



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 26, 2012 **REPORT NO. PC-12-009**

ATTENTION: Planning Commission, Agenda of February 2, 2012

SUBJECT: GROW SMART CHILDS ACADEMY - PROJECT NO. 233302.
PROCESS THREE.

**OWNER/
APPLICANT:** Hunan Arshakyan

SUMMARY

Issue: Should the Planning Commission uphold the Hearing Officer's decision to approve the Grow Smart Childs Academy project, within the Navajo Community Planning Area?

Staff Recommendation: DENY the appeal and APPROVE Conditional Use Permit No. 835860 (amendment to existing CUP No. C-13433).

Community Planning Group Recommendation: The Navajo Community Planning Group voted (12-0-0) to recommend denial of the proposed project at their meeting of July 18, 2011 (Attachment 9).

Environmental Review: This project is exempt from the California Environmental Quality Act pursuant to Section 15301(a) (Existing Facilities) of the State CEQA Guidelines. This project was determined to be categorically exempt from the California Environmental Quality Act on November 23, 2011 and the opportunity to appeal that determination ended December 13, 2011 (Attachment 11). This project is not pending an appeal of the environmental determination.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The 13,510-square-foot project site is located at 6261 and 6271 Jackson Drive in the RS-1-7 Zone, and within the Airport Influence Area, FAA Part 77 and Transit Area Overlay zones (Attachments 1, 2). The property lies within the San Carlos neighborhood of the Navajo Community Plan and is designated for single-family residential land use (Attachment 3).

The project site is located northeast of the intersection of Jackson Drive and Lake Murray Boulevard. Surrounding development includes a mix of uses, comprised of single-family residential uses to the north, east and south, including a 6-resident senior citizen group home immediately adjacent, commercial professional/business uses within an office development to the south, and a large religious facility (Saint Andrew's Church) to the west across the intersection of Jackson Drive and Lake Murray Boulevard. Both Jackson Drive and Lake Murray Boulevard are major transportation routes through the Navajo community. The area is served by public transit via Bus Route 115 which operates from Fletcher Hills to downtown San Diego with service in the community along Lake Murray Boulevard, Jackson Drive, Navajo Road, and College Avenue. The boundary between the City of San Diego and the City of La Mesa lies 1 block south of the project site.

The project site is comprised of two (2) adjacent properties (6261 and 6271 Jackson Drive). A day care center for up to 35 preschool children has operated at 6261 Jackson Drive for over 30 years, following the Zoning Administrator's approval of Conditional Use Permit (CUP) C-13433 on March 5, 1976 (Attachment 4). A large family child care with 10 children currently operates within the single-family home at 6271 Jackson Drive.

The project application initially included only the property located at 6261 Jackson Drive. However, the project application was revised in November 2011 to also incorporate the adjacent property at 6271 Jackson Drive in order to coordinate shared parking and access. A Revised Notice of Application was published and a copy of revised plans was sent to the Navajo Community Planning Group. The Navajo Community Planning Group determined that the change was not significant and did not elect to reconsider their initial recommendation.

The State of California, under the purview of the Community Care Licensing Division/ Department of Social Services, regulates licensing requirements and standards of operation for various types of child care facilities. Section 141.0406 of the San Diego Municipal Code ("*Child Care Facilities*") allows child care facilities to be permitted in the RS-1-7 Zone with a Conditional Use Permit (CUP) in accordance with Process 3, subject to certain criteria being satisfied (Attachment 8).

On December 14, 2011, the Hearing Officer approved Conditional Use Permit No. 835860 to allow the continued operation of an existing child care center for up to 35 preschool children at 6271 Jackson Drive, and the operation of a new child care center for up to 35 preschool children within an existing single family residence at 6261 Jackson Drive.

DISCUSSION

Project Description:

The proposed project is an application for a Conditional Use Permit (amendment to existing CUP No. C-13433) to allow the continued operation of an existing child care center for up to 35 preschool children at 6271 Jackson Drive, and the operation of a new child care center for up to 35 preschool children within an existing single family residence at 6261 Jackson Drive. Although the CUP establishes a maximum student enrollment, under the State licensing process the total number of students per facility will be determined and ultimately could be less based upon the various licensing requirements and standards of operation. An existing 6-foot high masonry wall along the rear and side property lines of the facilities encloses the outdoor use areas, providing security for the students and also noise attenuation for adjacent residential uses. The child care facilities propose to operate between 6AM – 6PM, Monday through Friday. The scope of work proposed includes the demolition of an existing detached garage at 6261 Jackson Drive and construction of a new 577-square-foot addition to accommodate classroom space and an accessible restroom facility; restriping of parking areas to delineate parking spaces and provide appropriate path of travel for disabled access; reconstruction of the eastern driveway to be consistent with current City standards; and installation of street trees in the public right-of-way along Jackson Drive. In addition, a one-way loop driveway between the two easterly existing driveways fronting the site on Jackson Drive would be installed to accommodate drop-off and pick-up activities for both facilities.

Community Plan Analysis:

The property lies within the San Carlos neighborhood of the Navajo Community Plan and is designated for single-family residential land use (Attachment 3). The central and eastern portions of the Navajo community are primarily residential in character in the Del Cerro and San Carlos neighborhoods. Pockets of neighborhood- and community-serving commercial are situated at the intersections of major transportation corridors, such as the intersections of Jackson Drive and Lake Murray Boulevard, adjacent to the project site. The Navajo Community Plan does not address child care facility land uses. However, the Plan does generally recognize the need for support services and recommends the provision of adequate off-street parking, both of which will be provided by the project. No adverse affects to the Navajo Community Plan are anticipated as a result of the proposed continuation and expansion of child care operations at the project site.

Project-Related Issues:

Land Use:

Section 141.0606(c) of the SDMC (“*Child Care Facilities*”) categorizes child care facilities as a commercial use, permitted as a limited use in the residential RS-1-7 Zone with a Conditional Use Permit (CUP) in accordance with Process 3 subject to certain regulatory operational and locational criteria being satisfied (Attachment 8). The regulations are intended to ensure public safety and neighborhood compatibility, and include a 1,000 foot separation distance requirement from hazardous materials, parameters for student drop-off and pick-up, separation of outdoor play/activity areas and noise attenuation. Staff has reviewed the project according to SDMC Section 141.0606 and has determined that all criteria have been met.

Noise:

Noise attenuation is required, both of the facility from outside noise sources, and of surrounding uses from noise emanating from the child care center, and the project meets the measures required to accomplish noise attenuation per Section 141.0606(c)(8) of the SDMC ("*Child Care Facilities*"). As noted previously, an existing 6-foot high masonry wall along the rear and side property lines of the facilities encloses the outdoor use areas, providing noise attenuation for adjacent residential uses. Additionally, 5 foot high fences are located between the child care facility and the Jackson Drive public-right-of-way, which exceeds 64 feet in width.

Parking/Access: On March 5, 1976, the Zoning Administrator approved CUP #C-13433 for the existing child care facility at 6271 Jackson Drive with the condition that a minimum of three (3) parking spaces be provided; a total of four (4) were provided and have been maintained on site. These parking spaces have previously conforming rights in regards to their location within the front yard setback, as current parking regulations require that parking spaces be outside the front yard setback. The SDMC (per Table 142-05F, "*Parking Ratios for Specified Non-Residential Uses*" / *Child Care Facilities*) requires a parking space for each child care employee, and allows 85% of the minimum standard to be provided when located in a transit area. As a reasonable guideline for determining the employee count, staff typically assumes the State of California minimum standards for childcare, which for preschool children is a ratio of 1 teacher per 12 students (see: <http://www.daycare.com/california>). Under this formula, assuming a maximum of 35 students and 3 teachers in each facility, a total of 6 parking spaces would be required. However, the site is located within the Transit Overlay Zone and therefore qualifies for 85% of the minimum standard which is a total of 5 spaces. Between the two facilities a total of 5 parking spaces will be provided (Attachment 5).

Community Planning Group Recommendation:

On July 18, 2011 the Navajo Community Planning Group voted (12-0-0) to recommend denial of the proposed project, reporting that the "primary concern was the impact to neighbors and the residential neighborhood from having three non-residential uses concentrated in this area" (Attachment 9). Staff assumes the reference is to the two existing childcare facilities which are the subject of this application and the adjacent senior citizen group home (Jeanne's Senior Care). The SDMC categorizes child care facilities as a commercial use; Section 141.0310 SDMC ("*Housing for Senior Citizens*") categorizes senior housing as a residential use.

Appeal of Hearing Officer Decision to Approve CUP:

On December 14, 2011, the Hearing Officer approved Conditional Use Permit No. 835860 after hearing public testimony (Attachment 13). An appeal of the Hearing Officer's decision to approve the project was filed on December 20, 2011, by the Navajo Community Planning Group (Attachment 14). Issues cited in the appeal generally concern land use, compatibility of the proposed project with existing development and project design, pick-up and drop-off operations, parking, and noise. Following is a summary of issues and staff responses:

Issue – Land Use: The SDMC defines a "family child care home" as "any *child care facility* licensed by the State of California to provide regular care, protection and supervision of children in the child care provider's home", with the primary use of the property remaining a single-family residence. The SDMC defines a "child care center" as

“any *child care facility*, other than a small or large family child care home, that is licensed by the State of California to provide child care: child care centers may be infant centers, preschools, or school-age, extended day care facilities.” The existing child care center at 6261 Jackson Drive has operated for over 30 years, is currently licensed for 35 preschool children, and is considered a commercial use under the SDMC. A family child care home currently operates within the single-family home at 6271 Jackson Drive. Though the RS-1-7 base zoning would remain unchanged, approval of the proposed CUP would change the use of the property from single-family residential to commercial (as allowed under the CUP process). Staff has reviewed the project according to SDMC Section 141.0606 and has determined that all criteria have been met.

Issue - Neighborhood Compatibility/Project Design: The existing child care center at 6261 Jackson Drive has operated for over 30 years, and a “family child care” home currently operates within the single-family home at 6271 Jackson Drive. The project proposes replacing an existing detached garage at 6271 Jackson Drive with a new 577-square-foot addition to accommodate classroom space and an accessible restroom facility, and add a covered entryway along the front facade. The design of the addition would match the scale and exterior materials of the existing home. Parking areas would be restriped to delineate parking spaces and provide appropriate path of travel for disabled access; the eastern driveway would be reconstructed to meet current City standards; and street trees would be installed in the public right-of-way along Jackson Drive, where currently there are none. All new construction and public right-of-way improvements would be required to meet current regulations. Portions of the existing grass area in the front yard at 6271 Jackson Drive would be removed to accommodate the one-way loop driveway, resulting in 57% hardscape within the front yard area where a maximum of 60% hardscape is permitted (SDMC Section 131.0447(9)).

Issue - Student Pick-up and Drop-off: A one-way loop driveway is proposed to accommodate drop-off and pick-up activities for both facilities. This circulation loop would support the requirements of Section 141.0606(c)(5) of the SDMC (“*Child Care Facilities*”) which states that “Drop-off and pick-up of children from vehicles shall be permitted only on the driveways, in approved parking areas, or in the street directly in front of the facility.” The applicant has indicated that student drop-off and pick-up activities are staggered based upon the parents’ various work schedules, generally occurring between 7-9AM and 4-6PM, and has provided a photo survey of on-street parking conditions typical at 10AM on a weekday (Attachment 15).

Issue – Parking: As discussed previously, a total of 5 parking spaces will be provided between the two facilities, which meets the minimum parking requirements. It is not anticipated that existing on-street parking will be impacted by the new loop driveway, as the driveway ingress and egress will utilize two existing curb cuts fronting the site on Jackson Drive, and current on-street parking will remain unchanged.

Issue – Noise: As discussed previously, the project will provide noise attenuation in the form of 6-foot solid perimeter walls and 5-foot fencing from the public right-of-way, consistent with the requirements of SDMC Section 141.0606(c)(8).

Conclusion:

Staff has reviewed the proposed project and finds that the project meets all development standards, requires no deviations and complies with the applicable regulations of the Land Development Code. Additionally, the project meets the purpose and intent of the adopted Navajo Community Plan, Council Policies, and the General Plan. Staff has received both letters of concern and in support of the project from residents and property owners in the neighborhood and other interested parties (Attachment 14 and 15).

ALTERNATIVE

1. **APPROVE** Conditional Use Permit No. 835860, **with modifications.**
2. **Deny** Conditional Use Permit No. 835860, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



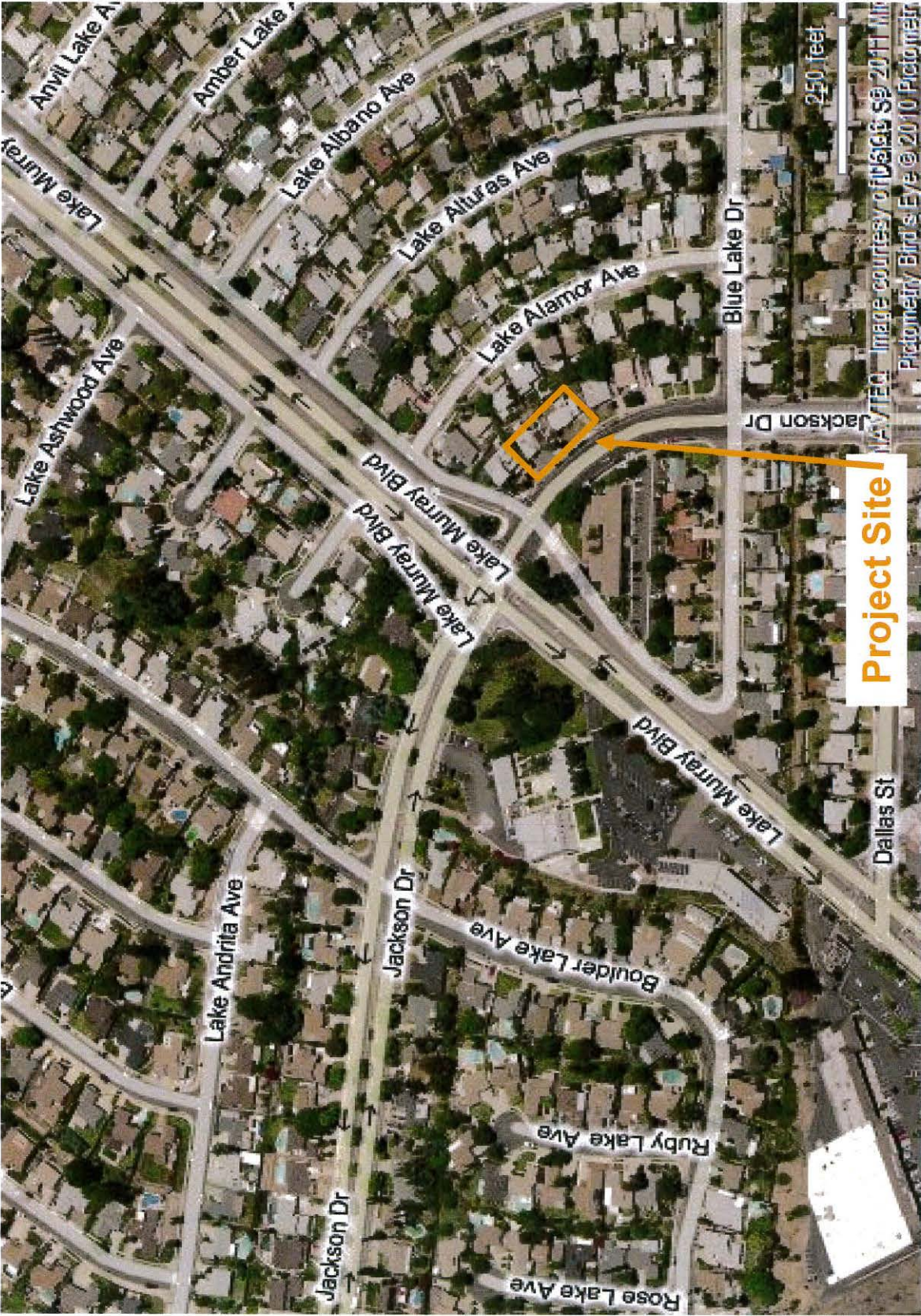
Patricia J. FitzGerald
Development Project Manger
Development Services Department

