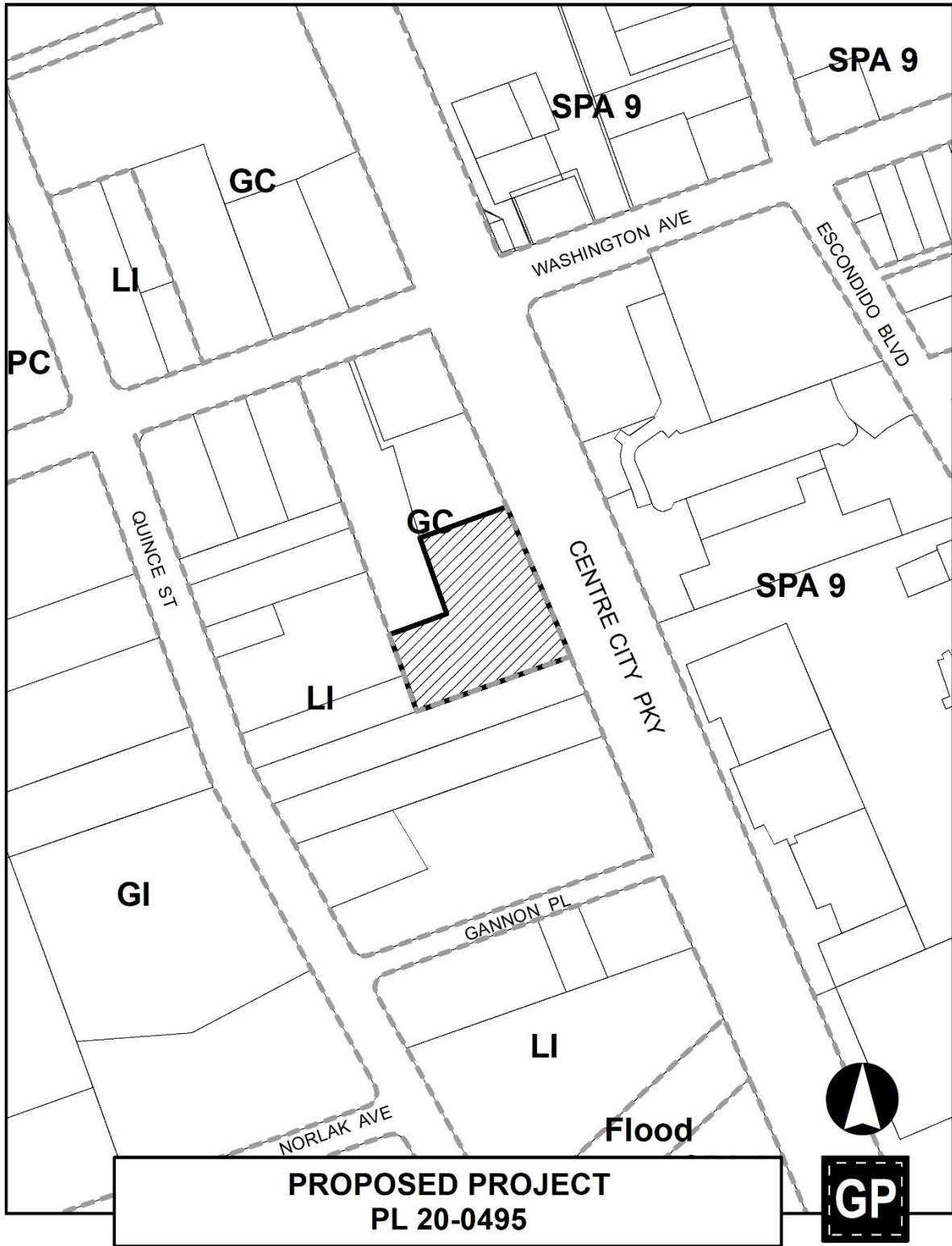
Paul K. Bingham

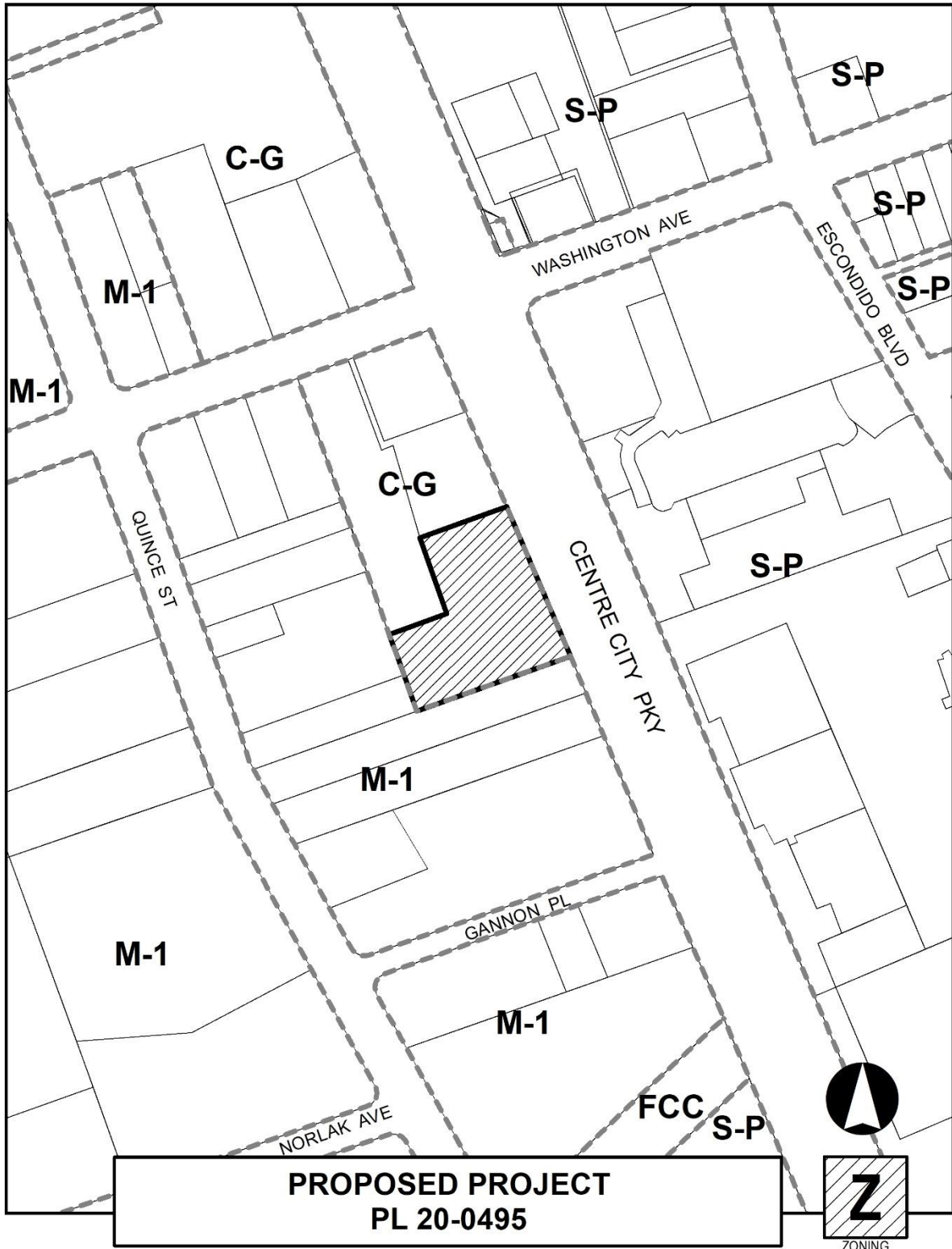
Paul K.; Bingham
Assistant Planner II

ATTACHMENTS:

1. Project Location Map
2. Draft Zoning Administrator Resolution No. 2021-04, Including Exhibits A, B, C, and D
3. CEQA Notice of Exemption

ATTACHMENT 1





ATTACHMENT 2

Zoning Administrator

Hearing Date: _____

Effective Date: _____

RESOLUTION NO. 2021-04

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MINOR CONDITIONAL USE PERMIT FOR THE CONVERSION OF AN EXISING MOTEL AT 555 N. CENTRE CITY PARKWAY INTO A RESIDENTIAL CARE FACILITY, AND ASSOCIATED CHANGES TO THE SITE AND EXISTING BUILDINGS

APPLICANT: Architect James Thayer for Interfaith Community Services, Inc.

CASE NO: PL 20-0495

WHEREAS, the Zoning Administrator of the City of Escondido did, on May 25, 2021, hold a public hearing to consider a request for a Minor Conditional Use Permit on property addressed as 555 N. Centre City Parkway, more particularly described in Exhibit "A," and all persons desireing to speak did so; and

WHEREAS, evidence was submitted to and considered by the Zoning Administrator at or before the public hearing, including, without limitation, written information, and the staff report dated May 25, 2021, which along with its attachments is incorporated herein by this reference; and

WHEREAS, a notice was published and mailed as required by the Escondido Zoning Code and applicable state law; and

WHEREAS, the application was assessed in conformance with the California Environmental Quality Act ("CEQA") and a Notice of Exemption was prepared for the project in conformance with CEQA Guidelines section 15301; and

WHEREAS, a staff report was presented discussing the issues in the matter;
and

WHEREAS, Ordinance No. 78-02, enacted pursuant to Section 65974 of the Government Code and pertaining to the dedication of land and fees for school facilities, has been adopted by the City of Escondido.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Administrator of the City of Escondido:

1. That the above recitations are true and correct.
2. That the Project is categorically exempt from further CEQA review pursuant to CEQA Guidelines section 15301 (Existing Facilities), as described further in the Findings of Fact, attached to the Resolution as Exhibit "B." The Zoning Administrator has reviewed and considered the Notice of Exemption prepared for the project and has determined that it is complete and adequate, and there are no significant environmental effects that cannot be mitigated.
3. That, considering the Findings of Fact attached to the Resolution as Exhibit "B," the project plans attached as Exhibit "C," and applicable law, the Zoning Administrator hereby approves said Modification to a Conditional Use Permit, subject to the Conditions of Approval attached as Exhibit "D."
4. That this approval shall automatically become null and void unless the project authorized by this approval has commenced within 12 months of the date of this

approval, unless an Extension of Time is granted pursuant to Article 61 of the Escondido Zoning Code.

BE IT FURTHER RESOLVED that, pursuant to Government Code section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Engineering Services Departments. The project also is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution, and any such protest must be in a manner that complies with Section 66020.

Zoning Administrator
May 25, 2021
PL 20-0495

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the
City of Escondido, California, at a regular meeting held on the 25th day of May, 2021.

MIKE STRONG
Zoning Administrator,
City of Escondido

WITNESS

Note: This action may be appealed to Planning Commission
pursuant to Zoning Code Section 33-1303

EXHIBIT "A"

LEGAL DESCRIPTION PL20-0495

All that certain real property situated in the County of San Diego, State of California, described as follows:

PARCEL 1:

THAT PORTION OF LOT 6, BLOCK 11 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, BEING ALSO A PORTION OF PARCEL "A" OF PARCEL MAP NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 26, 1972, SAID PARCEL MAP BEING A DIVISION OF SAID BLOCK 11 OF ESCONDIDO, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL "A" OF PARCEL MAP 725; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL "A", NORTH 20° 25' 10" WEST, 145.00 FEET TO A POINT; THENCE NORTH 69° 40' 20" EAST, 106.66 FEET TO A POINT; THENCE NORTH 20° 21' 45" WEST, 146.52 FEET TO THE SOUTHWESTERLY CORNER OF PARCEL "B" OF SAID PARCEL MAP NO. 725; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL "B", NORTH 69° 40' 20" EAST, 168.33 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL "A"; THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL "A", SOUTH 23° 24' 20" EAST, 292.01 FEET TO THE MOST EASTERLY CORNER OF SAID PARCEL "A"; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL "A", SOUTH 69° 40' 20" WEST, 290.35 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS FOR ROAD AND PUBLIC UTILITIES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF THE SOUTHWESTERLY FEET 25.00 FEET OF PARCEL B, LYING SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF SAID PARCEL C AND NORTHEASTERLY OF THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF SAID PARCEL C, ALL BEING IN PARCEL MAP NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 26, 1972, SAID PARCEL MAP BEING A DIVISION OF LOT 6, BLOCK 11, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.

PARCEL 3:

AN EASEMENT TO BE USED IN COMMON WITH OTHERS FOR INGRESS AND EGRESS OVER THAT PORTION OF LOT 6 IN BLOCK 11, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 6 WITH THE WEST LINE OF PARCEL 7 OF THE FINAL ORDER OF CONDEMNATION IN FAVOR OF THE STATE OF CALIFORNIA, SUPERIOR COURT ACTION NO. 146391 A COPY OF SAID ORDER BEING RECORDED OCTOBER 20, 1948 IN BOOK 2989, PAGE 85 OF OFFICIAL RECORDS; THENCE ALONG THE NORTH LINE OF SAID LOT 6, SOUTH 69° 43' 20" WEST, 115.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 69°43' 20" WEST, 35.00 FEET; THENCE PARALLEL WITH THE WEST LINE OF THE EAST HALF OF SAID LOT 6, SOUTH 20° 21' 45" EAST, 150.00 FEET; THENCE AT RIGHT ANGLES NORTH 69° 38' 15" EAST, 35.00 FEET MORE OR LESS TO A LINE WHICH BEARS SOUTH 20° 21' 45" EAST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 20° 21' 45" WEST, 149.95 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4:

AN EASEMENT FOR INGRESS AND EGRESS FOR ROAD AND PUBLIC UTILITIES, OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL A OF SAID PARCEL MAP NO. 725, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF PARCEL 2 OF DEED RECORDED APRIL 2, 1979 AS FILE NO. 79-133348; THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 2, NORTH 20° 21' 45" WEST, 21.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE RETRACING ALONG SAID NORTHEASTERLY LINE, SOUTH 20° 21' 45" EAST, 21.00 FEET TO SAID SOUTHEASTERLY CORNER; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2, SOUTH 69° 40' 20" WEST, 21.00 FEET; THENCE NORTH 24° 39' 16" EAST, 29.69 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 5:

AN EASEMENT FOR INGRESS AND EGRESS AND FOR ROAD AND PUBLIC UTILITIES OVER, UNDER, ALONG AND ACROSS THE NORTHEASTERLY 15.00 FEET OF THE NORTHWESTERLY 155.01 FEET AND OVER, UNDER, ALONG AND ACROSS THE NORTHEASTERLY 20.00 FEET OF THE SOUTHEASTERLY 174.00 FEET OF THE NORTHWESTERLY 329.01 FEET OF PARCEL A OF SAID PARCEL MAP NO. 725.

PARCEL 6:

AN EASEMENT AND RIGHT OF WAY FOR INGRESS PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL "B" OF PARCEL MAP NO. 725 IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 26, 1972 AS FILE NO. 20038 OF THE OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY TERMINUS OF THAT CERTAIN COURSE IN THE BOUNDARY OF SAID PARCEL "B" HAVING A BEARING OF NORTH 69° 40' 20" EAST ACCORDING TO SAID PARCEL MAP NO. 725; THENCE ALONG A PORTION OF THE EASTERLY BOUNDARY OF SAID PARCEL "A" NORTH 20° 21' 49" WEST (RECORD NORTH 20° 21' 45" WEST) 20.00 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY NORTH 69° 41' 10" EAST (RECORD NORTH 69° 40' 20" EAST) PARALLEL WITH THE NORTHERLY BOUNDARY OF THE EASTERLY PORTION OF SAID PARCEL "A" A DISTANCE OF 128.00 FEET;; THENCE NORTH 26° 19' 49" EAST 50.86 FEET, MORE OR LESS, TO A POINT IN THE EASTERLY BOUNDARY OF SAID PARCEL "B" DISTANT THEREON NORTH 23° 24' 22" WEST (RECORD NORTH 23° 24' 20" WEST) 55.00 FEET FROM THE SOUTHEASTERLY CORNER OF SAID PARCEL "B"; THENCE ALONG SAID EASTERLY BOUNDARY OF SAID PARCEL "B" SOUTH 23° 24' 23" EAST 55.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL "B"; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL "B" SOUTH 69° 41' 10" WEST (RECORD SOUTH 69° 40' 20" WEST) 167.93 FEET (RECORD 168.33 FEET) TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: 229-271-25-00

EXHIBIT “B”
FINDINGS OF FACT
PL 20-0495

Environmental Determination:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) (“CEQA”), and its implementing regulations (14 C.C.R. § 15000 et seq.) (“CEQA Guidelines”), the City of Escondido (“City”) is the Lead Agency for the project (“Project”), as the public agency with the principal responsibility for approving the Project.

2. The Project qualifies for an exemption under CEQA Guidelines section 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures). This exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The proposed Project meets all applicable conditions, as further described below:
 - a. Residential care facilities are allowed under current zoning with a Conditional Use Permit. The subject parcel is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The Project’s reduction in the number of rooms from 80 to 60 and the expansion of dining, lounge, office, laundry, and computer areas involves interior work inside existing structures. The Project thus adheres to the criteria of CEQA Guidelines section 15301(a).

 - a. The Project includes the construction of an exterior elevator. The elevator footprint is approximately 155 square feet in size and does not exceed the 2,500 square foot limit allowed. The Project thus adheres to the criteria of CEQA Guidelines section 15301(e).

 - b. The removal of the existing pool and construction of the outdoor patio area is proposed. Old perimeter fencing is also being replaced. The Project thus adheres to the criteria of CEQA section 15301(l)(4).

 - c. The Project proposes the conversion of an existing motel facility and includes the installation of small equipment and other modifications not involving the use of significant amounts of hazardous substances. The motel consists of three buildings each totaling less than 10,000 square feet. The Project thus adheres to the criteria of CEQA section 15303(c).

 - e. The Project proposes waterline and other utility extensions and potential future street improvements. The Project thus adheres to the criteria of CEQA section 15303(d).

- f. As indicated in item 3, above, the Project includes installation of a patio area and new replacement fencing. The Project thus adheres to the criteria of CEQA section 15303(e).
3. The Zoning Administrator has independently considered the full administrative record before it, which includes but is not limited to the May 25, 2021, Zoning Administrator staff report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Conditional Use Permit Determinations:

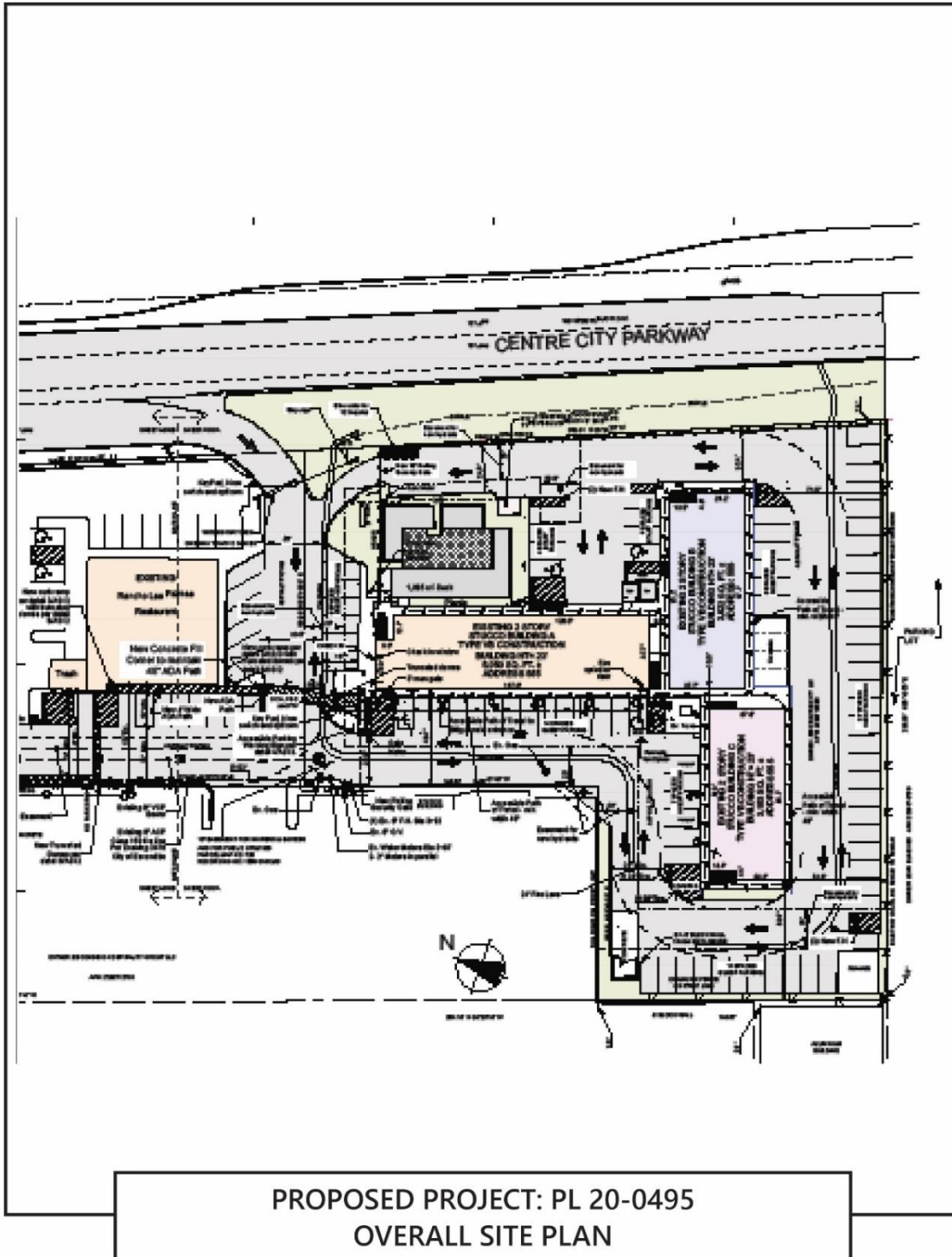
1. A conditional use permit should be granted upon sound principles of land use and in response to services required by the community. The project will allow an existing motel facility to be converted into a residential care facility to care for the homeless in the community. No substantial physical expansion of the buildings at 555 N. Centre City Parkway is proposed, since the project will renovate existing floor area within its buildings to convert it from motel use and expand dining, lounge, office, laundry and computer areas. The project will also improve site circulation and landscaping, add an elevator and perimeter security fencing, replace the pool with outdoor seating, and install new ADA improvements.
2. A conditional use permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located. The use will provide care and residential options to help address homelessness in the community. As proposed, the site plans utilizes a functional layout that adequately achieved the City's required parking, landscaping, open space, and lighting development provisions. In addition, the project's design utilizes a variation of structural and non-structural elements to reduce the facility's overall scale and ensure that the development respects the architectural character established in adjacent commercial development. Overall, the project enhances the site's character and complements surrounding development. Furthermore, the project is subject to Conditions of Approval, included as Exhibit "D" to this resolution, that will ensure consistency with all standard requirement and adequate parking, access and circulation, security, and other measures have been identified in the conditions to help ensure that it will not create negative externalities on the surrounding community.
3. 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 project has undergone staff design review and has been reviewed for consistency with the City of Escondido General Plan, the General Commercial zone, and other applicable provisions of the Escondido Zoning Code. The proposed use at the location requested will not adversely affect the peace, health,

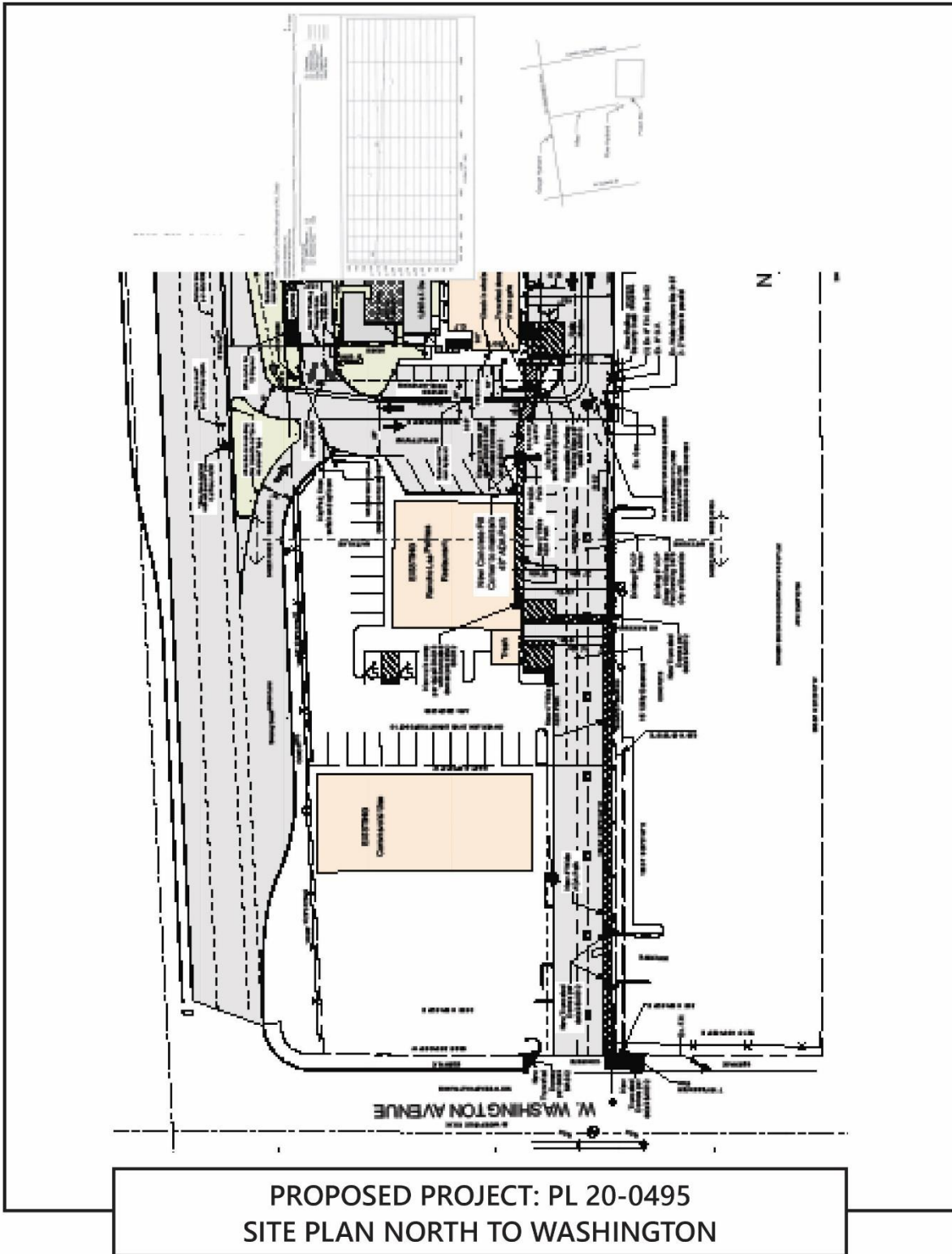
safety, morals or welfare of persons residing or working in the surrounding area; and will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, or other disturbances.

