



CITY OF MURRIETA

October 17, 2005

Four Points Real Estate Development
3045 East Fifth Avenue
Columbus, Oh 43219
Attn: Ms. Kristin Burke

Re: Development Plan 2005-1771, Goddard School

Dear Ms. Burke:

On October 17, 2005 the City of Murrieta's Administrative Officer acted to approve the above referenced project to establish a daycare facility and development of an 8,314 square foot school building located at 41755 Juniper Street subject to the attached Findings and Conditions of Approval.

This decision will be final unless it is appealed to the Planning Commission within 10 days, which ends on October 27, 2005.

If you have any questions, please contact me at (951) 461-6063.

Sincerely,

Paul Swancott
Associate Planner

CC file 2005-1771

Att: Final Conditions of Approval
Findings

encl.

**FINDINGS OF APPROVAL FOR
DEVELOPMENT PLAN 2005-1771
GODDARD SCHOOL
OCTOBER 17, 2005**

The Administrative Hearing Officer finds as follows:

1. The proposed use is allowed within the subject-zoning district and complies with all applicable provisions of the Murrieta Development Code.

FACTS: The proposed building is consistent with the Zoning Land Use designation of Village Public/Civic/Institutional (VP/C/I) in the Historic Murrieta Specific Plan. The proposed school building is permitted in the underlying zoning district, which allows various public facilities. The site's design complies with the Historic Specific Plan and Development Code requirements including but not limited to setbacks, on-site parking, and landscaping.

2. The proposed use would be consistent with the objectives, policies, general land uses and programs of the General Plan and Historic Murrieta Specific Plan.

FACTS: The proposed daycare facility use is consistent with Historic Specific Plan, and General Plan policies and objectives of the Village Public/Civic/Institutional (VP/C/I) in the Historic Murrieta Specific Plan. The use is permitted in the Village Public/Civic/Institutional (VP/C/I) in the Historic Murrieta Specific Plan.

3. The site of the proposed use is physically suitable for the type and density/intensity of development being proposed.

FACTS: The site is physically suitable for development and is compatible to the surrounding properties. The proposed facility is adjacent to other public use facilities and properties zoned Village Public/Civic/Institutional (VP/C/I). Surrounding properties in the area are used for public uses. The site is not located within a fault hazard zone or special zoning area.

4. The location, size, design and operating characteristics of the proposed use would be compatible with existing land uses within the general area in which the proposed use is to be located.

FACTS: The site is physically suitable for development and is compatible to the surrounding properties. The proposed facility will comply with the City's architectural standards for Village Public/Civic/Institutional (VP/C/I) as identified in the Historic Murrieta Specific Plan.

5. There are adequate provisions for sanitation, water, and public utilities to ensure public convenience, health, safety, and general welfare.

FACTS: The Rancho California Water District will provide sewer and Murrieta County Water District the water service; electricity by Southern California Edison Company; and gas by the Gas Company. These facilities are available through connections from the existing street network.

6. The proposed use is in compliance with the provisions of the California Environmental Quality Act.

FACTS: This project meets the conditions under Section 15332 of the California Environmental Quality Act to characterize it as in-fill development. It has been found to be categorically exempt under Section 15332 of CEQA.

**CONDITIONS OF APPROVAL
DEVELOPMENT PLAN 2005-1771
GODDARD DAYCARE FACILITY
OCTOBER 17, 2005**

The approval is for daycare facility with an 8,314 square-foot building with onsite parking and landscaping.

PLANNING DEPARTMENT:

General Conditions:

1. This approval shall be used within two (2) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction under this approval within the two (2) year period, which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.
2. Any fees due the City of Murrieta for processing this project shall be paid to the City within thirty (30) calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this action shall be permitted, authorized or commenced until all outstanding fees are paid to the City.
3. Pursuant to Section 711.4 of the State of California Fish and Game Code, the applicant is required to pay a \$64.00 handling fee. Said fees shall be paid to the Clerk of the County of Riverside at the time the Notice of Exemption is filed pursuant to Section 21152 of the Public Resources Code. If this fee is not paid, the approval of this project shall not be operative, vested, or final. **In order to comply with State mandated timelines for filing of a Notice of Exemption; the above fee must be delivered to the Planning Department within two (2) working days after the date of approval.**
4. The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Development Plan 2005-1771. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
5. The project approval is to establish a daycare facility and an 8,314 square-foot building with a minimum 34 onsite parking spaces and associated landscaping that shall be developed in conformance with all applicable Development Code and Historic Murrieta Specific Plan requirements.
6. Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Development Services Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordance with the Development Code. Materials and colors used in the construction of the building shall be consistent with those approved as part of this application.