WESTLAKE/PJF

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Navajo Community Plan Land Use Map
4. Original Conditional Use Permit, Case No. 13433
5. Site Plan, Floor Plan, Architectural Elevations
6. Draft Conditional Use Permit Resolution with Findings
7. Draft Conditional Use Permit with Conditions
8. SDMC Section 141.0406 (*Child Care Facilities*)
9. Community Planning Group Recommendation
10. Project Data Sheet
11. CEQA Exemption
12. Ownership Disclosure
13. Public Speaker Slips - Hearing Officer Hearing 12/14/2011
14. Copy of Planning Commission Appeal
15. Applicant's Photo Survey
16. Public Correspondence in Support
17. Public Correspondence in Opposition

Attachment 1 Aerial Photograph

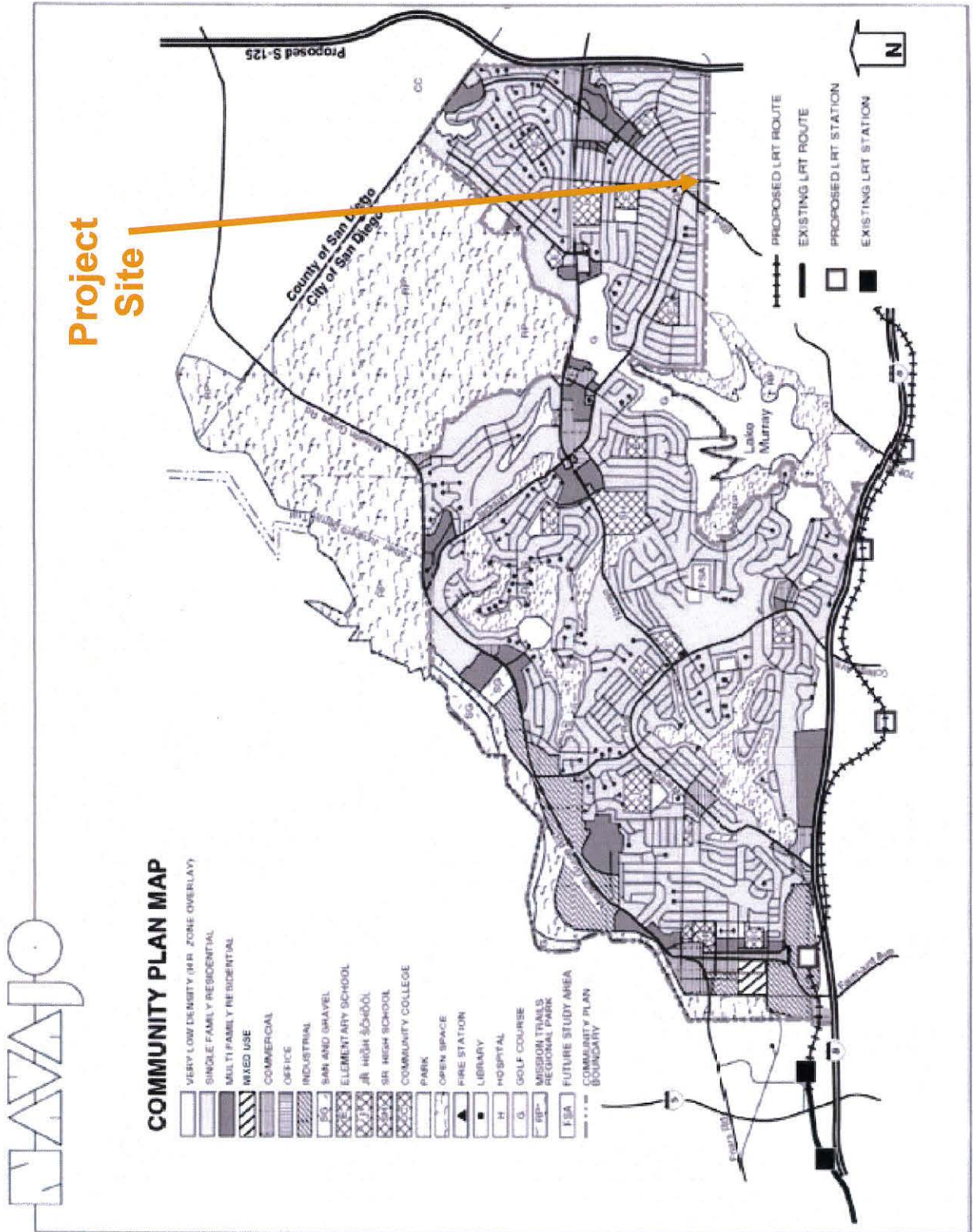


Project Site



Attachment 2
Project Location Map

Attachment 3 Community Plan – Land Use Map



RETURN TO:

1558

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MAR 24 10 13 AM '76

ZONING ADMINISTRATION
(Mail Station 300)
City Operations Building
1222 First Avenue
San Diego, California. 92101

OFFICIAL RECORDS
SAN DIEGO COUNTY, CALIF.
HARLEY F. BLOOM
RECORDER

NO FEE

464-0305

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 13433
CONDITIONAL USE PERMIT - (HEARING)

The Zoning Administrator has considered the request of MICHAEL E. & LEONE D. PERSINGER to use property for pre-school center for approximately 35 children - Lot 2, College Ranch #1, at 6271 Jackson Drive, Zone R-1-5; and after consideration of the following finding of facts, has APPROVED the request, subject to the following conditions:

1. That a minimum of three off-street parking spaces shall be provided;
2. That the rear and side property lines shall be enclosed with a 6' high concrete block wall;
3. That a circular driveway shall be installed for convenient loading and unloading off-street;
4. That revised plans, showing driveway, parking, landscaping and sprinkler system shall be submitted to and approved by the Zoning Administrator prior to issuance of any building permits;
5. That driveway and curb cuts shall be installed in accordance with City Engineering Standards.

FINDING OF FACTS

After thorough consideration of the statements contained in the application, the report of the investigator thereon, a study of the plans, a personal inspection of the property and the surrounding district, and the statements made before the Zoning Administrator at the hearing on February 27, 1976, all of which are by reference made a part hereof, it was found that the four requirements for granting a Conditional Use Permit as enumerated in Section 101.0503 of the Municipal Code have been established by the following facts:

1. The proposed use at the particular location is desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

Subject property is an irregularly shaped parcel on the east side of Jackson Drive between Lake Murray Blvd. and Blue Lake Drive. Property developments consist of a single-family dwelling with detached study, storage room and laundry area, converted from a garage by permit in 1955. The original paved driveway to the former garage remains. The dwelling is located 20'-6" from the front property line, about 13' from the interior side lot line on the south, and approximately 8' from the north lot line.

The surrounding area is predominately single-family residential. The lots on both sides of the subject property are zoned R-1-5 and are developed with single-family dwellings. The dwelling on the lot adjoining to the south observes an approximate 7'-6" interior side yard, resulting in about 17'-6" between it and subject building. The large parcel diagonally across from the subject property, on the northwest corner of Lake Murray Blvd. and Jackson Drive, is zoned R-2 and is developed with a church facility.

Jackson Drive is a 100' wide street, paved to a width of 68'. Curb to property line distance is 16'. Although this street is near a major arterial, Lake Murray Blvd., Jackson Drive in this area only has a traffic count of 9,600 vehicles in a 24-hour period. Curb parking is permitted along Jackson Drive. There are white markings along the street 11'-6" from the curb to keep traffic away from vehicles parked at the curb. This was done by the City Engineering Department.

1559

3/5/76

-2-

C-13433

The Zoning Administrator heard the applicants describe the deficiency of this sort of activity in this community and the need for a facility at this location. It was also pointed out by the applicants their personal qualifications for conducting such a desirable facility, and the Hearing Officer was convinced that this activity would be desirable in order to contribute to the general well being of the community.

2. The proposed use will not be detrimental to the public health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The Zoning Administrator believed that with the conditions imposed such a facility could operate at this location without adversely affecting the neighborhood. Access to the location is good by way of two major streets, and with off-street parking for loading and unloading being provided, the Hearing Officer believed that this activity would not be injurious to property or improvements in the vicinity.

3. The proposed use will comply with the regulations specified in the Code for such use.

The proposed use will comply with the regulations of the Building Inspection Department, and as indicated by conditions imposed, will comply with requirements of all interested governmental agencies for such use.

4. The granting of the Conditional Use Permit will not adversely affect the PROGRESS GUIDE AND GENERAL PLAN OF THE CITY OF SAN DIEGO or the adopted plan of any governmental agency.

This Conditional Use Permit is not a permit or license and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this grant is violated, or if the same be not complied with in every respect, then this Conditional Use Permit shall be subject to revocation; provided, however, that after being notified in writing by the City that a condition has been violated and that subject permit is null and void within ten (10) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

Failure to utilize such Conditional Use Permit within the eighteen (18) month period will automatically void the same, in accordance with Municipal Code Section 101.0508. Except as provided in Section 101.0509, during the eighteen (18) month period referred to in this Section, the property covered by a conditional use permit granted by the Zoning Administrator shall not be used for any purpose other than that authorized by the permit.

The permission granted by this Conditional Use Permit shall become effective and final on the eleventh day after it is filed in the Office of the City Clerk; said appeal to be filed in Zoning Administration, Third Floor, City Operations Building, 1222 First Avenue. An appeal from any decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

CITY PLANNING DEPARTMENT

Voyd H. Beights
Voyd H. Beights
Zoning Administrator

VHB:GS:fb

FILED IN OFFICE
OF CITY CLERK

MAR 5 1976

RIGHT OF APPEAL expires

Applicant shall have agreed to each and every condition hereof by having this conditional use permit signed within thirty (30) days of the decision of the Zoning Administrator.

The undersigned Permittee by execution hereof agrees to each and every condition of this conditional use permit and promises to perform each and every obligation of Permittee hereunder.

Michael E. Persinger
Michael E. Persinger
Leone D. Persinger
Leone D. Persinger

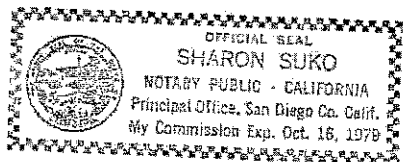
State of California) ss
County of San Diego)

On this 22nd day of March, 1976, before me Sharon Suko, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared Michael E. and Leone D. Persinger known to me to be the person(s) described in and whose name(s) is(are) subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in San Diego, County of San Diego, State of California, the day and year in this certificate first above written.

(Notary Stamp)

Sharon Suko
Notary Public in and for the County of San Diego, State of California



STATE OF CALIFORNIA
COUNTY OF San Diego }

On March 23, 1976 before me, the undersigned, a Notary Public in and for

said State, personally appeared Voyd H. Beights known

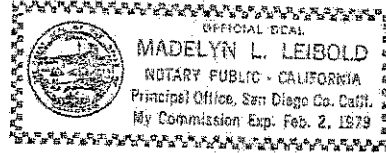
to me to be the Zoning Administrator of Planning Department

and known to me to be the person who executed the within Instrument on behalf of said

City of San Diego, and acknowledged to me that such

person executed the same.
WITNESS my hand and official seal.

Signature Madelyn L. Leibold
MADELYN L. LEIBOLD



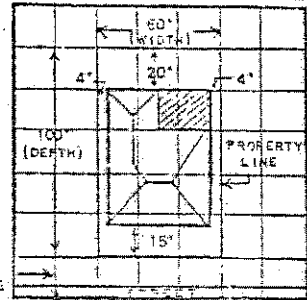
(Official Seal)

PERMITTEE'S NAME
MICHAEL PERSINGER

WRITING ADDRESS:
6425 OAKRIDGE ROAD
SAN DIEGO CALIF. 92120

CONSTRUCTION ADDRESS
6271 JACKSON DR. SAN DIEGO 92114

EXAMPLE OF PLOT PLAN
(DRAW TO APPROXIMATE SCALE)

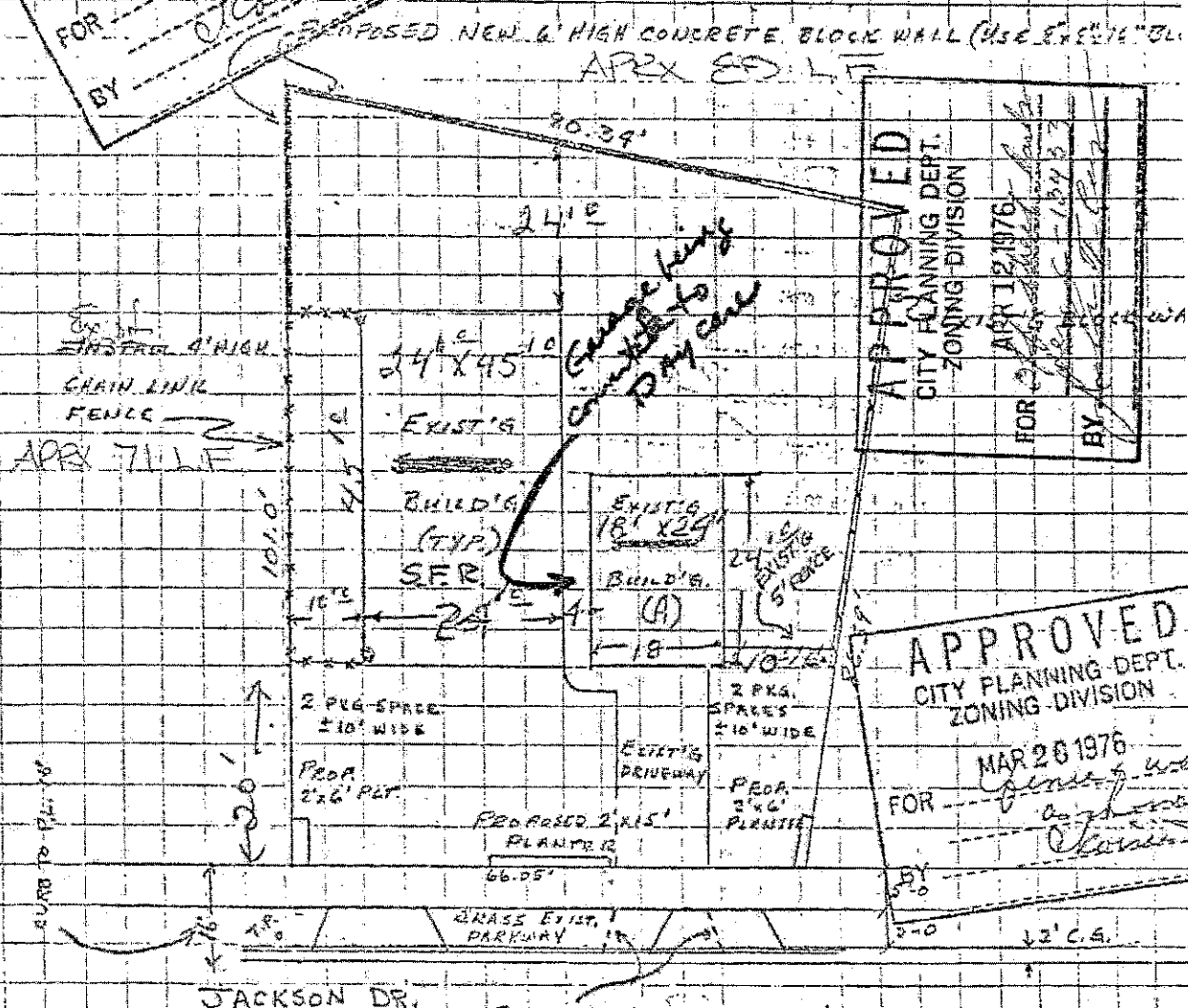


INSTRUCTIONS. PLOT PLAN SHOULD SHOW:

1. STREET FRONT, ALLEY, AND LOT DIMENSIONS, WIDTH OF EXISTING EASEMENTS, AND CURB-TO-PROPERTY LINE DISTANCE.
2. USE, LOCATION, AND OUTSIDE DIMENSIONS OF ALL EXISTING BUILDINGS AND ACCESSORY BUILDINGS SUCH AS RETAINING WALLS, SIGNS, ETC.
3. DISTANCE BETWEEN BUILDINGS AND DISTANCE TO ALL LOT LINES.
4. LOCATION, OUTSIDE DIMENSIONS, AND USE OF PROPOSED NEW BUILDINGS.