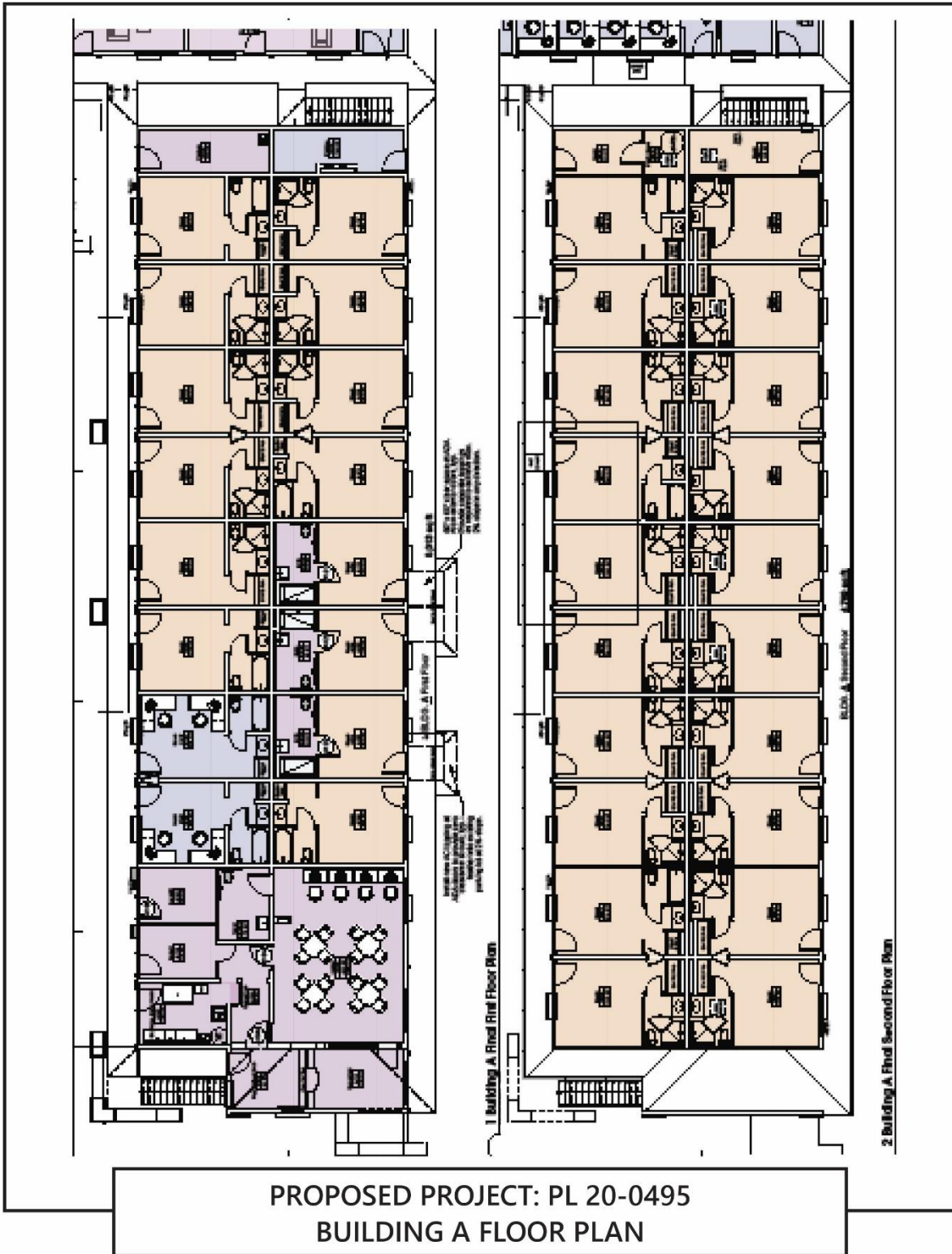
4. The subject application proposes to create and operate various types nonmedical residential care, day treatment, and recuperative care services to persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living. As proposed, the intensive coordinated services would help those people struggling with chronic physical and mental health issues maintain stable housing and receive appropriate personal services, including access to health treatment and nourishment services. This is consistent with the Escondido General Plan policy framework that provides important direction and clarity around homeless needs, services gaps, and priorities in order to serve both the existing homeless population, as well as those at risk of becoming homeless.

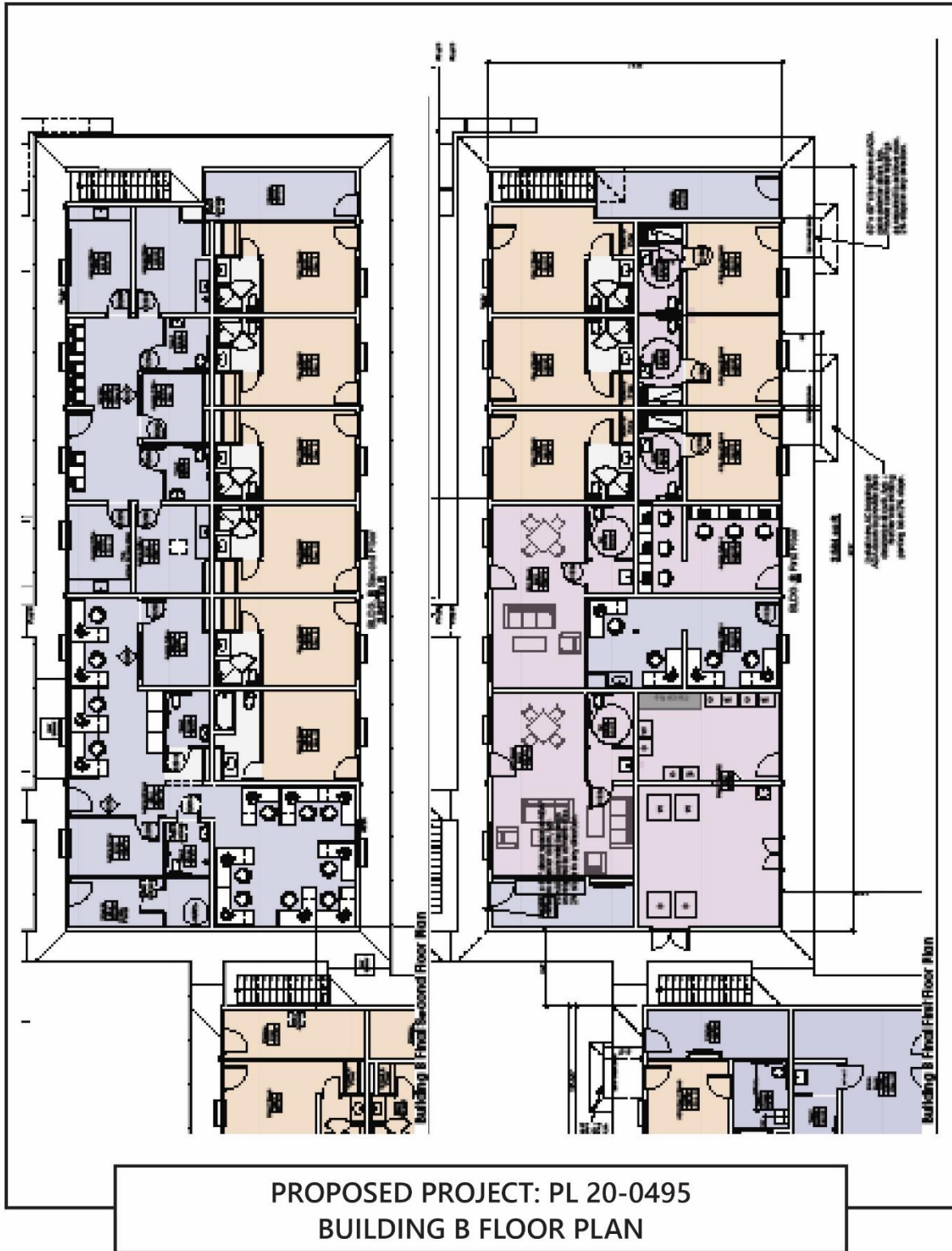
EXHIBIT "C"
PROJECT EXHIBITS

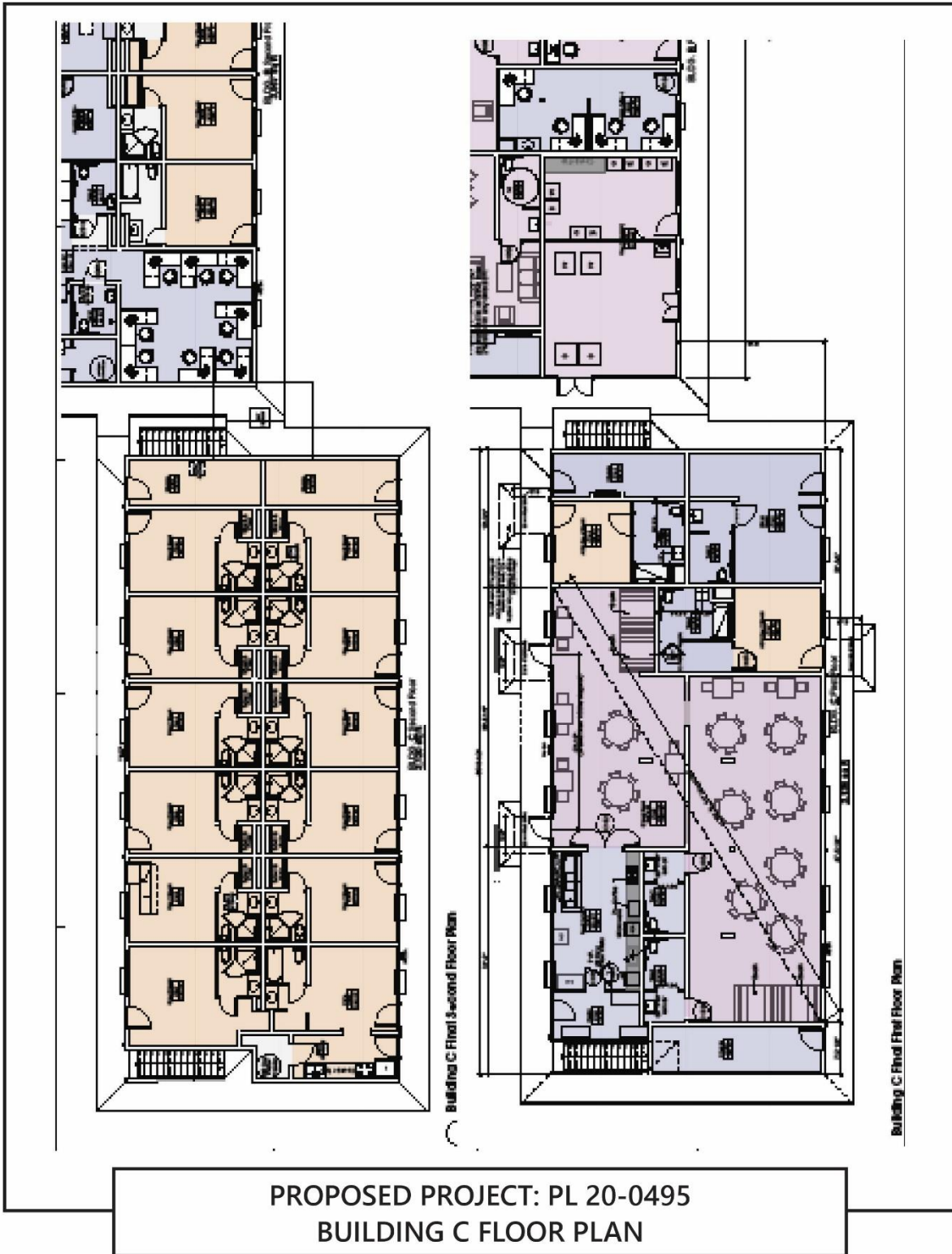
Minor Conditional Use Permit for Interfaith Community Services, Inc. PL 20-0495

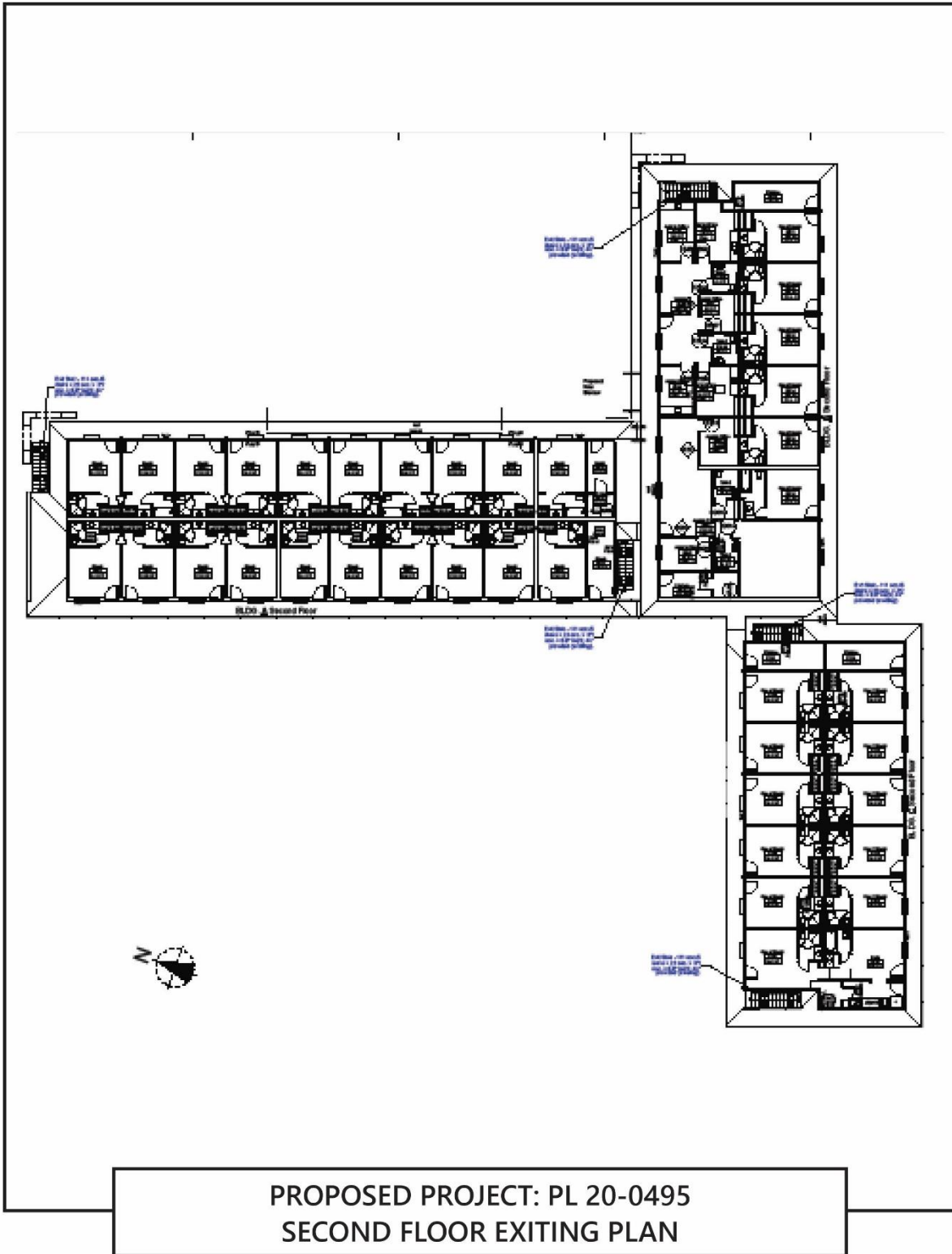


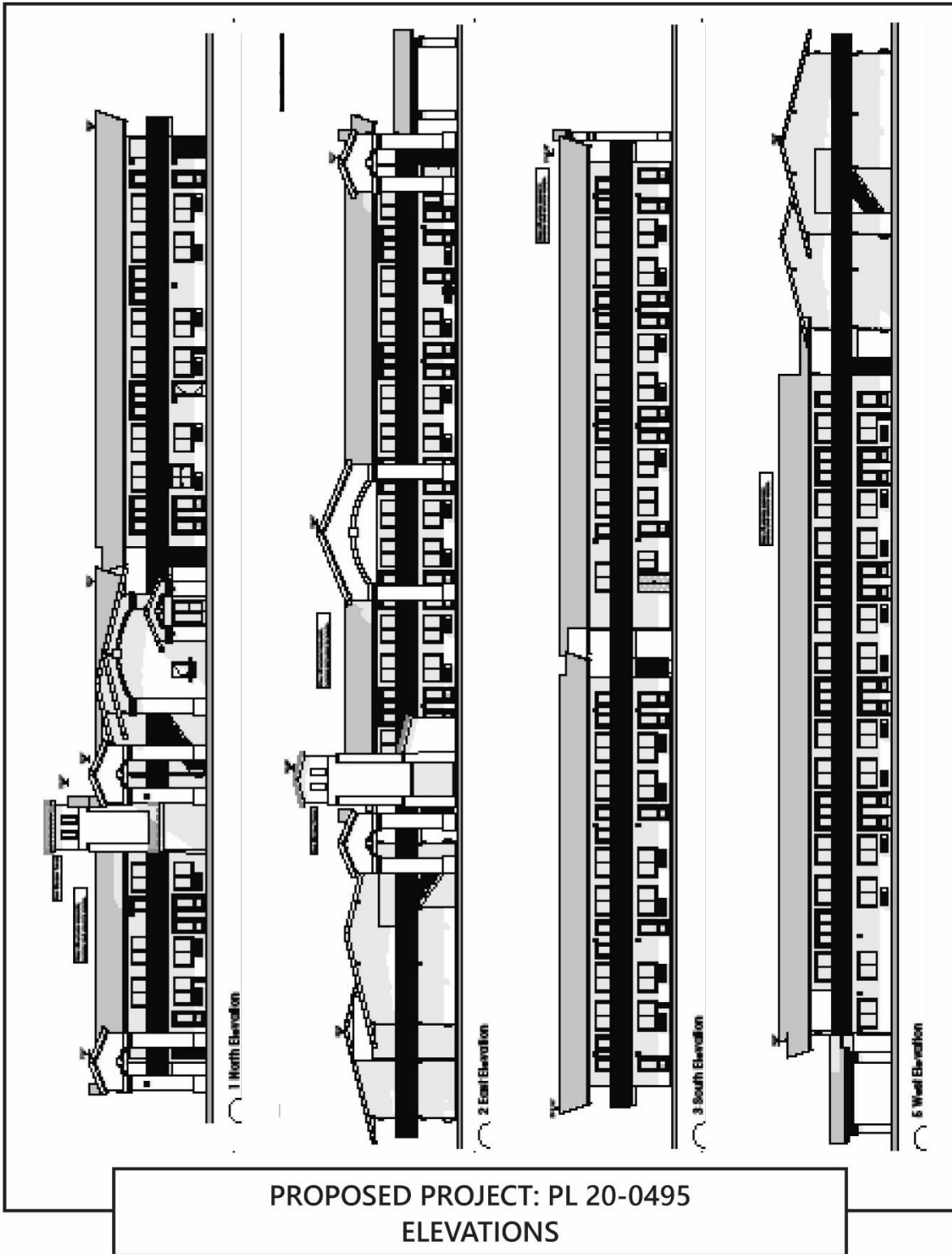


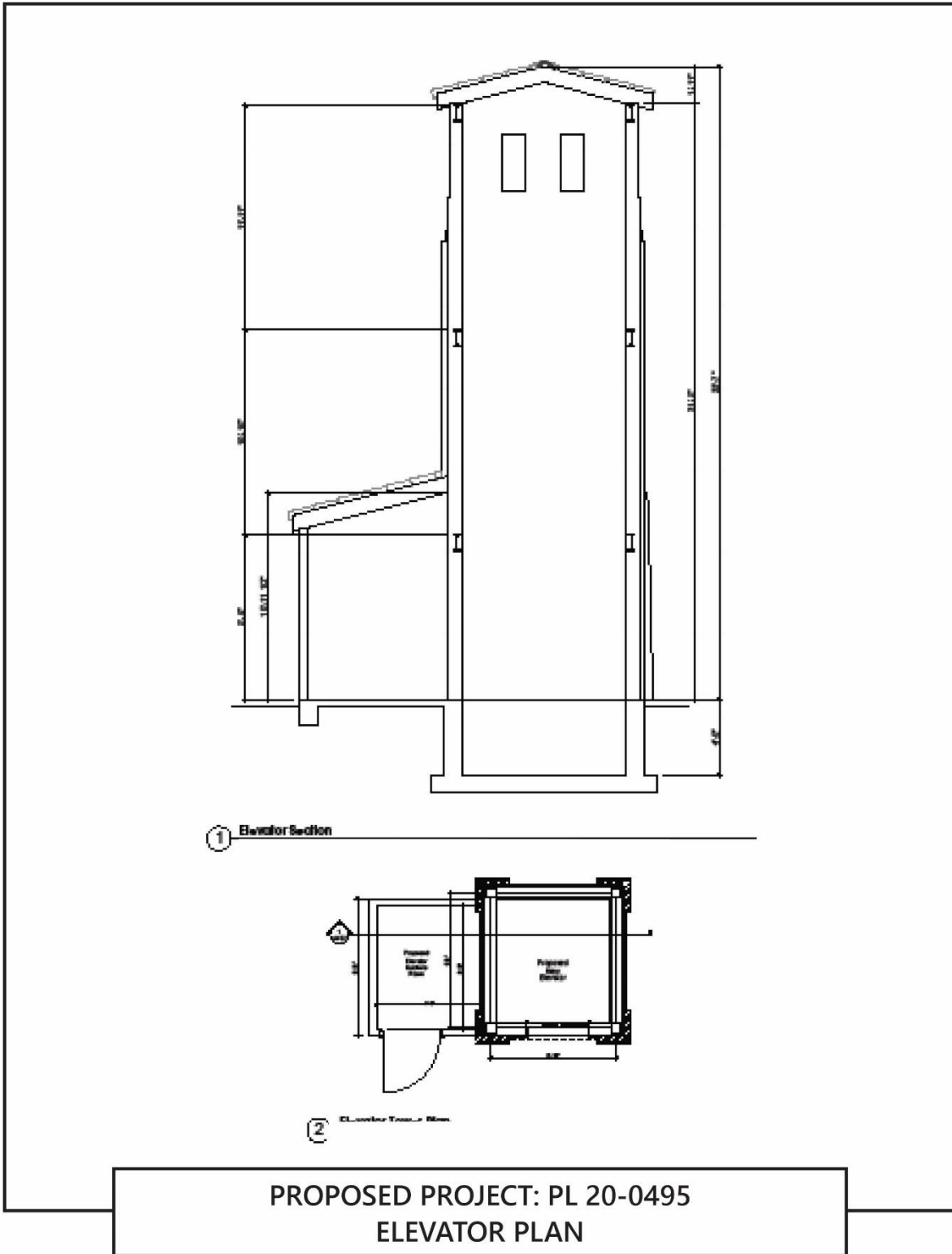












PROPOSED PROJECT: PL 20-0495
ELEVATOR PLAN

UNDERGROUND FIRE PLAN INTERFAITH HOTEL TENANT IMPROVEMENT

GENERAL NOTES

1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS AND SPECIAL PROVISIONS AND THE CITY OF ESCONDIDO EFFECTIVE APRIL 25, 2007 BY RESOLUTION NO. 2007-60 AND THE STANDARD DRAWINGS OF THE CITY OF ESCONDIDO EFFECTIVE MAY 6, 2009, BY RESOLUTION NO. 2009-60, ALONG WITH ANY AMENDMENTS THEREFO.
2. ALL CONTRACTORS WORKING IN THE PUBLIC RIGHT OF WAY SHALL OBTAIN A SEPARATE ENCROACHMENT PERMIT FROM THE DIRECTOR OF ENGINEERING SERVICES. INSPECTION OF ALL WORK IS REQUIRED. CONTACT THE ENGINEERING FIELD OFFICE AT (760) 839-4684 TO ARRANGE FOR ENCROACHMENT PERMITS AND INSPECTION. TWENTY-FOUR HOUR ADVANCE NOTICE IS REQUIRED FOR INSPECTION. NO WORK SHALL BE PERFORMED IN THE PUBLIC RIGHT OF WAY ON SATURDAYS, SUNDAYS OR LEGAL HOLIDAYS WITHOUT THE EXPRESS PERMISSION OF THE CITY ENGINEER.
3. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL SUBSTRUCTURES, WHETHER SHOWN HEREON OR NOT, AND PROTECT THEM FROM DAMAGE. THE EXPENSE OF REPAIR OR REPLACEMENT OF SAID SUBSTRUCTURES SHALL BE BORNE BY THE CONTRACTOR.
4. NEITHER THE OWNER NOR THE ENGINEER OF WORK WILL ENFORCE SAFETY MEASURES OR REGULATIONS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE THEREFOR.
5. LOCATION AND ELEVATION OF ALL EXISTING IMPROVEMENTS WITHIN THE AREA OF WORK SHALL BE CONFIRMED BY FIELD MEASUREMENT PRIOR TO CONSTRUCTION OF NEW WORK. CONTRACTOR WILL MAKE EXPLORATORY EXCAVATIONS AND LOCATE EXISTING UNDERGROUND FACILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS IF REVISIONS ARE NECESSARY BECAUSE OF ACTUAL LOCATION OF EXISTING FACILITIES.

STREET NOTES

1. ALL STATIONING REFERS TO THE CENTERLINE OF THE STREET.
2. ALL CURB DATA REFERS TO THE FACE OF CURB.
3. STRUCTURAL SECTION TO BE DETERMINED AFTER ROUGH GRADING IS COMPLETED, ACCORDING TO FIGURE 3 OF THE ESCONDIDO DESIGN STANDARDS.
4. THE ADDRESS OF EACH LOT SHALL EITHER BE PAINTED ON THE CURB OR, WHERE CURBS ARE NOT AVAILABLE, POSTED IN SUCH MANNER THAT THE ADDRESS IS VISIBLE FROM THE STREET. IN BOTH CASES, THE ADDRESS SHALL BE PLACED IN A MANNER AND LOCATION APPROVED BY THE CITY ENGINEER.

UTILITY NOTES

1. ALL TEMPORARY PAVING PLACED BY ANY CONTRACTOR, SUBCONTRACTOR OR UTILITY COMPANY SHALL REMAIN IN THE PUBLIC RIGHT OF WAY FOR NOT MORE THAN 30 CALENDAR DAYS ON RESIDENTIAL STREETS AND 72 HOURS ON ARTERIALS, MAJOR ROADS, COLLECTORS AND LOCAL COLLECTORS, PRIOR TO PLACEMENT OF PERMANENT PAVEMENT. ALL TEMPORARY PAVING PLACED IN THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED CONTINUOUSLY IN ACCORDANCE WITH CITY OF ESCONDIDO STANDARD DRAWING NO. G-3-E.
2. ALL UNDERGROUND UTILITIES TO BE INSTALLED BEFORE CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS OR SURFACING OF STREETS.
3. UNLESS OTHERWISE SHOWN, SEWER LATERALS AND WATER SERVICES SHALL BE RUN NORMAL TO THE MAIN.
4. ALL WATERLINES SHALL HAVE 36" MINIMUM COVER TO FINISHED GRADE.
5. A FEE IS CHARGED FOR SHUTTING DOWN OR TAPPING A LIVE WATERLINE. CONTACT THE FIELD ENGINEERING INSPECTOR AT (760) 839-4684 FOR A DETERMINATION OF THE FEE AMOUNT. SCHEDULE ALL SHUTDOWNS THROUGH A FIELD ENGINEERING INSPECTOR. THIS IS ONLY APPLICABLE TO THE CITY OF ESCONDIDO WATERLINES.
6. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES PRIOR TO STARTING WORK NEAR COMPANY FACILITIES AND COORDINATE HIS WORK WITH COMPANY REPRESENTATIVES. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO CONTACT THE UTILITY COMPANIES, ADVISE THEM OF THE PROPOSED IMPROVEMENTS AND BEAR THE COST OF RELOCATIONS, IF NEEDED. SEE OWNER'S LETTER REGARDING UTILITY COORDINATION DATED _____.
7. THRUST BLOCKS ARE REQUIRED PER S.D. REGIONAL STANDARD DRAWINGS WT-01 AS DIRECTED BY THE ENGINEER.
8. ALL REQUIRED WATERLINES AND FIRE HYDRANTS SHALL BE INSTALLED AND IN SERVICE PRIOR TO THE ACCUMULATION OF ANY COMBUSTIBLE MATERIAL ON THE JOB SITE.
9. PAVED ACCESS TO THE SITE SHALL BE MAINTAINED FOR THE USE OF HEAVY FIRE FIGHTING EQUIPMENT.
10. VERIFICATION OF A SAN DIEGO COUNTY EXPLOSIVE PERMIT AND A POLICY OF CERTIFICATE OF PUBLIC LIABILITY INSURANCE SHALL BE FILED WITH THE FIRE DEPARTMENT PRIOR TO ANY BLASTING WITHIN THE CITY OF ESCONDIDO.
11. ALL WATER AND SEWER LINES INCLUDING SERVICES AND LATERALS SHALL BE PROVIDED WITH A 5-INCH WIDE STRIP OF POLYETHYLENE NONMETALLIC DETECTION TAPE ONE FOOT OVER THE PIPE. A BLUE COLOR SHALL BE USED FOR WATER AND RED OR GREEN COLOR FOR SEWER. IN ADDITION, A #10 BARE COPPER WIRE SHALL BE INSTALLED OVER ALL NONMETALLIC WATERLINES. A "W" SHALL BE STAMPED IN THE CURB FACE AT THE WATER SERVICE LOCATION AND "S" SHALL BE STAMPED IN THE CURB AT THE SEWER LATERAL LOCATION.
12. ALL ABANDONED SEWER LATERALS SHALL BE CAPPED AT THE PROPERTY LINE. ALL ABANDONED WATER SERVICES SHALL BE SHUT OFF AND DISCONNECTED AT THE MAIN.
13. FIRE HYDRANTS MARKERS ARE REQUIRED PER STANDARD DRAWING M-19. LOCATIONS FOR AREAS OUTSIDE OF THE PUBLIC RIGHT OF WAY SHALL BE DETERMINED BY THE FIRE DEPARTMENT.
14. THE CONTRACTOR SHALL CONSTRUCT SEWER LATERAL CLEANOUTS IMMEDIATELY BEHIND THE RIGHT OF WAY LINE ON ALL SEWER LATERALS. THE CLEANOUT SHALL BE CONTAINED WITHIN AN ENCLOSURE COVERED WITH A CAST-IRON LID MARKED "SEWER" IF LOCATED IN DRIVEWAYS OR WALKWAYS.