7. Roof materials (tile/shingles) shall be subject to review and approval by the planning department prior to installation.
8. The development at the project site shall comply with the standards of the City of Murrieta Development Code, and the Historic Murrieta Specific Plan Village Public/Civic/Institutional (VP/C/I), and all other applicable State and Federal codes.
9. At all times during the conduct of the use(s) allowed by this permit, the use(s) shall maintain and keep in effect valid licensing from appropriate local, state and/or federal agencies as required by law. Should such required licensing be denied, expire or lapse at any time in the future, this permit shall become null and void.
10. In the event the use hereby permitted under this permit is: (a) found to be in violation of the terms and conditions of this permit; (b) found to have been obtained by fraud or perjured testimony; or (c) found to be detrimental to the public health, safety or general welfare, or a public nuisance; this permit shall be subject to the revocation procedures in Section 16.82 of the Development Code.
11. Prior to the expiration of this approval, the permittee may request a one (1) year extension of time in which to use this approval. A maximum of three one-year extensions of time requests shall be permitted. Should the time period established by any of the extension of time requests lapse, or should all three one-year extensions be obtained and no substantial construction or use of this approval be initiated within five (5) years of the effective date of the issuance of this approval, this approval shall become null and void.
12. Use of facilities approved under this development plan shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
13. The applicant shall pay all applicable mitigation fees or provide proof that all required fees have been paid in accordance with City policies and ordinances in effect at the time of permit issuance.
14. All/any proposed signage (including monument sign) shall require a separate application with plot plan/exhibit in compliance with Development Code and Historic Standards, accompanied by the appropriate fees. The exhibit/plan(s) must to be submitted for review and approved by the Planning Department prior to installation.
15. Prior to the issuance of grading permits, the project applicant shall comply with the provisions of any existing City ordinance that has been established as a mitigation measure for the Stephens' Kangaroo Rat. These ordinances may include fee schedules, mechanisms for protecting habitat, or a combination thereof.
16. Outside storage is not approved as part of this project. Any proposed outdoor storage area shall be screened by a fence/wall in combination with an opaque material and shall be subject to review and approval by the Planning Department prior to the establishment of any outside storage.
17. Public (outdoor) address systems are not allowed. Beepers and/or personal pagers should be used in outdoor areas if it is necessary to contact employee's outdoors.
18. All utilities, except electrical lines rated 33KV or greater, shall be installed underground.

19. All lighting shall comply with Section 16.18.100-Lighting and Section 16.18.110-Mount Palomar Lighting Standards of the Development Code. Lighting fixtures shall have cutoff features and be restricted to a height of no greater than 15-feet. Information shall be provided prior to building permit issuance to demonstrate compliance with this condition.
20. All roof-mounted equipment shall be screened from view. Screening shall be reviewed and approved by the Planning Department.
21. All mechanical equipment and vents, ground or rooftop shall be screened from public view. Such screening shall be through integrated building design elements and approved by the Planning Division prior to building permit issuance.
22. All trash bins shall be stored in approved enclosures and screened in compliance with Sections 16.18.120 and 16.18.150 of the Murrieta Development Code
23. All trash enclosures shall incorporate a trellis cover or other architecturally compatible cover as approved by the Planning Division.
24. A minimum of 34 (35 provided) off-street parking spaces shall be provided as identified on the approved site plan exhibit. All parking facilities shall be designed and improved pursuant to Section 16.34 of the Murrieta Development Code.
25. The facility shall be designed to comply with City requirements for stormwater/urban runoff management and discharge controls.
26. If during construction cultural resources are encountered, work shall be halted or diverted in the immediate area until a qualified archaeologist/paleontologist evaluates the finds and makes recommendations for mitigation to the Planning Division. Work shall not resume in the area until the mitigation required by the Planning Division has been implemented.