APPROVED
CITY PLANNING DEPT.
ZONING DIVISION
FOR *Michael Persinger*
MAR 26 1976
BY *Chambers*

APPROVED
CITY PLANNING DEPT.
ZONING DIVISION
FOR *Michael Persinger*
APR 12 1976
BY *Chambers*



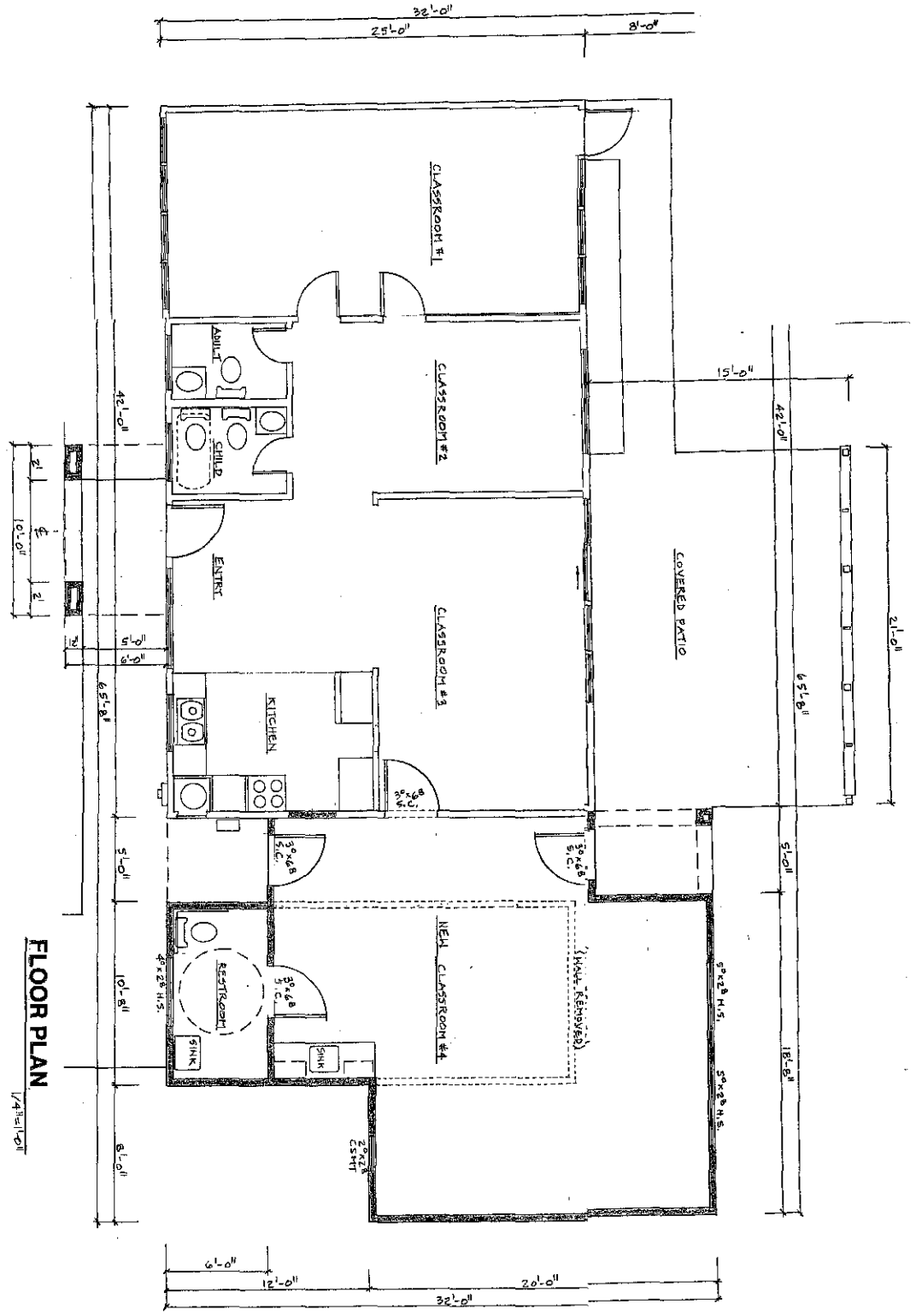
EXIST'G 9' HIGH CHAIN LINK FENCE
APPRX 71' L.F.

PROPOSED NEW 6' HIGH CONCRETE BLOCK WALL (USE 6" X 6" 16" BLK)
APPRX 80' L.F.

APPROVED
CITY PLANNING DEPT.
ZONING DIVISION
FOR *Michael Persinger*
MAR 26 1976
BY *Chambers*

SCALE: 1/4" = 1'-0"
INSTALL 2-17'-0" TYPICAL DRIVEWAY PER CITY OF SAN DIEGO STANDARD DRAWINGS & SPECS.

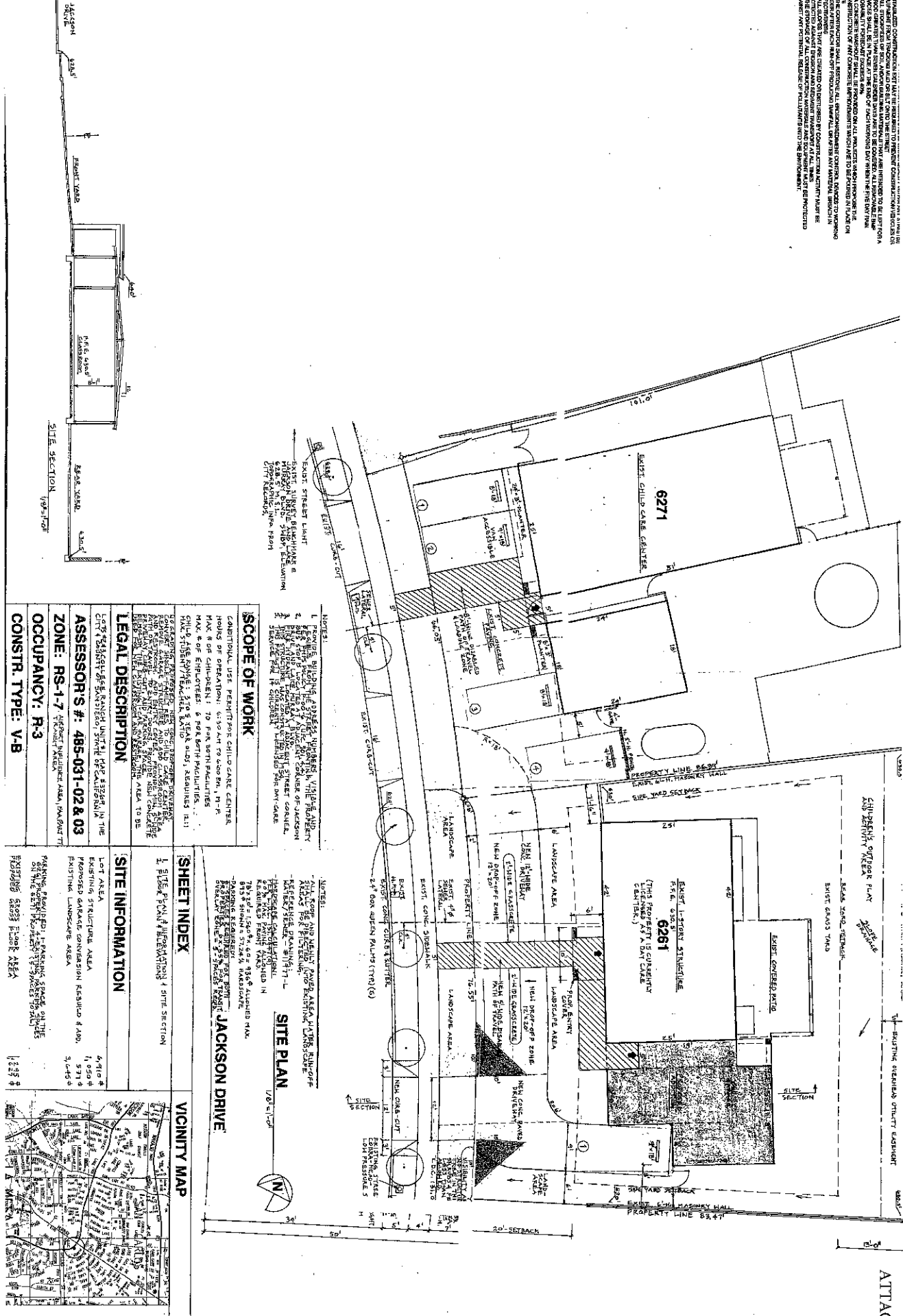
LEGAL DESCRIPTION:
PARCEL 2, BLK 031,
SUBDIVISION, COLLEGE RANCH UNIT 3 pg. 489
MAP # 3269
R-1S LOT



FLOOR PLAN

1/4"=1'-0"

THE ABOVE CONSTRUCTION SET MAY BE SUBJECT TO PRESENT CONSTRUCTION REGULATIONS OR ALL ORDINANCES OF THE CITY OF SAN DIEGO AND THE STATE OF CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN DIEGO AND THE STATE OF CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN DIEGO AND THE STATE OF CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN DIEGO AND THE STATE OF CALIFORNIA.



NOTES:
 1. PROPOSED BUILDING TO BE CONSTRUCTED IN THE EXISTING CHILD CARE CENTER.
 2. ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED.
 3. ALL EXISTING UTILITIES TO BE DELETED UNLESS OTHERWISE NOTED.
 4. ALL EXISTING UTILITIES TO BE DELETED UNLESS OTHERWISE NOTED.

SCOPE OF WORK

CONDITIONAL USE, PRESENT CHILD CARE CENTER.
 HOURS OF OPERATION: 6:30 AM TO 5:00 PM, 7-11 PM.
 MAKE FOR CHILDREN: 10 PARKING FACILITIES.
 CHILD AGE RANGE: 3 TO 5 YEARS OLD, STAIRCASE: N/A.
 MAX STUDENT/TEACHER RATIO: N/A.

LEGAL DESCRIPTION

LOT 14, TRACT 14, SAN JUAN UNIT #1, MAP 43208, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

ASSESSOR'S #: 485-031-02 & 03

ZONE: RS-1-7

OCCUPANCY: R-3

CONSTR. TYPE: V-B

NOTES:
 1. ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED.
 2. ALL EXISTING UTILITIES TO BE DELETED UNLESS OTHERWISE NOTED.
 3. ALL EXISTING UTILITIES TO BE DELETED UNLESS OTHERWISE NOTED.

SITE PLAN

PROPOSED BUILDING TO BE CONSTRUCTED IN THE EXISTING CHILD CARE CENTER.
 ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED.
 ALL EXISTING UTILITIES TO BE DELETED UNLESS OTHERWISE NOTED.

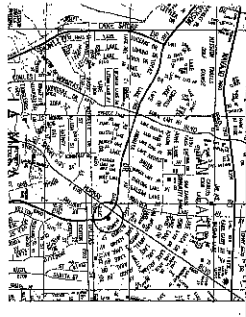
SHEET INDEX

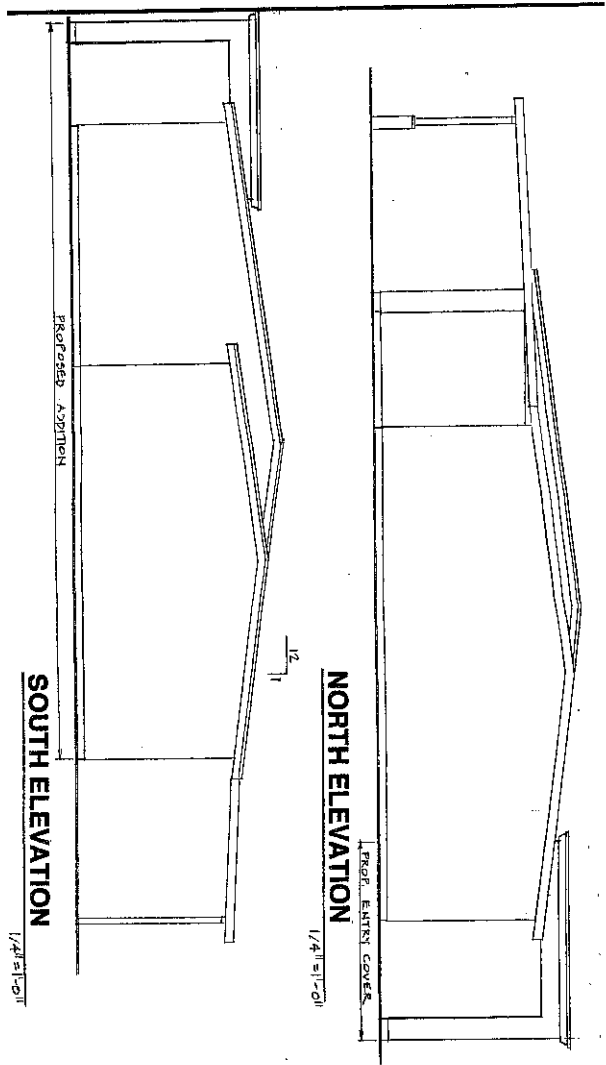
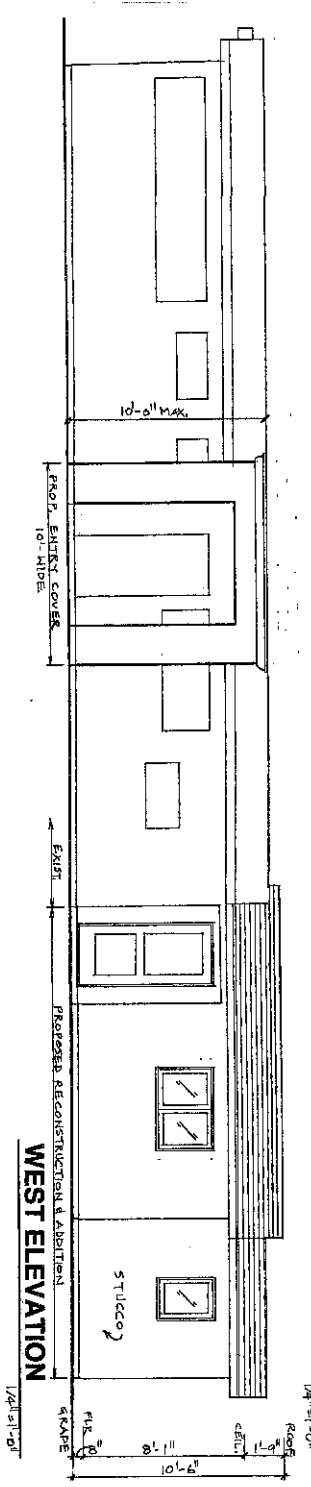
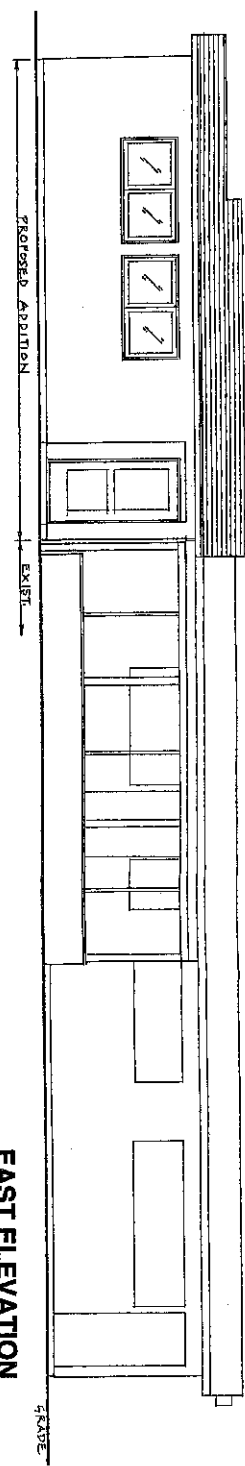
1. SITE PLAN & INFORMATION & SITE SECTION