GENERAL NOTES

1. THIS INSTALLATION WILL CONFORM TO NFPA 24, 2016 EDITION, & THE CALIFORNIA FIRE CODE.
2. THESE PLANS ARE NOT VALID FOR INSTALLATION UNTIL A CALIFORNIA LICENSED CONTRACTOR IS APPROVED BY THE CITY OF SAN DIEGO & A JOB CARD IS ISSUED.
3. BEFORE ASKING FINAL APPROVAL OF AN INSTALLATION BY THE AUTHORITY HAVING JURISDICTION, THE INSTALLING CONTRACTOR SHALL FURNISH A CONTRACTORS MATERIALS & TEST CERTIFICATE, COUNTER SIGNED BY THE OWNER OR REPRESENTATIVE.
4. JOINTS SHALL BE ASSEMBLED BY PERSONS FAMILIAR WITH THE PARTICULAR MATERIALS BEING USED & IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS & SPECIFICATIONS.
5. ALL BOLTED JOINT ACCESSORIES SHALL BE CLEANED & THOROUGHLY COATED WITH ASPHALT OR OTHER CORROSION-RESISTING MATERIAL AFTER INSTALLATION.

VALVES, PIPES AND FITTING NOTES

1. IDENTIFICATION SIGNS SHALL BE PROVIDED AT EACH VALVE TO INDICATE ITS FUNCTION & WHAT IT CONTROLS (e.g., (OS&Y), SECTIONAL & PIV VALVES).
2. PIPING SHALL BE LISTED FOR FIRE PROTECTION SERVICE, COMPLY WITH ANMA STANDARDS, & ALL LISTING SHEETS STATING SO SHALL BE PROVIDED.
3. ALL FERROUS METAL PIPING SHALL BE LINED & ADDITIONALLY, STEEL PIPE SHALL BE COATED & WRAPPED FOR BURIED PIPE. GALVANIZING, INTERNAL OR EXTERNAL, DOES NOT MEET THE REQUIREMENTS OF 2016 NFPA 24.
4. ALL TEES, FLANGES, CAPS, BENDS, & HYDRANT BRANCHES SHALL BE RESTRAINED BY PIPE CLAMPS & TIE-RODS. THRUST BLOCKS, LOCKED MECHANICAL OR FUSH JOINTS, MECHANICAL JOINTS UTILIZING SET SCREW RESTRAINT GLANDS, OR OTHER APPROVED METHODS SHALL BE USED. THE TYPE OF PIPE, SOIL CONDITIONS, & AVAILABLE SPACE DETERMINE THE METHOD & SIZING.
5. ALL FIRE HYDRANTS SHALL HAVE A CAPACITY OF AT LEAST 1,500 GPM.
6. FIRE HYDRANT CONTROL VALVES SHALL BE LOCATED NO MORE THAN 20 FEET FROM THE FIRE HYDRANT.

FIRE FLOW REQUIREMENTS

REQUIRED FIRE FLOW IS 805.6 GPM (OVERHEAD) 0.10 328.4 GPM (100' SL)

BUILDING SUMMARY

TOTAL BUILDING AREA = 24,000 S.F. (12,000 S.F. FIRST FLOOR, 12,000 S.F. SECOND FLOOR)
BUILDING USE: LIGHT HAZARD AND ORDINARY HAZARD GROUP 2
OCCUPANCY
PRIMARY OCCUPANCY: M (PREVIOUSLY BY OCCUPANCY)
CONSTRUCTION TYPE:
NUMBERS OF STORES: TWO STORES
FIRE SPRINKLERS: YES UNDER DEFERRED SUBMITTAL (P15)
FIRE ALARM SYSTEM: YES UNDER DEFERRED SUBMITTAL (P15)

BACKFLOW DEVICES

BACKFLOW DEVICES SHOWN HERE ARE TO BE INSTALLED BY DRAWING APPROVAL NUMBER 240328. BACKFLOWS ARE 1" NPTM AMES, COLT SERIES C500. THE COLT SERIES C500 IS LISTED ON THE PUBLIC UTILITIES DEPARTMENT OF APPROVED BACK FLOW DEVICES.

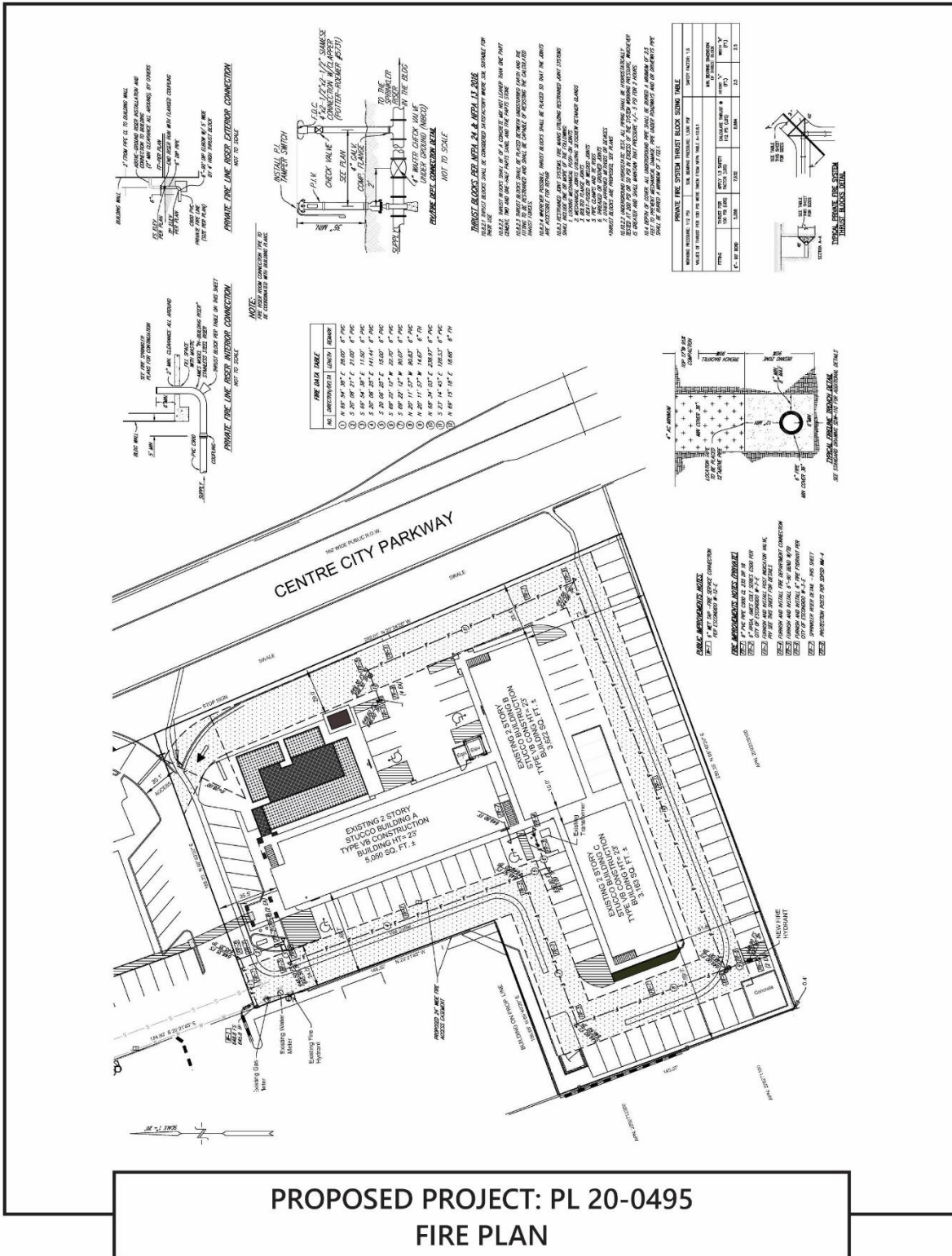
FIRE DEPARTMENT CONNECTION NOTES

1. DESIGNATE ALL FIRE DEPARTMENT CONNECTIONS WITH A SIGN HAVING RAISED LETTERS AT LEAST 1" IN SIZE CAST ON A PLATE OR FITTING, READING FOR SERVICE, DESIGNATED E. "AUTO-SPRINKLER" OR "DRY SPRINKLER" OR "STAND PIPE".
2. ALL FDC INSTALLATIONS SHALL BE "STAND ALONE". ALL CONNECTIONS WILL JOIN THE SPRINKLER SYSTEM ABOVE THE CHECK VALVE IN ACCORDANCE WITH NFPA 13 2016 EDITION 6.2.2.
3. FIRE'S RESPONSIBILITY FOR INSPECTION AND PLAN CHECK IS FROM THE TRENCH TO THE BUILDING.
4. FDC LOCATION SHALL BE APPROVED BY THE FIRE DEPARTMENT.
5. PRIVATE UNDERGROUND FIRE LINE MUST COMPLY WITH NFPA 24.
6. THRUST BLOCKS SHALL BE ACCORDANCE WITH NFPA 24 FOR FIRE DEPARTMENT UNDERGROUND FIRE LINES.

DATE
2021-05-26-00

LEGAL DESCRIPTION
A PORTION OF PARCEL 1 OF PM 725

PROPOSED PROJECT: PL 20-0495
FIRE PLAN



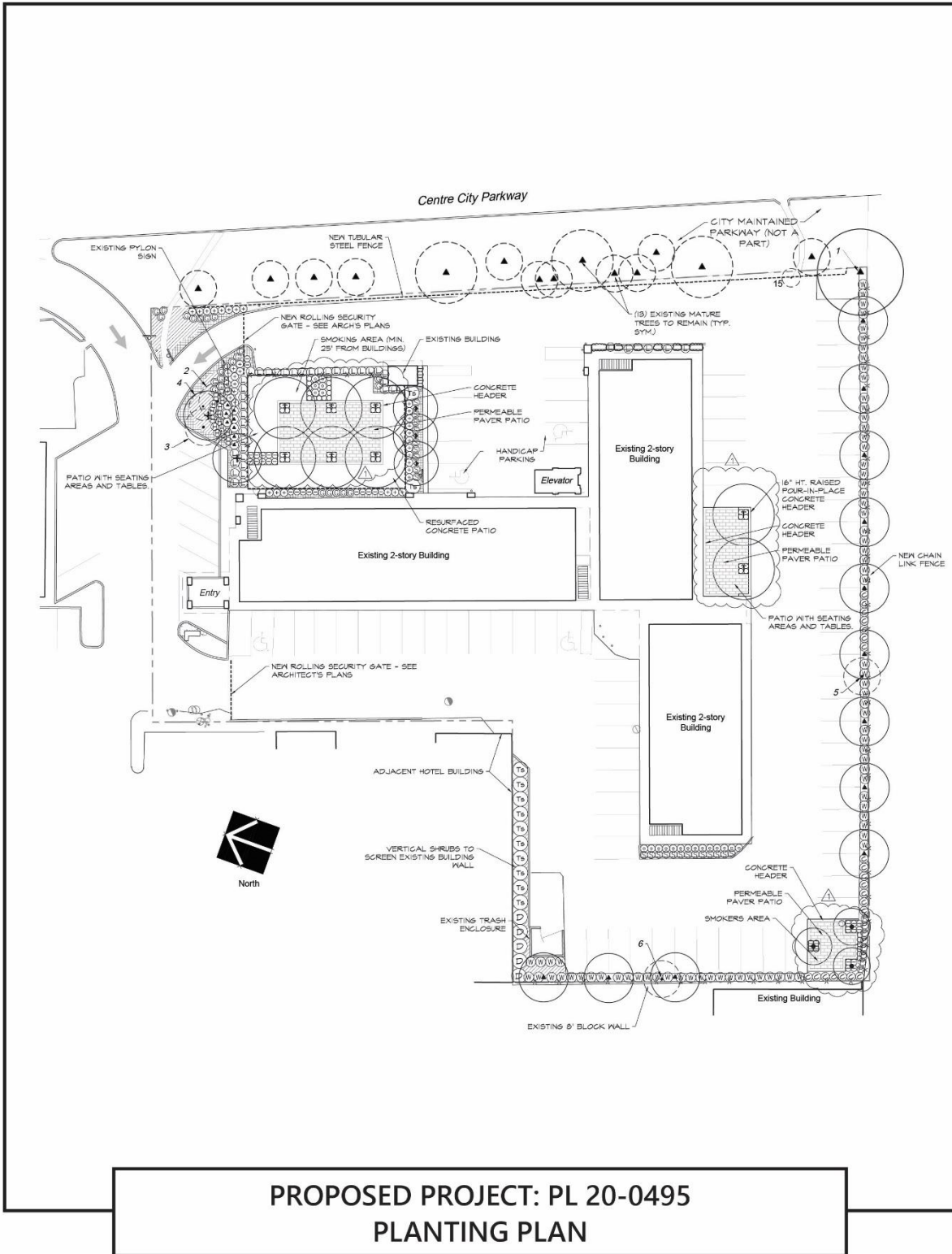


EXHIBIT “D”
CONDITIONS OF APPROVAL
PL 20-0495

This Project is conditionally approved as set forth on the revised application received by the City of Escondido on **February 4, 2021**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as approved on **May 25, 2021**, and shall not be altered without express authorization by the Community Development Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, and the Applicant’s successors in interest, as may be applicable.

A. General:

1. **Acceptance of Permit.** If the Applicant fails to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a. Acceptance of the Permit by the Applicant; and
 - b. Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
2. **Permit Expiration.** If the Permit was filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. If not filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

3. **Certification.** The Director of Community Development, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. Three copies of final Approved Plan set shall be submitted to the Planning Division for certification. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.
4. **Conformance to Approved Plans.**
 - a. The operation and use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
 - b. Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
 - c. Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Community Development to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.
5. **Limitations on Use.** Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.
6. **Certificate of Occupancy.**
 - a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
 - b. Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Community Development.

7. Availability of Permit Conditions.

- a. Prior to building permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Community Development.
- b. The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.

8. Right to Entry. The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.

9. Compliance with Federal, State, and Local Laws. Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. Fees. The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.

11. **Public Art Partnership Program.** All requirements of the Public Art Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
12. **Clerk Recording.**
 - a. Exemption. If the environmental determination prepared for the project is a categorical exemption, the City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50 in order to file a Notice of Exemption. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Guidelines 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 date of this letter) a certified check payable to the "County Clerk" in the amount of \$50. 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 period will apply.
 - b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.
13. **Legal Description Adequacy.** 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.
14. **Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.
15. **Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Zoning Administrator to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Community Development for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Zoning Administrator or Planning Commission, or City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

16. Indemnification, Hold Harmless, Duty to Defend.

- a. The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner of the Property (including the Applicant's or the owner of the Property's contractors, subcontractors, licensees, sub lessees, invitees, agents, consultants, employees, or volunteers), or such activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who

may defend the City against any Claims in the manner the City deems to be in the best interests of the City).

- b.** The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project's environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant's payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).
- c.** The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written Deposit Account Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

B. Construction, Maintenance, and Operation Obligations:

- 1. Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Community Development, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

2. **Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulations or to obtain permits from other agencies to make certain on- or off-site improvements prior to Final Map recordation, grading permit issuance, building permit issuance, or certificate of occupancy as required. This review may result in conditions determined by the reviewing agency.

At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

3. **Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
4. **Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.
5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
7. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors,

accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.

8. **Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
9. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
10. **Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
11. **Trash Enclosures.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
12. **Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
13. **Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
14. **Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof, demonstrating compliance with the California Green Building Standards Code sections cited above.

15. Construction Equipment Emissions. Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board ("CARB") certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii) functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall demonstrate to the satisfaction of the Director of Community Development that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model ("CalEEMod") or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.

C. Parking and Loading/Unloading.

1. The number of existing parking stalls is to be reduced from 92 to a minimum of 78 spaces. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required, minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.
3. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.

2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.
6. **Landscaping Plans.** Applicant shall install all required improvements including screening walls, retaining walls, storm improvements, and landscaping in substantial conformance to the planting and irrigation schedule as shown on the final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Planning Division for review and approval, if meeting any of the criteria listed under Section 33-1323 of the Zoning Code. Five copies of detailed landscape and irrigation plans shall be submitted to the Engineering Services Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees, paid in accordance with the prevailing fee schedule in effect at the time of submittal. Details of Project fencing and walls, including materials and colors, shall be provided on the landscape plans. (Building permits may also be required.) The landscape and irrigation plans shall be reviewed and approved by the Planning Division and Engineering Services Department prior to issuance of grading permits, and shall be equivalent or superior to the conceptual landscape plans included as part of the Approved Plan set, 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, except where stricter requirements are imposed by the State of California.
 - b. Screening walls, retaining walls, storm improvements, and landscaping (i.e. planting and irrigation) is to be provided prior to final occupancy.
 - c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The

Applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

- d. Any new freestanding walls and/or retaining walls shall incorporate decorative materials or finishes, and shall be indicated on the landscaping plans. (Building permits may also be required.) All freestanding walls visible from points beyond the Project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be a type satisfactory to the Director of Community Development.
- e. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Community Development shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

1. The maximum number of residential care units is limited to 34 Graduate Lodging Rooms and 28 Recuperative Care Rooms, with a total of 88 beds. Occupancy of the units shall be rated in accordance with the Building Code.
2. All guests seeking services must be aged 18 years or older.
3. 24/7 staffing shall be provided. During regular business hours no less than 17 employees will be onsite. After hours and on weekends no less than 5 employees will be onsite. Staffing will be provided by Resident Coordinators, Behavioral Health Aids, Masters-level Social Workers, Licensed Clinical Social Workers, Certified Nursing Assistants, Licensed Vocational Nurses, and Registered Nurses. In addition to the staffing levels specified herein this condition, the premises shall provide adequate on-site security personnel at the Applicant's expense and have 24/7 coverage of the property, as required by the Police Department Conditions of Approval.
4. Intakes are dependent upon bed availability. Additional arrivals can be scheduled should there be demand and appropriate staffing to support intake. If any individual or group of individuals are denied admission for intake processing, the Applicant shall take any and all steps necessary to find alternative services or temporary housing elsewhere (as a preferred alternative), or return the individual(s) to the community or place of origin (as a least preferred alternative).
5. This subject application is subject to California Health and Safety Code section 1520.5 for applicable overconcentration and separation requirements. Transitional shelter care facilities and temporary shelter care facilities, developed by the State Department of Social

Services pursuant to section 1502.3, shall not be considered in determining overconcentration of residential facilities, and license applications for those facilities shall not be denied upon the basis of overconcentration.

6. Food will be prepared at Interfaith's licensed commercial kitchen at 550 W Washington Ave., and transported by vehicle to the Site, where clients can eat in multiple multipurpose dining halls, in their rooms, or outdoors. The facility will bring in prepared meals from off-site for all residents and staff and no meal preparation will take place on site. Any changes to this procedure will be subject to the City's Waste Water regulations and a modification to the CUP.
7. As an operational provision of the facility, priority for service will first be given to the City's local transient population. To the extent feasible, the Applicant shall accommodate and/or pursue partnership capacities to help homeless people get off the street at the time of the call for service with homeless liaison officers so that the Police Department can connect service providers to people who need aid and want to help themselves.
8. Applicant must develop an Evacuation and Client Control Program that identifies the Site's evacuation plan with trigger for relocation, transportation, and temporary housing of residences in advance of emergency incident impact. Applicant agrees to provide all records and documentation of the Evacuation and Client Control Program upon request.
9. A parking management plan will be provided to the Planning Division showing how vehicle parking at the facility will operate to the satisfaction of the Director of Community Development. Any local shuttle services or fleet vehicles used for the transport of goods or people will store such vehicles in a non-conspicuous location in the rear of the property and not in view of the public or surrounding properties.
10. The ADA path of travel out to the public way as required by an Engineering Condition of Approval will require written agreement from neighboring property owners.
11. An outdoor seating area is to replace the existing pool area as a site amenity. The design of this space must include variegated seating arrangements; artistic arbor(s) trellis, or pergola(s); raised planters, specimen trees (36" box size minimum or larger), and upsized and enhanced shrub plantings.
12. Enhanced landscaping will be required in areas where the previous landscaping has died and along Centre City Parkway frontage and within the Centre City Parkway public right-of-way to the satisfaction of the City's Community Development Director. The proposed landscape plantings should include a diverse combination of plant types and plant sizes including combinations of deciduous and evergreen trees and shrubs, vines and ground covers.
 - At the time of planting, a combination of 5- and 15-gallon shrubs shall be used and

- Trees shall be 24-inch and 26-inch boxed containers spaced not less than one-tree spaced a minimum of 20' apart.
 - Total quantity of plants required is based on one-shrub every 100 square feet of planting area, and is dependent on overall planting plan.
 - A minimum 36-inch foot high screen wall, vertical landscaping, mounded berm, or combination thereof is required to screen parking lot areas and drive aisle from Centre City Parkway
13. Landscaping of parking lot areas should include a combination of trees, shrubs and groundcovers. A minimum of 1-large scale tree is required for each landscape finger terminating and/or separating single loaded parking bays.
14. Applicant must design any landscaping to incorporate and provide for the minimum safe driver sight distances at the project driveways, restricting the height of any planting material to 30 inches or less within the drivers' sight distance area. In addition, no walls, berms, slopes backflow prevention devices, on-site project monuments, signs, or other impediments to the drivers' sight visibility will be allowed within that restricted area as all directed by the City Engineer.
15. Revisions to the site design to reflect egress improvements to Centre City Parkway to meet City standards as required by an Engineering Condition of Approval may result in adjustments to parking signage, fencing, and landscaping to achieve a 16-foot minimum egress lane. All of these changes shall be within the purview of substantial conformance review and would not trigger modifications to the Approved Plan set or Conditional Use Permit. This Condition of Approval and allowance for on-site parking reductions shall supersede all conflicting notations, specifications, and dimensions which may be shown on the Approved Plan set or other conditions specified herein.
16. Applicant agrees that if any of the conditions or limitations of the Conditional Use Permit are held to be invalid by a court of competent jurisdiction, that holding will render this permit to be null and void.
17. Interfaith is required to provide a report to the Planning Division every six months detailing the operations onsite, including nightly population counts, available capacity, residency origin of population, number and reason for intake rejections and ejections after intake, calls for police service, and other data for tracking purposes to the satisfaction of the Director of Community Development.

FIRE DEPARTMENT CONDITIONS OF APPROVAL

1. The project is required to have one FDC/ PIV connection for each building.
2. Exact locations of the required FDCs and fire hydrants may need to be relocated after further Fire review

3. The minimum flow shall be 1500 GPM.
4. Fire will need a minimum of 20 feet in and out at Centre City Parkway. If a portion of this egress drive is over an island, it can be less than 20' in width, so long as the island is only slightly raised and otherwise drivable to the satisfaction of the Fire Chief.
5. Fire apparatus turning radii within the subject site shall be demonstrated to comply with Fire standards to the satisfaction of the Fire Chief.
6. Calls for emergency Fire services shall be as coordinated with the City's Police Department conditions below.
7. The facility is to provide an evacuation plan showing areas of refuge to the satisfaction of the City's Fire Chief prior to Building permit issuance. Note: this condition is separate from the Evacuation and Client Control Program listed earlier.

POLICE DEPARTMENT CONDITIONS OF APPROVAL

1. Site Security. This property requires properly trained and licensed security guards to satisfaction of the Police Chief.
2. The facility is required to have 24/7 coverage of the property by licensed security guards through California's Bureau of Security & Investigative Services. Guards licensed by the Bureau of Security & Investigative Services will have undergone a background check and received specialized security guard training.
3. Cameras. The facility shall be required to include verification by the Police Department that all areas of the property are visible through close circuit cameras and are able to be properly monitored by onsite employees. Any "blind spots" of the property would be required to be corrected within 30 days.
4. Fencing. Wrought iron fencing with a minimum height of 5 feet will be required around the property to prevent unwanted individuals from entering. The fencing is to have limited ingress and egress points. All ingress points should be in full view of onsite employees and cameras.
5. Rule Violations or when Clients Refuse Services. The facility will be required to take responsibility for returning individuals no longer willing or able to participate in the program to the city or jurisdiction they occupied prior entering. The intent of this condition is to prevent the City of Escondido acquiring more homeless individuals simply because it has service providers. It is acknowledged that there are times where an individual will refuse help returning to their place of origin, however, Interfaith should undertake all reasonable and lawful efforts to assist its population in this regard.
6. Policy/Procedures. City Police and Fire staff will respond to all calls for assistance from the facility. The facility is, however, required to have clear policies, procedures, and training in-place for all staff on how to properly assess a situation and determine when it is appropriate to request Police and Fire Department resources. The facility is required to work with the City's Police Department to establish a clear and consistent application of

staff training and policy, which will benefit Interfaith, their clients, and the City by only requesting Police and Fire when the situation makes it necessary to do so.

ENGINEERING CONDITIONS OF APPROVAL

GENERAL

1. The Applicant shall provide the City Engineer with a Preliminary Title Report covering the subject property.
2. The location of all existing on-site and adjacent utilities and storm drain facilities shall be determined by the Applicant's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the Grading plans. This utility/facility relocation work shall be completed prior to issuance of Building Permits.
3. Improvement plans prepared by a Civil Engineer, required for all public utility improvements, shall be submitted for review through the City's plan review portal as a single package containing all items on the initial submittal Engineering Plan Review Checklist.
4. Landscaping Plans shall be prepared by a Landscape Architect and shall be submitted for review through the City's plan review portal as a single package containing all items on the initial submittal Engineering Plan Review Checklist.
5. The Applicant shall post securities in accordance with the City prepared Bond and Fee Letter based on a final and City-approved Engineer's Estimate of landscaping and irrigation, pedestrian access route improvements, and waterline improvement costs prepared by the project engineer. The Applicant is required to provide Performance (100% of the cost estimate), Labor and Material (50% of the cost estimate) and Guarantee and Warrantee (10% of the cost estimate) bonds for these improvements prior to approval of the Improvement Plans and issuance of any Building Permit. All improvements and landscaping shall be completed prior to issuance of a Certificate of Occupancy.
6. As surety for the construction of required off-site and/or on-site water main improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the applicant with the City of Escondido prior to the approval of the Improvement Plan and any Building Permit.
7. If site conditions change adjacent to the proposed development prior to completion of the project, the Applicant will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

8. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be corrected by the Applicant to the satisfaction of the City Engineer.
9. All gated entrances shall be approved by the City Engineer, Building Official, and the Fire Marshal.
10. The Applicant's engineer shall submit to the Planning Department two copies of the Site Plan as presented to the Zoning Administrator together with any changes contained in the adopted final conditions of approval. The Site Plan will be certified by the Planning Department verifying that they are an accurate reproduction of the approved Site Plan and one of these copies must be included with the first Final Engineering submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. A lien contract for construction of future N. Centre City Parkway egress improvements from the site shall be executed with the City prior to issuance of any Building Permit. The City will prepare the lien contract. An engineer's estimate of cost for these improvements, prepared by a licensed Civil Engineer, shall be submitted along with a current copy of the grant deed or title report for use in preparation of this contract.
2. The Site Plan shall be revised for certification by Planning to reflect egress improvements to Centre City Parkway to meet City standards, including adjustment of parking, signage, fencing, and landscape islands to achieve a 16-foot minimum egress lane.
3. The Applicant shall repaint all pavement striping and markings adjacent to the project that have been damaged and prematurely faded due to project construction traffic to the satisfaction of the City Engineer.
4. The Applicant will be required to provide a detailed detour and traffic control plan, for all construction and staging activities, and any requested materials placement within existing rights-of-way to the satisfaction of the City Engineer. This plan shall include any proposed sidewalk closures and provide for alternate pedestrian access around the project site. This plan shall be approved prior to the issuance of an Encroachment Permit for construction or other project activities within the public right-of-way.

WATER SUPPLY

1. The locations and sizing of all required water mains, water services, fire hydrants, detector check assemblies, and other water appurtenances shall be designed and installed to the satisfaction of the Director of Utilities and the Utilities Engineer.

2. Improvement plans for all proposed water mains shall be prepared by a Civil Engineer and submitted to the City of Escondido for review and approval.
3. All water improvements shall be designed and constructed per the City of Escondido Design Standards and Standard Drawings, or to the satisfaction of the Utilities Engineer.
4. All public water mains shall be located under asphalt or concrete pavement and not under curbs, gutters, medians, permanent structures or sidewalks.
5. The Applicant shall construct an 8-inch looped on-site water main designed to provide adequate water service and/or fire protection for the proposed project. All proposed water mains shall be sized to provide the required fire flow while still meeting City of Escondido Standards.
6. The Site Plan shall be revised for certification by Planning to show looping of all water mains to the satisfaction of the Utilities Engineer.
7. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
8. All proposed fire hydrants shall be public and meet the current City of Escondido Standards, and shall connect to a minimum 8" diameter public water main.
9. Water services, meters and backflow prevention devices shall be a minimum of 1-inch in size. Water meters and backflow prevention devices shall not be installed within driveway aprons or drive areas.
10. Backflow prevention assemblies are private and should be located on private property. Backflows shall be located directly behind the public meter.
11. All water services to be replaced, reconnected or relocated as a part of this project shall be replaced with new materials in entirety from the public water main to the public water meter to the satisfaction of the Utilities Engineer and Water Distribution Department.
12. All fire hydrants to be replaced, reconnected or relocated as a part of this project shall be replaced with new materials in entirety from the public water main to the fire hydrant per the satisfaction of the Utilities Engineer and Water Distribution.
13. No trees or deep-rooted plants shall be planted within 10 feet of any public water main.
14. All water mains within easements shall be installed under a min. 20-foot wide all- weather road surface designed to the satisfaction of the Utilities Engineer.