If any human remains are encountered during ground-disturbing activities, all such activities in the vicinity of the discovery shall be terminated immediately and notification shall be provided to the County Coroner's office, the Pechanga Band of Luiseno Indians and Miranda, Tomaras, Ogas & Wengler Attorneys at Law, shall be contacted to arrange for the management of the remains. Work shall not resume in the vicinity of the discovery until authorized by the Planning Division.

A report documenting the monitoring activities shall be submitted to the City of Murrieta within 60 days of the completion of the grading activities. This report shall document the type of cultural resources recovered and the disposition of these resources. The artifacts shall be deposited into an accredited institution that is authorized to accept these types of cultural resources.

Prior to the issuance of grading permit:

27. Prior to issuance of a grading or building permit, the Planning Department shall determine if the deposit-based fees for processing this application are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

Prior to the issuance of building permit:

28. The developer/applicant shall comply with all applicable provisions of federal, state and local ordinances in effect at the time of building permit issuance.
29. Prior to issuance of a building permit, a fencing and wall plan shall be submitted showing all wall and fence locations (perimeter) and typical views of all types of fences or walls proposed. This plan shall require anti-graffiti coatings on fences and walls, where applicable and shall be subject to Planning Department's review and approval.
30. The developer/applicant shall obtain approval of all necessary plans for the construction of structures on the subject property in accordance with the Murrieta Development Code and current Building Code standards. Such plans include, but are not limited to floor plans and elevations, grading plans, landscaping plans, neighborhood entry plans, trail plans, street landscape plans, fuel modification plans, park plans and fencing and wall plans.
31. The proposed project lies within an area currently being considered by the Western Riverside Council of Governments (WRCOG) and the City of Murrieta for an area wide Transportation Uniform Mitigation Fee (TUMF). Should the City adopt the TUMF Program, this project shall be subject to the payment of these fees prior to issuance of building permits unless exempted by ordinance. The fees shall be subject to the provisions of the enabling ordinance and based upon the fee schedule in effect at the time of building permit issuance.

LANDSCAPE ARCHITECT:

Prior to the issuance of building permits:

32. Three copies of construction landscaping plans shall be submitted to the Planning Division and approved. A licensed Landscape Architect shall prepare the plans.
33. The above-described plans shall be in substantial conformance with the plans as approved by the City Landscape Architect, City Administrative Staff, Planning Commission and/or City Council. Notes, details, and specifications shall be included.
34. All landscape and irrigation plans shall be consistent with Title 16.28 of the Murrieta Municipal Code and the Historic Murrieta Specific Plan.
35. All parking lot planting areas, curbing, irrigation, and bumper overhang shall be consistent with Title 16.34.070-H. of the Murrieta Municipal Code.
36. Landscape plans shall be drawn at a scale of 20 feet equal to 1 foot or larger. The City Landscape Architect will not accept plans drawn in 30 feet scale or smaller without prior approval.
37. No light fixture shall be designed for any location in a planting area, which would make it necessary to eliminate a tree. All overhead light fixtures shall be identified on the grading or site plan prior to approval of the site plan.

38. Plant materials shall be installed from container sizes consistent with Historic Murrieta Specific Plan Minimum Required Mix of Plant Materials: 50% 24" box/50% 15 gal trees, 75% 5-gal/25% 1-gal shrubs, groundcover 100% within 1 year. Where applicable, walls shall be covered at least 50% with vines at maturity.
39. All ground covers shall be installed from living plant materials. Spacing shall be such that 100% coverage is achieved within 2 years of the installation. No gravel or bark areas are allowed.
40. All planter areas shall be a minimum of 5 feet wide excluding curbs and required concrete strip adjacent to parking spaces (12" wide by 4" deep—plus the 6" wide curb or 12" wide by 12" deep integrally poured curb).
41. Permanent, evergreen shrubs capable of mature growth to between 36 inches and 42 inches high shall be designed to screen the perimeter parking area.
42. An approved concrete mow strip shall separate all turf and shrub beds.
43. All trash enclosures shall be covered with architectural treatment to blend with the buildings as approved by the Planning Division. All three sides of trash enclosure walls shall have a minimum 5 feet wide planting area (excluding curbing and walkway strip). Flowering vines shall be trained on to the walls. Trees, shrubs and ground covers shall be included.
44. Planting areas adjacent to streets shall have trees provided at the rate of one for each 30 lineal feet of landscaped area.
45. Mature specimen trees in 36-inch boxes shall be supplied in sufficient quantity to provide variety and emphasis at the Juniper Street driveway, the corner of Juniper Street and Adams Avenue, and other main focal areas.
46. Above ground utility locations shall be approved with prior permission of the Planning Division. Building backflow prevention units shall be located in shrub areas outside of the City right-of-way and screened with shrubs. All double detector check and backflow assemblies shall be located in shrub beds clearly identified on the grading or site plan prior to approval of the site plan. The detector check /backflow devices shall be painted a neutral/earth-tone color and any pipes extending above ground shall be finished and painted to match the device. The detector check and post indicator shall be set back at least 20 feet away from the driveway or sidewalk in a shrub area.
47. No required canopy shade tree planting area or shrub planting bed shall be narrower than 5 feet wide without permission from the City Landscape Architect.
48. Canopy shade trees shall be located directly adjacent to public parking spaces in continuous planting areas at no farther than 25 to 30 feet on center (depending on the canopy spread of the species) to provide the required percentage of parking spaces shaded at 15 years growth. Trees located within the parking lot and in front of buildings with adjacent parking spaces, shall be located no farther than 36 feet on center within curbed planter areas containing a minimum of 25 square feet of planted area.
49. Landscaping shall encompass a minimum of 15% of the total site.

50. All areas of the site not intended for a specific use and for future development or phasing, shall be landscaped with at least a temporary hydro-seed mix and sub-grade irrigation system approved by the City Landscape Architect, or as approved for source control by the City Engineer.
51. No building roof drain shall daylight into a planter area or splash block. Roof drains located at planter areas shall be adapted to convey excess water through the planter via drain pipes, which daylight through the curb into the adjacent gutter.
52. All street trees shall be installed from 24" box containers from an approved species. Street trees shall be installed using random spacing. The street tree along Adams Avenue and along Juniper Street shall be *Platanus acerifolia* 'Bloodgood' at 30 feet on center. The street tree along B Street shall be approved by the City Landscape Architect.
53. Landscaping shall be incorporated and planned as an integral part of the overall project design around the building and located in left over areas on the site. Landscaping should not interfere with pedestrian or handicap accessibility. Pedestrian and handicap accessibility shall be designed not to interfere with landscaping required around the building.
54. All trees shall be double staked with rubber type ties nailed to the lodge pole stakes in at least two vertical locations. Trunk protection devices shall be provided to all trees located in turf grass areas.
55. A rain shut off device shall be installed connected with the irrigation controller. The irrigation controller shall be a weather-based, "et" (evapo-transpiration) smart controller.
56. Plant materials within shrub areas shall be drought-tolerant, water-efficient and hydro-zoned.
57. Root barriers of a type approved by the MCSD ("Bio-barrier"), shall be installed for all trees planted within 10 feet of paving along the streets in accordance with the MCSD standard detail. Within the project, root barriers of a type approved by the City Landscape Architect, shall be installed for all trees located within 5 feet of paving.
58. No Eucalyptus shall be utilized in the design.
59. All grass should be installed from sod.
60. All existing trees shall be protected in place in accordance with the guidelines in Development Code section 16.42, Tree Preservation. Existing trees shall be located on the site and grading plan including the species and trunk caliper.

Prior to Construction:

61. The City Landscape Architect and Murrieta Community Services Department (MCSD) Inspector shall meet with the job site superintendent and the landscape contractor for a pre-job meeting. A copy of the soil fertility recommendations shall be presented. No landscaping or site work in public right-of-ways shall occur prior to the meeting.