SITE INFORMATION

LOT AREA: 4,910 sq ft
 EXISTING STRUCTURE AREA: 1,050 sq ft
 EXISTING GARAGE CONVERSION RESHED & ADD: 573 sq ft
 EXISTING LANDSCAPE AREA: 3,453 sq ft

PARKING PROVIDED: 10 PARKING SPACES ON THE EXISTING DRIVEWAY AND 10 PARKING SPACES ON THE PROPOSED DRIVEWAY.





ATTACHMENT 6

PLANNING COMMISSION RESOLUTION NO. PC-____
CONDITIONAL USE PERMIT NO. 835860
AMENDING CONDITIONAL USE PERMIT NO. C-13433
GROW SMART CHILDS ACADEMY
PROJECT NO. 233302

WHEREAS, TAMAR AKOPYAN, GAIANE AKOPYAN, HUNAN ARSHAKIAN and ARMEN ARSHAKIAN, Owners, and HUNAN ARSHAKIAN and ARMEN ARSHAKIAN, Permittees, filed an application with the City of San Diego for a Conditional Use Permit to amend Conditional Use Permit No. C-13433 to allow the continued operation of an existing childcare center and the conversion of an existing single-family home to a new child care center (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 835860), on portions of a 13,510-square-foot site; and

WHEREAS, the project site is located at 6261 and 6271 Jackson Drive in the RS-1-7 Zone, the Airport Influence Area, FAA Part 77 and Transit Area Overlay zones, within the Navajo Community Plan area; and

WHEREAS, the project site is legally described as Lots 2 and 3, College Ranch Unit No. 1, Map No. 3269; and

WHEREAS, on December 14, 2011, the Hearing Officer of the City of San Diego approved Conditional Use Permit No. 835860 pursuant to the Land Development Code of the City of San Diego and;

WHEREAS, on December 20, 2011, an appeal of the Hearing Officer's decision was filed by the Navajo Community Planning Group pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on February 2, 2012, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 835860 pursuant to the Land Development Code of the City of San Diego;
NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated February 2, 2012.

FINDINGS:

CONDITIONAL USE PERMIT FINDINGS – SDMC SECTION 126.0305:

(A) THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN.

The Grow Smart Academy project is an application for a Conditional Use Permit (amendment to existing CUP No. C-13433) to allow the continued operation of an existing child care center for up to 35 preschool children at 6271 Jackson Drive, and the operation of a new child care center for up to 35 preschool children within an existing single family residence at 6261 Jackson Drive. The 13,510-square-foot project site is located in the RS-1-7 Zone and Transit Area Overlay zone, within

ATTACHMENT 6

the San Carlos neighborhood of the Navajo Community Plan and is designated for single-family residential land use. The scope of work proposed includes the demolition of an existing detached garage and construction of a new 577-square-foot addition to accommodate classroom space and an accessible restroom facility; restriping of parking areas to delineate parking spaces and provide appropriate path of travel for disabled access; reconstruction of the eastern driveway to be consistent with current City standards; and installation of street trees in the public right-of-way along Jackson Drive. In addition, a one-way loop driveway between the two easterly existing driveways fronting the site on Jackson Drive would be installed to accommodate drop-off and pick-up activities for both facilities. An existing 6-foot high masonry wall along the rear and side property lines of the facilities encloses the outdoor use areas, providing security for the students and also noise attenuation for adjacent residential uses.

The central and eastern portions of the Navajo community are primarily residential in character in the Del Cerro and San Carlos neighborhoods. Pockets of neighborhood- and community-serving commercial are situated at the intersections of major transportation corridors, such as the intersections of Jackson Drive and Lake Murray Boulevard, adjacent to the project site. The Navajo Community Plan does not address child care facility land uses. However, the Plan does generally recognize the need for support services and recommends the provision of adequate off-street parking, both of which will be provided by the project. The existing facility has been operating without incident in the neighborhood for many years, and provides needed child care services. No adverse affects to the Navajo Community Plan are anticipated as a result of the proposed continuation and expansion of child care operations at the project site.

(B) THE PROPOSED DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE.

The Grow Smart Academy project is an application for a Conditional Use Permit (amendment to existing CUP No. C-13433) to allow the continued operation of an existing child care center for up to 35 preschool children at 6271 Jackson Drive, and the operation of a new child care center for up to 35 preschool children within an existing single family residence at 6261 Jackson Drive. The scope of work proposed includes the demolition of an existing detached garage and construction of a new 577-square-foot addition to accommodate classroom space and an accessible restroom facility; restriping of parking areas to delineate parking spaces and provide appropriate path of travel for disabled access; reconstruction of the eastern driveway to be consistent with current City standards; and installation of street trees in the public right-of-way along Jackson Drive. In addition, a one-way loop driveway between the two easterly existing driveways fronting the site on Jackson Drive would be installed to accommodate drop-off and pick-up activities for both facilities. An existing 6-foot high masonry wall along the rear and side property lines of the facilities encloses the outdoor use areas, providing security for the students and also noise attenuation for adjacent residential uses.

The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety, and welfare. The development will also provide for the health, safety, and welfare of the occupants by constructing all buildings in accordance with current construction standards and codes. All of the construction plans associated with the project will be reviewed prior to issuance of a construction permit and inspected during construction to assure the project will meet or exceed all relevant and

ATTACHMENT 6

applicable building, electrical, mechanical, plumbing and fire codes. In conclusion and due to these facts, the proposed development will not be detrimental to the public health, safety, and welfare.

The Grow Smart Academy is required to manage the existing facility according to the specific criteria and conditions of CUP No. 835860, including facility design, operations, accessibility for the disabled, parking and student drop-off and pick-up areas. Additionally, the State of California, under the purview of the Community Care Licensing Division/ Department of Social Services, regulates licensing requirements and standards of operation for various types of child care facilities, and the proposed facility will need to obtain appropriate State licensing in order to operate. The proposed permit amendment to allow the continued operation of an existing child care center for up to 35 preschool children, and the operation of a new child care center for up to 35 preschool children within an existing single family residence, will not result in the development being detrimental to the public health, safety, and welfare.

(C) THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REGULATIONS OF THE LAND DEVELOPMENT CODE INCLUDING ANY ALLOWABLE DEVIATIONS PURSUANT TO THE LAND DEVELOPMENT CODE.

The Grow Smart Academy project is an application for a Conditional Use Permit (amendment to existing CUP No. C-13433) to allow the continued operation of an existing child care center for up to 35 preschool children at 6271 Jackson Drive, and the operation of a new child care center for up to 35 preschool children within an existing single family residence at 6261 Jackson Drive. Section 141.0406 of the San Diego Municipal Code ("*Child Care Facilities*") allows child care facilities to be permitted in the RS-1-7 Zone with a Conditional Use Permit (CUP) in accordance with Process 3, subject to certain criteria being satisfied. The proposed development complies with the regulations of the RS-1-7 Zone and site-specific development regulations for the property, as allowed with the approval of a Conditional Use Permit, and no deviations or variance is required to approve the proposed project. Therefore, the project will comply to the maximum extent feasible with the regulations of the Land Development Code.

(D) THE PROPOSED USE IS APPROPRIATE AT THE PROPOSED LOCATION.

The Grow Smart Academy project is an application for a Conditional Use Permit (amendment to existing CUP No. C-13433) to allow the continued operation of an existing child care center for up to 35 preschool children at 6271 Jackson Drive, and the operation of a new child care center for up to 35 preschool children within an existing single family residence at 6261 Jackson Drive. The 13,510-square-foot project site is located in the RS-1-7 Zone and Transit Area Overlay zone, within the San Carlos neighborhood of the Navajo Community Plan and is designated for single-family residential land use. The scope of work proposed includes the demolition of an existing detached garage and construction of a new 577-square-foot addition to accommodate classroom space and an accessible restroom facility; restriping of parking areas to delineate parking spaces and provide appropriate path of travel for disabled access; reconstruction of the eastern driveway to be consistent with current City standards; and installation of street trees in the public right-of-way along Jackson Drive. In addition, a one-way loop driveway between the two easterly existing driveways fronting the site on Jackson Drive would be installed to accommodate drop-off and pick-up activities for both facilities. An existing 6-foot high masonry wall along the rear and side

ATTACHMENT 6

property lines of the facilities encloses the outdoor use areas, providing security for the students and also noise attenuation for adjacent residential uses.

The central and eastern portions of the Navajo community are primarily residential in character in the Del Cerro and San Carlos neighborhoods. Pockets of neighborhood- and community-serving commercial are situated at the intersections of major transportation corridors, such as the intersections of Jackson Drive and Lake Murray Boulevard, adjacent to the project site. The Navajo Community Plan does not address child care facility land uses. However, the Plan does generally recognize the need for support services and recommends the provision of adequate off-street parking, both of which will be provided by the project. The existing facility has been operating without incident in the neighborhood for many years, and provides needed child care services. In conclusion and due to these facts, the proposed development is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 835860 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 835860, a copy of which is attached hereto and made a part hereof.

Patricia J. FitzGerald
Development Project Manager
Development Services

Adopted on: February 2, 2012

Job Order No. 24001587

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001587

CONDITIONAL USE PERMIT NO. 835860
GROW SMART CHILDS ACADEMY
PROJECT NO. 233302
AMENDING CONDITIONAL USE PERMIT NO. C-13433
PLANNING COMMISSION

This Conditional Use Permit No. 835860 (amendment to CUP No. C-13433) is granted by the Hearing Officer of the City of San Diego to TAMAR AKOPYAN, GAIANE AKOPYAN, HUNAN ARSHAKIAN and ARMEN ARSHAKIAN, Owners, and HUNAN ARSHAKIAN and ARMEN ARSHAKIAN, Permittees, pursuant to San Diego Municipal Code [SDMC] Section 126.0303. The 13,510-square-foot site is located at 6261 and 6271 Jackson Drive in the RS-1-7 Zone, in the Airport Influence Area, FAA Part 77 and Transit Area Overlay zones, within the Navajo Community Plan area. The project site is legally described as Lots 2 and 3, College Ranch Unit No. 1, Map No. 3269.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners/Permittees to operate a new childcare center within an existing single family residence and allow continued operation of an existing childcare center, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 2, 2012, on file in the Development Services Department.

The project shall include:

- a. Continued operation of an existing child care center at 6271 Jackson Drive (maximum of 35 children);
- b. Operation of a new child care center within an existing single family residence at 6261 Jackson Drive (maximum of 35 children), including the demolition of an existing garage and construction of a 577-square-foot classroom area;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking to include a minimum of five (5) automobile spaces (including one van accessible space) available for use by both child care centers; and

- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owners/Permittees signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owners/Permittees and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owners/Permittees for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owners/Permittees shall secure all necessary building permits. The Owners/Permittees is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owners/Permittees of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owners/Permittees shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owners/Permittees shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owners/Permittees of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owners/Permittees shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owners/Permittees shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owners/Permittees regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owners/Permittees shall not be required to pay or perform any settlement unless such settlement is approved by Owners/Permittees.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of the existing driveway on Jackson Drive, with a 12-foot wide City standard driveway, per Standard Drawing G-14B, G-16 and SDG-100, satisfactory to the City Engineer.
12. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

14. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

15. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a forty square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

16. Prior to issuance of any construction permits for structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A." Construction plans shall take into account a forty square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

17. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owners/Permittees to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

18. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

19. The Owners/Permittees shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including adjacent rights-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

20. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within thirty days of damage or Certificate of Occupancy.

21. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any water and sewer facilities.

PLANNING/DESIGN REQUIREMENTS:

22. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owners/Permittees.

23. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.

24. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS:

25. A minimum of five (5) automobile spaces (including one van accessible space) shall be provided and permanently maintained on the project property within the approximate location shown on the Exhibit "A." Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on February 2, 2012 and Resolution No. _____ .

Permit Type/PTS Approval No.: CUP No. 835860
Date of Approval: February 2, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Patricia J. FitzGerald
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owners/Permittees, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owners/Permittees hereunder.**

Owners:
TAMAR AKOPYAN, GAIANE AKOPYAN, HUNAN ARSHAKIAN, ARMEN ARSHAKIAN

By _____
HUNAN ARSHAKIAN, Owner

By _____
TAMAR AKOPYAN, Owner

By _____
ARMEN ARSHAKIAN, Owner

By _____
GAIANE AKOPYAN, Owner

Permittees:
HUNAN ARSHAKIAN, ARMEN ARSHAKIAN

By _____
HUNAN ARSHAKIAN, Permittee

By _____
ARMEN ARSHAKIAN, Permittee

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

§141.0606 Child Care Facilities

- (a) This section regulates the following *child care facilities*:
- (1) Family child care homes: Any *child care facility* licensed by the State of California to provide regular care, protection and supervision of children in the child care provider's home, for periods of less than 24 hours per day, while the parents or authorized representatives are away.
 - (2) Child care centers: Any *child care facility*, other than a small or large family child care home, that is licensed by the State of California to provide child care: child care centers may be infant centers, preschools, or school-age, extended day care facilities.