15. The Applicant shall disconnect at the public main all water mains, water services and fire hydrants laterals to be abandoned, to the satisfaction of the Utilities Engineer and Water Distribution Department.
16. Fire suppression and sprinkler systems beyond the Detector Check Valves are private and shall be designed and constructed per current Building, Plumbing, and Fire Code Standards, and per the requirements of the City Fire Marshal and City Building Official and shall be approved by a separate submittal to the Building Department.

LANDSCAPE

1. A site landscaping and irrigation plan shall be submitted to the Engineering Department with the first submittal of the improvement plan for review and approval by Engineering and Planning Departments. The initial submittal of the landscape plans shall include the required plan check fees and an itemized cost estimate from the Landscape Architect for irrigation and planting. A Faithful Performance Bond shall be provided by the Applicant for all landscape and irrigation costs shall in accordance with the City-approved Engineer's Estimate of Cost.

PEDESTRIAN ACCESS ROUTE TO WASHINGTON AVE.

1. The applicant shall install a 4-foot-wide pedestrian access route from the project to Washington Avenue meeting current ADA requirements to the satisfaction of the City Engineer and City Building Official. This pedestrian access route shall be shown on the certified Site Plan and the Site Plan submitted to the Building Department for the building permit to the satisfaction of the City Engineer. This pedestrian access route shall be installed prior to Certificate of Occupancy. The applicant shall also provide a pedestrian access easement or other pedestrian access rights covering this walkway over Assessor Parcel Numbers (APN) 229-271-19, -26, and -27 to the satisfaction of the City Attorney.

EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Improvement Plans and Site Plan.
2. Public utility easements for water main improvements which are deemed necessary by the Utilities Engineer or the City Engineer shall be granted to the City. The minimum easement width is 20 feet.
3. The Applicant shall grant adequate access easement rights to the adjacent properties that currently have access/ingress rights from Centre City Parkway so that these adjacent properties can construct and/or utilize the future egress improvements to Centre City Parkway to the satisfaction of the City Attorney. A site plan showing the future egress improvements shall be prepared by a licensed Civil Engineer or Surveyor and submitted to Engineering Services for review with the legal description and plat (depiction) of the easement. The future ingress and egress improvements shall provide a minimum 28-foot-

wide drive aisle onsite, and a minimum 16-foot-wide egress lane to Centre City Parkway. The exact limits of the easement will be determined with review of the site plan. If a conflict occurs with the existing or proposed improvements and the future egress improvements and emergency access easement, arrangements for relocation of the conflicting utilities/facilities shall be made by the applicant prior to approval of any Building permit.

4. The applicant shall provide a pedestrian access easement or other pedestrian access rights covering the pedestrian access route from the project to Washington Avenue over Assessor Parcel Numbers (APN) 229-271-19, -26, and -27 to the satisfaction of the City Attorney.

Material necessary for processing an easement shall include: a current grant deed or title report, a legal description and plat (depiction) of the dedication or easement signed and sealed by a person authorized to practice land surveying and traverse closure tapes. The City will prepare all final public documents. The initial submittal of the plat and legal shall include the required easement fee in effect at the time of the submittal.

FEES

1. The Applicant 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.
2. The initial submittal of legal descriptions and plats (depictions) for easements granted to the City shall include the required easement fee in effect at the time of the submittal. Separate easement fees shall be paid for each easement processed.

ATTACHMENT 3



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

Notice of Exemption

To: San Diego Assessor/Recorder/County Clerk
Attn: Fish & Wildlife Notices
1600 Pacific Hwy, Room 260
San Diego, CA 92101
MS A-33

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

Project Title/Case No: Interfaith Residential Care Facility / PL20-0495

Project Location - Specific: On the west side of N. Centre City Parkway, south of W. Washington Ave., addressed as 555 N. Centre City Parkway (APN: 229-271-25-00)

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

Description of Project: A Conditional Use Permit to convert an existing motel on 1.53 acres into a residential care facility. Proposed changes to the site include reducing the number of rooms from 80 to 60; expanding dining, lounge, office, laundry, and computer areas; reducing parking from 92 to 78 spaces; improving site circulation and landscaping; adding an elevator and security fencing; replacing the pool with outdoor seating; and installing ADA improvements.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Interfaith Community Services, Inc. Telephone: (949) 831-8110

Address: 9891 Irvine Center Drive, Irvine, CA 92618

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

Exempt Status:

Categorical Exemption. CEQA Guidelines sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures).

Reasons why project is exempt:

The proposed project qualifies for a categorical exemption pursuant to CEQA Guidelines sections 15301 and 15303 meeting all applicable conditions, as further described below.

1. Residential Care facilities are allowed under current zoning with a Conditional Use Permit. The subject parcel is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The project's reduction in the number of rooms from 80 to 60 and the expansion of dining, lounge, office, laundry, and computer areas involves interior work inside existing structures. The project thus adheres to the criteria of CEQA Guidelines section 15301(a).
2. The project includes the construction of an exterior elevator. The elevator footprint is approximately 155 square feet in size and does not exceed the 2,500 square foot limit allowed. The project thus adheres to the criteria of CEQA Guidelines section 15301(e).

Zoning Administrator
May 25, 2021
PL 20-0495

3. The removal of the existing pool and construction of the outdoor patio area is proposed. Old perimeter fencing is also being replaced. The project thus adheres to the criteria of CEQA section 15301(l)(4).
 4. The project proposes the conversion of an existing motel facility and includes the installation of small equipment and other modifications not involving the use of significant amounts of hazardous substances. The motel consists of three buildings each totaling less than 10,000 square feet. The project thus adheres to the criteria of CEQA section 15303(c).
 5. The project proposes waterline and other utility extensions and potential future street improvements. The project thus adheres to the criteria of CEQA section 15303(d).
- As indicated in item 3, above, the project includes installation of a patio area and new replacement fencing. The project thus adheres to the criteria of CEQA section 15303(e).

Lead Agency Contact Person: Paul K. Bingham Area Code/Telephone/Extension (760) 839-4306.

Lead Agency Contact Person: Paul K. Bingham, Assistant Planner II

Area Code/Telephone/Extension: (760) 839-4306

Signature: _____
Assistant Planner II Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant



ZONING ADMINISTRATOR

CASE NUMBER: PHG 19-0079

APPLICANT: Leonardo Dale, MPA Architects, Inc, for Magic Montessori

PROJECT LOCATION: 1911 Sunset Drive; APN (236-311-17-00)

REQUEST: A Minor Conditional Use Permit for the operation of a daycare and preschool facility for up to 73 children (ages 18 months to six years old). The school will occupy two existing buildings (one measuring 1,830 square feet and the other 2,195 square feet) in an existing 0.89-acre commercial center in the Escondido Boulevard District of the South Centre City Specific Plan. Building façade and site modifications are proposed, which include a new 1,385 square foot fenced outdoor playground for the children, construction of a covered loading and unloading area in front of the building for student drop-off and pick-up, reconfiguration of the parking lot circulation and parking space striping, and refurbishment of existing landscaping.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: SPA (Specific Plan Area #15)

ZONING: S-P (South Centre City Specific Plan, Escondido Boulevard District)

BACKGROUND/PROJECT DESCRIPTION:

The property is located within the Escondido Boulevard District of the South Centre City Specific Plan. A variety of commercial, retail, support and service uses are permitted or conditionally permitted in the district. A daycare and preschool use is permitted at this site, subject to the approval of a Conditional Use Permit.

The existing 0.89-acre commercial center consists of four separate, one-story buildings constructed in 1974: Building A: 1,830 square feet; Building B: 2,195 square feet; Building C: 2,570 square feet; Building D: 650 square feet. A total of 41 parking spaces are provided on site,

to which 37 parking spaces were required for the buildings at that time, using a retail parking ratio of 1:250 square feet.

The applicant is proposing to convert and occupy two of the four buildings, identified as Buildings A and B, located on the south portion of the site, from office use to daycare and preschool uses. Previous occupancies of the two buildings were office and church uses. The facility will have a maximum capacity of 73 children in the two buildings combined. Building A will be used for the preschool (ages three to six years old) with maximum capacity of up to 37 children, with 1 staff employee per 10 children. Building B will be used for a future daycare (infant to three years old) with maximum capacity of up to 36 children. The hours of operation will be 7 a.m. to 6 p.m., Monday thru Friday.

Site modifications are proposed in order to accommodate the new daycare/preschool use. They involve the removal of eight parking spaces between Buildings A and B, which would be converted to a 1,385 square foot fenced outdoor playground, reconfiguration of parking lot circulation and striping, and refurbishment of landscaping. A covered loading and unloading area would be constructed in front of Building A, and façade improvements would be made to Buildings A and B.

ENVIRONMENTAL STATUS:

California Environmental Quality Act (“CEQA”) Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The project is categorically exempt from further CEQA review, as separate and independent bases, pursuant to CEQA Guidelines sections 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations to Land), and 15311 (Accessory Structures) as described further in the Findings of Fact, attached as Exhibit “B” to Resolution No. 2021-03 (see Attachment 2 to this staff report).

REASON FOR STAFF RECOMMENDATION:

Staff recommends approval of the Minor CUP for the preschool and daycare facility. The childcare center will occupy two, existing vacant buildings and the new building façade and exterior colors will enhance the appearance of the buildings and are compatible with adjacent buildings in the center and surrounding area. The outdoor play area is sufficient to accommodate the children with a staggered recreation schedule, and will be secured between the two buildings, with a six-foot-high masonry block wall on the south side and a seven-foot-high wrought iron fence on the north side. The existing landscaping and mature trees around the center will remain or be refurbished with additional trees and shrubs to be installed in front of Buildings A and B.

There is sufficient parking and an adequate drop-off and pick-up area on the project site. The applicant has prepared a new parking space count and an updated current list of tenants in the

commercial center due to the reconfiguration of the parking lot circulation and restriping of parking spaces that reduced the number of parking spaces provided on site. A total of 26 parking spaces are required and provided for all uses on site. The Montessori school and daycare requires a total of 14 parking spaces (per Article 39, Preschool, day nurseries, and/or child care centers require one parking space per staff person during the shift with the maximum number of employees plus one space for each 10 children, with adequate provisions for loading and unloading or pick-up and drop-off zones) and a total of 12 parking spaces are required for the tenants in Buildings C and D (using the existing retail parking ratio of 1:250 square feet for the existing tenants in Buildings C and D).

Noise attenuation calculations from the Noise Impact Analysis, dated November 21, 2019, prepared by Eilar Associates, Inc., Acoustical & Environmental Consulting, show that with a six-foot-high block wall barrier constructed along the southern property line, the noise levels from proposed outdoor activities are expected to meet all of City of Escondido's applicable noise limits at all surrounding property lines. Conditions of approval will be applied to the project to establish appropriate limitations on the number of children using the outdoor playground at any time.

The project is at the corner of Sunset Drive and S. Escondido Blvd. with access from Sunset Drive only. Per the City's Circulation Element, Sunset Drive is classified as a Local Collector (66-foot right-of-way) and S. Escondido Boulevard is a Collector (84-foot right-of-way). A traffic analysis report, dated April 12, 2021, was prepared by Urban Systems Associates, Inc., which determined that the project would not have a significant impact on the surrounding streets and intersections. The study also indicates that the project would be screened out of further Vehicle Miles Traveled (VMT) analysis and possible mitigation because the project meets the criteria of being a "locally serving" daycare and is located on a high-quality transit corridor based on the City of Escondido's VMT framework document. The proposed project VMT impacts are presumed less than significant.

Respectfully submitted,

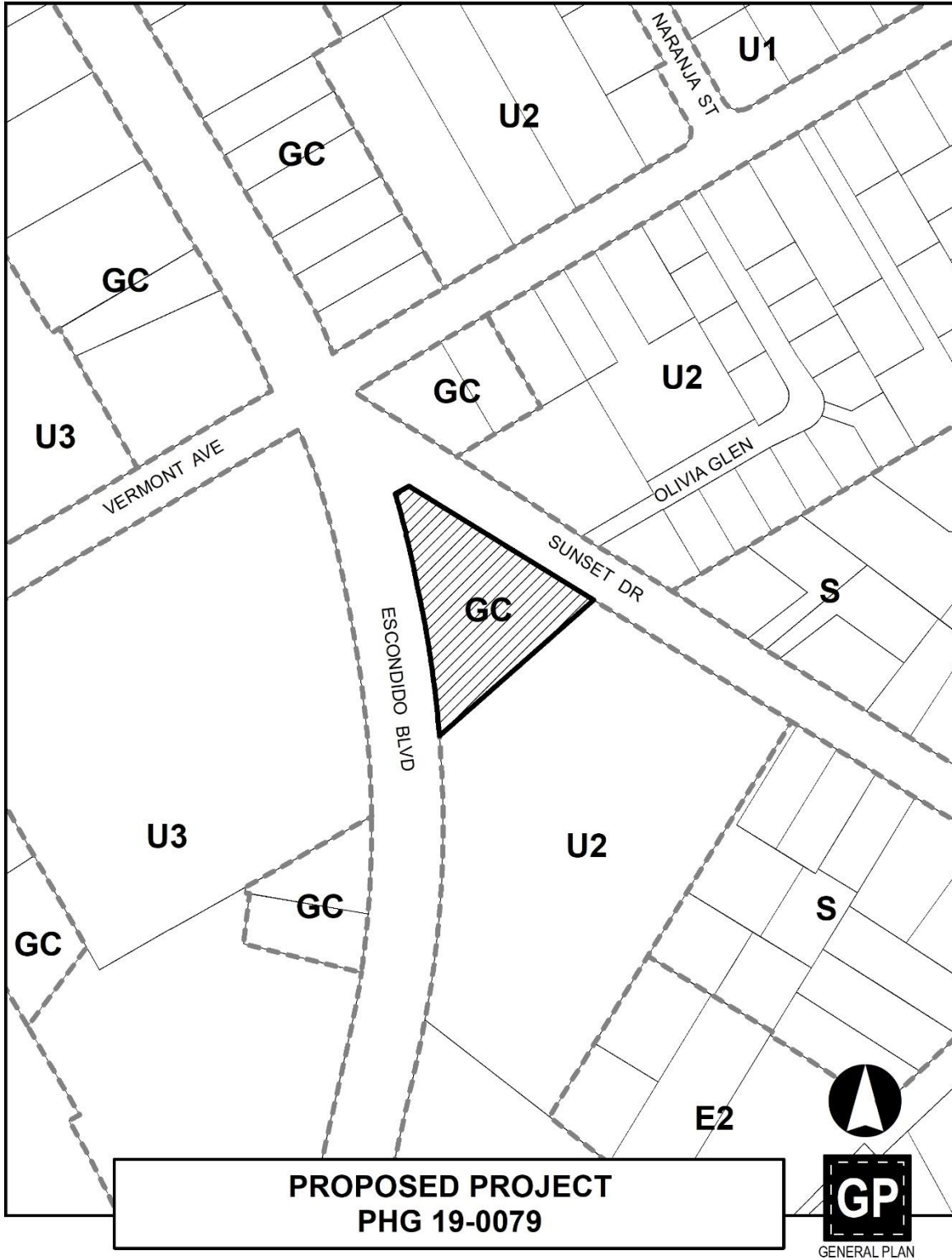
Jasmin Perunovich

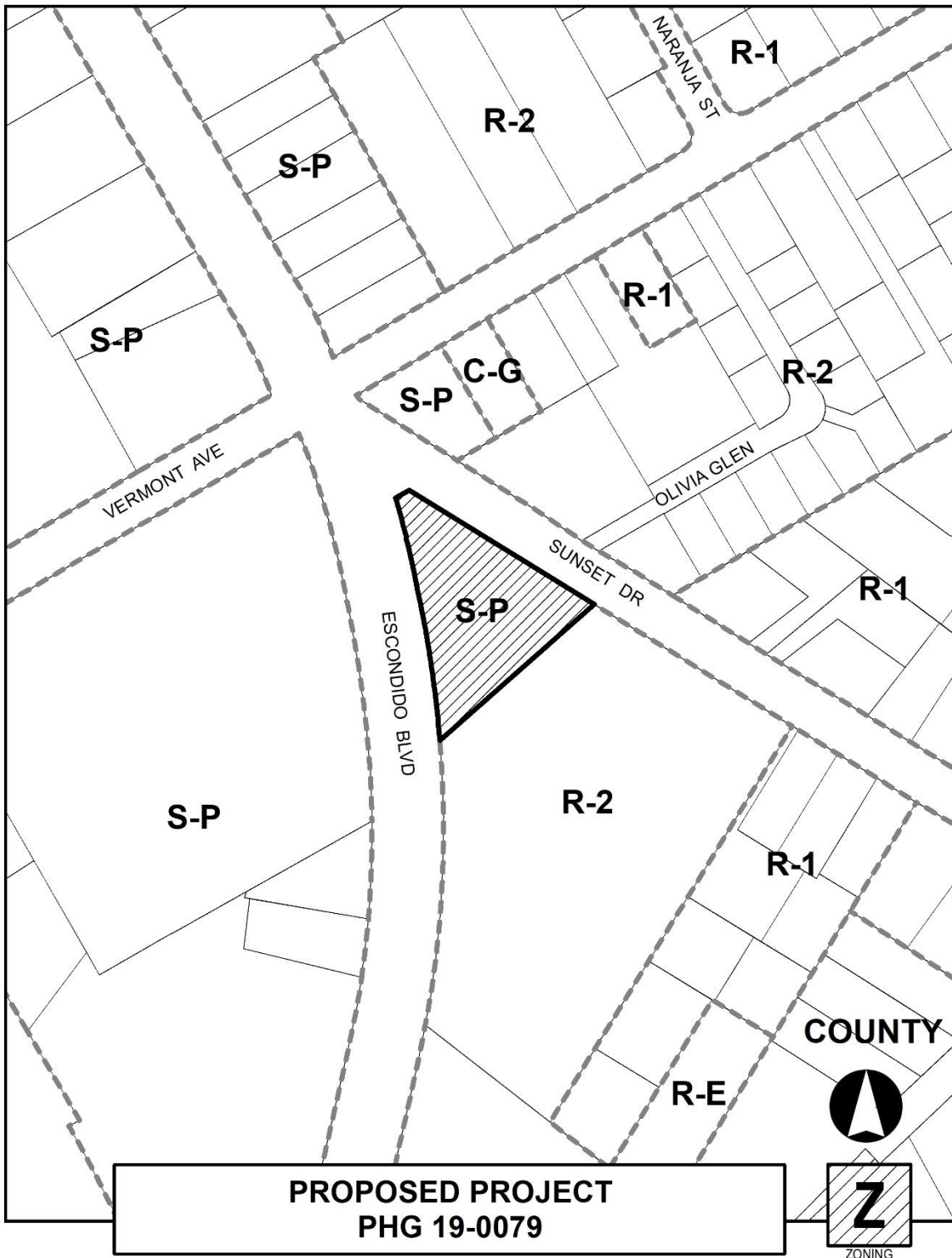
Jasmin Perunovich
Assistant Planner I

ATTACHMENTS:

1. Project Location Map
2. Draft Zoning Administrator Resolution No. 2021-03, Including Exhibits A, B, C and D
3. CEQA Notice of Exemption

ATTACHMENT 1







**PROPOSED PROJECT
PHG 19-0079**



A

AERIAL

ATTACHMENT 2

Zoning Administrator

Hearing Date: May 25, 2021

Effective Date: June 7, 2021

RESOLUTION NO. 2021-03

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MINOR CONDITIONAL USE PERMIT FOR THE OPERATION OF A PRESCHOOL AND DAYCARE FACILITY FOR UP TO 73 CHILDREN IN THE S-P ZONE.

APPLICANT: Mehrmah Hodaee (for Magic Montessori School)

CASE NO: PHG19-0079

WHEREAS, the Zoning Administrator of the City of Escondido did, on May 25, 2021, hold a public hearing to consider a request for a Minor Conditional Use Permit for the operation of a daycare and preschool facility for up to 73 children (ages infants to 6 years old). The school will occupy two existing buildings (one measuring 1,830 square feet and the other 2,195 square feet) in an existing 0.89-acre commercial center in the Escondido Boulevard District of the South Centre City Specific Plan. Building façade and site modifications are proposed, which include a new 1,385 square foot fenced outdoor playground for the children, construction of a covered loading and unloading area in front of the building for student drop-off and pick-up, reconfiguration of the parking lot circulation and parking space striping, and refurbishment of existing landscaping, on property addressed as 1911 Sunset Drive, more particularly described in Exhibit "A," and all persons desiring to speak did so; and

WHEREAS, evidence was submitted to and considered by the Zoning Administrator at or before the public hearing, including, without limitation, written information, and the staff report dated May 25, 2021, which along with its attachments is incorporated herein by this reference; and

WHEREAS, a notice was published and mailed as required by the Escondido Zoning Code and applicable State law; and

WHEREAS, the application was assessed in conformance with the California Environmental Quality Act (CEQA) and a Notice of Exemption, was prepared in conformance with CEQA Guidelines sections 15061 and 15062; and

WHEREAS, a staff report was presented discussing the issues in the matter; and

WHEREAS, Ordinance No. 78-02, enacted pursuant to Section 65974 of the Government Code and pertaining to the dedication of land and fees for school facilities, has been adopted by the City of Escondido.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Administrator of the City of Escondido:

1. That the above recitations are true and correct.
2. That the project is categorically exempt from further CEQA review pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures), 15304(b) (Minor Alterations to Land), and 15311 (Accessory Structures). The Zoning Administrator has reviewed and considered the Notice of Exemption prepared for

the project and has determined that it is complete and adequate, and there are no significant environmental effects which are cannot be mitigated.

3. That, considering the Findings of Fact attached to the staff report as Exhibit "B," the project plans attached as Exhibit "C," and applicable law, the Zoning Administrator hereby approves said Minor Conditonal Use Permit, subject to the Conditions of Approval attached as Exhibit "D."

4. That this approval shall automatically become null and void unless the use authorized by this approval has commenced within 12 months of the date of this approval, unless an Extension of Time is granted pursuant to Article 61 of the Escondido Zoning Code.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Engineering Services Departments. The project also is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution, and any such protest must be in a manner that complies with Section 66020.

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the City of Escondido, California, at a regular meeting held on the 25th day of May, 2021.

MIKE STRONG
Zoning Administrator,
City of Escondido

WITNESS

Note: This action may be appealed to Planning Commission
pursuant to Zoning Code Section 33-1303

EXHIBIT "A"

PLANNING CASE NO. PHG19-0079

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LOT 3 IN BLOCK 254 IN THE RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725 BY J. M. GRAHAM, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF SAID LOT 3 WITH THE EASTERLY BOUNDARY LINE OF STATE HIGHWAY RIGHT OF WAY ROUTE 77-B, WHICH POINT IS LOCATED SOUTH 58°45' EAST A DISTANCE OF 127.95 FEET FROM THE MOST NORTHERLY CORNER OF SAID LOT 31 THENCE SOUTH 58° 45' EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 3, A DISTANCE OF 25.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHEASTERLY LINE SOUTH 58°45' EAST 303.31 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE SOUTH 47°02'30 WEST 275.34 FEET MORE OR LESS TO A POINT IN THE SAID EASTERLY BOUNDARY LINE OF SAID STATE HIGHWAY RIGHT OF WAY, SAID POINT BEING IN A CURVE THE CENTER OF WHICH BEARS SOUTH 84°18'34" WEST A DISTANCE OF 1550 FEET; THENCE NORTHERLY ALONG SAID CURVE TO A LINE WHICH BEARS SOUTH 59° 12'30" WEST PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 3 FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59°12'30" EAST TO THE TRUE POINT OF BEGINNING.

APN: 236-311-17-00

EXHIBIT "B"

PLANNING CASE NO. PHG19-0079

FINDINGS OF FACT

Environmental Determination:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) ("CEQA"), and its implementing regulations (14 C.C.R. § 15000 et seq.) ("CEQA Guidelines"), the City of Escondido ("City") is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines sections 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations to Land), and 15311 (Accessory Structures). The proposed Project meets all applicable conditions, as further described below:
 - a. Daycare and preschool uses are allowed uses within the Specific Planning 15 of the General Plan. The project also is in conformance with the applicable zoning standards of the Escondido Boulevard District of the South Centre City Specific Plan. The project involves a change in occupancy in two, existing, commercial buildings that are less than 10,000 square feet in floor area, from office uses to a daycare and preschool. The subject parcel is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The project thus adheres to the criteria of CEQA Guidelines section 15303(c).
 - b. The project includes refurbishment of existing landscaping with water efficient or fire-resistant landscaping consistent with the landscape standards of the South Centre City Specific Plan and Article 62 of the Escondido Zoning Code. The project would not result in the removal of any healthy, mature or scenic trees. The project thus adheres to the criteria of CEQA Guidelines section 15304(b).
 - c. The construction of the outdoor playground for the children and reconfiguration of the parking lot circulation are accessory for the new and existing commercial uses on site. The project thus adheres to the criteria of CEQA section 15311.

3. The Zoning Administrator has independently considered the full administrative record before it, which includes but is not limited to the May 25, 2021, Zoning Administrator staff report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Conditional Use Permit:

1. A Conditional Use Permit should be granted upon sound principles of land use and in response to services required by the community.

Granting the Conditional Use Permit would provide a needed service to the community in the form of a daycare and preschool facility in close proximity to residential neighborhoods.

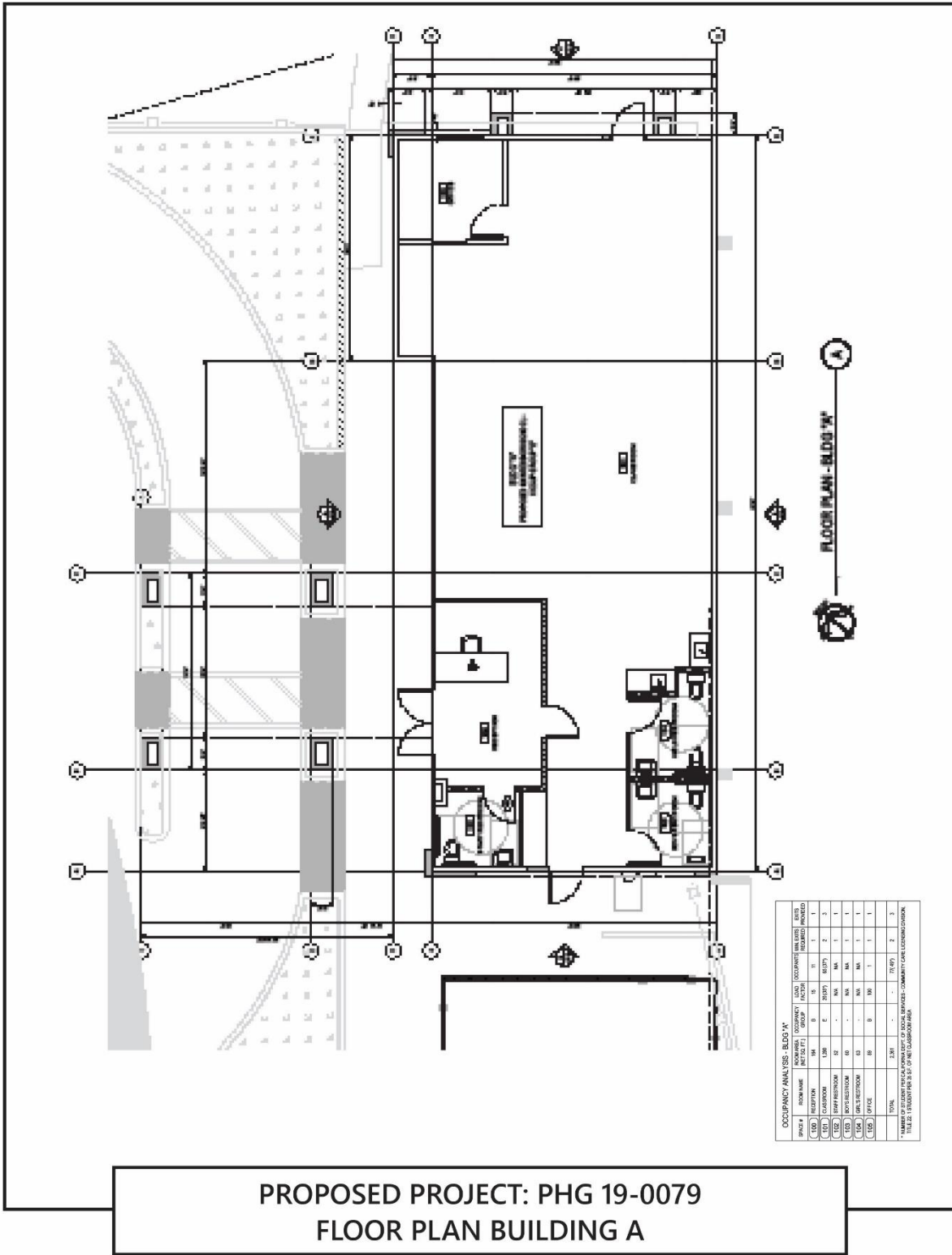
2. A Conditional Use Permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.

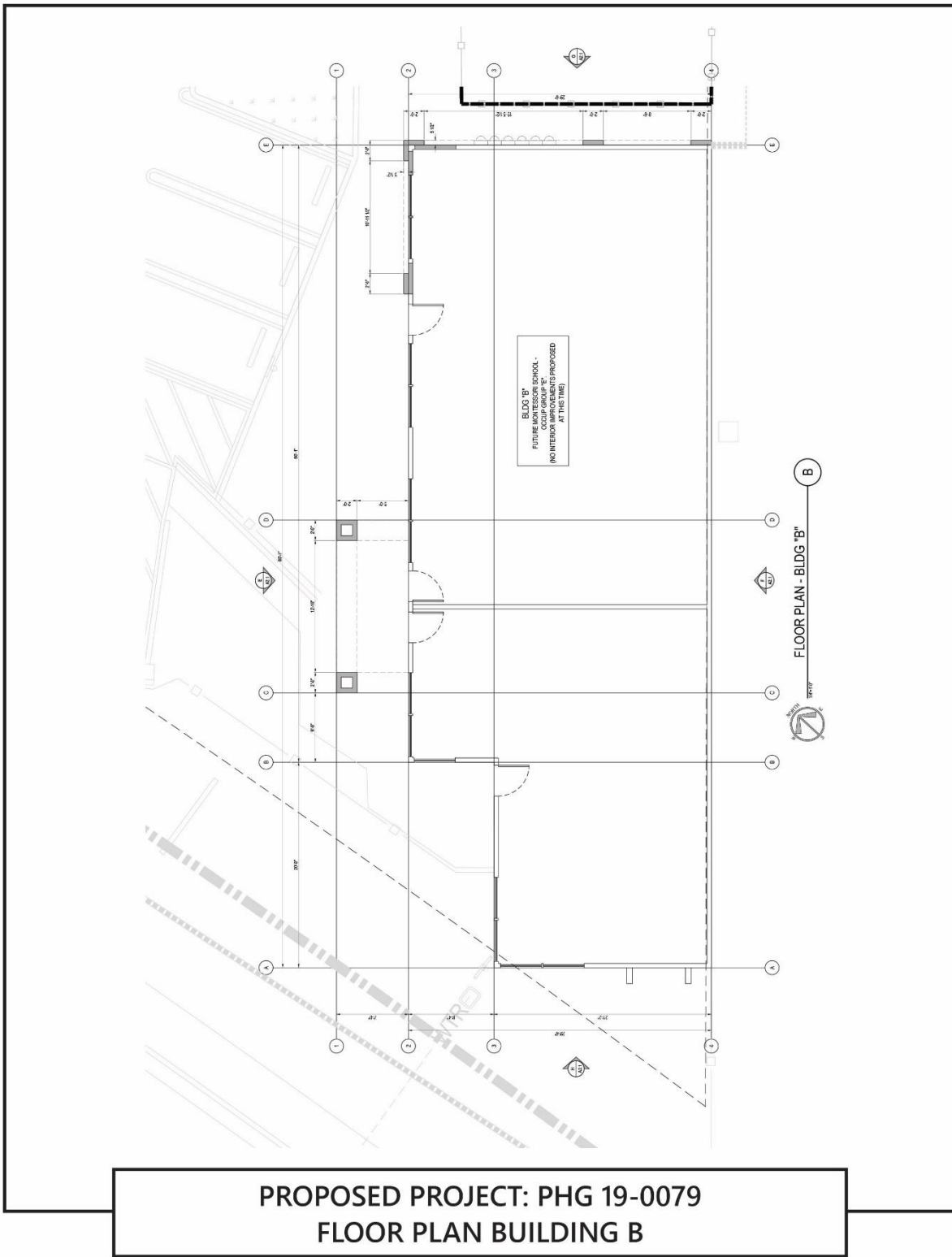
The Conditional Use Permit would not cause a deterioration of bordering land uses or create special problems for the area in which it is located because the daycare and preschool facility would be conducted within two existing buildings in a commercial center. The project site can reasonably accommodate the use because there is sufficient parking and adequate drop-off and pick-up area on site. The outdoor playground area is secured and surrounded by a 6'-high masonry block wall and 7'-high wrought-iron fence. A maximum of 18 children would be allowed on the playground at any time and all outdoor activities are subject to the Noise Ordinance.

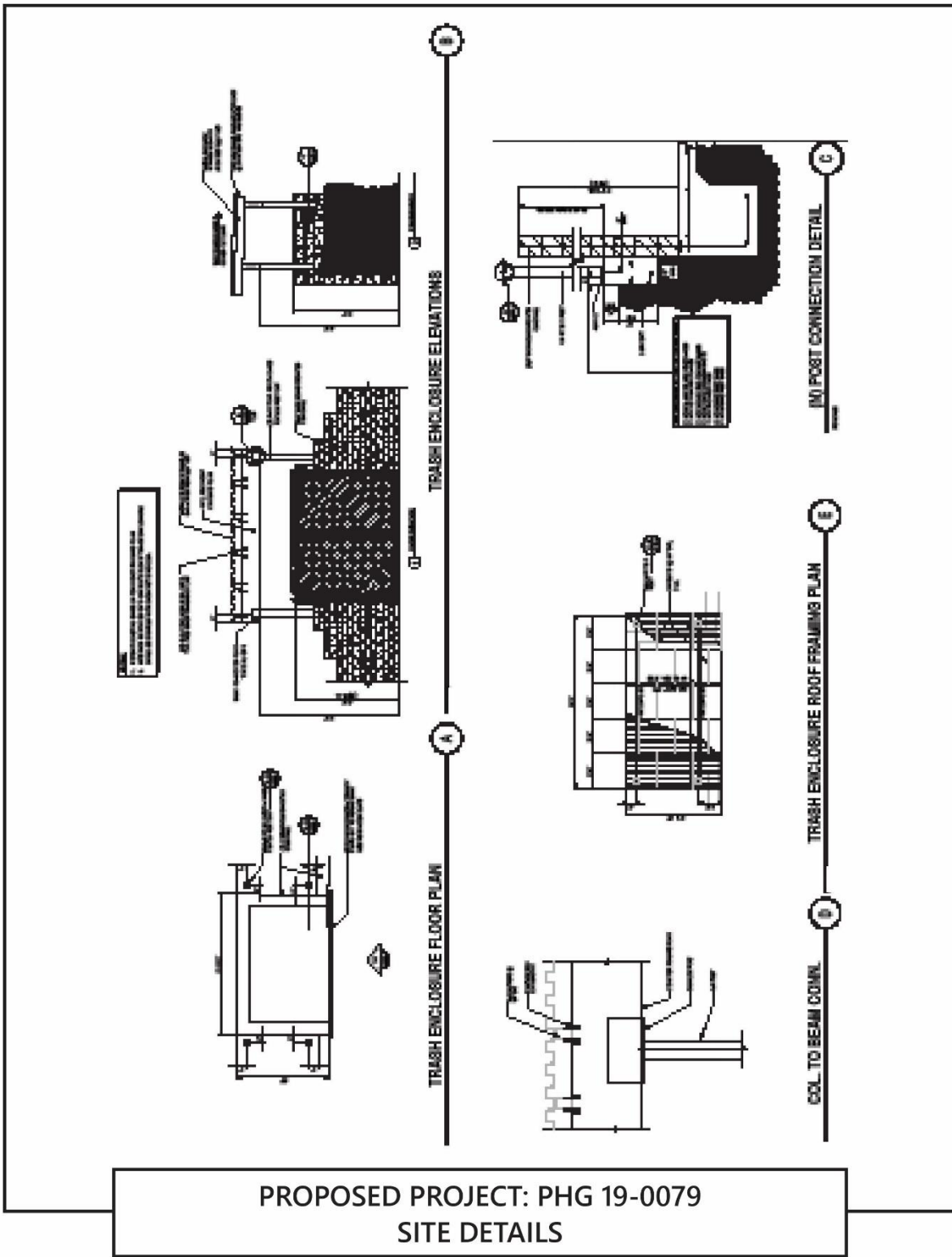
The facility would not create adverse noise or traffic impacts. A Noise Impact Analysis Report and Traffic Analysis Report were prepared by consultants for the project which demonstrated that the Project met all of the City's applicable noise limits at all surrounding property lines and the Project would not have significant traffic impact on the surrounding streets and intersections.

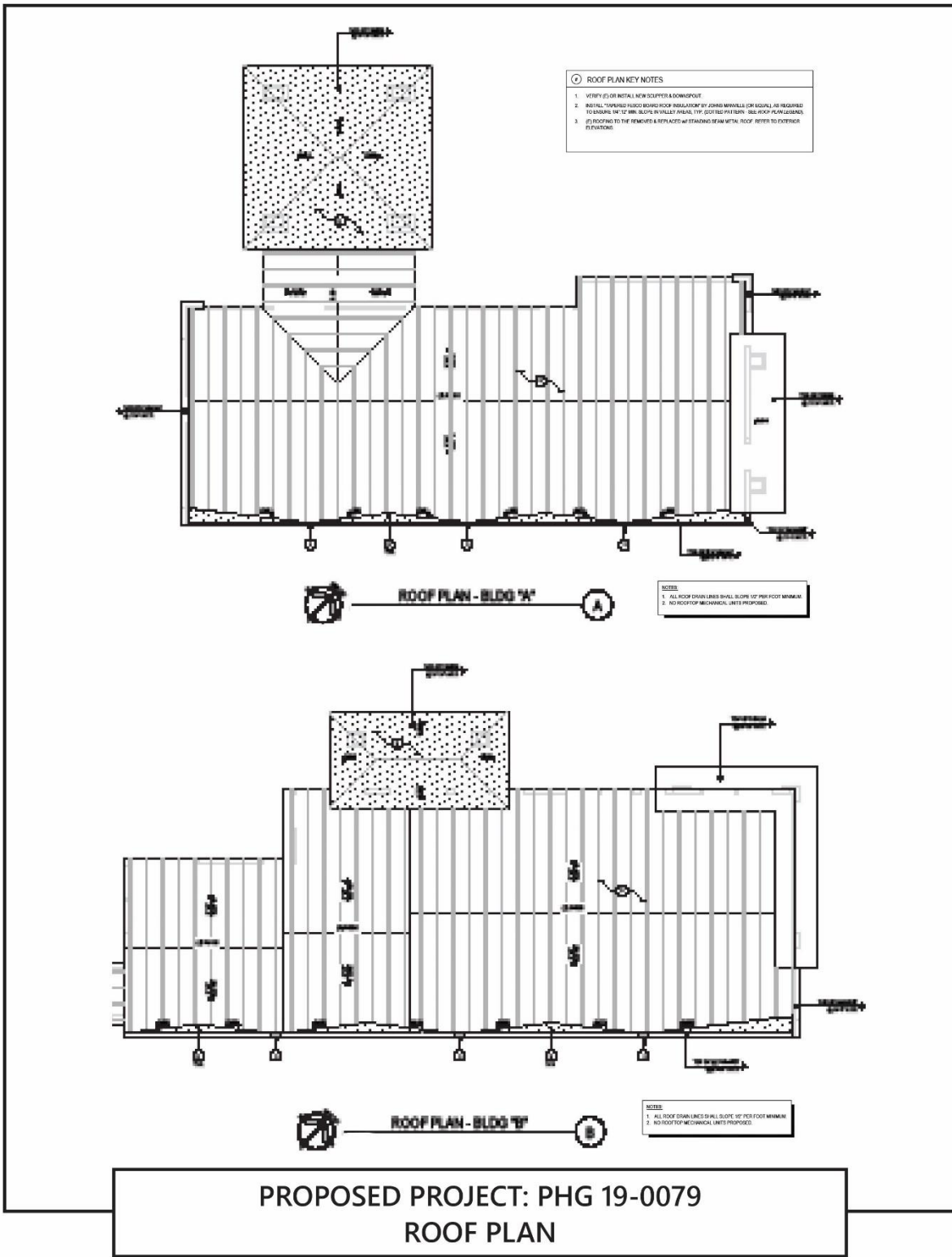
3. A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located.

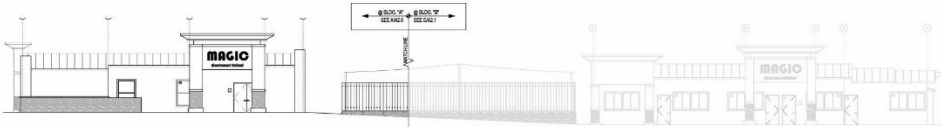
The proposed Conditional Use Permit has been considered in relationship to its effect on the community or neighborhood plan for the area in which it is located and it has been determined to be compatible with the surrounding properties and General Plan policies. The South Centre City Area Plan supports child care centers through the Conditional Use Permit process and the operations are regulated by the State of California Department of Social Services. The proposed project would not diminish the quality of life standards of the General Plan because the Project would not materially degrade the level of service on adjacent streets or public facilities, nor create excessive noise, and adequate public services are currently provided on site.







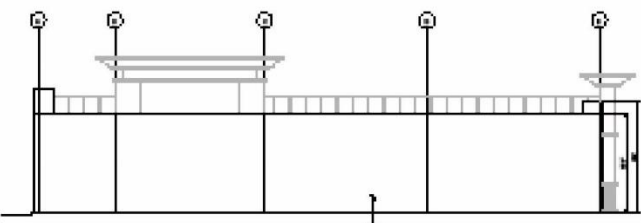




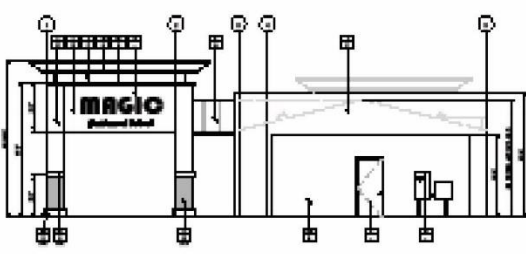
NORTHEAST ELEVATION
 (@ PARKING LOT) 1



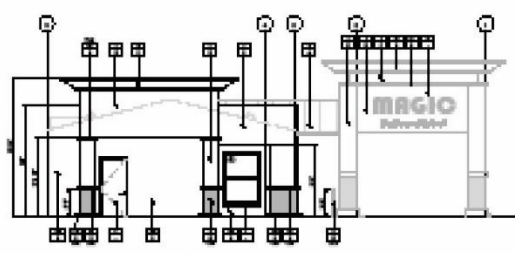
NORTHWEST ELEVATION
 (@ PARKING LOT) A



SOUTHEAST ELEVATION B



SOUTHWEST ELEVATION D



NORTHEAST ELEVATION C
 (@ PARKING LOT)

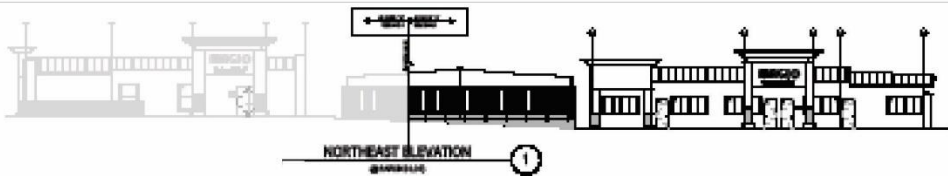
EXTERIOR MATERIALS	
[Symbol]	EXTERIOR CEMENT PLASTER w/ SMOOTH FINISH
[Symbol]	EXTERIOR CEMENT PLASTER TO BE PATCH/COMPENSATED FOR CRACKS AND PATCHED PER PLAN
[Symbol]	3M EPS FOAM TRIM w/ SMOOTH PLASTER FINISH
[Symbol]	3M EPS FOAM TRIM w/ SMOOTH PLASTER FINISH
[Symbol]	AMBITAL SLIP-RESIST COATING
[Symbol]	LOWTONE POLYURETHANE REFER TO LOW-POLY-UR
[Symbol]	ROOFING TO BE REPLACED AND REPLACE WITH THERMOFORM CONCRETE ROOF & ROOF GUTTERS w/ AIR SPACES. SEE TRADES FOR SYSTEM OR APPROVED EQUAL.
[Symbol]	MANUFACTURED STONE FINISH
[Symbol]	MINOR KEY WINDOW SCHEDULE
[Symbol]	FOLLOW METAL ROOF AND FRAME, PAINTED TO MATCH EXISTING SURFACE
[Symbol]	SLIP RESIST CONCRETE
[Symbol]	DECORATIVE EPS FOAM CONCRETE w/ SMOOTH PLASTER FINISH
[Symbol]	1/2" ISH CONCRETE BASE REFER TO FOUNDATION PLAN FOR WIDTH
[Symbol]	1/2" ISH CONCRETE BASE REFER TO FOUNDATION PLAN FOR WIDTH
[Symbol]	PRE-FABRICATED METAL FRAMING
[Symbol]	SEE PLUMBING, COORDINATE REQUIREMENTS & INSTALLATION LOCATION w/ FIRE MARSHAL. REFER TO PRE-CERT METAL FRAMING SPEC.
[Symbol]	PROVIDE ANCHOR BOLTS FOR CONCRETE AND ANCHOR BOLTS w/ BRACKET FOR CONCRETE PER APPROVAL. REFER TO PRE-CERT METAL FRAMING SPEC.
[Symbol]	SECURITY EQUIPMENT COORDINATE w/ UTILITY CO. TO PROVIDE ANCHOR BOLTING PER APPROVAL.
[Symbol]	PROVIDE ANCHOR BOLTS BY SUB CONTRACTOR & PROVIDE PERMIT FOR ANCHOR BOLTS TO BE INSTALLED. REFER TO CONSTRUCTION AND PERMITTING DEPARTMENT FOR ANCHOR BOLTS PER APPROVAL.
[Symbol]	STEEL ROOF SUPPORT FOR DAMAGED ROOF COVER
[Symbol]	MINOR KEY WINDOW

EXTERIOR COLORS	
[Symbol]	COLOR TO MATCH ASP SHAN COOL WEATHER CORNER
[Symbol]	COLOR TO MATCH CONCRETE: VANILLA SHINE ACES
[Symbol]	COLOR TO MATCH CONCRETE: CANTON SPANISH ALUMINUM
[Symbol]	COLOR TO MATCH CONCRETE: TARRANT SPANISH ALUMINUM
[Symbol]	COLOR TO MATCH CONCRETE: CROSS HATCH, W/ 50%
[Symbol]	COLOR TO MATCH CONCRETE: CRIPPLE ACENTS
[Symbol]	ELCOLOR STONE MOUNTAIN LEADS - GREY
[Symbol]	SLIP RESIST ALUMINUM
[Symbol]	COLOR TO MATCH SUNBELLS - HELIX 65/55/88

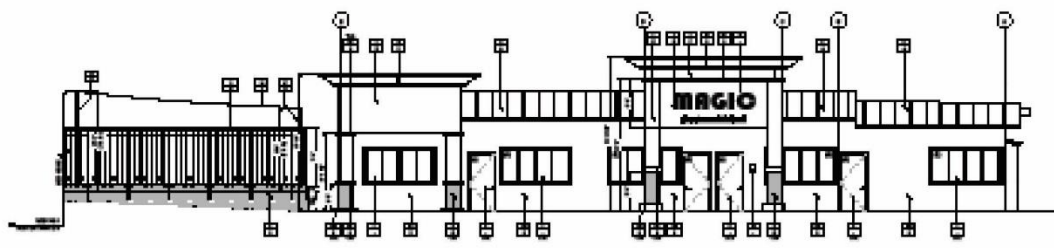
FIRE DEPT. NOTES

1. ADDRESS ALUMINUM MUST BE PROVIDED ON THE EAST WEST AND NORTH SOUTH SIDE OF THE BUILDING.
2. ANCHOR BOLTS WILL BE PROVIDED ALONG TO EACH TOWER MAIN ENTRANCE AND ALONG THE PERIMETER OF EACH TOWER. COORDINATE WITH UTILITY AND ANCHOR BOLT LOCATION FOR APPROVAL PRIOR TO INSTALLATION.

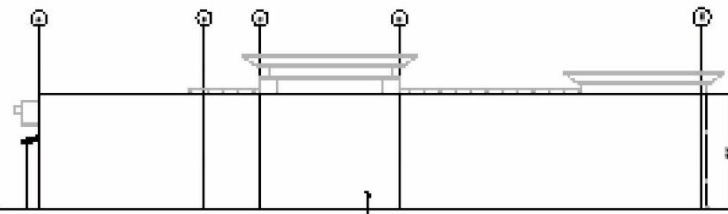
PROPOSED PROJECT: PHG 19-0079
 ELEVATIONS BUILDING A



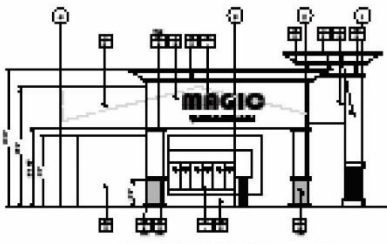
NORTHEAST ELEVATION
①



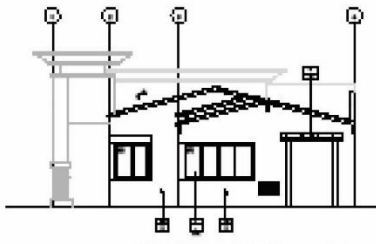
NORTHWEST ELEVATION
②



SOUTHEAST ELEVATION
③



NORTHEAST ELEVATION
④



SOUTHWEST ELEVATION
⑤

EXTERIOR MATERIALS

☐	EXTERIOR CONCRETE PLASTER & GROUT FINISH
☐	EXTERIOR CONCRETE PLASTER TOBE AND DEVELOPED GROUT COLOR MATCHED PAINTER
☐	24" EPS FOAM TRIM & GROUT PLASTER FINISH
☐	24" EPS FOAM TRIM & GROUT PLASTER FINISH
☐	PAINTED CEILING METAL CEILING
☐	LAMINATE FINISH. REFER TO EXTERIOR PLAN
☐	REPLACE EXISTING AND REPLACE ALL EXISTING EXTERIOR ROOF & ROOF CEILING BY MEMBRANE. SEE EXTERIOR SYSTEMS & MECHANICAL MANUFACTURED STONE VENEER
☐	WALCON POLYMER CONCRETE
☐	FOLLOW METAL ROOF AND FINISH, PAINTED TO MATCH EXISTING SURFACE
☐	ON TRUSS ROOF BRACKETS
☐	BRICK FINISH BY CONTRACTOR TO MATCH EXISTING
☐	IF NEW CONCRETE BASE SHALL BE TO MATCH EXISTING FINISH
☐	IF NEW CONCRETE TO MATCH EXISTING FINISH
☐	PRE-FABRICATED MASONRY FINISH
☐	RAILING AND BASE: COORDINATE WITH EXISTING INSTALLATION LOCATION & FINISH MATERIAL. REFER TO THE EXISTING PLAN IN THE SET
☐	PROVIDE INSULATION AND VENTING COORDINATE WITH INSTALLATION LOCATION & FINISH MATERIAL. REFER TO THE EXISTING PLAN IN THE SET
☐	EXISTING EQUIPMENT. COORDINATE WITH EXISTING EQUIPMENT AND VENTING ROOF CLEARANCES
☐	PROVIDE EQUIPMENT. COORDINATE WITH EXISTING EQUIPMENT AND VENTING ROOF CLEARANCES
☐	EXTERIOR FINISHES AND MATERIALS SHALL BE APPROVED BY ARCHITECT
☐	STEEL POST SUPPORT FOR CANOPY PHOTO COVER
☐	CANOPY PHOTO COVER

EXTERIOR COI ORS

☐	COLOR TO MATCH EXISTING. COOL, WARM OR COPPER
☐	COLOR TO MATCH EXISTING. SANDY GRAY, BEIGE
☐	COLOR TO MATCH EXISTING. COASTAL SANDAL, BROWN
☐	COLOR TO MATCH EXISTING. MOUNTAIN SPICE, BROWN
☐	COLOR TO MATCH EXISTING. DRINKS FOGEL, BEIGE
☐	COLOR TO MATCH EXISTING. DRIFTING LEAFETS
☐	11 COORDINATE WITH EXISTING
☐	PAINT FINISH ALUMINUM
☐	COLOR TO MATCH SANDWELL, BEIGE, SAND, BROWN

FIRE DEPT. NOTES

1. ADDRESS NUMBER MUST BE PROVIDED ON THE DATE WEST AND NORTH SIDES OF THE BUILDING ONLY.
2. ADDRESS MUST BE PROVIDED ALONG THE FRONT TOWN MAP SIDEWALK TO MATCH THE STREET LIGHTS TO THE ADDRESS NUMBER. PROVIDE ADDRESS NUMBER LIGHTS ON THE SIDEWALK TO MATCH THE LIGHTS.

PROPOSED PROJECT: PHG 19-0079
ELEVATIONS BUILDING B



3/20/22 NORTHWEST ELEVATION (BLDG 'A')



3/20/22 NORTHWEST ELEVATION (BLDG 'B')

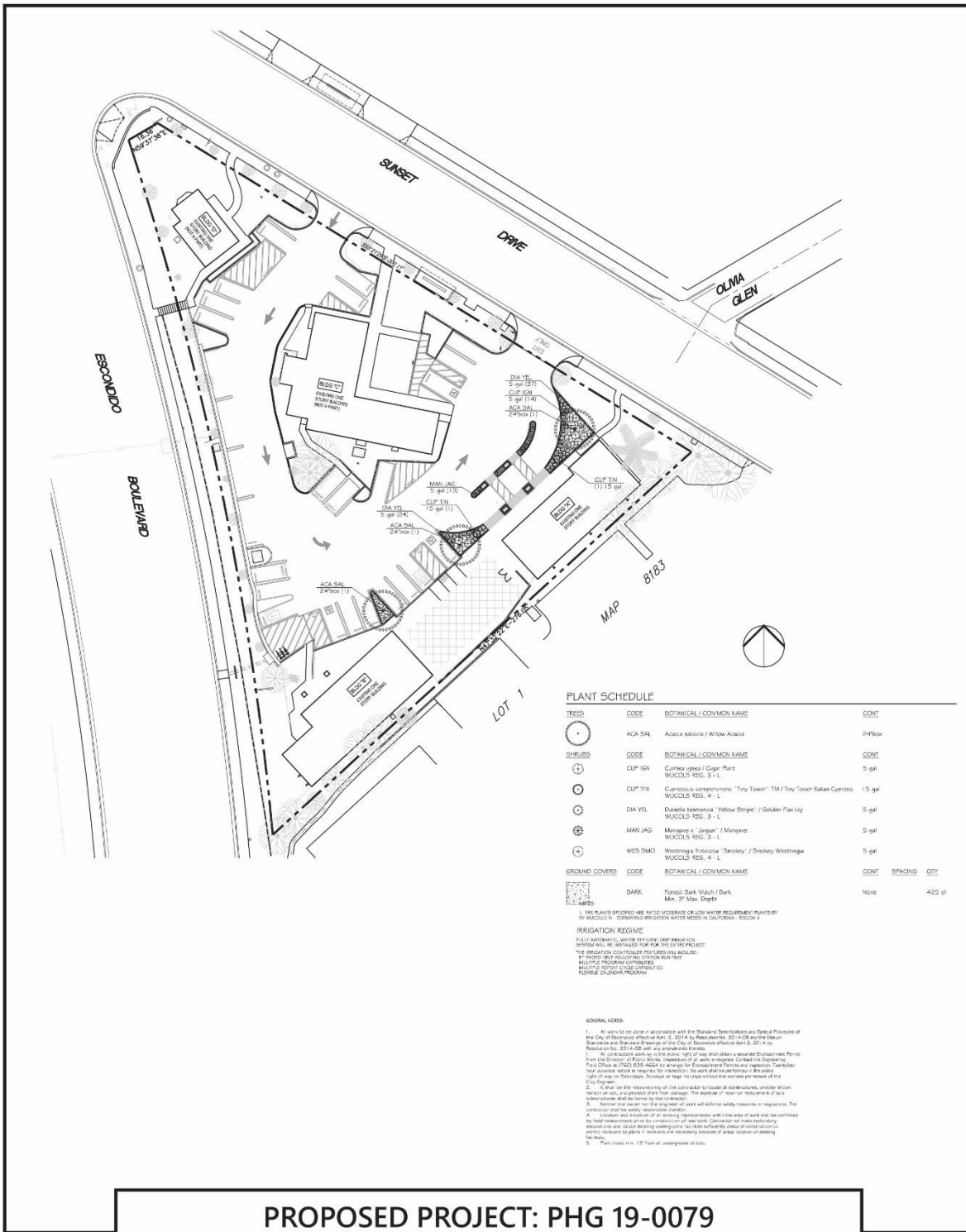


3/20/22 NORTHEAST ELEVATION (BLDG 'A')



3/20/22 NORTHEAST ELEVATION (BLDG 'B')

**PROPOSED PROJECT: PHG 19-0079
RENDERINGS**



PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME	CONT.		
(Symbol: Circle with dot)	ACA DAL	Acacia salicina / Willow Acacia	24" pot		
(Symbol: Circle with cross)	CUP IGR	Curtain grass / Cape Plant	5 gal		
(Symbol: Circle with vertical lines)	CUP TIN	Carneous sarracenia "Tiny Tower" TM / Tiny Tower Salvia Cypress	1.5 gal		
(Symbol: Circle with horizontal lines)	DIA YEL	Elaeagnis lamellosa "Yellow Stripes" / Golden Flax Lily	5 gal		
(Symbol: Circle with diagonal lines)	MAN JAG	Mangrove "Jaguar" / Mangrove	5 gal		
(Symbol: Circle with plus sign)	WES SMO	Westringia filicarpa "Smiley" / Smiley Westringia	5 gal		
GROUND COVERS			CONT.	SPACING	QTY
(Symbol: Stippled pattern)	DARK	Forest Dark Mulch / Dark Mix, 3" Max. Depth	None		425 sq'

1. THE PLANTS SPECIFIED ARE WATER REQUIREMENT OR LOW WATER REQUIREMENT PLANTS BY THE CALIFORNIA WATER RESOURCES DEVELOPMENT BOARD (CALIFORNIA WATER RESOURCES DEVELOPMENT BOARD).