(b) Family Child Care Homes

Large and small family child care homes are a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (1) Large Family Child Care Homes
 - (A) A large family child care home may provide care for up to 12 children (no more than 4 of whom may be infants), or for up to 14 children as stated in Section 141.0606(b)(1)(B). Maximum capacity shall not exceed the capacity specified on the provider's license and shall include children under the age of 10 who reside at the licensee's home and the assistant provider's children under the age of 10.
 - (B) A large family child care home may provide care for a total of 13 or 14 children if all of the following conditions are met in accordance with Health and Safety Code Section 1597.465:
 - (i) At least two of the children are at least 6 years of age, one of whom may be less than 6 years of age if enrolled in kindergarten;
 - (ii) No more than 3 infants are cared for during any time when more than 12 children are being cared for;

- (iii) The licensee notifies parents or authorized representatives that the facility is caring for two additional school age children, and that there may be 13 or 14 children in the home at one time; and
 - (iv) The licensee obtains written consent of the property owner when the family day care home is operated on property that is leased or rented.
- (C) The child care provider shall comply with all state licensing requirements for large family day care homes.
 - (D) The day care provider shall comply with standards adopted by the State Fire Marshal pursuant to the California Health and Safety Code relating to large family child care homes.

(2) Small Family Child Care Homes

- (A) A small family child care home may provide care for up to 6 children (including 4 infants total or up to 3 infants where cared for in combination with other children), or for up to 8 children as stated in Section 141.0606(b)(2)(B). Maximum capacity shall not exceed the capacity specified on the provider's license and shall include children under the age of 10 who reside at the licensee's home.
- (B) A small family child care home may provide care for a total of 7 or 8 children if all of the following conditions are met in accordance with Health and Safety Code Section 1597.44:
 - (i) At least two of the children are at least 6 years of age, one of whom may be less than 6 years of age if enrolled in kindergarten; and
 - (ii) No more than 2 infants are cared for during any time when more than 6 children are being cared for; and
 - (iii) The licensee notifies parents or authorized representatives that the facility is caring for two additional school age children, and that there may be 7 or 8 children in the home at one time; and
 - (iv) The licensee obtains written consent of the property owner when the family day care home is operated on property that is leased or rented.

- (C) The child care provider shall comply with all state licensing requirements for small family child care homes.

(c) Child Care Centers

Child care centers are permitted as a limited use in the zones indicated with an “L” and may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (1) Child care centers are not permitted within 1,000 feet of any known business that:
- (A) Has or is required to have a permit from the County of San Diego Hazardous Materials Division, excluding underground fuel storage tanks, and handles regulated substances above the Threshold Quantity as listed in the California Code of Regulations, Title 19 Section 2770.5;
 - (B) Handles compressed flammable gases in excess of 1,500 pounds; or
 - (C) Handles flammable liquids in excess of 10,000 gallons.
- (2) The 1,000-foot separation distance shall be measured from the *property line* of the proposed *child care facility* to the use, storage, or handling areas for the regulated substances. Businesses may satisfy the separation requirements on-site. The child care center operator has the burden of proof of demonstrating compliance with the separation requirement.
- (3) Before beginning operation, the child care center operator shall obtain and shall maintain on file on the *premises* a “Hazardous Materials Substance Approval Form” executed by the County of San Diego Hazardous Materials Division.
- (4) Deviations from the hazardous materials separation requirements may be permitted with a Conditional Use Permit decided in accordance with Process Three. Issuance of the permit will be based in part on a “Health Risk Assessment Study” to be submitted by the *applicant*.
- (5) Drop-off and pick-up of children from vehicles shall be permitted only on the driveways, in approved parking areas, or in the *street* directly in front of the facility.

- (6) All outdoor play and activity areas shall be enclosed with a *fence* that is at least 4 feet and no more than 6 feet in height. If an outdoor play or activity area is located adjacent to a public *street* with a right-of-way width of 64 feet or more, the *fence* shall be solid.
- (7) All outdoor play and activity areas shall be separated from vehicular circulation, parking areas, equipment enclosures, storage areas, and refuse and recycling storage areas.
- (8) Child care centers shall be designed to attenuate significant outside noise sources. Surrounding uses shall also be protected from noise emanating from child care centers. The following measures are required to accomplish noise attenuation.
 - (A) A *solid fence* that is at least 4 feet and no more than 6 feet in height shall be constructed between the child care center and abutting residential uses, or all windows facing abutting residential uses shall be double-glazed with 1/4-inch thick glass.
 - (B) A *solid fence* that is at least 4 feet and no more than 6 feet in height shall be constructed between the child care center and a *public right-of-way* of 64 feet or more wide, or all windows facing a *public right-of-way* of 64 feet or more wide shall be double-glazed with 1/4-inch thick glass.
- (d) Child care centers proposed to be located on public or private *school* sites are permitted as follows:
 - (1) Child care centers proposed as an *accessory use* on the *premises* of a *school* are exempt from the provisions of this section. The child care center may be either school-operated or privately operated.
 - (2) Child care centers proposed for location on private *school premises* in a zone where *schools* are a permitted use, are permitted as a limited use subject to the regulations of Section 141.0606(c).
 - (3) Child care centers proposed for location on private *school premises* in a zone where *schools* are required to obtain a Conditional Use Permit shall also be required to obtain a Conditional Use Permit subject to the regulations in Section 141.0606(c).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 3-1-2006 by O-19467 N.S.; effective 8-10-2006.)

(Amended 11-13-08 by O-19799 N.S.; effective 12-13-2008.)



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5210

Community Planning Committee Distribution Form Part 2

Project Name : GROW SMART CHILDS ACADEMY		Project Number 233302	Distribution Date 4/13/11	
Project Scope : NAVAJO (PROCESS 3) Conditional Use Permit for a childcare center for __ children in an existing single family residence on a 0.15 acre site at 6261 Jackson Drive in the RS-1-7 Zone within the Navajo Community Plan, Airport Influence Area, FAA Part 77, Transit Area. Council District 7. Notice Cards=1.				
Project Location				
Applicant Name: Hunan Arshakyan			Applicant Phone No. 619-823-7081	
Related Projects				
Project Manager PJ Fitzgerald		Phone Number 446-5107	Fax Number (619) 446-5245	E-mail Address PJFitzgerald@sandiego.gov
Community Plan Navajo		Council District 7		
Existing Zone	Proposed Zone	Building Height	Number of Stories	FAR
Committee Recommendations (To be completed for Initial Review): Motion to deny the CUP.				
<input type="checkbox"/> Vote to Approve		Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Conditions Listed Below		Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below		Members Yes	Members No	Members Abstain
<input checked="" type="checkbox"/> Vote to Deny		Members Yes 12	Members No 0	Members Abstain 0
Agenda Date: 7-18-11		<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)		<input type="checkbox"/> Continued
CONDITIONS:				
NAME Stephen Michael Haase		TITLE President		
SIGNATURE 		DATE 8-2-11		
<p><i>Attach Additional Pages If Necessary.</i> Please Return Within 30 Days of Distribution of Project Plans To:</p> <p style="text-align: center;">Project Management Division City Of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101</p>				

PROJECT DATA SHEET

PROJECT NAME:	GROW SMART CHILDS ACADEMY	
PROJECT DESCRIPTION:	Conditional Use Permit (amendment to existing CUP No. C-13433) to allow the continued operation of an existing child care center for up to 35 preschool children at 6271 Jackson Drive, and the operation of a new child care center for up to 35 preschool children within an existing single family residence at 6261 Jackson Drive.	
COMMUNITY PLAN AREA:	Navajo	
DISCRETIONARY ACTIONS:	Conditional Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Single Family Residential	
<u>ZONING INFORMATION:</u>		
ZONE: RS-1-7		
HEIGHT LIMIT: 30-Foot maximum height limit		
LOT SIZE: 5,000 square foot minimum		
6271 Jackson Drive: 6,600-sq-ft; 6261 Jackson Drive: 6,910-sq-ft		
FLOOR AREA RATIO: 0.59 max (6271: 0.26; 6261: 0.25)		
FRONT SETBACK: 15 feet (6271: 20 feet; 6261: 20 feet)		
SIDE SETBACK: 4 feet (6271: 5.5/13 feet; 6261: 7.5/8 feet)		
STREETSIDE SETBACK: NA		
REAR SETBACK: 10 feet (6271: 20 feet; 6261: 18 feet)		
PARKING: 5 parking spaces required – 5 provided		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Single Family Residential; RS-1-7	Single Family Residences
SOUTH:	Single Family Residential; RS-1-7	Single Family Residences
EAST:	Single Family Residential; RS-1-7	Single Family Residences
WEST:	Office; CO-1-2	Commercial office
DEVIATIONS OR VARIANCES REQUESTED:	None.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On Jul 18, 2011 the Navajo Community Planning Group voted (12-0-0) to recommend denial of the proposed project.	

NOTICE OF EXEMPTION

(Check one or both)

TO: RECORDER/COUNTY CLERK
 P.O. BOX 1750, MS A-33
 1600 PACIFIC HWY, ROOM 260
 SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
 DEVELOPMENT SERVICES DEPARTMENT
 1222 FIRST AVENUE, MS 501
 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
 1400 TENTH STREET, ROOM 121
 SACRAMENTO, CA 95814

PROJECT NO.: 233302

PROJECT TITLE: Grow Smart Children's Academy

PROJECT LOCATION-SPECIFIC: 6261 Jackson Drive, San Diego, CA 92119 (Lots 2 and 3 of College Ranch Unit No. 1 Map No. 3269)

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Conditional Use Permit (CUP) (amendment to CUP no. C-13433) for operation of a new childcare center within an existing SFR family daycare on a 0.15 acre site at 6261 Jackson Drive, including shared access/parking with 6271 Jackson Drive, in the RS-1-7 Zone within the Airport Influence Area, FAA Part 77, Transit Area in the Navajo Community Planning Area in Council District 7.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Roger Utt
 4496 Euclid Avenue
 San Diego, CA 92115
 619-281-3289

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268);
 DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
 EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
 CATEGORICAL EXEMPTION: 15301 (a), Existing Facilities – interior or exterior alterations
 STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT This project is exempt because the structure is existing, the structure is not historic and no sensitive resources exist on or around the site, it would result in no adverse visual effects, no grading would occur and this would include a minimal expansion of use. In addition the project meets the criteria set forth in CEQA section 15301 (a) which allows for existing facilities – interior or exterior alterations and the exceptions listed in CEQA section 15300.2 would not apply. Therefore, no adverse impacts would occur.

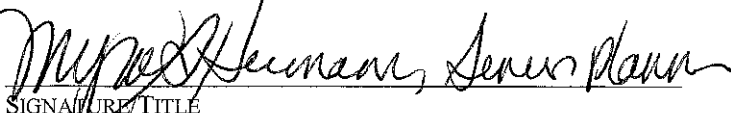
LEAD AGENCY CONTACT PERSON: Lizzi

TELEPHONE: (619) 619-446-5159

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA


 SIGNATURE/TITLE

11/23/11
 DATE

CHECK ONE:

- SIGNED BY LEAD AGENCY
 SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

OWNERSHIP DISCLOSURE

Address/Legal: 6261 Jackson Drive (Lot 3, College Ranch Unit No. 1, Map No. 3269)
Property Owner(s): TAMAR AKOPYAN, GAIANE AKOPYAN, HUNAN ARSHAKIAN

Address/Legal: 6271 Jackson Drive (Lot 2, College Ranch Unit No. 1, Map No. 3269)
Property Owner(s): ARMEN ARSHAKIAN



THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER

IN OPPOSITION

9

Agenda Item Number 9 Date 12-14-11

SUBJECT Grow Smart Childs Academy
CUP Admendment

NAME Lynne Borja

6251 Jackson San Diego
Address: Number Street City

CA 92119 (619) 322-6964
State Zip Telephone

REPRESENTING Self

ARE YOU PART OF AN ORGANIZED PRESENTATION?
YES ~~_____~~ NO X

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE MICROPHONE AT THE APPROPRIATE TIME.



THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER

IN FAVOR

Agenda Item Number 9 Date 12-14-11

SUBJECT GROW SMART

NAME Daniel Winfree

6228 LK ANNEBOCKA PL San Diego

Address: Number

Street

City

CA

92119

State

Zip

Telephone

REPRESENTING _____

ARE YOU PART OF AN ORGANIZED PRESENTATION?

YES _____

NO _____

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE MICROPHONE AT THE APPROPRIATE TIME.



THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER

9

IN FAVOR

Agenda Item Number _____ Date 12/13/11
SUBJECT 835860

NAME HUNAN ARSHAKIAN
6271 JACKSON DR. SAN DIEGO
Address: Number Street City
CA 92119 619-823-7081
State Zip Telephone

REPRESENTING HUNAN ARSHAKIAN

ARE YOU PART OF AN ORGANIZED PRESENTATION?
YES NO

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:
ROGER WITT
HUNAN ARSHAKIAN

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE MICROPHONE AT THE APPROPRIATE TIME.



THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER

9

IN FAVOR

Agenda Item Number 9 Date DEC. 14, 2011

SUBJECT _____

NAME TINA HERNANDEZ

6257 LAKE ALAMOR AVE.

Address: Number Street City

SAN DIEGO, CA. 92119

State Zip Telephone

REPRESENTING HUNAN ARSHAKIAN

ARE YOU PART OF AN ORGANIZED PRESENTATION?

YES _____ NO _____

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE MICROPHONE AT THE APPROPRIATE TIME.



THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER

9

IN FAVOR

Agenda Item Number # 9 Date 12-14-11

SUBJECT 835860

NAME Diana Nichols

6281 Jackson Drive S.D.
Address: Number Street City

Calif. 92103 619-299-3528
State Zip Telephone

REPRESENTING Diana Nichols

ARE YOU PART OF AN ORGANIZED PRESENTATION?
YES _____ NO

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE MICROPHONE AT THE APPROPRIATE TIME.



9

THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER

IN FAVOR

Agenda Item Number 9 Date DEC. 14, 2011

SUBJECT _____

NAME JOAN TAYLOR

6257 LAKE ALAMOR AVE

Address: Number Street City

SAN DIEGO, CA. 92119

State Zip Telephone

REPRESENTING HUNAN ARSHAKIAN

ARE YOU PART OF AN ORGANIZED PRESENTATION?
YES _____ NO _____

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE MICROPHONE AT THE APPROPRIATE TIME.



THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER

9

IN FAVOR

Agenda Item Number #9 Date 12/14/11

SUBJECT C.U.P. # 835860

6261 & 6271 JACKSON DRIVE

NAME ROGER UTT

4496 EUCLID AVE. S. D.
Address: Number Street City

CA 92115 619 281-3289
State Zip Telephone

REPRESENTING ARSHAKIAN FAMILY

ARE YOU PART OF AN ORGANIZED PRESENTATION?
YES X NO

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

ROGER UTT

HUNAN ARSHAKIAN

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE MICROPHONE AT THE APPROPRIATE TIME.

NAVAJO COMMUNITY PLANNERS, INC.

December 20, 2011

Planning Commission
City of San Diego
202 C Street
San Diego, CA 92101

Re: Appeal of the Hearing Officer's Decision: Grow Smart Childs Academy (CUP No. C-13433)

Dear Chairman Naslund and Commissioners:

On December 19, 2011 Navajo Community Planners Inc. (NCPI) voted 12-0-1 to appeal the Hearing Officer's decision to approve CUP C-13433. NCPI believes the Hearing Officer did not thoroughly consider the following issues:

- 1) The existing child care center, with capacity for 35 children, is of a size which functions compatibly in a single-family neighborhood. The proposed amendment would double the size of the facility by allowing an additional 35 children in an adjacent home. NCPI believes the cumulative operational impacts of the facility, particularly involving congested, conflicting automobile pick-up and drop-off movements, highly constrained on-street parking, and noise, were not adequately considered. These impacts, we believe, create a level of disruption and impact to neighboring homes beyond what is appropriate and desirable in a residential setting.
- 2) The need for the expanded facility to accommodate high-volume automobile activity will likely result in conversion of yet more front-yard landscaping into parking, driveways, and drop-off areas. The resulting change in the appearance and character of this portion of the neighborhood will diminish its value and desirability as a residential area.
- 3) The proposed circulation/drop-off improvements will cause the loss of on-street parking in a location where adequate on- and off-street parking is not currently available.
- 4) This is the first appeal of a City discretionary action which has been filed by NCPI. We believe that communities are enriched by a variety of institutional uses, and that these uses are important to support the needs of the residents. Navajo Planners has not in the past intervened in City decisions involving such applications. In the current case, however, NCPI believes a decision to expand a child care facility to the size of a small school represents a defacto rezoning of the property to a commercial use. If considered from that perspective NCPI believes a decision to operate a commercial use at these parcels, with its attendant operational impacts and diminution of the aesthetics, character, and peaceful function of the neighborhood, cannot be justified.

Thank you very much for your consideration of NCPI's concerns.

Sincerely,



Allen Jones, Chair



City of San Diego
Development Services
 1222 First Ave. 3rd Floor
 San Diego, CA 92101
 (619) 446-5210

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031
 MAY 2010

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- | | |
|--|--|
| <input type="checkbox"/> Process Two Decision - Appeal to Planning Commission | <input type="checkbox"/> Environmental Determination - Appeal to City Council |
| <input checked="" type="checkbox"/> Process Three Decision - Appeal to Planning Commission | <input type="checkbox"/> Appeal of a Hearing Officer Decision to revoke a permit |
| <input type="checkbox"/> Process Four Decision - Appeal to City Council | |

2. Appellant *Please check one* Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name: Navajo Community Planners Inc by Allen Jones Chair		E-mail Address: allenmjones@cox.net	
Address: 7577 Mission Valley Road, Suite 200	City: San Diego	State: CA	Zip Code: Telephone: (619) 400-0134

3. Applicant Name *(As shown on the Permit/Approval being appealed). Complete if different from appellant.*

Hunan Arshakian Grow Smart Child's Academy

4. Project Information

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
Project No. 233302	December 14, 2011	PJ Fitzgerald

Decision (describe the permit/approval decision):
 Hearing Officer's decision to approve Conditional Use Permit No. 835860 (amendment to existing CUP No. C-13433)

5. Grounds for Appeal *(Please check all that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Factual Error (Process Three and Four decisions only) | <input type="checkbox"/> New Information (Process Three and Four decisions only) |
| <input type="checkbox"/> Conflict with other matters (Process Three and Four decisions only) | <input type="checkbox"/> City-wide Significance (Process Four decisions only) |
| <input checked="" type="checkbox"/> Findings Not Supported (Process Three and Four decisions only) | |

Description of Grounds for Appeal *(Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)*

please see attached letter

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Date: December 20, 2011

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

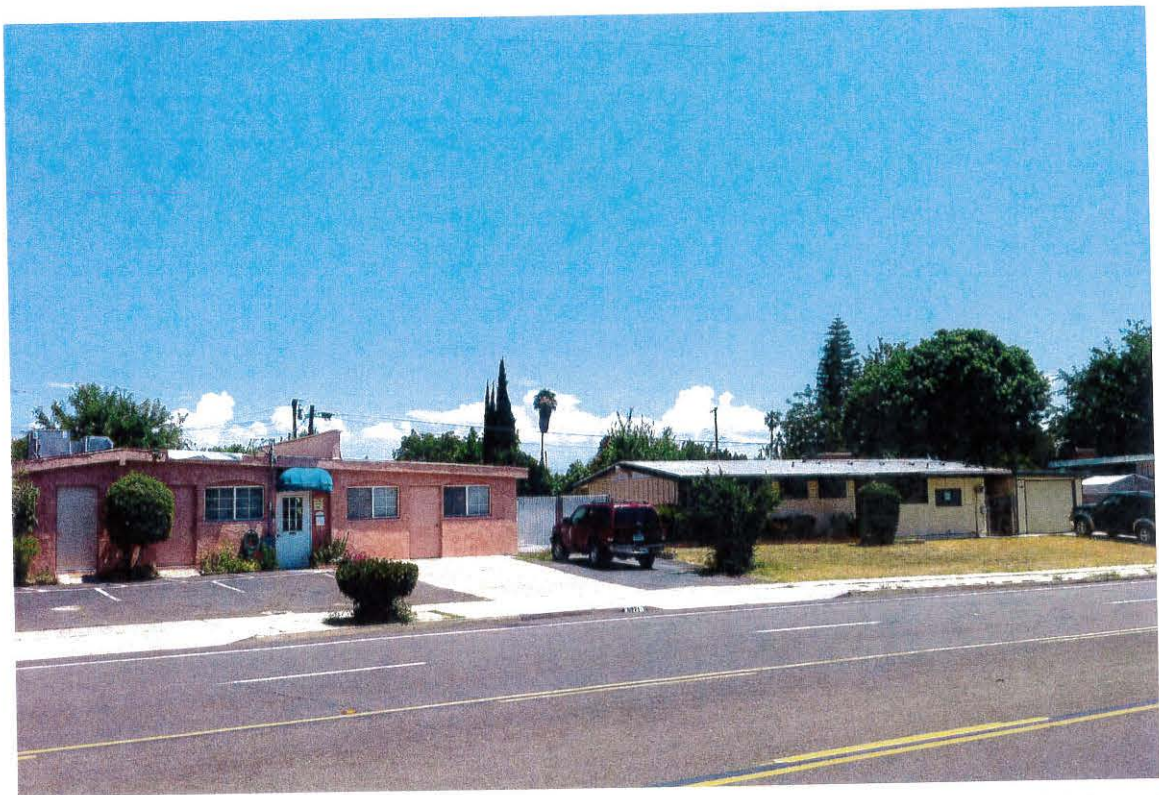


Looking towards East of Jackson Dr
NOTE: Preschool is on the Left

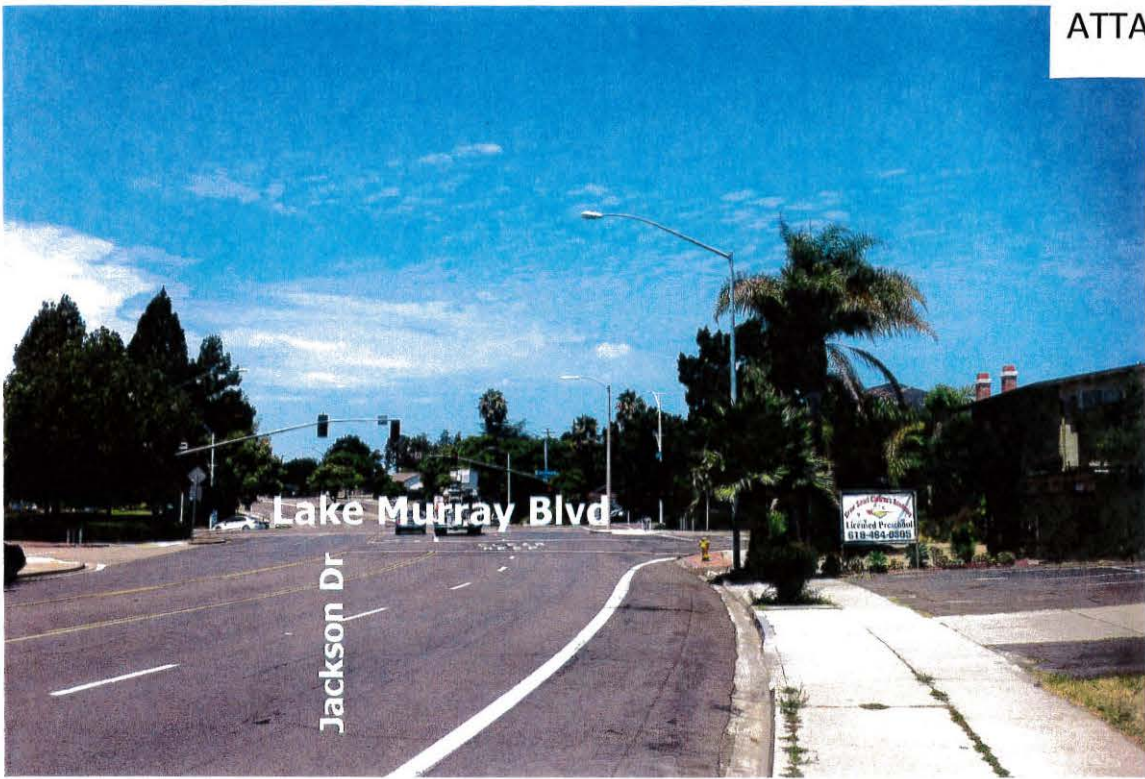




To the Left is the Senior nursing facility to the Right is the existing preschool



To the Left is the existing preschool to the Right is the proposed building for preschool



Looking towards East of Jackson Dr
NOTE: Preschool is on the Left



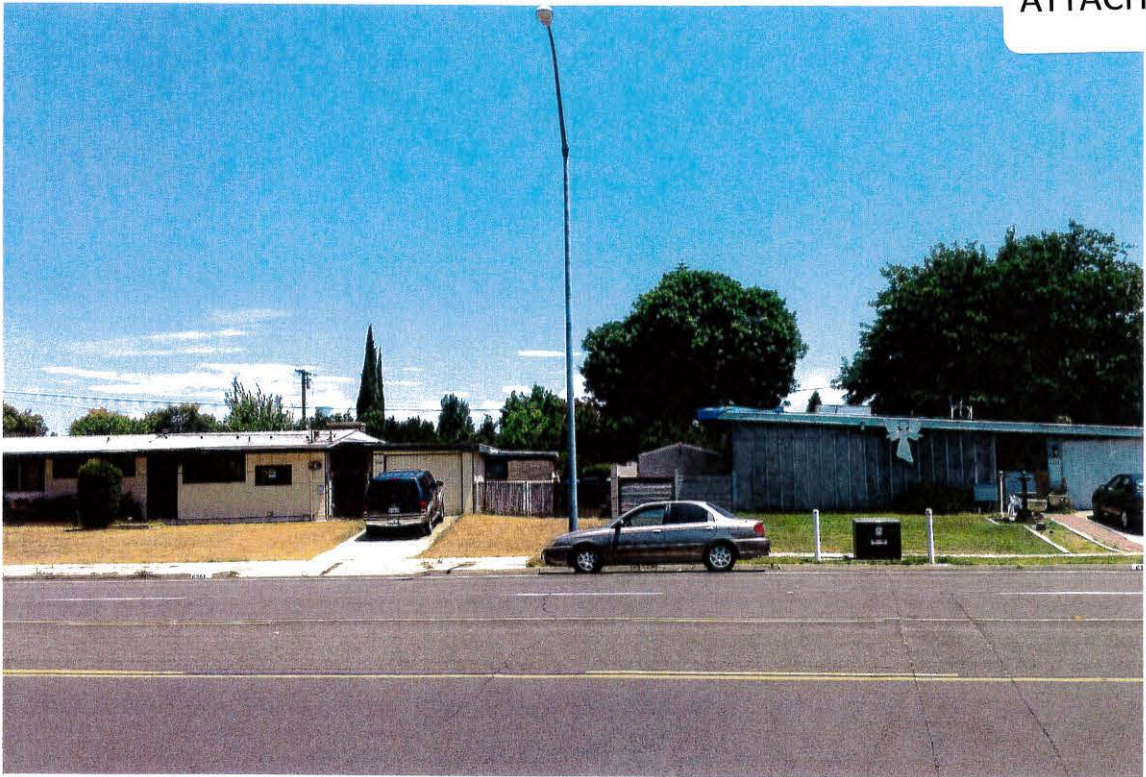
View of the Frontage Road and the Senior nursing facility



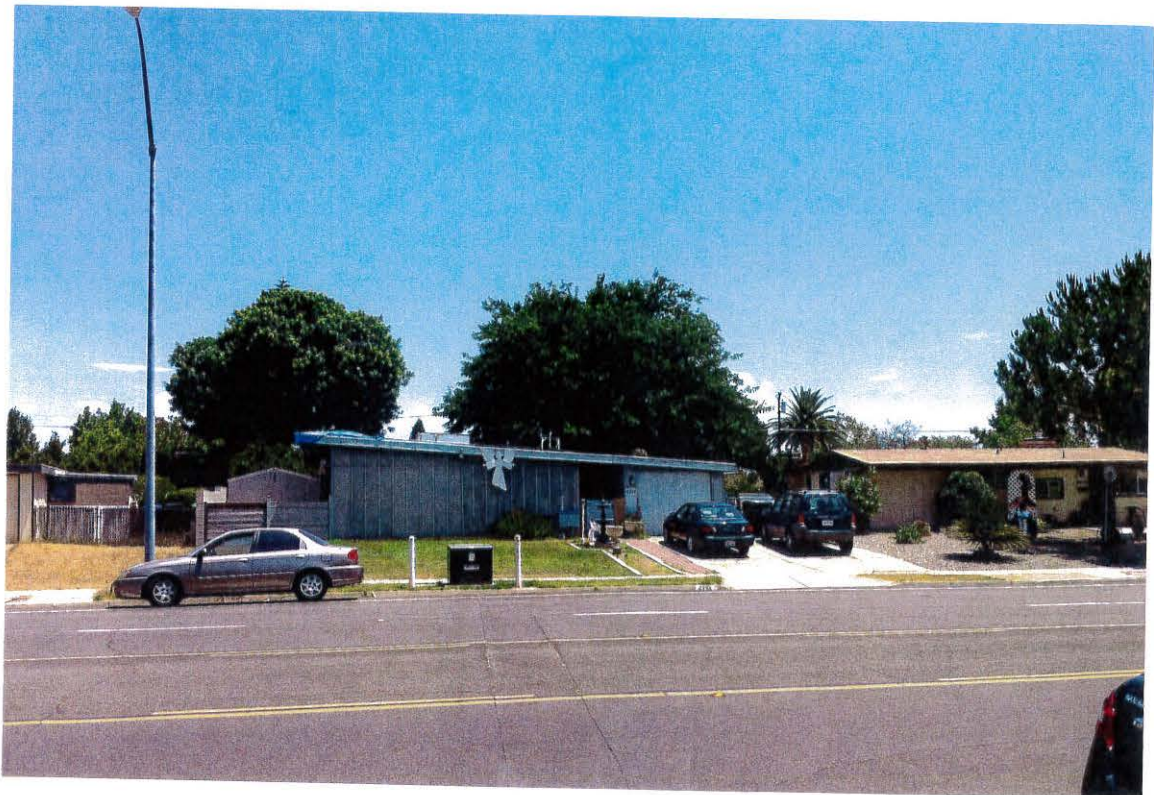
Frontage Road

NOTE: (parking is always available the Photo was taken on Tuesday at 10:30am.)

NOTE: (Left of the Frontage road is Lake Murray Blvd)



**To the Right Neighbors house 6251 Jackson Dr.
Note: (Neighbor who complains about parking and noise has 6 cars and no window from Jackson Dr.**



Fitzgerald, PJ

From: Hunan Arshakian [hunan00@hotmail.com]
Sent: Tuesday, December 13, 2011 12:59 PM
To: Fitzgerald, PJ
Subject: RE: #233302 John Pilch

Dear PJ,

December 12, 2011

This letter is in response to the statement made by John Pilch, the President of San Carlos Area Council. I presented my project with my architect Roger Utt at the San Carlos Area Council earlier this year. There was no decision or recommendation made due to the fact that there was no quorum that day. Therefore Mr. Pilch's statement "...as the President of the San Carlos Area Council, which also opposed the project unanimously, after a presentation by the applicant and his architect..." is completely inaccurate. It is very disappointing to see that President of the local Area Council would publicly use false statements. The minutes of the meeting held that day will validate my statement, that not only was the project not unanimously opposed, as Mr. Pilch claims, but there was no decision made regarding our plans.

Furthermore, John Pilch made the following statement, "...we wonder who you're listening to, since it does not appear to be the neighbors, residents..." This is baffling on so many levels. Not only do we have over a dozen supporting letters from parents at the school, who are members of the community, but also from neighbors, local postal workers and businesses. These letters address the exact concerns that which Mr. Pilch has made claims. Copies of these letters are on file and some of those neighbors will be present at the hearing to support their statements.

Lastly, I would just like to comment that Mr. Pilch seems to continue to address concerns with the current parking situation at Grow Smart Academy, which is not up for debate. Our proposed project, which is the only thing in question, would provide additional parking rather than "exacerbate" it. He seems to think that the council will be closing our existing center, which will not be the case whether the proposal is approved or not. In my opinion, the inaccuracy and blatant falsity of Mr. Pilch's statements lessen his credibility and validate his obvious bias.

Sincerely,

Hunan Arshakian
Grow Smart Children's Academy
6271 Jackson Dr
San Diego, CA 92119
Tel: 619.464.0305
Fax: 619.464.0304
Cell: 619.823.7081
Email. hunan00@hotmail.com

December 13, 2011

To Whom It May Concern I

I am writing in regards to your proposal to expand your preschool on Jackson Drive. Our family lived at 6248 Lake Alamo Avenue for 7 years (from 2004-2011). To the best of my knowledge, you owned and operated Grow Smart Preschool on Jackson during this entire time. While living on Lake Alamo we would sometimes hear children playing outside and teachers talking or singing to them, but we never had a problem with the noise created by your preschool. Further, I believe that if there had been a problem you would have been congenial in helping to find a workable solution. It is my opinion that you should be allowed to expand your operation.

Best regards,

Sommer Cunningham

Sommer Cunningham
619.300.9258

December 13, 2011

Anahit Antonyan
Grow Smart Children's Academy
6271 Jackson Drive
San Diego, CA 92119

RE: School expansion

Ana,

I understand you are planning to expand the preschool/day care into the property next door. That is exciting news. My children enjoyed the time they spent at Grow Smart (Ashley from 2002 to 2005 and Nathan from 2006 -2009) and were very well prepared to attend Kindergarten. I also understand that there are some hurdles for you in this process and I would like to relate my positive experience with the school.

The children seemed to have a reasonable schedule of indoor and outdoor activities. There was not a tremendous amount of noise at any time I visited the school despite having quite a few children present. Outdoor activities were well regulated and the noise levels seemed congruent to the activities of the surrounding area.

Traffic was not an issue during my time there. Because pick up and drop off times are short and arrival and departure is staggered based on parents' work schedules, there was sufficient parking available for the parents. I understand that you have done some improvements to the property next door that should continue to ensure sufficient parking for safe pick up and drop off. Safety was also addressed with the gate alarm and secure key-pad entry to the facility. This protects children from outsiders and potential hazards out in the street.

Overall, I and my children had a very positive experience with the school during our time there.

Best of luck in your endeavors,



Lisa Prus

August 2, 2011

Matthew and Cherl Hopkins
7696 Eagle Ridge Court
San Diego, CA 92119
(619)465-7473
Mhopkins@bhhc.com

To Whom It May Concern,

Our two youngest children ages 2 and 5 attend Grow Smart Children's Academy. We have been extremely satisfied with the quality of care they have been receiving. It is very difficult to find quality AND affordable child care in the San Carlos area. We have never had any parking problems during drop off or at pick up. In fact, we hardly ever see anyone else during those times, which often vary due to demanding work schedules. We are always able to park in a parking space right in front of the school.

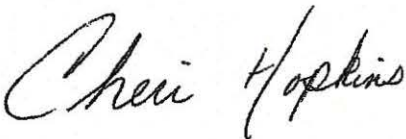
Not only do we highly recommend GSCA, we also fully support them with any expansion that is needed in serving the community of San Carlos. Feel free to contact us at anytime.

Sincerely,



Matthew Hopkins

SIU Director



Cherl Hopkins RN

8-3-11

Hello my name is Jonny Gilbert.

I have worked in the Community of San Carlos over 10 years. I am AS a Letter Carrier for the US Postal Service. For more than 10 years, I've delivered mail on the mail route I am assigned to. At the Address of 6271 Jackson Drive the location of Grow Smart Children's Academy.

I have never had any type of Traffic problem or seen one. People drop off the Children at the pre-school as they should and then leave. Parking as I know it at this location never was any problem either. There were times, at different times of the day, I've had to drive up to this address myself and deliver a Express package or a Certified Letter. I've never had a problem with my Postal Customer on any parking problem.

I often see people jogging, or walking, even walking their dogs, and riding their bicycles at this location with no problems. I've heard the Children's voices, City Traffic on Lake Murray Drive which is close by and I hear dog's barking.

Through out my day on my route I hear Dog's barking, Children at play, and different Fire or police sirens.

If you have any questions my phone number is 619-334-3236.

Jonny Gilbert

August 3, 2011

To Whom It May Concern,

As a member of the San Carlos community for the past seven years I am proud to have an establishment such as Grow Smart Children's Academy nearby. I consider them to be an invaluable asset to parents looking for infant care that is not affiliated with a church. They are the only facility in our neighborhood that is not an in-home daycare offering care to infants. Their well-trained and caring staff put parents at ease.

I support their new project wholeheartedly. Grow Smart offers families the comfort of being a family run business with the integrity of a licensed daycare. It's a happy medium for many parents, knowing that they can trust the care providers at this facility and that they are providing a safe, structured environment for their little ones.

Upon bringing my infant son to the Grow Smart facility over two years ago, several features immediately stood out. I was impressed that even though they were located in a converted home they had plenty of parking. Enough even for the rush hour drop-off and pick-up times. Also, they have a very structured schedule for the kids. The kids play inside and eat breakfast, then break off into their age groups in their individual classrooms. When they play outside they are grouped with their playmates. Plus outside playtime is only during certain hours, so I know that my son is learning and not just playing all day. All of the teachers are caring and well trained, and they comply with teacher-kid ratios so that everyone is being well watched.

Not only is Grow Smart a wonderful presence in our community but they are a necessity. They are reasonably priced, supportive, and offer a facility close to home for many of us. It's appealing to parents to have a daycare close to home. Plus, many of the nearby facilities are preschool only and do not support infants. The only other that comes to mind is Charley Browns, which being part of a church is not appealing to everyone.

I look forward to many more years with Grow Smart as part of our community.

Sincerely,
Laura Magnarelli
619-247-3765
San Carlos resident



July 27, 2011

Kelly Fiedler

6227 Anvil Lake Ave
San Diego, CA 92119
619-933-9185

To Whom it May Concern,

My children have been attending Grow Smart Children's Academy for the past 3 years. I am very happy with the school. During those three years I have never experienced any problems with parking. The school opens at 6:00 am and we arrive usually around 7:00am every morning. Usually by that time, there are not many children there and we seem to be one of the first families to arrive, if not the first sometimes. I cannot remember the last time that we even arrived at the same time as another family. For this reason I have a hard time believing that there is a parking issue for anyone on the street, as we don't seem to even have one just in the driveway of the preschool. One of the reasons that we chose this school was because of its flexible schedule and allowing us to start whenever instead of 6:30 sharp.

As for noise, I can only speak for us, but when we arrive we are all tired. My kids are usually half-asleep and they are hardly jumping up and down making any noise that early in the morning. They go in and immediately have breakfast. There are never any kids playing outside at that time, and I know for a fact that they have indoor activities and breakfast until 9:00 am when the first group goes outside to play.

As a community member, I am not only very happy with the school, but I understand the demand in this area for quality childcare. I completely and wholeheartedly support their decision to expand and I feel that they are doing a service to the community. If anyone thinks otherwise they are free to contact me. Thank you.



Kelly Fiedler

July 28, 2011

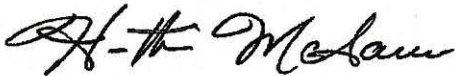
To Whom It May Concern,

My name is Heather McGann. My son, Tyler (3 ½) has been a student at Grow Smart Children's Academy since April of 2010. I am writing this letter to give my full support in the proposed expansion of the school. Grow Smart has always operated under the highest of moral standards. The entire staff has always operated in a professional way. The teachers are attentive and provide a healthy, warm, loving learning environment for my son and the other children who attend GSCA.

When I first enrolled my son in the school, I made several unannounced visits at different times throughout the day, to ensure that he was receiving high quality child care. Every time that I showed up, I was not only pleased with what I found, I was quite impressed. They teach not only educational lessons, but moral lessons as well. I'm confident that the skills my son has learned from his teachers at GSCA will provide him with the best possible transition into elementary school.

In short, my husband, Devon and I couldn't be happier with the care that our son receives from Grow Smart Children's Academy. Not only do we wish to see the school expand for the obvious increase of learning opportunities it will afford our son, but I must note that there is quite a large demand for high quality child care in the San Carlos community. That is why we fully support the proposal to expand the grounds for Grow Smart Children's Academy.

Respectfully Submitted,



Heather McGann

Booz | Allen | Hamilton

Email: mcgann_heather@bah.com

Phone: 619-725-6538

Fax: 619-278-3873

Cell: 619-787-8292

To whom it may concern:

Grow Smart Children's Academy has been a great blessing for my children for preschool and summer care.

Their concern for taking care and educating young children is an asset to the community of San Carlos. The location is also perfect for me to take my children since I live in San Carlos and I am limited in time to take my children to another daycare and preschool. I will like to mention that as a participant of this center, I never had a parking problem. The facility has an accessible parking area for parents. I strongly support the project about expanding the center because it could be a great asset for the community. Other families could have an opportunity to have a joy of having their children in such great affordable center.

Thank you,

Merrilee Talley 8/2/2011

Merrilee Talley
6984 Ballinger Ave.
San Diego, CA 92119

619-846-8678

August 2, 2011

To Whom It May Concern

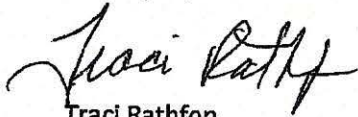
I am writing to help support the add-on/upgrades to Grow Smart Children's Academy. I have two children that have been attending this school for over a year now and love it. I would love for the school to expand to give the kids a much more affective learning environment and a wonderful play area.

The best thing about this school is I can get in and out of the parking lot in a timely matter in the mornings and evenings. There is never an issue with parking.

The community around is great and the noise is never an issue either. Whenever I come to pick up the kids, I never know if they are inside or outside cause you can never hear them when standing outside the building.

Please feel free to contact me with any questions in regards to my support in this change to the school.

Thank you,

A handwritten signature in black ink that reads "Traci Rathfon". The signature is written in a cursive, flowing style.

Traci Rathfon

619-405-1787

July 26, 2011

Amelia Platt
6713 AMBERLY ST
SAN DIEGO, CA 92120

Dear Committee Members,

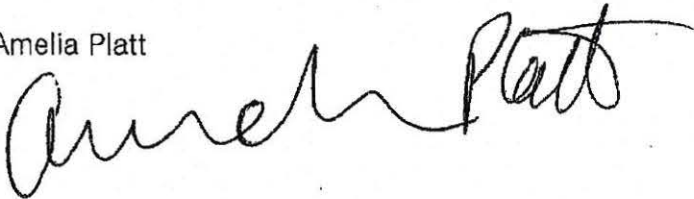
My name is Amelia Platt. My daughter Vivian is a student at Grow Smart Children's Academy. I have been a parent with this school for over eight years. My son Gabriel also attended Grow Smart. As a parent, I am very involved with the school. I help out during Christmas and Graduation parties and volunteer often. I am very happy with our experience with this school as well as the management.

I am very hurt by the allegations by the neighbor about the amount of disturbances caused by the school. I have a personal experience with the neighbor in question that leads me to believe that their claims are baseless and mean-spirited. Back in December of 2010, my husband was dropping off my daughter. At that time the woman who lived next-door, who thought that he was a new parent thinking about enrolling my children there to go and not have our children enroll there. She told him that it was not a good place, and that she was going to cause problems for Anna, the director of the school. She said "You'll see what I will do to her."

It seems to me that the neighbor has had a personal vendetta against the school and its owner. This was three months before Grow Smart even filed for a license for the second school. Furthermore, I know for a fact if she tried to discourage me from enrolling my children there, she might have tried to do that to other people and perhaps even succeeded in preventing new families from enrolling in that school. In my opinion that is not only wrong, but illegal. She is slandering the school and the owner, and intentionally causing harm to the existing business.

Sincerely

Amelia Platt

A handwritten signature in black ink that reads "Amelia Platt". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

June 20, 2011

To whom it may concern:

My name is Caroline Chammas, and my son George Chammas attends Grow Smart Children's Academy. Before him, my two daughters went to that preschool. Not only am I had a very happy and satisfied parent, but both of my girls loved that school as well as the Director Anahit Antonyan ("Miss Ana") and all of their teachers. It was such a great experience for them and they learned so much there and made so many friends. Now that my third child is there and I see him growing so well and already learning so much. As a satisfied parent for over five years, I don't know what I would have done without Miss Anna and her school. They treat us, as well as every other family of their students as their own family.

As for parking, I have never had any problems in all the years picking up and dropping off my children. As Grow Smart Children's Academy, unlike other pre-schools, allows the families of their students to set their own schedules the pickup and drop off times are staggered. Because of this flexibility there is never a rush of parents coming to the school at the same time.

My family and I truly love this school and what they have to offer. It would be a shame to deprive other children from such a great school buy not allowing them to expand. Their current enrollment says a lot about what they have to offer and the fact that they are able to expand their business obviously shows that they are doing something right, and that they have enough satisfied clients to allow them to do so.

Thank you very much. If you have any questions, I can be reached at (619)-444-0556

Sincerely,



Caroline Chammas

The neighbor two houses down from Grow Smart Academy confronted me when I stopped to drop off a payment for my son's daycare. I parked on the street in between Grow Smart and the neighbor's house. She ran out and told me I could not park there. At first, I thought she was joking because no one has ever told me I could not park on a public street. She had parking spots available in her driveway. I looked at the curb directly in front of her house and noticed she was the only person that had garbage cans blocking the curb to prevent people from parking there. I told her that I was legal in parking there and that I was not going to even be five minutes. She began to berate me and use profanity in front of my son. I told her that I could call the police for that and also mentioned that it was not legal for her to possess a car with Massachusetts plates (I walk quite a bit in my neighborhood and notice these things). She gave me the finger and told me she was going to give Grow Smart a hard time when they were going to apply for a permit. I paid Grow Smart and left immediately after.

Robert Bissett 6/20/11


619-674-7958

6274 Lake Alamor ave.
San Diego California 92119
September 9, 2011

To any one concern:

We are neighbors to the Grow Smart Children Academy day care,
facing our back yard.

We are pleased to know that the day care gives help to parents that
Work long hours of the day, with their children.

This is not a problem to me or to any member of my family. In contrary
the day care is a good contribution to the neighborhood and to the
community.

Sincerely:

Estella Porras

A handwritten signature in black ink, appearing to read 'Estella Porras', written in a cursive style.


26 August 2011

Reference: Grow Smart Children's Academy
6272 Jackson Drive, San Diego CA 92119

To whom it may Concern

I have no problem in Grow Smart Academy expanding to another house. I have never seen parking congestion from the Academy to pose a traffic problem. I see parents drop off and pick up their child/children, morning and evenings. During the day if I am home (I work), there is no exceptional noise from the Academy and none in the evenings since it is closed. I have noticed staff or patients get out of their vehicles and go across the street to the La Mesa Medical & Dental Center thus taking up the parking on Jackson Drive in front of the Academy.

I have lived in my house on the corner of Lake Alamor since 1973. In the first 15 years of living there, it was a noisy neighborhood with all the junior/senior teenagers and their parties. From 1988 to present it has been a quiet neighborhood.


Brenda Crooks
6282 Lake Alamor Ave
San Diego, CA 92119

To Whom it may Concern,

My name is Troy Sherrillo and I live at 6281 Lake Alamo Ave, San Diego, CA.

The school on Jackson Drive has been a part of our community for so many years, and under Grow Smart Academy's name about 9 years, owners are our fellow residents and the children are in my eyes also favorable members of our community. We enjoy watching them grow.

I see that the main complaints against the school are the noise levels and parking issues. First of all, in terms of noise, we live on the corner of Jackson Drive and Lake Murray Blvd. It is quite a busy intersection and it is a fairly noisy area. I can hardly consider the occasional laughter and noises of children playing outside are nothing compared to the blaring horns, sirens and random other noises of the street which occurs at all hours day and night. I think that the sounds coming from the school are only a few times a day when the kids go out to play during regular business, daytime hours...

As for parking, I have nothing much to say except that, I have never experienced nor seen any parking problems on Jackson Drive. I don't see what the preschool would have to do with it anyways since the children don't park there. They get dropped off and picked up which does not contribute to a parking issue.

Based on great demand of community and school's reputation I support Grow Smart Academy and its plans for extension .

Sincerely

Troy Sherrillo

Tel: (619)460-1346

6281 Lake Alamo Ave

San Diego, CA, 92119

 8-12-2011

To Whom it may concern

My name is Tara Purdy. I live at 6273 on Lake Alamor Ave.
My son Brandon attended Grow Smart Academy for almost a year and I want to point out that we are fully satisfied with the great job that school has been doing for years for families like us.

I truly believe, that there is a great need in our neighborhood for quality childcare. Due to demographics in our area we have many families with children. I strongly believe that the traffic and the noise are not an issue for our neighborhood. I drive by the school several times a day and there is always plenty of off street and on street parking. As to the noise I used to pick up my son during different times of the day and I noticed that most of their activities are indoor, so one or two hours a day especially during daytime is not a big deal. On a personal note I think nothing is more joyful and satisfying than laughter and giggles of children. Me and my family are fully support their new project.

If you have any questions, please feel free to contact me.

Thank you for your consideration.

Sincerely

Tara & Ed Purdy

6273 Lake Alamor Ave San Diego, CA, 92119

Tel. (619)741-5661

July 27, 2011

To Whom it may concern,

I am one of the oldest residents of this neighborhood and the school has been here as I have. I have recieved information that they are going to expand based on the large demand for childcare in this community. I am very happy that I can support them in any way possible as a resident and neighbor. I dont see anything against this nor do I see any harm to the community. However, I do see many benefits for the community. They are taking care of kids and they support the children which are the most important members of our community. Whatever is best for the children is best for me because the children are our blessed neighbors. Please call me if there are any questions that you have.

Thank you,

Joan C. Taylor
AUG, 5, 2011

Joan Taylor

6257 Lake Alamo Ave
San Diego, CA 92119

(619) 469-6582

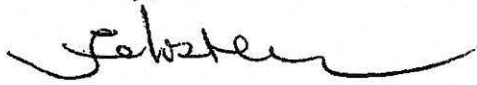
To Whom It May Concern,

This letter is a response to your letter that you sent us regarding Grow Smart Children's Academy. I understand that they are planning to expand their operation to the property next door on Jackson Drive. I fully support them. They are pleasant neighbors and I have never experienced any problems with the owners nor the business itself. I also understand that there has been some concern as to whether or not this will pose additional problems for parking and noise.

I would like to respond to these claims by telling you that as a resident in this community for 4 years, I have never had a problem with the noise levels in our community. The children do not bother me, nor have I ever even noticed any sort of excessive or annoying sounds coming from the school property.

Also, in terms of parking. I completely feel that this is a non-issue. Grow Smart has its own driveway which is very large. I occasionally see the parents coming to pick up their kids when I come home from work. There are usually one or two cars at most parked in the driveway and nothing really stands out to me in terms of excess amounts of cars. Furthermore, if the question is to expand the school to the property next door, there is plenty of parking everywhere including on the side street next to Lake Murray Blvd. If you drive by this area you will see that parking is not an issue. As a neighbor I full support this project.

Sincerely,



Felix Haly



Judy Barreno

6249 Lake Alamo Ave
San Diego, Ca 92119

(619) 713-0491

August 15, 2011

To Whom It May Concern,

I am writing this letter of support for the expansion of the Grow Smart Children's Academy that is located in our neighborhood on Jackson Drive. During these hard economic times, it is refreshing to see a small business be able to flourish and expand. This expansion poses no negative impact to the neighborhood, but rather adds to the community as a whole. I wish them the best in their endeavour.

Sincerely,



Katherine Altmann
Neighborhood Resident

Margaret Mercer

6214 Lake Albano Ave • San Diego, CA 92119 • Phone: 619.248.2412 • Fax: 619.550.3637
E-Mail: margmercer@gmail.com



Date: 8/24/11

City of San Diego

To Whom It May Concern:

Being an administrator of a successful elementary charter school in San Diego, I know the value of early education. **Grow Smart Child Care** offers the qualities it takes to be a successful, convenient, and safe day care/pre-school for my children.

Grow Smart Child Care offers a staff full of credentialed early education specialists. These teachers work one-on-one with my children to help them grow academically and socially. Each and every employee of Grow Smart Child Care is concerned about the wellbeing of my tender, easily impressionable young children, and they take care to make sure they feel special and cared for while my husband and I are working.

The school also offers a convenient location to our home. It is a joy to be able to walk my children to and from their school. However, when I need to drive to pick them up or drop them off, parking is never an issue. The school allows parents to drop off/pick up at their convenience and also allows them to park on the street, or pull into the driveway to safely transition children to and from school.

Grow Smart Child Care is also working to expand their facilities in order to offer a safer and better learning environment for their students. The expansion will allow more space for the organized activities that take place on a daily basis. It will also offer more room for the children to run and play during free time. Safety always comes first at Grow Smart Child Care and expanding the facilities will help to ensure a safer environment.

Please feel free to call me if you have questions regarding the quality program that Grow Smart Child Care is offering to my children. We are happy to attend the school and happy to support their needs.

Sincerely,

Margaret Mercer
Community Member

Robert Ellingson
8025 June Lake Dr
San Diego, Ca 92119
619-251-6398

To Whom It May Concern:

I have been taking my 3 year old daughter to Grow Smart Children's Academy for 18 months now. In that time I have never encountered a time picking her up or dropping her off when I didn't have at least three parking spots available in their driveway, and I have come during all hours of the day. In addition, when I arrive, I have never encountered excessive noise, and never have heard kids screaming. On the contrary, the kids seemed to be unusually quiet for kids at play. I have been an elementary teacher for 13 years, and know how loud it can be at recess time. Again I can honestly say it is quite calm and orderly even during playtime at the Academy. Feel free to contact me with any further questions.

Sincerely,


Robert Ellingson

August 5th 2011

To whom it may concern,

My name is Venus Olaes, I am a registered nurse and a single parent to my two year daughter, Gabriella. Gabriella has attended Grow Smart Children's Academy since she was 15 months old. I want everyone to know how grateful I am that Grow Smart Children's Academy exists. . I was very nervous when it came to enrolling my daughter in daycare. However, I feel very fortunate and comfortable when my daughter is at Grow Smart Children's Academy. This is an excellent place for children not only to be cared for but to learn and socialize with others. The curriculum is age-appropriate and the teachers/staff are very competent, kind and caring to the children. It is one of the only daycares in the area to offer an infant /toddler program. The location is excellent. It is close to Grossmont Hospital. It is one of the few daycares that opens at 6:30am and closes at 6pm, which is helpful for working parents like me. There is always plenty of parking. I highly recommend Grow Smart Children's Academy to other parents. I fully support the expansion of Grow Smart Children's Academy. I hope other parents have the privilege of enrolling their children in such an excellent facility.

Sincerely,




Venus Olaes Rn, BSN
4962 Waring Road
Unit B
San Diego, CA 92120

8/10/11

To whom it may concern,

I am a parent of a child that goes to Grow Smart Children's Academy. My daughter has been going there for a year now. I have never had any problems with anything, not even parking has been a problem. When I drop off my daughter and pick her up there are not that many vehicles parked. I love that they have an infant program. This daycare center is very highly recommended by me and by other parents. I think that them expanding their daycare would be awesome.

Sincerely,


Tanisha Lopez
(619) 303-7580
(619) 952-7758

4 August 2011

To Whom It May Concern

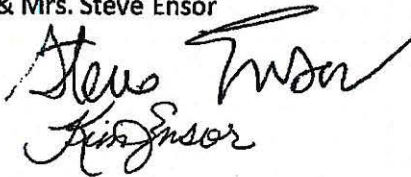
As San Carlos residents that need local and affordable childcare we are very appreciative of Grow Smart Children Academy (GSCA). We have had a relationship with the facility for 12+ years and have been thankful for the care and attention that they have provided our children over the years.

My wife is a nursing student at SDSU and I am a small business owner, and having GSCA available for our sometimes variable hours is something we grateful for especially as we strive to give back to the community in which we live.

We understand that Jackson Drive is a busy street and with the medical /dental center across the street there may be some concern. In the years that we have dropped off and picked up our children we have not experienced a problem, especially since parents tend to come at various times.

We support GSCA's desire to grow and continue to offer convenient and affordable childcare in our area.

Mr. & Mrs. Steve Ensor

Handwritten signatures of Steve Ensor and Kim Ensor. The signature for Steve Ensor is written in a cursive style with a large 'S' and 'E'. The signature for Kim Ensor is written in a cursive style with a large 'K' and 'E'.

8632 Tommy Drive

San Diego, CA 92119

Justin & Amy Pinto
7985 Forrestal Road.
San Diego, CA 92120

August 16, 2011

RE: Grow Smart Children's Academy
6271 Jackson Drive
San Diego, CA 92119

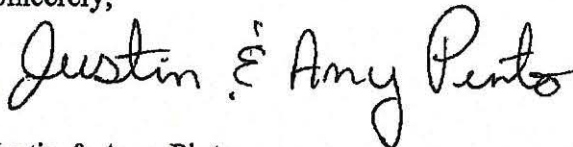
To Whom It May Concern:

Our son Lincoln has been attending the Grow Smart Children's Academy for approximately one year. Due to our work schedules Lincoln is dropped off at various times throughout the day. We have never experienced a problem such as not being able to find a parking spot or overcrowding of the existing parking lot.

Neither one of us have ever heard excessive noise or any noise that could be considered loud or offensive to surrounding dwellings coming from the Grow Smart Academy.

If the recipient of this letter would like to contact us for anything regarding this letter please feel welcome to contact us at (619) 322-1120.

Sincerely,

A handwritten signature in cursive script that reads "Justin & Amy Pinto". The signature is written in dark ink and is positioned above the printed name.

Justin & Amy Pinto

Fitzgerald, PJ

From: Moranville, April CIV [april.moranville@navy.mil]
Sent: Friday, December 09, 2011 7:56 AM
To: Fitzgerald, PJ
Subject: RE: #233302 Grow Smart Academy -- Hearing Officer Report FYI

Good Morning,

Thank you very much for the attached information. As you know I am very opposed to the expansion of the day care center into the adjacent residential house. Five parking spaces is not nearly enough for the number of children that will be dropped off in the morning and evening. I believe pictures were provided that show parents jaywalking across the busy Jackson Drive to deliver their children to the current single site (that they say has four parking spots). Since the number of children will be more than doubled when an additional residential property is added, the jaywalking problem will only increase.

I was so happy when the first request was denied, and can only hope that this request will be denied as well. The number of off street parking spots is still inadequate/dangerous for the number of children. The community does not need another mega child care facility at this location (there is one approximately 3 blocks down on Jackson Drive already). A mega child care facility will negatively impact the quality of life for all the residents of the area (constant noise and traffic).

I appreciate any assistance you can provide to deny this request.

V/R April Moranville

-----Original Message-----

From: Fitzgerald, PJ [mailto:PFitzgerald@sandiego.gov]
Sent: Thursday, December 08, 2011 15:34
To: Undisclosed recipients
Subject: #233302 Grow Smart Academy -- Hearing Officer Report FYI

As an Interested Party, please see attached Hearing Officer Report for the Grow Smart Academy for your reference.

If you have any questions, please feel free to contact me to discuss.

Fitzgerald, PJ

From: John F. Pilch [jfpilch@hotmail.com]
Sent: Thursday, December 08, 2011 10:11 PM
To: Fitzgerald, PJ
Cc: Wallace, Mary Ann
Subject: RE: #233302 Grow Smart Academy – Hearing Officer Report FYI

Follow Up Flag: Follow Up
Flag Status: Flagged

PJ: I'm disappointed in the Approval of this fiasco by Staff. Not only did the Navajo Community Planners, Inc. (NCPI) oppose this project unanimously, the revised plans filed by the applicant only exacerbate the traffic and parking situation. For those reasons, NCPI decided to not hold yet another hearing on the new CUP, as the community and the Planning Group had spoken. Guess I'll have to appear before the Hearing Officer and attempt to dissuade him/her from following your recommendation. Having vehicles driving over the sidewalk area onto the loop driveway is dangerous enough, but when combined with what we saw in the photos presented to NCPI, it's an accident waiting to happen. This doesn't even take the lack of parking into account.

From my perspective, as the President of the San Carlos Area Council, which also opposed the project unanimously, after a presentation by the applicant and his architect, we wonder who you're listening to, since it does not appear to be the neighbors, residents, the community council and the local planning group.

See you next week.

John Pilch, San Carlos Area Council

From: PFitzgerald@sandiego.gov
Date: Thu, 8 Dec 2011 15:33:43 -0800
Subject: #233302 Grow Smart Academy -- Hearing Officer Report FYI
To:

As an Interested Party, please see attached Hearing Officer Report for the Grow Smart Academy for your reference.

If you have any questions, please feel free to contact me to discuss.

Sincerely,

--PJ

PJ FitzGerald
 Development Project Manager
 Development Services Department
 City of San Diego
 ph. 619-446-5107
pfitzgerald@sandiego.gov

For additional information please note the City web site: www.sandiego.gov