IRRIGATION REGIMINE
 2. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED FOR THE ENTIRE PROJECT.
 3. THE IRRIGATION CONTROLLER SHALL INCLUDE:
 a. A 24 HOUR TIMER.
 b. A 1/2" HOSE CONNECTION.
 c. A 1/2" HOSE CONNECTION.
 d. A 1/2" HOSE CONNECTION.
 e. A 1/2" HOSE CONNECTION.

- GENERAL NOTES**
1. All work to be done in accordance with the Standard Specifications and Terms and Conditions of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and the City of Escondido and State and Division of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and any amendments thereto.
 2. All construction work shall be done in accordance with the Standard Specifications and Terms and Conditions of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and the City of Escondido and State and Division of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and any amendments thereto.
 3. All work shall be done in accordance with the Standard Specifications and Terms and Conditions of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and the City of Escondido and State and Division of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and any amendments thereto.
 4. Location and elevation of all existing improvements within the area of work shall be confirmed by field measurements prior to construction of new work. Construction shall be in accordance with the Standard Specifications and Terms and Conditions of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and the City of Escondido and State and Division of the City of Escondido, effective April 2, 2014, by Resolution No. 22-14-03 and any amendments thereto.
 5. Plant trees min. 1.5" nominal trunk diameter at base.

**PROPOSED PROJECT: PHG 19-0079
LANDSCAPE PLAN**

PHG19-0079

RECEIVED
MAY 26 2020
PLANNING DIVISION

MAGIC MONTESSORI SCHOOL
1911 SUNSET DR.
ESCONDIDO, CA 92025

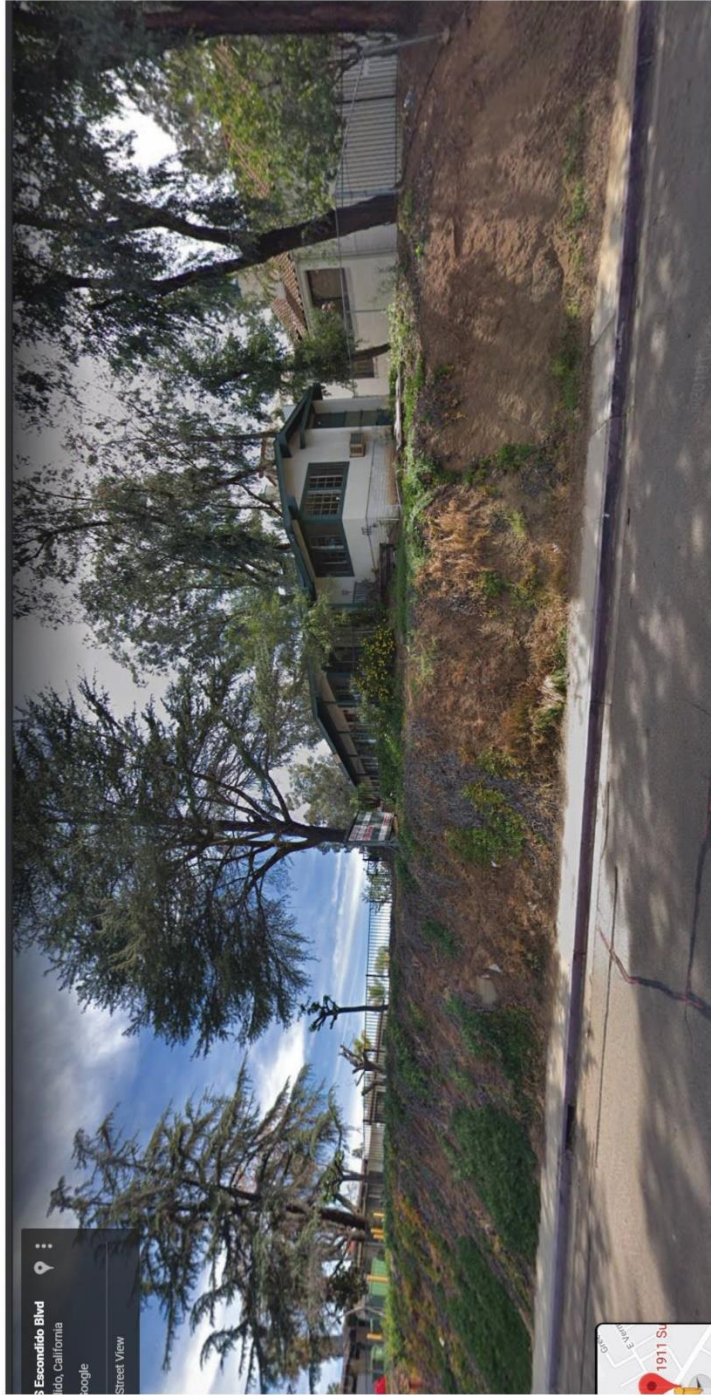


**PROPOSED PROJECT: PHG 19-0079
COLOR BOARD**

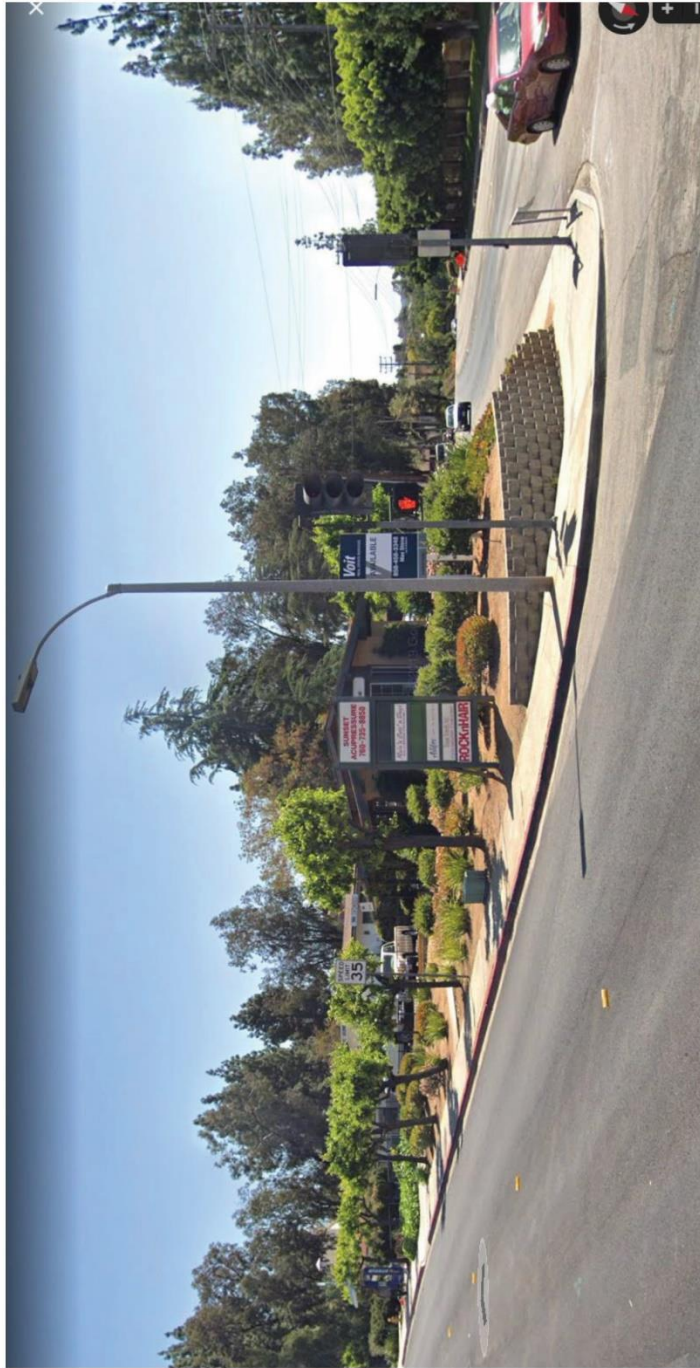
- F** STUCCO: DRIFTING #DEC770
- E** STUCCO: CROSSGRAIN #DES589
- A** STANDING SEAM METAL ROOF: AEP SPAN - COOL WEATHER COPPER
- C** STUCCO: CASTING SHADOW #DES261
- B** STUCCO: VANILLA SHADE #DES25
- G** EL DORADO STONE MOUNTAIN LEDGE - SHASTA
- H** WINDOW FRAME: DARK BRONZE ALUMINUM
- D** FENCE (NOT SHOWN): MIDNIGHT SPRUCE #DES294
- H** CANVAS PATIO COVER: SUNBRELLA, MELON #S415-0000



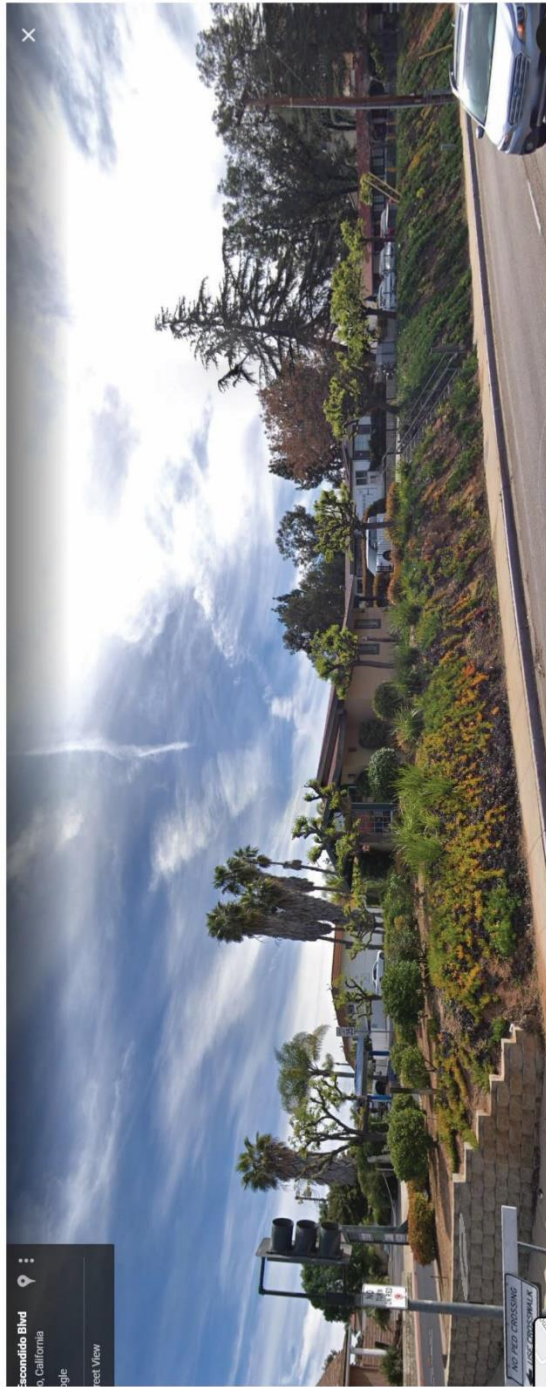
PROPOSED PROJECT: PHG 19-0079
SITE PHOTOS



PROPOSED PROJECT: PHG 19-0079
SITE PHOTOS



PROPOSED PROJECT: PHG 19-0079
SITE PHOTOS



PROPOSED PROJECT: PHG 19-0079
SITE PHOTOS

EXHIBIT “D”

PLANNING CASE NO. PHG19-0079

CONDITIONS OF APPROVAL

This Project is conditionally approved as set forth on the application received by the City of Escondido on December 12, 2019, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as approved on **May 25, 2021**, and shall not be altered without express authorization by the Community Development Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, or its successor(s) in interest, as may be applicable.

A. General:

1. **Acceptance of Permit.** Should the Applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a. Acceptance of the Permit by the Applicant; and
 - b. Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
2. **Permit Expiration.** The Permit shall automatically expire after one (1) year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

3. **Certification.** The Director of Community Development, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity

with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval.

Three copies of final Approved Plan set, shall be submitted to the Planning Division for certification. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.

4. Conformance to Approved Plans.

- a. The operation and/or use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
- b. Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
- c. Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Community Development to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.

5. Limitations on Use. Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.

6. Certificate of Occupancy.

- a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
- b. Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Community Development.

7. Availability of Permit Conditions.

- a. Prior to building permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Community Development.
 - b. The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.
8. **Right to Entry.** The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.
9. **Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. **Fees.** The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.
11. **Public Art Partnership Program.** All requirements of the Public Art Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance.

The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

12. Clerk Recording

- a. **Exemption.** The environmental determination prepared for the Project is a categorical exemption. 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. 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 date of this letter) 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.
- b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

13. Legal Description Adequacy. 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.

14. Application Accuracy. The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

15. Revocation, Suspension, Modification. At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Community Development for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject

property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

16. Indemnification, Hold Harmless, Duty to Defend.

- a. The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner of the Property (including the Applicant's or the owner of the Property's contractors, subcontractors, licensees, sublessees, invitees, agents, consultants, employees, or volunteers), or such activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City).

- b. The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project's environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant's payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).

- c. The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written Deposit Account Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

B. Construction, Maintenance, and Operation Obligations:

- 1. **Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Community Development, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

2. **Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulations or to obtain permits from other agencies to make certain on- or off-site improvements prior to Final Map recordation, grading permit issuance, building permit issuance, or certificate of occupancy as required. This review may result in conditions determined by the reviewing agency.

At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

3. **Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
4. **Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.
5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
7. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs,

lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.

- 8. Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
- 9. Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
- 10. Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
- 11. Trash Enclosures.** Appropriate trash enclosure(s) or other approved trash system shall be approved by the Planning and Engineering Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
- 12. Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
- 13. Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
- 14. Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof,

demonstrating compliance with the California Green Building Standards Code sections cited above.

15. Construction Equipment Emissions. The Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board ("CARB") certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii) functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall demonstrate to the satisfaction of the Director of Community Development that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model ("CalEEMod") or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.

C. Parking and Loading/Unloading.

1. The required minimum number of parking spaces shall be provided at all times. (Based on current development standards and land uses on-site, the project requires 26 spaces at this time.) Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required, minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.
3. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the

property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.
6. **Landscaping Plans.** Applicant shall install all required improvements including screening walls, retaining walls, storm improvements, and landscaping in substantial conformance to the planting and irrigation schedule as shown on the final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Planning Division for review and approval, if meeting any of the criteria listed under Section 33-1323 of the Zoning Code. Five copies of detailed landscape and irrigation plans shall be submitted to the Engineering Services Department with the second submittal of the grading plan, or at a time and in a quantity as otherwise determined appropriate by Planning Division staff. The initial submittal of the landscape plans shall include the required plan check fees, paid in accordance with the prevailing fee schedule in effect at the time of submittal. Details of Project fencing and walls, including materials and colors, shall be provided on the landscape plans. (Building permits may also be required.) The landscape and irrigation plans shall be reviewed and approved by the Planning Division and Engineering Services Department prior to issuance of grading permits, and shall be equivalent or superior to the conceptual landscape plans included as part of the Approved Plan set, 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, except where stricter requirements are imposed by the State of California.

- b. Screening walls, retaining walls, storm improvements, and landscaping (i.e. planting and irrigation) is to be provided prior to final occupancy.
- c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The Applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
- d. Any new freestanding walls and/or retaining walls shall incorporate decorative materials or finishes, and shall be indicated on the landscaping plans. (Building permits may also be required.) All freestanding walls visible from points beyond the Project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be a type satisfactory to the Director of Community Development.
- e. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Community Development shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Conditions:

1. The daycare and preschool facility may provide care for infants and children up to six years old. The number of children within various age categories shall be determined based on the State license issued for the facility.
2. The maximum capacity for the daycare and preschool shall be 73 children.
3. Any request to increase the maximum allowable capacity will require a modification to the CUP.
4. The maximum number of children and staff in each building shall be subject to Building and Fire Codes, as approved by the Building Division and Fire Department.
5. The daycare center hours of operation shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday. Changes to the hours of operation must be approved, in writing, by the Director of Community Development.
6. A maximum of 18 children shall be allowed on the outdoor playground at any time.

7. All outdoor play or recreation activity shall be supervised at all times by adult employees to ensure that activities are confined to the areas identified on the plans attached as Exhibit "C" to Zoning Administrator Resolution No. 2021-03. Any noise complaints shall be immediately addressed by the supervising adult(s). Devices capable of emitting loud noises, such as whistles or small bullhorns, shall be used for safety purposes only and shall be subject to the City's noise ordinance.
8. The property owner shall be responsible for maintaining the fence, block wall and gates around the perimeter of the property.
9. The covered pick-up/drop-off area shall be clearly marked with painted curb and/or signage.
10. All pick-up/drop-off of children, deliveries, loading, and/or unloading shall occur on-site. No pick-up/drop-off of children, deliveries, loading, and/or unloading shall occur on public streets or rights-of-way.
11. Each parking space shall have a minimum dimension of 8 ½ feet wide by 18 feet deep, free and clear of any obstacles. All parking spaces shall be double-striped, with outside dimensions of 18 inches. The striping/markings shall be clearly outlined on the surface of the lot with paint or other easily distinguishable material. Wheel stops shall be provided for all parking spaces which do not have concrete curbs, and shall be placed 24 inches from the front of each parking space.
12. A valid City of Escondido Business License shall be maintained at all times, and shall specify the maximum capacity of children served at the facility, as approved by this CUP and the Department of Social Services Community Care Licensing Division.
13. A Community Care License, from the Department of Social Services, Community Care Licensing Division, for the preschool and daycare facility shall be obtained and a copy provided to the Planning Division. The number of children authorized by the license shall not exceed that approved by this CUP.
14. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning, Engineering, and Building Divisions have been completed.
15. Building plans, prepared by a licensed design professional, must be submitted for this project and must comply with the building and fire codes in effect at the time of building plan submittal.

16. The plans submitted for building permit shall include notes or details containing the necessary work involved in complying with these project conditions.

F. General Building Division Conditions: Building plans must be submitted for this project. These conditions are preliminary and a comprehensive plancheck will be completed prior to permit issuance. Additional technical code requirements may be identified and changes to the plans included as Exhibit "C" to Zoning Administrator Resolution No. 2021-03 may be required.

1. The applicant shall submit a complete set of construction plans to the Development Services Department for building permit plancheck processing.
2. The submittal shall include a Soils/Geotechnical Report, structural calculations, and State Energy compliance documentation (Title 24).
3. Construction plans shall include a site plan, a foundation plan, floor and roof framing plans, floor plan(s), section details, exterior elevations, and materials specifications.
4. Submitted plans must show compliance with the latest adopted editions of the California Building Code (The International Building Code with California Amendments, the California Mechanical, Electrical and Plumbing Codes).
5. Commercial and multi-residential construction must also contain details and notes to show compliance with State disabled accessibility mandates.

G. Engineering Services Department Conditions:

GENERAL

1. The applicant shall provide the City Engineer a current Title Report covering the subject property.
2. The location of all existing on-site and adjacent utilities and drainage facilities shall be determined by the applicant's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the Grading Plan. This utility/facility relocation work shall be completed prior to issuance of Building Permits.
3. All public 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. Prior to Building Permit issuance, Planning and Engineering Divisions shall review and approve the Site Plan submitted to the Building Division with the building permit.
5. Prior to Building Permit issuance, an Encroachment Permit shall be obtained from Field Engineering for all work within the public right-of-way. Contact the Engineering Field Office at 760 839-4664 to arrange for the Encroachment Permit and inspections.
6. Prior to Building Permit issuance, the applicant shall obtain a Continuing Encroachment Permit for the ornamental landscape retaining wall located within the S. Escondido Boulevard right-of way. Contact the Engineering Field Office at 760 839-4664 to coordinate submittal of the Continuing Encroachment Permit. It shall be the responsibility of the property owner to adequately maintain the landscape retaining wall.

GRADING

1. A site grading and erosion control plan by a Registered Civil Engineer shall be approved by the Engineering Department prior to issuance of building permits. The project shall conform with the City of Escondido's Storm Water Management Requirements. Construction BMPs shall be provided for the project. The grading plan shall show proposed parking stalls and label drive-aisle widths. The Grading Plan shall be submitted for review through the City's virtual plan review portal as a single package containing all items on the Engineering Plan Review Checklist.
2. All driveways shall be alley-type in accordance with Escondido Standard Drawing No. G-5-E, with a minimum throat width of 18 feet. Alley-type driveways shall be shown on the Grading Plan.
3. Pedestrian access routes conforming to the American Disabilities Act shall be provided into the project from the public sidewalk, to the satisfaction of the City Engineer.
4. The trash enclosure area shall be constructed or modified to comply with storm water quality management requirement to the satisfaction of the City Engineer.

CASH SECURITY AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public to private property and improvements, install or maintain BMP's, and stabilize and/or close-up a non-responsive of abandoned project. Any moneys used by the City for clean-up or damage will be drawn from this security. The remaining portion of this clean-up security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, retaining wall, landscaping, and best management practices

item of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services.

2. The developer will be required to pay all development and plan check fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

H. Fire Department Conditions:

1. Fire lanes and parking lot circulation shall remain clear and unobstructed at all times.
2. Appropriate fire access and ADA compliant paths of travel shall be maintained, as may be required by the Fire Department and Building Division.

ATTACHMENT 3



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

Notice of Exemption

To: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Hwy, Room 260
San Diego, CA 92101
MS: A-33

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

Project Title/Case No: Magic Montessori School / PHG19-0079

Project Location - Specific: On the southeastern corner of Sunset Drive and S. Escondido Boulevard, addressed as 1911 Sunset Drive (APN: 236-311-17-00)

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

Description of Project: A Minor Conditional Use Permit for the operation of a daycare and preschool facility for up to 73 children (Infants to 6 years old). The school will occupy two existing buildings (1,830 square feet and 2,195 square feet) located within an existing 0.89-acre commercial center in the Escondido Boulevard District of the South Centre City Specific Plan. Building facade and site modifications are proposed, which include a new 1,385 square foot fenced outdoor playground; construction of a covered loading and unloading area in front of the building for student drop-off and pick-up; reconfiguration of the parking lot circulation and parking space striping; and refurbishment of existing landscaping.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Mehrmah Hodaee, Magic Montessori School

Telephone: (760) 598-5437

Address: 867 Sycamore Ave., Vista, CA 92081

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

Exempt Status:

Categorical Exemption. CEQA Guidelines sections: 15303(c) (New Construction or Conversion of Small Structures), 15304(b) (Minor Alterations to Land), and 15311 (Accessory Structures).

Reasons why project is exempt:

The proposed project qualifies for a categorical exemption pursuant to CEQA Guidelines section 15303, 15304, and 15311 meeting all applicable conditions, as further described below.

1. Daycare and preschool uses are allowed uses within the Specific Planning 15 of the General Plan. The project also is in conformance with the applicable zoning standards of the Escondido Boulevard District of the South Centre City Specific Plan. The project involves a change in occupancy in two, existing, commercial buildings that are less than 10,000 square feet in floor area, from office uses to a daycare and preschool. The subject parcel is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The project thus adheres to the criteria of CEQA Guidelines section 15303(c).
2. The project includes refurbishment of existing landscaping with water efficient or fire-resistant landscaping consistent with the landscape standards of the South Centre City Specific Plan and Article 62 of the Escondido Zoning Code. The project would not result in the removal of any healthy, mature or scenic trees. The project thus adheres to the criteria of CEQA Guidelines section 15304(b).

3. The construction of the outdoor playground for the children and reconfiguration of the parking lot circulation are accessory for the new and existing commercial uses on site. The project thus adheres to the criteria of CEQA section 15311.

Lead Agency Contact Person: Jasmin Perunovich

Area Code/Telephone/Extension (760) 839-4552

Signature: _____

Jasmin Perunovich
Assistant Planner I

_____ Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

ATTACHMENT 4

From: [Karen Johnson](#)
To: [Jasmin Perunovich](#)
Subject: [EXT] CASE No. PHG 19-00079 *PLEASE READ ALOUD*
Date: Monday, May 17, 2021 5:03:33 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

CASE No. PHG 19-00079 *PLEASE READ ALOUD AT MAY 25, 2021 PUBLIC HEARING

To Whom It May Concern:

I have been an Escondido resident for the past 28 years, living in the condominiums adjacent to the property at 1911 Sunset Drive and am writing in opposition to the issuing of a permit for a daycare/preschool facility at this location.

This property is located on the corner of a dangerous five-way intersection, where a bar is also located within close proximity.

When LR Green School is in session again, Sunset Drive becomes virtually gridlocked every morning and afternoon.

At other times of day, Sunset Drive has become a pseudo drag strip for speeding cars and reckless drivers. This has been reported to Escondido Police Department on numerous occasions and covered in several news stories.

Both ingress and egress to this property are already dangerous, due to traffic concerns, diminished visibility caused by street parking on Sunset Drive, as well as a bus stop located there. These safety hazards will only be exacerbated by additional traffic, parking, noise and visibility issues, created by parents dropping off or picking up their children from the proposed preschool/daycare facility.

Persistent playground noise, adding to the above concerns, will greatly disrupt the ability of condominium residents living adjacently to enjoy their homes peacefully, while negatively impacting our property values.

Established, existing businesses will be forced to either relocate or close completely.

There is already an existing preschool/daycare facility located less than a ½ mile away, where the above outlined traffic and safety concerns have been better mitigated.

Thank you for your time and attention. I encourage you to please vote NO on the preschool/daycare facility proposed at 1911 Sunset Drive.

Sincerely,

Karen Johnson

Sent from my iPad

ZONING ADMINISTRATOR

- CASE NUMBER:** PL 21-0041
- APPLICANT:** Eric Buchanan, Oasis Architecture & Design, Inc., for Barn Door Public House
- PROJECT LOCATION:** 2500 S. Escondido Blvd. (APN: 238-152-21-00)
- REQUEST:** A Minor Conditional Use Permit to allow a beer and wine establishment in an existing 1,375 square foot building and 166 square foot kiosk building in an existing 0.71-acre commercial center in the Southern Entry District of the South Centre City Specific Plan. The request includes converting an existing 1,700 square foot adjacent outdoor patio area to a fenced outdoor seating and dining area.
- STAFF RECOMMENDATION:** Approval
- GENERAL PLAN DESIGNATION:** SPA (Specific Plan Area #15)
- ZONING:** S-P (South Centre City Specific Plan, Southern Entry District)

BACKGROUND/PROJECT DESCRIPTION:

The subject site is located within the Southern Entry District of the South Centre City Specific Plan. A Zone Change, Planned Development, and Tentative Subdivision Map, and Business Enhancement Zone Incentives were originally approved by the City Council in 2004 for the existing, mixed-use development, which consists of 62 multi-story townhome units and approximately 10,000 SF of commercial space (Planning Case Number: 2004-14-CZ/PD/BEZ, Tract 873). As part of the Master and Precise Development Plan, a list of permitted and conditionally permitted uses was adopted for the commercial component of the development, which includes a variety of commercial, office, retail and restaurant type uses. Per the Master and Precise Development Plan and the South Centre City Specific Plan, a drinking establishment requires approval of a Conditional Use Permit to ensure compatibility with the surrounding neighborhood and the General Plan. An outdoor dining area is also permitted on private property

for use in connection with the consumption of food and beverages sold to the public from, or in, an adjoining indoor restaurant.

The commercial component of the Planned Development consists of three separate buildings: a 1,375 square foot, one-story building; a 166 square foot food kiosk; and 8,256 square foot, two-story building. The proposed beer and wine establishment would primarily be located in the first two buildings, with restrooms provided in the third building. There is also an existing 1,700 square foot outdoor paved area on the northwest corner of the site surrounded with landscaping. A total of 52 parking spaces are provided for the commercial portion of the mixed-use development. Specific parking incentives were originally approved for the project that allowed a 15% reduction in required on-site commercial parking and allowed up to 22 on-street parking (along S. Escondido Blvd. and Citracado Pkwy.) to be used towards the commercial parking requirements. There are 40 on-site parking spaces provided. In 2014, the required street improvements for the adjacent residential condominium development, located on the south side of the subject property, had removed 10 parallel parking spaces along S. Escondido Blvd.

The applicant, Barn Door Public House, is proposing to operate an eating and drinking establishment in the one-story building the food kiosk. The previous use of the buildings were a fitness gym and a smoothie kiosk. The existing adjacent outdoor paved area would be converted to a fenced outdoor dining area and beer garden. Beer and wine will be served out of the one-story building, and breakfast and deli food items will be prepared and served from the kiosk. The beer and wine establishment will be open from 11:30 a.m. to 11 p.m., while the food kiosk will open at 5 a.m. (to provide breakfast earlier in the day) and remain open until the beer and wine establishment closes. There will be no live entertainment, and the facility will be required to abide by the City's noise ordinance. To achieve this, the outdoor dining area will close at 10 p.m., one hour before the rest of the facility.

ENVIRONMENTAL STATUS:

California Environmental Quality Act ("CEQA") Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The project is categorically exempt from further CEQA review pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures), as described further in the Findings of Fact, attached as Exhibit "B" to Zoning Administrator Resolution No. 2021-05 (see Attachment 2 to this staff report).

REASON FOR STAFF RECOMMENDATION:

Staff recommends approval of the Minor conditional use permit for the beer and wine establishment with outdoor dining/beer garden area. The use supports the vision for the Southern Entry District of the South Centre City Specific Plan which encourages entrepreneurship and business development in the form of smaller home-based businesses or locally owned shops and

restaurants. The commercial portion of the mixed-use development was designed to have ground floor commercial uses, which includes restaurants and cafés, that activate the pedestrian environment at street level.

The required parking for all uses in the commercial buildings, including the outdoor dining/beer garden area, does not exceed the 52 parking spaces provided on site. The applicant has prepared a new parking space count and an updated current list of tenants in the commercial buildings due to the removal of the on-street parking along S. Escondido Blvd. that reduced the number of parking spaces provided for the commercial component of the mixed-use development (Per Article 39, the parking ratio of 1:100 square feet was used for the proposed beer and wine establishment and outdoor dining/beer garden area, 1:200 square feet for the existing gym and 1:300 square feet for the existing office uses). Appropriate hours of operation have been included in the conditions of approval for the project, and the sales, service and consumption of alcoholic beverages are subject to Police Department and California Department of Alcoholic Beverage Control requirements.

The outdoor dining/beer garden will be fully enclosed with a 42-inch-high metal fence and gate and the area will be enhanced with additional landscape plants and shrubs. All tables and chairs in the outdoor patio area will be setback more than 50' away from any residential units; and the one-story and two-story commercial buildings serves as a buffer between the outdoor dining/beer garden area and residential portion of the development. The buildings were designed and constructed in their current location to ensure that noise, odors, etc., do not become nuisances to residents of the mixed-use project. The new outdoor dining/beer garden will complement the area and serve as an amenity to the neighborhood. Per the South Centre City Specific Plan, outdoor seating is encouraged to further contribute to the walkability of mixed-use areas and activate the space.

Respectfully submitted,

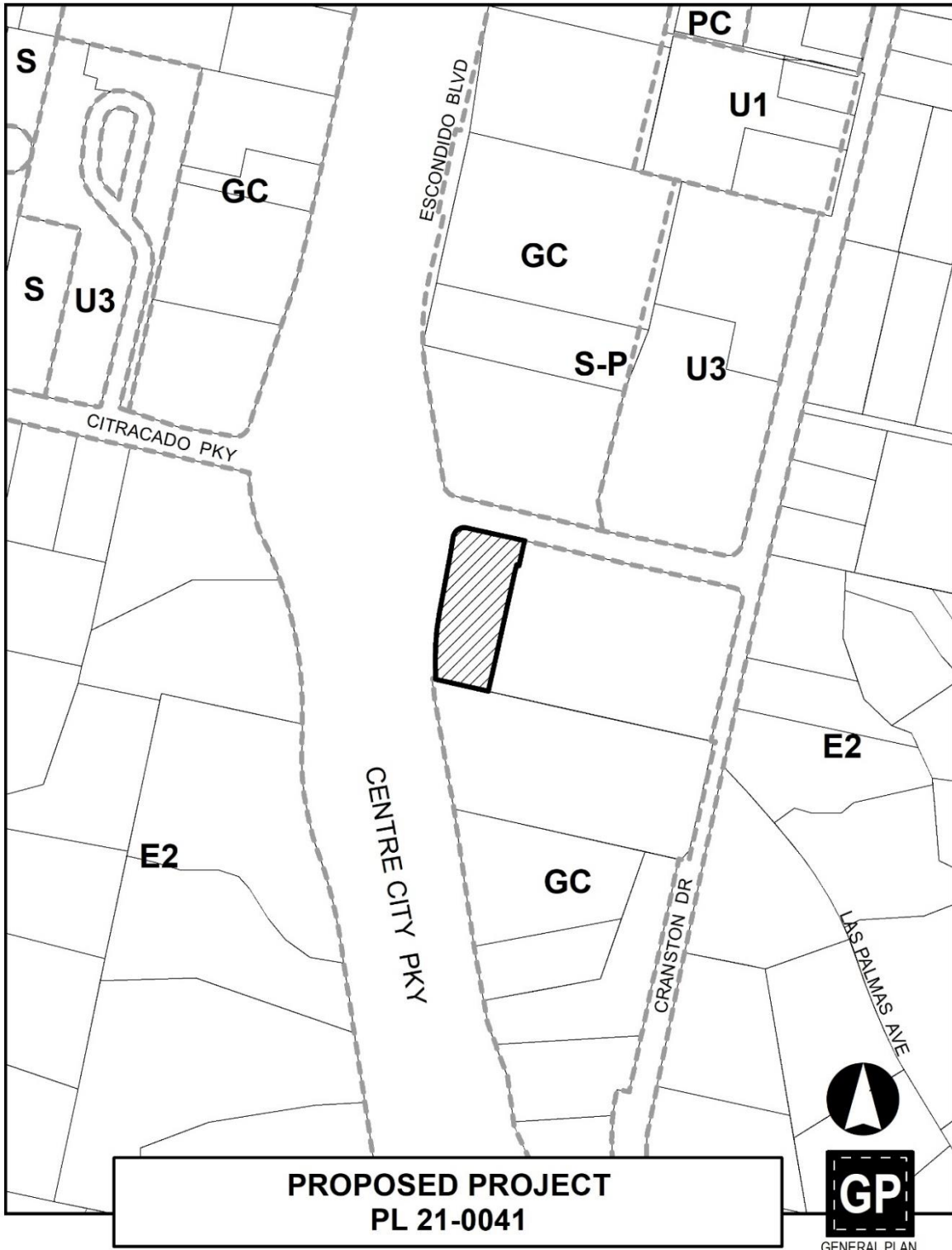
Jasmin Perunovich

Jasmin Perunovich
Assistant Planner I

ATTACHMENTS:

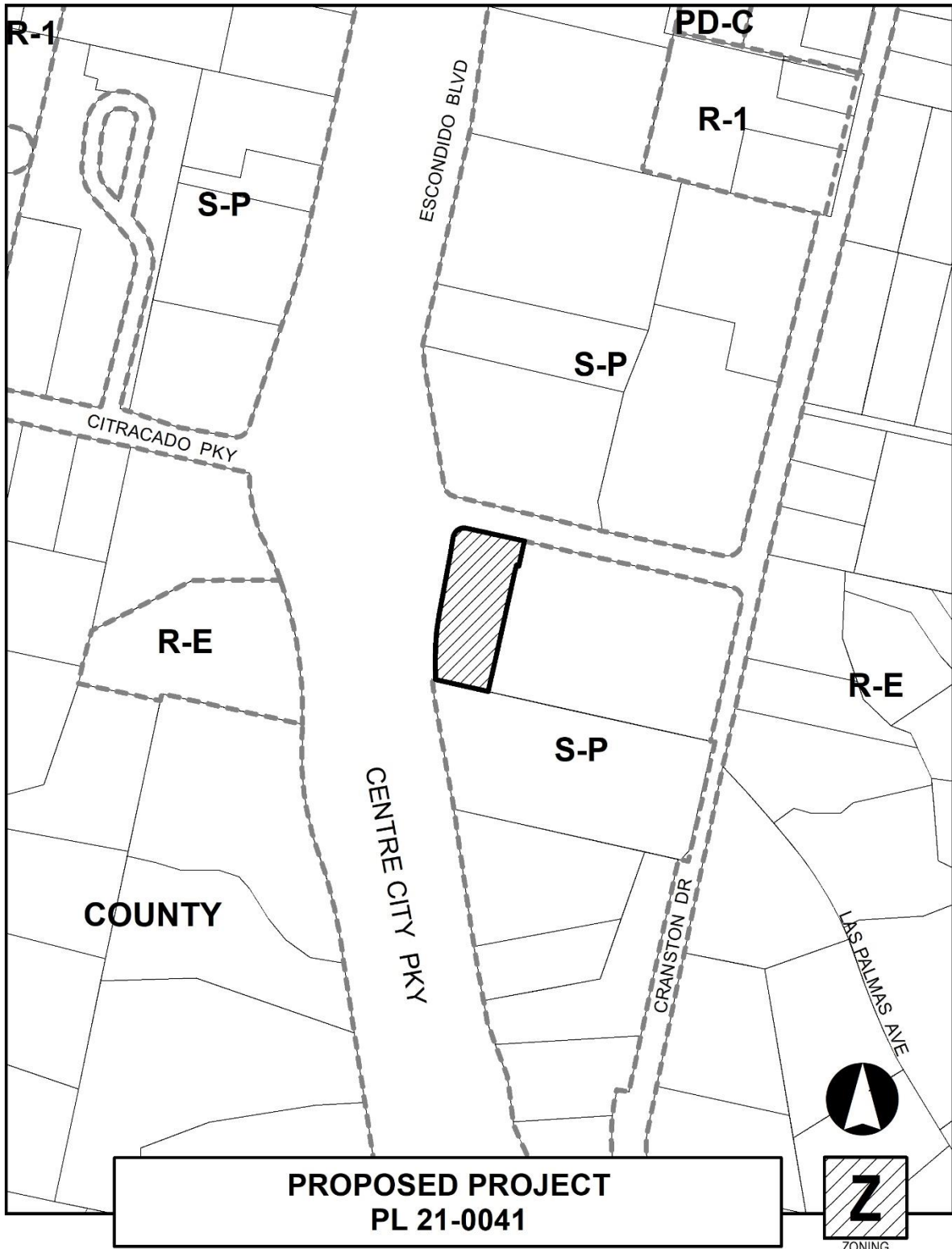
1. Project Location Map
2. Draft Zoning Administrator Resolution No. 2021-05, Including Exhibits A, B, C, and D
3. CEQA Notice of Exemption

ATTACHMENT 1



PROPOSED PROJECT
PL 21-0041







PROPOSED PROJECT
PL 21-0041

A
AERIAL

ATTACHMENT 2

Zoning Administrator

Hearing Date: May 25, 2021

Effective Date: June 7, 2021

RESOLUTION NO. 2021-05

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MINOR CONDITIONAL USE PERMIT FOR THE OPERATION OF A BEER AND WINE ESTABLISHMENT WITH OUTDOOR DINING IN TWO EXISTING COMMERCIAL BUILDINGS IN THE S-P ZONE.

APPLICANT: Love The Pig (for Barn Door Public House)

CASE NO: PL21-0041

WHEREAS, the Zoning Administrator of the City of Escondido did, on May 25, 2021, hold a public hearing to consider a request for a Minor Conditional Use Permit to allow a beer and wine establishment in an existing 1,375 square foot building and 166 square foot kiosk building in an existing 0.71-acre commercial center in the Southern Entry District of the South Centre City Specific Plan. The request includes converting an existing 1,700 square foot adjacent outdoor patio area to a fenced outdoor seating and dining area, on property addressed as 2500 S. Escondido Blvd., more particularly described in Exhibit "A," and all persons desiring to speak did so; and

WHEREAS, evidence was submitted to and considered by the Zoning Administrator at or before the public hearing, including, without limitation, written

information, and the staff report dated May 25, 2021, which along with its attachments is incorporated herein by this reference; and

WHEREAS, a notice was published and mailed as required by the Escondido Zoning Code and applicable State law; and

WHEREAS, the application was assessed in conformance with the California Environmental Quality Act (CEQA) and a Notice of Exemption was prepared in conformance with CEQA Guidelines sections 15061 and 15062; and

WHEREAS, a staff report was presented discussing the issues in the matter; and

WHEREAS, Ordinance No. 78-02, enacted pursuant to Section 65974 of the Government Code and pertaining to the dedication of land and fees for school facilities, has been adopted by the City of Escondido.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Administrator of the City of Escondido:

1. That the above recitations are true and correct.
2. That the project is categorically exempt from further CEQA review pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures). The Zoning Administrator has reviewed and considered the Notice of Exemption prepared for the project and has determined that it is complete and adequate, and there are no significant environmental effects which are cannot be mitigated.
3. That, considering the Findings of Fact attached to the staff report as Exhibit "B," the project plans attached as Exhibit "C," and applicable law, the Zoning

Administrator hereby approves said Minor Conditional Use Permit, subject to the Conditions of Approval attached as Exhibit "D."

4. That this approval shall automatically become null and void unless the use authorized by this approval has commenced within 12 months of the date of this approval, unless an Extension of Time is granted pursuant to Article 61 of the Escondido Zoning Code.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Engineering Services Departments. The project also is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution, and any such protest must be in a manner that complies with Section 66020.

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the City of Escondido, California, at a regular meeting held on the 25th day of May, 2021.

MIKE STRONG
Zoning Administrator,
City of Escondido

WITNESS

Note: This action may be appealed to Planning Commission
pursuant to Zoning Code Section 33-1303

EXHIBIT "A"

PLANNING CASE NO. PL21-0041

LEGAL DESCRIPTION

The Land referred to herein below is situated in the City of Escondido, County of San Diego, State of California, and is described as follows:

LOT 1 OF ESCONDIDO TRACT NO. 873R CITRACADO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. [15055](#), FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 27, 2005.

APN 238-152-21-00

EXHIBIT “B”

PLANNING CASE NO. PL21-0041

FINDINGS OF FACT

Environmental Determination:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) (“CEQA”), and its implementing regulations (14 C.C.R. § 15000 et seq.) (“CEQA Guidelines”), the City of Escondido (“City”) is the Lead Agency for the project (“Project”), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines sections 15303(c) and 15303(e) (New Construction or Conversion of Small Structures). The proposed Project meets all applicable conditions, as further described below:
 - a. The project is consistent with the applicable SPA 15 General Plan land use designation and zoning standards of the South Centre City Specific Plan, Southern Entry District. No variances are required. The project involves a change in occupancy in two existing commercial buildings that are less than 2,500 square feet in floor area, from a fitness gym to a beer and wine restaurant establishment. The subject parcel is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The project thus adheres to the criteria of CEQA Guidelines section 15303(c).
 - b. The project includes converting an existing, 1,700 square foot outdoor patio area to a fenced outdoor seating and dining area that is accessory to the main operations of the business. The project thus adheres to the criteria of CEQA Guidelines section 15303(e).
3. The Zoning Administrator has independently considered the full administrative record before it, which includes but is not limited to the May 25, 2021, Zoning Administrator staff report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Conditional Use Permit:

1. A Conditional Use Permit should be granted upon sound principles of land use and in response to services required by the community.

Granting the Conditional Use Permit would allow the beer and wine facility in a mixed-use planned development that was designed to have ground floor commercial uses, which includes eating and drinking establishments with outdoor dining areas. The business would provide a service within walking and biking distance of residential areas and promote visible pedestrian activity.

2. A Conditional Use Permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.

Granting the Conditional Use Permit would not cause a deterioration of bordering land uses or create special problems for the area because it would operate within two existing buildings in the commercial portion of the mixed-use development and no building expansions are proposed on the property. An existing, under-utilized outdoor paved area will be converted for use as an outdoor dining/beer garden which is a permitted accessory use associated with the business. There is adequate parking available on site for the commercial center and all outdoor activities would be subject to the requirements of the Noise Ordinance.

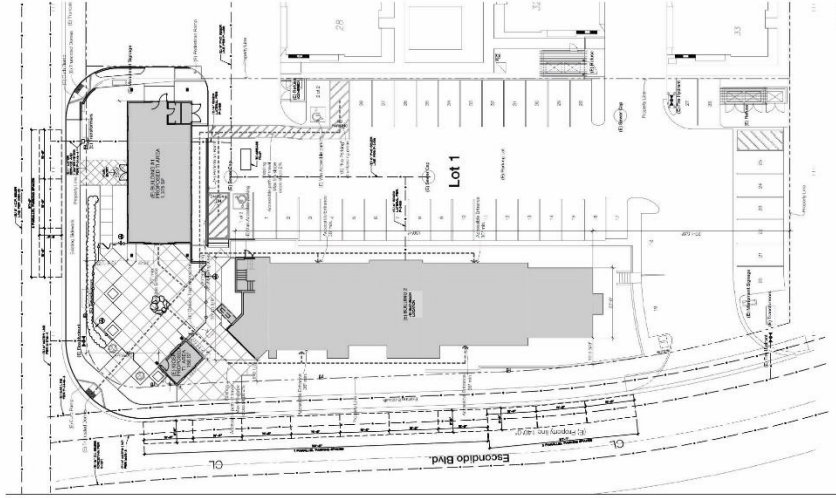
3. A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located.

The proposed Conditional Use Permit has been determined to be compatible with the surrounding properties and General Plan policies. The South Centre City Area supports wine and beer establishments through the Conditional Use Permit process and the operations are regulated by the California Department of Alcoholic Beverage Control. The proposed project would not diminish the quality of life standards of the General Plan because the project would not materially degrade the level of service on adjacent streets or public facilities, nor create excessive noise, and adequate public services are currently provided on site.

EXHIBIT "C"

PLANNING CASE NO. PL21-0041

PROJECT EXHIBITS



SHEET INDEX:

- ARCHITECTURAL SITE PLAN
- ARCHITECTURAL FLOOR PLANS
- ARCHITECTURAL HOUSE FLOOR PLAN
- BUILDING ELEVATIONS
- BUILDING ELEVATIONS
- BUILDING ELEVATIONS

PROJECT TEAM:

- OWNER: P&G, LLC
- ARCHITECT: GARDNER ARCHITECTURE + DESIGN, INC.
- MERCHANTEL ENGINEERS
- ELECTRICAL ENGINEERS
- MECHANICAL ENGINEERS
- CIVIL ENGINEERS
- LANDSCAPE ARCHITECT

SCOPE OF WORK:

A CONDITIONAL USE PERMIT FOR THE TENANT IMPROVEMENT FOR BUILDING 1111 IN AN EXISTING 1950'S COMMERCIAL BUILDING. THE IMPROVEMENTS WILL INCLUDE:

- 1. TO INCLUDE UPDATED KITCHEN LAYOUT IN KITCH BUILDING.
- 2. NEW BAR/LAUNDRY COOLER PREP AND STORAGE AREAS IN KITCH BUILDING.
- 3. TO BE USED AS BEER GARDEN ALL FOOD PREPARATION BUILDING ONLY.
- 4. OUTDOOR BEER GARDEN AREA WILL COMPLY WITH THE CITY OF SAN FRANCISCO'S BEER GARDEN REGULATIONS AND SECTION 105 OF THE SOUTH CENTRAL CITY PLANNING CODE.
- 5. PROPOSED STORAGE HOODS ON ELEVATIONS IS FOR POTENTIAL SMOKE EXHAUST ONLY. ALL NEW HOODS WILL HAVE A SEPARATE EXHAUST SYSTEM.
- 6. NO GRADING AS PART OF THIS PERMIT.

PROJECT TO COMPLY WITH THE FOLLOWING BUILDING CODES:

- 2019 CA ELECTRICAL CODE
- 2019 CA MECHANICAL CODE
- 2019 CA PLUMBING CODE
- 2019 CA FIRE ALARM AND DETECTION CODE
- 2019 CA ENERGY CODE
- 2019 CA GREEN BUILDING CODE

DEFERRED SUBMITTALS:

- THE FOLLOWING ITEMS WILL BE PROCESSED AS A DEFERRED SUBMITTAL:
- 1. FIRE SPRINKLER AND FIRE ALARM SYSTEMS

VICINITY MAP:



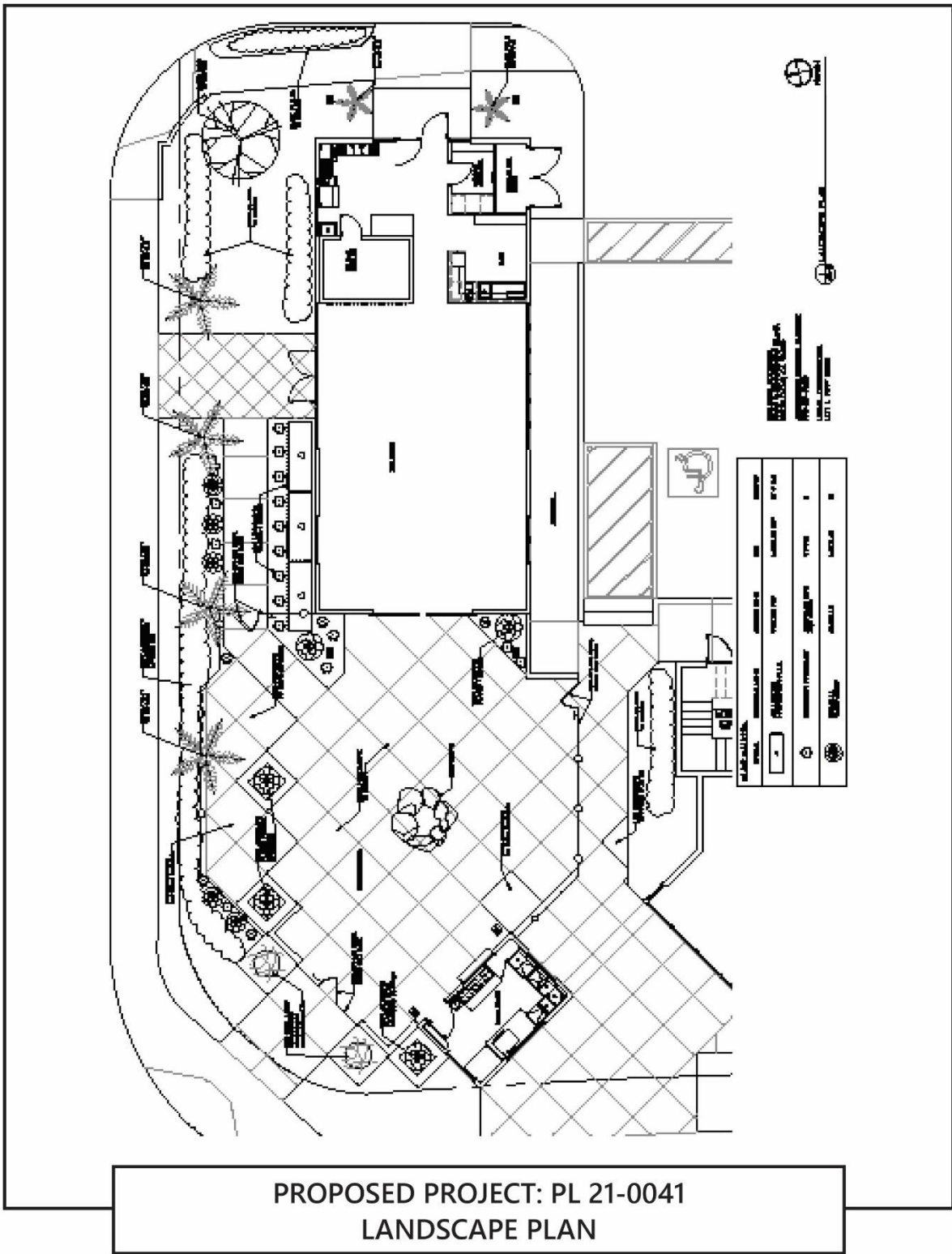
SITE DATA:

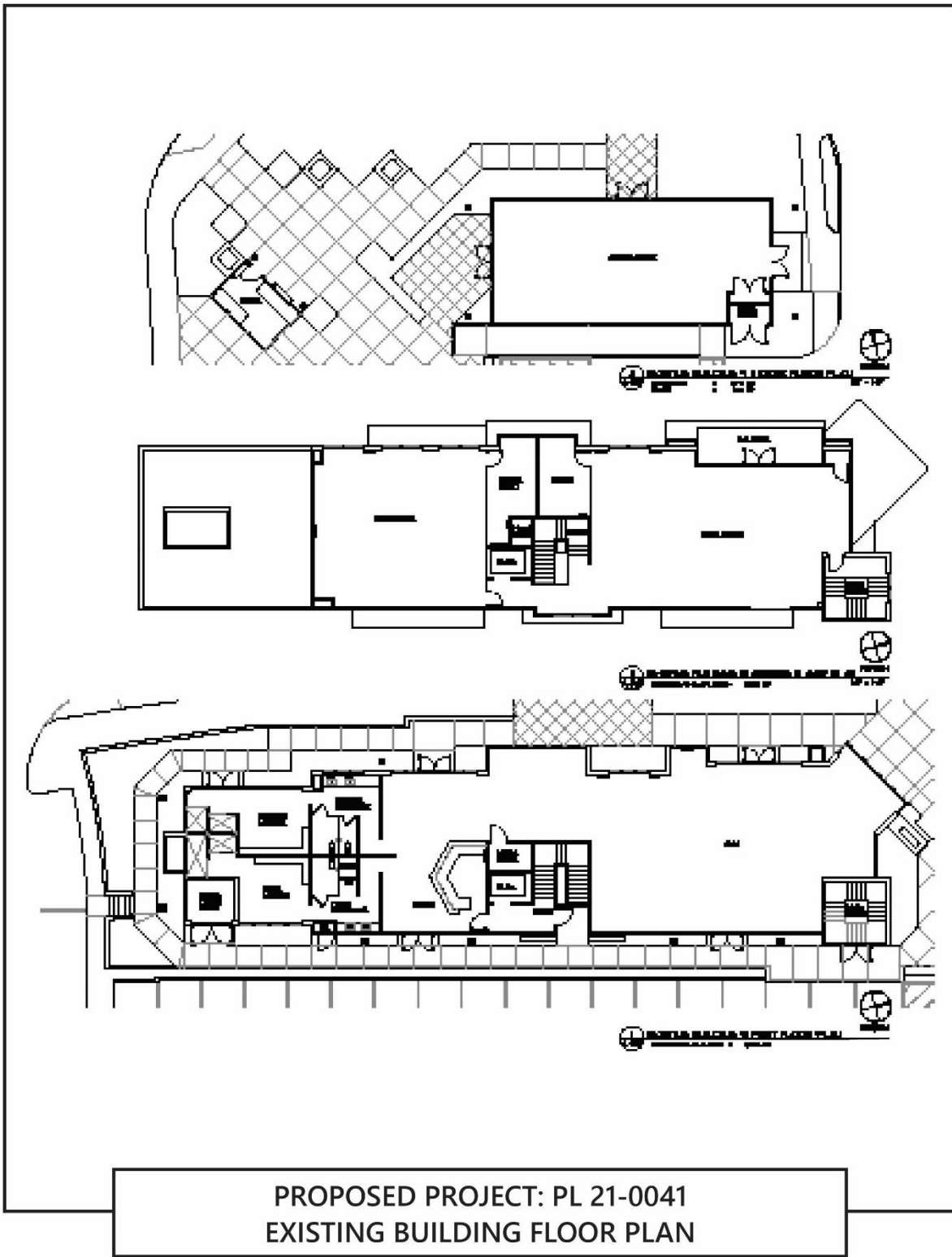
- BUILDING ADDRESS: 1111 E. CALIFORNIA STREET, SAN FRANCISCO, CA 94109
- AMERICAN STANDARD NUMBER: 298-20-100
- LEGAL DESCRIPTION: LOT 1, TRAP 3099
- ZONE: SOUTH CENTRAL CITY SPECIFIC PLAN
- LOT SIZE: 30,918 SF
- CONSTRUCTION TYPE: V-B SPARKLEDED (NFA 3D)
- YEAR STRUCTURE WAS BUILT: 2007
- OCCUPANCY TYPES: KITCHEN
- EXISTING BUILDING AREA: 1,379 SF
- EXISTING BUILDING FOOTPRINT: 978 SF
- TOTAL BUILDING AREA: 3,127 SF
- TOTAL TI AREA (BUILDING + KITCHEN): 1,051 SF

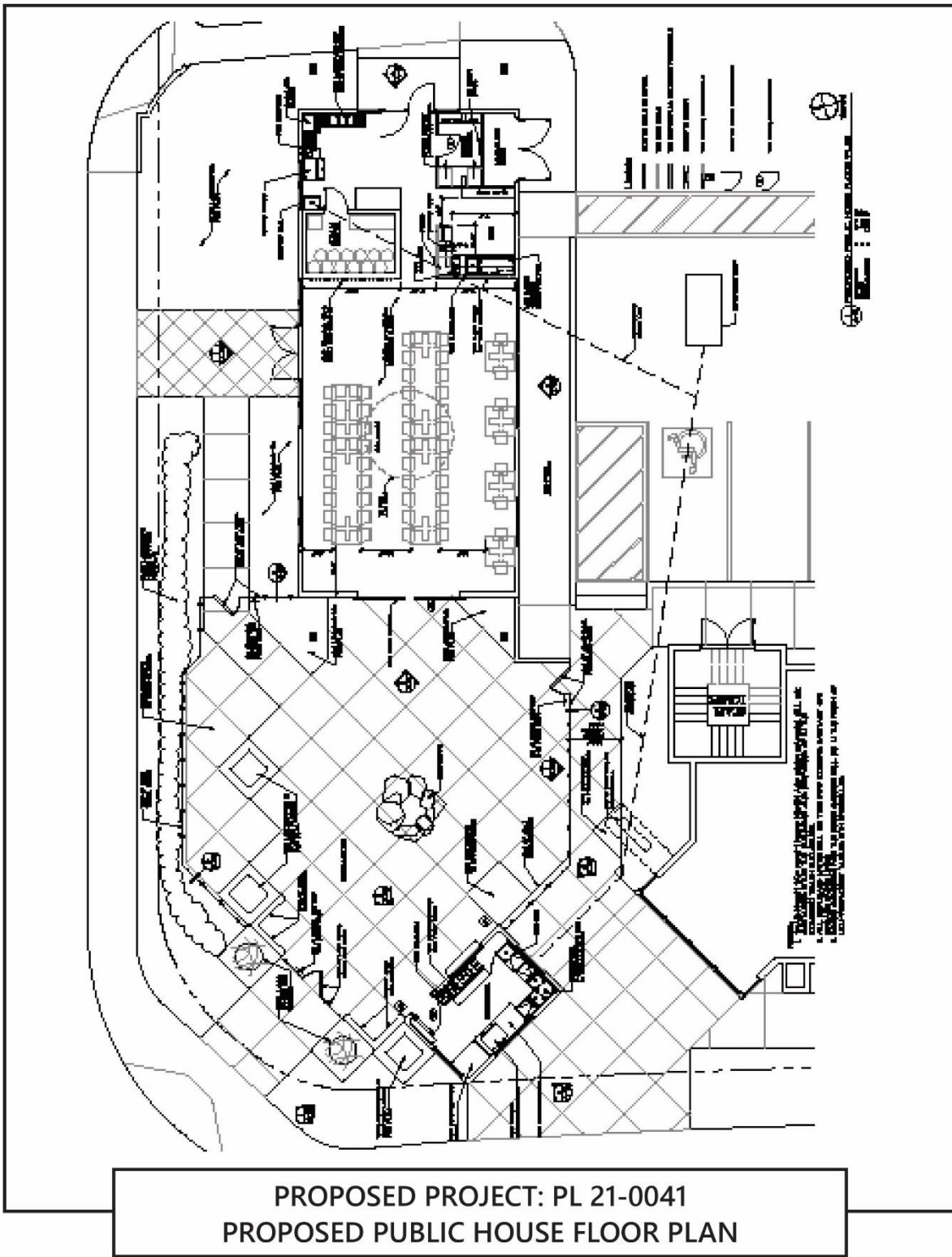
PARKING REQUIREMENTS:

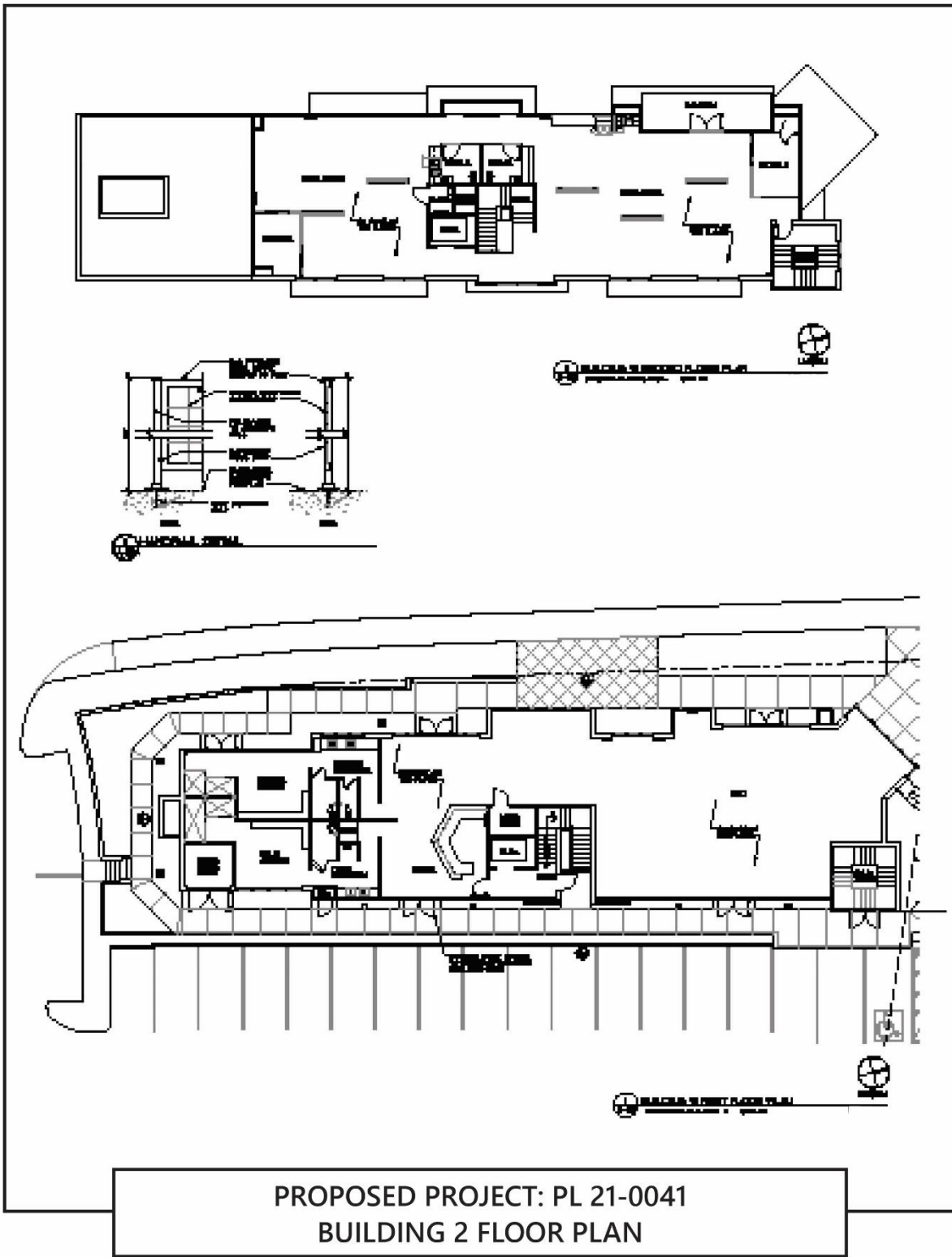
- BUILDING 1111: 1379 SF - 1120 @ 1.5 SPACES REQ.
- BERKELEY PUBLIC HOUSE: 146 SF - 1020 @ 1 SPACES REQ.
- FOOD STATION: 146 SF - 1020 @ 1 SPACES REQ.
- OUTDOOR BEER GARDEN: 1,051 SF - 1120 @ 1.5 SPACES REQ.
- STREET PARKING: 1,051 SF - 1120 @ 1.5 SPACES REQ.
- EXISTING PARKING: 1,051 SF - 1120 @ 1.5 SPACES REQ.
- ACCESSIBLE SPACES: 1,051 SF - 1120 @ 1.5 SPACES REQ.
- TOTAL SPACES: 1,051 SF - 1120 @ 1.5 SPACES REQ.

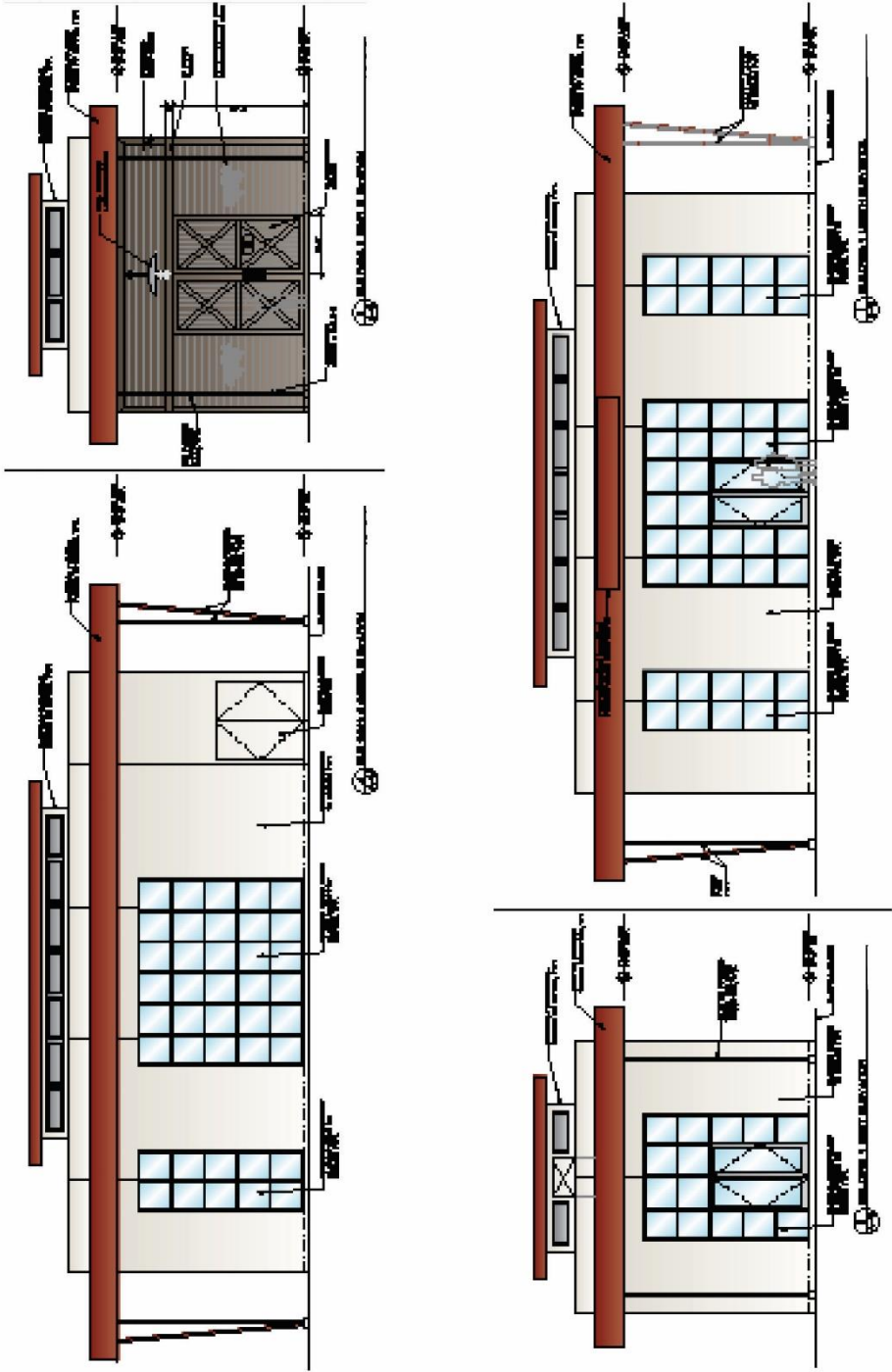
PROPOSED PROJECT: PL 21-0041 SITE PLAN



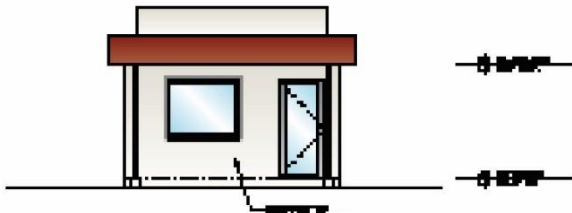
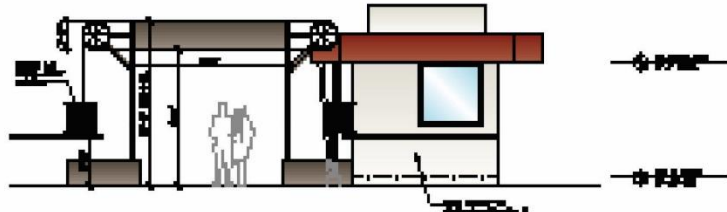
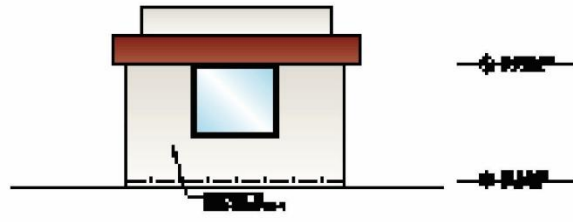




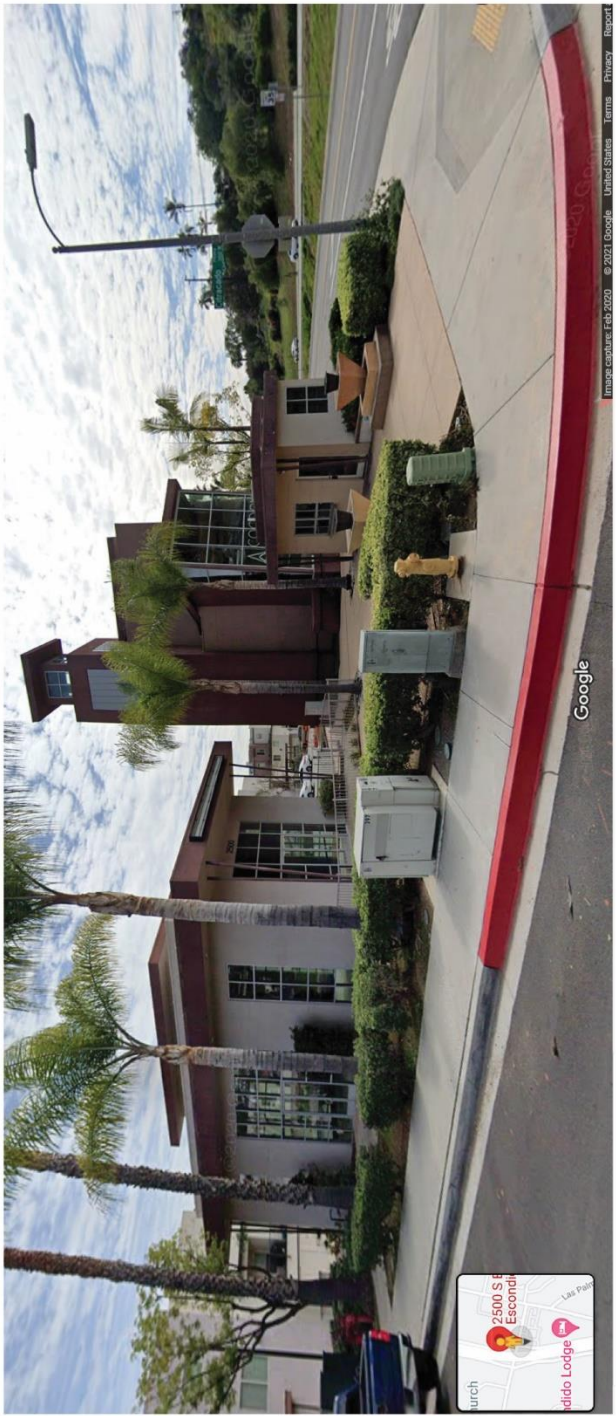




PROPOSED PROJECT: PL 21-0041
 BUILDING 1 ELEVATIONS



PROPOSED PROJECT: PL 21-0041
KIOSK ELEVATIONS



PROPOSED PROJECT: PL 21-0041
SITE PHOTOS



**PROPOSED PROJECT: PL 21-0041
SITE PHOTOS**



**PROPOSED PROJECT: PL 21-0041
EAST ELEVATION BUILDING 1 PHOTO**



PROPOSED PROJECT: PL 21-0041
SITE PHOTOS



**PROPOSED PROJECT: PL 21-0041
SOUTH ELEVATION BUILDING 1 PHOTO**



**PROPOSED PROJECT: PL 21-0041
EAST ELEVATION BUILDING 1 PHOTO**



**PROPOSED PROJECT: PL 21-0041
SOUTH ELEVATION KIOSK PHOTO**



PROPOSED PROJECT: PL 21-0041
EAST ELEVATION KIOSK PHOTO



**PROPOSED PROJECT: PL 21-0041
EAST ELEVATION BUILDING 2 PHOTO**



**PROPOSED PROJECT: PL 21-0041
SOUTH ELEVATION BUILDING 2**

EXHIBIT “D”

PLANNING CASE NO. PL21-0041

CONDITIONS OF APPROVAL

This Project is conditionally approved as set forth on the application received by the City of Escondido on January 26, 2021, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as approved on **May 25, 2021** and shall not be altered without express authorization by the Community Development Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, or its successor(s) in interest, as may be applicable.

A. General:

1. **Acceptance of Permit.** Should the Applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a. Acceptance of the Permit by the Applicant; and
 - b. Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
2. **Permit Expiration.** The Permit shall automatically expire after one (1) year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

3. **Certification.** The Director of Community Development, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity

with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval.

Three copies of final Approved Plan set, shall be submitted to the Planning Division for certification. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.

4. Conformance to Approved Plans.

- a. The operation and/or use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
- b. Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
- c. Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Community Development to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.

5. Limitations on Use. Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.

6. Certificate of Occupancy.

- a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
- b. Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Community Development.

7. Availability of Permit Conditions.

- a. Prior to building permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Community Development.
 - b. The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.
8. **Right to Entry.** The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.
9. **Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. **Fees.** The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.
11. **Public Art Partnership Program.** All requirements of the Public Art Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance.

The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

12. Clerk Recording.

- a. **Exemption.** The environmental determination prepared for the Project is a categorical exemption. 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. 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 date of this letter) 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.
- b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

13. Legal Description Adequacy. 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.

14. Application Accuracy. The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

15. Revocation, Suspension, Modification. At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Zoning Administrator to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Community Development for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Zoning Administrator, or Planning Commission or City Council on appeal, at any time regardless of who is the

owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

16. Indemnification, Hold Harmless, Duty to Defend.

- a. The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner of the Property (including the Applicant's or the owner of the Property's contractors, subcontractors, licensees, sublessees, invitees, agents, consultants, employees, or volunteers), or such activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who

may defend the City against any Claims in the manner the City deems to be in the best interests of the City).

- b. The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project's environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant's payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).
- c. The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written Deposit Account Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

B. Construction, Maintenance, and Operation Obligations:

- 1. **Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Community Development, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

- 2. Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulations or to obtain permits from other agencies to make certain on- or off-site improvements prior to Final Map recordation, grading permit issuance, building permit issuance, or certificate of occupancy as required. This review may result in conditions determined by the reviewing agency.

At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

- 3. Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
- 4. Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.
- 5. Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
- 6. Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
- 7. General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not

be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.

- 8. Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
- 9. Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
- 10. Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
- 11. Trash Enclosures.** Appropriate trash enclosure(s) or other approved trash system shall be approved by the Planning and Engineering Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
- 12. Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
- 13. Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
- 14. Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects

or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof, demonstrating compliance with the California Green Building Standards Code sections cited above.

15. Construction Equipment Emissions. The Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board ("CARB") certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii) functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall demonstrate to the satisfaction of the Director of Community Development that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model ("CalEEMod") or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.

C. Parking and Loading/Unloading.

1. The required minimum number of parking spaces shall be provided at all times. (Based on current development standards and land uses on-site, the project requires 52 spaces for the commercial portion of the mixed-use development at this time.) Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required, minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The stripping shall be drawn on the plans or a note shall be included indicating double-stripping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.
3. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the

property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.
6. **Landscaping Plans.** Applicant shall install all required improvements including screening walls, retaining walls, storm improvements, and landscaping in substantial conformance to the planting and irrigation schedule as shown on the final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Planning Division for review and approval, if meeting any of the criteria listed under Section 33-1323 of the Zoning Code. Five copies of detailed landscape and irrigation plans shall be submitted to the Engineering Services Department with the second submittal of the grading plan, or at a time and in a quantity as otherwise determined appropriate by Planning Division staff. The initial submittal of the landscape plans shall include the required plan check fees, paid in accordance with the prevailing fee schedule in effect at the time of submittal. Details of Project fencing and walls, including materials and colors, shall be provided on the landscape plans. (Building permits may also be required.) The landscape and irrigation plans shall be reviewed and approved by the Planning Division and Engineering Services Department prior to issuance of grading permits, and shall be equivalent or superior to the conceptual landscape plans included as part of the Approved Plan set, 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, except where stricter requirements are imposed by the State of California.

- b. Screening walls, retaining walls, storm improvements, and landscaping (i.e. planting and irrigation) is to be provided prior to final occupancy.
- c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The Applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
- d. Any new freestanding walls and/or retaining walls shall incorporate decorative materials or finishes, and shall be indicated on the landscaping plans. (Building permits may also be required.) All freestanding walls visible from points beyond the Project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be a type satisfactory to the Director of Community Development.
- e. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast-growing shrubbery that will screen the enclosures wall surface. The Director of Community Development shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Conditions:

1. The hours of operation for the business, each day of the week, shall be limited to:

Inside one-story building: 11: 30 a.m. to 11 p.m.

Food kiosk: 5 a.m. to 11 p.m.

Outdoor patio area: 5 a.m. to 10 p.m.; (Sales, service, consumption of beer and wine shall only be permitted between the hours of 11:30 a.m. and 10 p.m.)

Any request to modify said hours of operation shall be made in writing to the Director of Community Development, who may approve or disapprove said request subsequent to consultation with the Police Department and the California Department of Alcoholic Beverage Control.

2. An Alcoholic Beverage License shall be obtained from the Department of Alcoholic Beverage Control (ABC) prior to the sale of any beer and wine on the premises. The licensee shall comply with all conditions set forth in the premise license issued through the Department of Alcoholic Beverage Control and Police Department.

3. The lobby door with access to the first-floor restrooms in the 2-story building shall remain open and unlocked for employees and customers during business hours of the beer and wine establishment and the food kiosk.
 4. Operational limitations for the outdoor dining/beer garden:
 - a. Only food and beverages prepared or stocked for sale from the adjoining food kiosk and beer and wine establishment shall be served.
 - b. The perimeter of the outdoor patio area shall be enclosed with permanent fencing and gate.
 - c. The business or property owner shall be responsible for maintaining the outdoor dining/beer garden area, including the sidewalk surface and furniture, as well as adjacent areas, in a clean and safe condition.
 - d. The business or property owner shall be responsible for maintaining the fence and gates around the perimeter of the outdoor seating and dining area.
 5. Each parking space shall have a minimum dimension of 8 ½ feet wide by 18 feet deep, free and clear of any obstacles. All parking spaces shall be double-striped, with outside dimensions of 18 inches. The striping/markings shall be clearly outlined on the surface of the lot with paint or other easily distinguishable material. Wheel stops shall be provided for all parking spaces which do not have concrete curbs, and shall be placed 24 inches from the front of each parking space.
 6. No signage is approved as part of this permit. All proposed signage associated with the project shall comply with Article 66 of the Escondido Zoning Code.
 7. A valid City of Escondido Business License shall be maintained at all times.
 8. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning, Engineering, and Building Divisions have been completed.
 9. The plans submitted for building permit shall include notes or details containing the necessary work involved in complying with these project conditions.
- F. General Building Division Conditions:** Building plans must be submitted for this project. These conditions are preliminary and a comprehensive plancheck will be completed prior to permit issuance. Additional technical code requirements may be identified and changes to the plans included as Exhibit "C" to Zoning Administrator Resolution No. 2021-05 may be required.

1. The applicant shall provide evidence that the restroom facilities will be available and accessible to employees and customers anytime the space is occupied.
2. The applicant shall submit a complete set of construction plans to the Development Services Department for building permit plancheck processing.
3. The submittal shall include a Soils/Geotechnical Report, structural calculations, and State Energy compliance documentation (Title 24).
4. Construction plans shall include a site plan, a foundation plan, floor and roof framing plans, floor plan(s), section details, exterior elevations, and materials specifications.
5. Submitted plans must show compliance with the latest adopted editions of the California Building Code (The International Building Code with California Amendments, the California Mechanical, Electrical and Plumbing Codes).
6. Commercial construction must also contain details and notes to show compliance with State disabled accessibility mandates.

G. Engineering Services Department Conditions:

GENERAL

1. Show the 18" storm drain per GP2044 on the building site plan.
2. An Encroachment Permit shall be obtained from the Engineering Department for all work within the public right-of-way. Contact the Engineering Field Office at 760 839-4664 to arrange for the Encroachment Permit and inspections.
3. The Applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities for this subject project.

WATER SUPPLY

1. Improvement plans prepared by a Civil Engineer are required for new fire hydrants and public water main improvements. Please contact Engineering Services at 760-839-4651 if a new fire hydrant or improvements to a public water main are required by the Fire Marshal for installation of, or changes to, a fire suppression sprinkler system.
2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

H. Fire Department Conditions: The following Fire Department comments shall be addressed on the building plans:

1. Building shall be fire sprinklered per NFPA 13 and each riser/ building shall have an FDC.
2. Fire Alarm system shall be per NFPA 72 and Chp 9 of the CFC.
3. Note on the plans Fire underground lines, fire sprinkler, hood suppression (if applicable) and fire alarms are a deferred submittal to the Escondido Fire Department.

I. Stormwater Department Conditions:

1. Trash from the Tap room, food kiosk and patio areas shall be contained within the buildings and disposed of in the covered trash enclosure.
2. Keep trash contained. No trash shall enter any part of the storm drain system.
3. Do not let any wash water or anything else besides rain water enter the storm drain system.

J. Utilities Conditions:

1. Show location and size of all existing water meters, sewer laterals and DCA's on the building plans. Existing fire hydrants and DCA's shall meet current City of Escondido standards. Minimum sewer lateral shall be six inches per City of Escondido standards.

K. Utilities, Environmental Programs Conditions: The following Environmental Programs Department comments shall be addressed on the building plans:

1. Show detailed plumbing plans that show all sanitary sewer and grease waste lines. Need to tie both 3 comp sinks, mop sink, prep sink to existing grease interceptor.
2. In the food kiosk: Three comp and prep sink shall be tied into a floor sink and tied to a grease waste line.
3. In the bar: one comp sink shall be tied into the grease waste line.
4. Wash area: Mop sink and 3 comp shall be tied into the grease waste line. New glass washer shall be tied to the sanitary sewer.

5. Any floor drains in the food kiosk, bar and wash area shall be tied into the grease waste line.

ATTACHMENT 3



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

Notice of Exemption

To: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Hwy, Room 260
San Diego, CA 92101
MS: A-33

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

Project Title/Case No: Barn Door Public House / PL21-0041

Project Location - Specific: On the southeast corner of S. Escondido Blvd. and W. Citracado Pkwy., addressed as 2500 S. Escondido Blvd. (APN: 238-152-21-00)

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

Description of Project: A Minor Conditional Use Permit to allow a beer and wine establishment in an existing 1,375 square foot building and 166 square foot kiosk building in an existing 0.71-acre commercial center in the Southern Entry District of the South Centre City Specific Plan. The request includes converting an existing 1,700 square foot adjacent outdoor patio area to a fenced outdoor seating and dining area.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Love The Pig, LLC

Telephone: 858-309-6326

Address: P.O. Box 3, Poway, CA 92074

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

Exempt Status:

Categorical Exemption. CEQA Guidelines sections 15303(c) and 15303(e) (New Construction or Conversion of Small Structures).

Reasons why project is exempt:

The proposed project qualifies for a categorical exemption pursuant to CEQA Guidelines section 15303(c) and (e) meeting all applicable conditions, as further described below.

1. The project is consistent with the applicable SPA 15 General Plan land use designation and zoning standards of the South Centre City Specific Plan, Southern Entry District. No variances are required. The project involves a change in occupancy in two existing commercial buildings that are less than 2,500 square feet in floor area, from a fitness gym to a beer and wine restaurant establishment. The subject parcel is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The project thus adheres to the criteria of CEQA Guidelines section 15303(c).
2. The project includes converting an existing, 1,700 square foot outdoor patio area to a fenced outdoor seating and dining area that is accessory to the main operations of the business. The project thus adheres to the criteria of CEQA Guidelines section 15303(e).

Lead Agency Contact Person: Jasmin Perunovich

Area Code/Telephone/Extension: 760-839-4552

Signature: _____ 46 _____

Jasmin Perunovich
Assistant Planner

Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant