



City of Escondido Zoning Administrator

MEETING AGENDA

201 North Broadway
City Hall – Council Chambers
Video Conference

**April 27, 2021
6 p.m.**

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

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

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

A. Call to Order:

B. Agenda items:

1. MODIFICATION TO A CONDITIONAL USE PERMIT FOR CASE NO. PL 21-0026:

A Modification to a Conditional Use Permit for improvements to Classical Academy’s middle school campus, including renovation of a portion of the building at 235 W. Washington Ave. for use as instructional space and offices, minor façade modifications to 235 W. Washington Ave., and reconfiguration of recreational amenities and landscaping in the outdoor areas of the campus. The middle school currently occupies a portion of 235 W. Washington Ave., as well as the full buildings addressed as 237 W. Washington Ave. and 144 and 146 Woodward Ave. With implementation of this project, Classical Academy would occupy the entirety of 235 W. Washington Ave. No changes to the other three buildings are proposed.

Location: 235 and 237 W. Washington Ave., and 144 and 146 Woodward Ave.

Applicant: The Classical Academies (Mark Kalpakgian)

Planner: Ann Dolmage

DECISION OF THE ZONING ADMINISTRATOR:

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

C. Adjournment:

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

Zoning Administrator

Witness

ZONING ADMINISTRATOR

- CASE NUMBER:** PL 21-0026
- APPLICANT:** The Classical Academies (Mark Kalpakgian)
- PROJECT LOCATION:** The Classical Academy middle school, a 1.13-acre campus that includes 235 W. Washington Ave., 237 W. Washington Ave., 144 Woodward Ave., and 146 Woodward Ave. (APNs 229-281-29-00, 229-281-30-00, 229-281-17-00, 229-281-18-00, and 229-281-19-00)
- REQUEST:** A Modification to a Conditional Use Permit for improvements to Classical Academy's middle school campus, including renovation of a portion of the building at 235 W. Washington Ave. for use as instructional space and offices, minor façade modifications to 235 W. Washington Ave., and reconfiguration of recreational amenities and landscaping in the outdoor areas of the campus. The middle school currently occupies a portion of 235 W. Washington Ave., as well as the full buildings addressed as 237 W. Washington Ave. and 144 and 146 Woodward Ave. With implementation of this project, Classical Academy would occupy the entirety of 235 W. Washington Ave. No changes to the other three buildings are proposed.
- STAFF RECOMMENDATION:** Approval
- GENERAL PLAN DESIGNATION:** Specific Plan Area 9 (SPA 9: Downtown Specific Plan)
- ZONING:** Specific Plan (S-P)

BACKGROUND/PROJECT DESCRIPTION:

The Classical Academies operates multiple public charter schools across northern San Diego County, serving grade levels from transitional kindergarten through high school. The organization first established a presence on Woodward Avenue in 2000, under Conditional Use Permit (CUP) Case File No. 99-54-CUP. This original CUP authorized an elementary and middle school within a portion of the former North County Church of Christ at 130 Woodward Ave. Over the years, this

CUP was modified six times, with changes to the grades served, the buildings occupied, and the enrollment permitted.

The most recent modification, Case File No. PHG 15-0035, was approved by the Escondido Planning Commission on December 8, 2015. At the time the application for PHG 15-0035 was submitted, the school was operating as a middle school (grades 7 and 8), in three buildings addressed as 144 and 146 Woodward and 237 W. Washington Ave. The school was also using the top floor of 235 W. Washington Ave. for school offices, but was not conducting any student instruction within that building. Approval of the 2015 modification allowed the school to renovate a portion of the ground floor of 235 W. Washington Ave. for use as classroom space and additional offices, giving Classical Academy occupancy of the majority of the building, but leaving two retail spaces in the remaining area of the ground floor untouched. The 2015 modification also established a parking requirement of 18 spaces on the middle school campus, to accommodate a staff of 18 people. Finally, the 2015 modification included a condition of approval that expressly stated that student enrollment at the middle school would not be capped.

Under the current project, the applicant requests a new CUP modification to convert the remainder of 235 W. Washington Ave. (the portion currently occupied by retail uses) into additional classroom and office space, giving the middle school full occupancy of this 6,350-square-foot building. The project will also modify the façade of the building to replace the retail storefronts at the front elevation with stucco infill walls and windows, to repair or clean existing stucco and brick elements as needed, and to match building colors to those of existing campus buildings with a palette of white, tan, and blue. Project plans are attached as Exhibit "C" to draft Zoning Administrator Resolution No. 2021-02, which itself is attached hereto for reference as Attachment 2. Finally, the project will modify outdoor amenities throughout the campus by adding a new basketball court, terraced seating, shade canopy, and artificial turf areas; update landscaping within existing planters and add new planters; replace existing perimeter fencing on the east side of the campus with new chain-link fencing (vinyl coated with slats), and installing a gate at the Washington Avenue entry. As part of the perimeter fencing upgrade, the portion of the fence that immediately borders the basketball court will be raised to a height of 10 feet.

The middle school currently employs a staff of 33 people (25 full-time and eight part-time), and the project will remove all on-site parking for staff from the campus. To compensate for this loss, a proposed condition of approval provides two options for off-site replacement. The first option will require middle school staff to use a parking lot approximately one-quarter mile to the east, at the northwest corner of Waverly Place and East Pennsylvania Avenue. This lot is one of multiple lots already owned and operated by Classical Academy in support of their high school campus at 207 E. Pennsylvania Ave. On June 23, 2020, the Planning Commission approved Case File No. PHG 20-0001, a Modification to a Conditional Use Permit to expand the high school's parking lot at the northeast corner of Waverly Place and East Pennsylvania Avenue, bringing the total parking supply at the high school to 241 spaces. This expansion created a surplus of 51 spaces at the high school, since its original CUP (Case File No. PHG 12-0023) established a parking

requirement of 190 spaces. The 51-space surplus at the high school campus is more than enough to accommodate the 33 spaces required by the middle school.

As an alternative to using parking at the high school campus, the school may also seek a shared parking agreement with the City of Escondido, for use of spaces within the City-owned parking lot on the south side of Woodward Avenue. If this option is pursued, the agreement will require authorization by City Council, and no further modifications to the CUP will not be required just for this purpose, nor will additional hearings before the Zoning Administrator or Planning Commission be necessary.

Section 33-1103(a) of the Zoning Code requires schools to maintain an off-street area for the loading and unloading of students from vehicles, so as to provide for the forward movement of vehicles entering and leaving the site. The campus currently does not have a designated off-street loading/unloading area that meets this description. While vehicle access is possible from W. Washington Ave., parents dropping off children would need to turn around within the on-site parking lot to exit again at Washington, since gates are restricting access from Woodward Avenue. With the proposed removal of all on-site parking, loading and unloading within the boundaries of the campus will be even more difficult. Ordinarily this would mean that the pick-up and drop-off points would be scattered across different areas both inside and outside of the school. However, the City parking lot on the south side of Woodward Avenue provides an off-street location where students can be picked up or dropped off. This site has been historically utilized by the school for this purpose. The school shall continue to use the Woodward parking lot to accommodate student drop-off and pick-up placement. In the event that the off-site spaces associated with the Woodward parking lot are no longer available, the potential loss of parking would have to be mitigated by conditions which may also require removal of fixed-seating, student enrollment capacity reductions, and/or other measures to reduce peak parking or traffic flow demand. A condition has been added to Exhibit "D" of draft Zoning Administrator Resolution No. 2021-02 (Conditions of Approval) to require the Project to monitor the pick-up and drop-off point management system to ensure that students enter and exit the school grounds safely. The Project will be required to submit a parking management plan to the Director of Community Development to monitor the effectiveness of the drop-off and pick-up system, including, but not limited to, parking lot capacity, overflow parking, traffic flow and traffic congestions, and risk zones and risk periods associated with the student drop-off and pick-up system as proposed and implemented.

As described above, the prior discretionary approval for this campus (PHG 15-0035) included a condition that stated that no cap would be placed on the middle school's student enrollment. The current physical capacity of the school is 317 students, and the proposed project would increase this capacity to accommodate 385 students (an increase of 68 students, or a 21% increase). As described in the Findings of Fact, attached as Exhibit "B" to Resolution No. 2021-02 (see Attachment 2 to this staff report), school additions that do not cause the capacity of the school to increase by more than 25% or ten classrooms, whichever is less, may be considered exempt from CEQA. To maintain this exemption, the current project has been conditioned to cap the

enrollment of the middle school at 385 students. A condition is also included to require the applicant to provide enrollment figures to the City for the 2021-2022 and 2022-2023 school years.

ENVIRONMENTAL STATUS

California Environmental Quality Act (“CEQA”) Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The Project qualifies for an exemption under CEQA Guidelines section 15314 (Minor Additions to Schools) as described further in the Findings of Fact, attached as Exhibit “B” to Resolution No. 2021-02 (see Attachment 2 to this staff report).

REASON FOR STAFF RECOMMENDATION:

1. Staff recommends approval of a Modification to a CUP to allow Classical Academy to convert a portion of 235 W. Washington Ave. from retail space to classrooms, offices, and storage rooms; to modify the façade of the building; and to reconfigure outdoor recreation spaces, landscaping, and fencing. Classical Academy already occupies the entire second floor and a portion of the first floor of this building, so the project would allow the school to occupy the entire building, without adding new floor area or increasing its footprint. The project underwent staff design review, where it was determined that the proposed changes to the building façade would be compatible with the other buildings on the campus as well as buildings on neighboring properties. Staff parking will be accommodated at a lot on Waverly Place and East Pennsylvania Avenue that currently serves Classical Academy’s high school; or in the alternative, at the City’s parking lot on the south side of Woodward Avenue (with City Council authorization of a shared parking agreement).

Respectfully submitted,

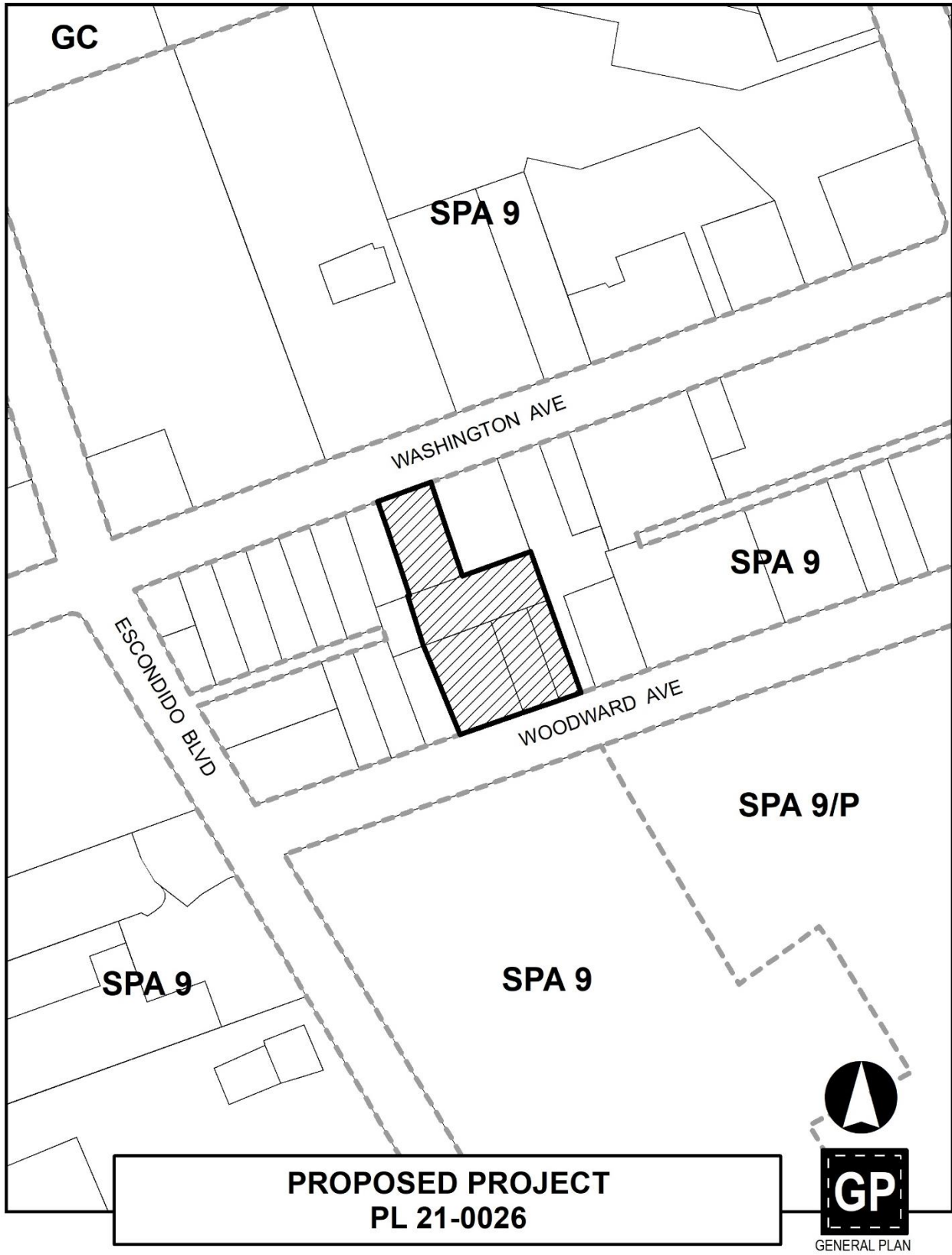
Ann Dolmage

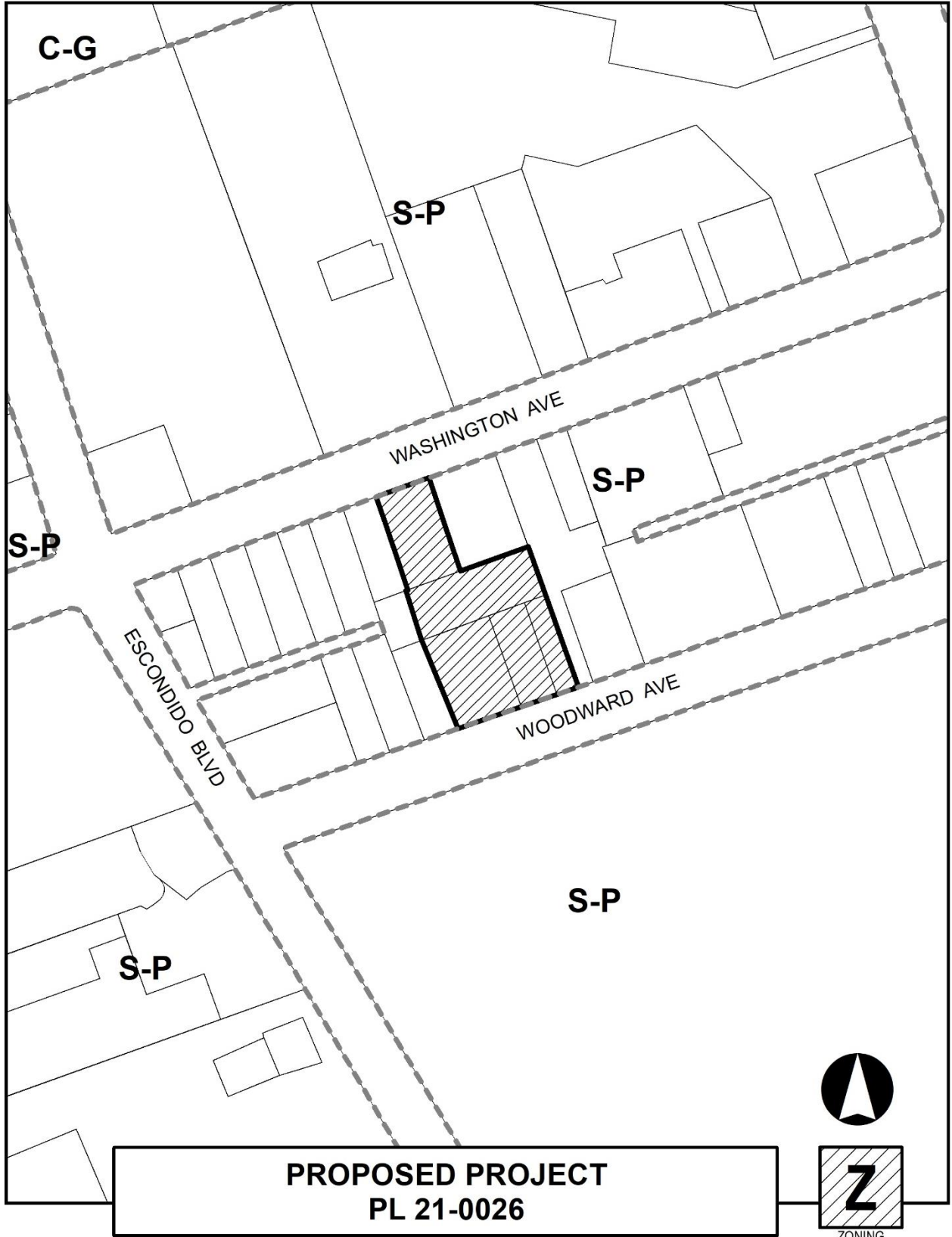
Ann Dolmage
Associate Planner

ATTACHMENTS:

1. Project Location Map
2. Draft Zoning Administrator Resolution No. 2021-02, Including Exhibits A, B, C, and D
3. Notice of Exemption under CEQA Guidelines section 15314 (Minor Additions to Schools)

ATTACHMENT 1





ATTACHMENT 2

Zoning Administrator

Hearing Date: _____

Effective Date: _____

RESOLUTION NO. 2021-02

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MODIFICATION TO A CONDITIONAL USE PERMIT FOR THE RENOVATION OF A PORTION OF THE BUILDING AT 235 W. WASHINGTON AVE. FOR USE AS INSTRUCTIONAL SPACE AND OFFICES, MINOR FAÇADE MODIFICATIONS TO 235 W. WASHINGTON AVE., AND RECONFIGURATION OF RECREATIONAL AMENITIES AND LANDSCAPING IN THE OUTDOOR AREAS OF THE CAMPUS

APPLICANT: Mark Kalpakgian, The Classical Academies

CASE NO: PL 21-0026

WHEREAS, the Zoning Administrator of the City of Escondido did, on April 27, 2021 hold a public hearing to consider a request for a Modification to a Conditional Use Permit on property addressed as 235 W. Washington Ave., 237 W. Washington Ave., 144 Woodward Ave., and 146 Woodward Ave., more particularly described in Exhibit "A," and all persons desireing to speak did so.

WHEREAS, evidence was submitted to and considered by the Zoning Administrator at or before the public hearing, including, without limitation, written information, and the staff report dated April 22, 2021, which along with its attachments is incorporated herein by this reference.

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

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

WHEREAS, a staff report was presented discussing the issues in the matter, to which the Notice of Exemption was attached as Attachment 3.

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

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

1. That the above recitations are true and correct.
2. That the Project is categorically exempt from further CEQA review pursuant to CEQA Guidelines section 15314 (Minor Additions to Schools). The Zoning Administrator has reviewed and considered the Notice of Exemption prepared for the project and has determined that it is complete and adequate, and there are no significant environmental effects that cannot be mitigated.
3. That, considering the Findings of Fact attached to the resolution as Exhibit "B," the project plans attached as Exhibit "C," and applicable law, the Zoning Administrator hereby approves said Modification to a Conditional Use Permit, subject to the Conditions of Approval attached as Exhibit "D."

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

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

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

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

Zoning Administrator
April 27, 2021
PL 21-0026

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the
City of Escondido, California, at a regular meeting held on the 27th day of April, 2021.

MIKE STRONG
Zoning Administrator,
City of Escondido

WITNESS

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

EXHIBIT "A"

**LEGAL DESCRIPTION
Classical Academy Middle School Expansion
PL 21-0026**

APN 229-281-29-00:

THAT PORTION OF LOT 25 IN BLOCK 10 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

THE NORTHERLY 140 FEET OF SAID LOT 25.

EXCEPTING THE WESTERLY 50 FEET THEREOF, AND EXCEPT THE EASTERLY 200 FEET THEREOF.

APN 229-281-30-00:

THAT PORTION OF LOT 25 IN BLOCK 10 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

THE SOUTHERLY 74.00 FEET OF THE NORTHERLY 214.00 FEET OF LOT 25 IN BLOCK 10 OF ESCONDIDO.

EXCEPTING THEREFROM THE EASTERLY 100 FEET THEREOF, ALSO EXCEPTING THEREFROM THE WESTERLY 45.00 FEET THEREOF.

APN 229-281-17-00:

THE WESTERLY 30.00 FEET OF THE EASTERLY 130.00 FEET OF THE SOUTHERLY 140.00 FEET OF THE NORTHERLY 354.00 FEET OF LOT 25 IN BLOCK 10 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.

EXCEPTING THEREFROM THAT PORTION THEREOF, IF ANY, LYING WITHIN THE SOUTHERLY 267.00 FEET OF SAID LOT 25.

Zoning Administrator
April 27, 2021
PL 21-0026

APN 229-281-18-00:

THE WESTERLY 55.00 FEET OF THE EASTERLY 185.00 FEET OF THE SOUTHERLY 140.00 FEET OF THE NORTHERLY 354.00 FEET OF THAT PORTION OF LOT 25 IN BLOCK 10 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.

EXCEPTING THEREFROM THAT PORTION THEREOF, IF ANY, LYING WITHIN THE SOUTHERLY 267.00 FEET OF SAID LOT 25.

APN 229-281-19-00:

THAT PORTION OF LOT 25 IN BLOCK 10 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 25; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT, A DISTANCE OF 267.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE WESTERLY AT RIGHT ANGLES TO SAID EASTERLY LINE, 330.00 FEET, MORE OR LESS, TO THE WESTERLY LINE OF SAID LOT; THENCE NORTHERLY ALONG SAID WESTERLY LINE 140.00 FEET MORE OR LESS TO THE SOUTHERLY LINE OF THE NORTHERLY 214.00 FEET OF SAID LOT 25; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 330.00 FEET, MORE OR LESS, TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTHERLY ALONG SAID EASTERLY LINE 140.00 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE EASTERLY 185.00 FEET AND THE WESTERLY 50.00 FEET.

EXHIBIT “B”
FINDINGS OF FACT
Classical Academy Middle School Expansion
PL 21-0026

Environmental Determination:

1. California Environmental Quality Act (“CEQA”) Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The project qualifies for an exemption under CEQA Guidelines section 15314 (Minor Additions to Schools). This exemption applies to minor additions to schools within existing school grounds, where the additions do not increase original student capacity by more than 25% or ten classrooms, whichever is less. The proposed middle school expansion will take place within existing school grounds, will add three classrooms to the middle school campus, and will increase the student capacity of the school from 317 students to 385 students, for a capacity increase of 21%.
2. Typically, the prior zoning permit would be relied on to support the determination that a school expansion would not increase “original student capacity” of the school “by more than 25% or ten classroom, whichever is less.” However, the conditions of approval for the previous Modification to a CUP for this site (PHG 15-0035) indicated that a student enrollment cap was not imposed on the middle school. On its own, this is insufficient evidence to support the determination that the project qualifies for the Class 14 exemption. Therefore, the “original student capacity” standard shall be the “current physical enrollment capacity.”
3. The school has the current capacity to physically accommodate 317 students, and the proposed project would increase that capacity by 68 students (for a total capacity of 385 students). The increase of 68 students is less than 25% of the original capacity of 317. Additionally, the project will be adding three classrooms to the school, which is fewer than 10.
4. Based on the substantial evidence in the record, the project qualifies for a categorical exemption pursuant to CEQA Guidelines section 15314 (Minor Additions to Schools). A condition has been added to Exhibit “D” of this Resolution (Conditions of Approval) to require that the student enrollment cap be placed at 385 students.

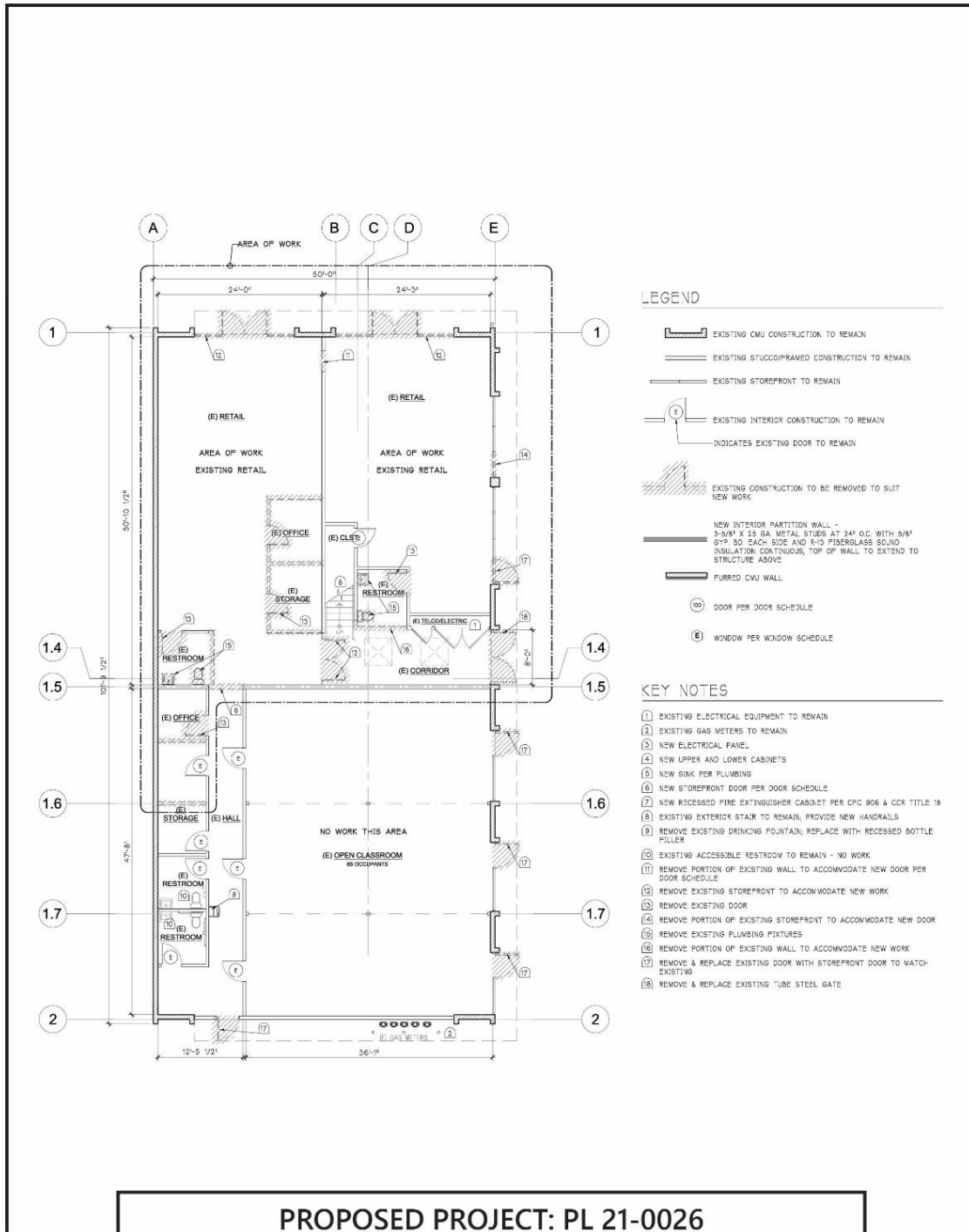
Conditional Use Permit Determinations:

1. A conditional use permit should be granted upon sound principles of land use and in response to services required by the community. The project will allow an existing middle school to accommodate an increased enrollment, therefore serving more families in Escondido and the surrounding area. No physical expansion of the building at 235 W. Washington Ave. is

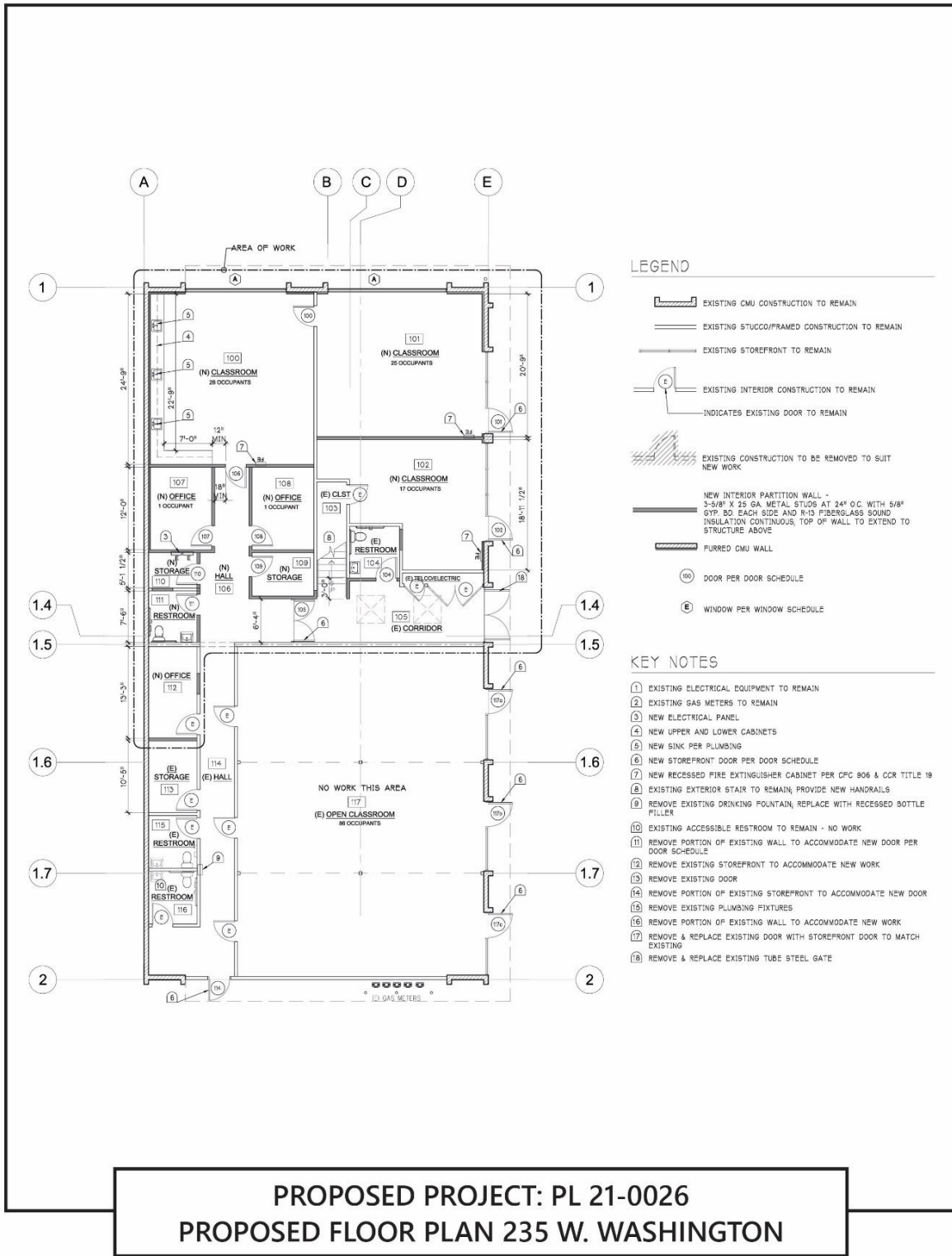
proposed, since the project will renovate existing floor area within this building to convert it from retail space to classrooms, offices, and storage space. The project will update the façade of the building by replacing the existing retail storefronts on the front elevation with a new stucco wall and windows, repairing and painting the existing stucco parapets and adding a new parapet cap, and adding new landscaping to the existing planters at the front of the building (existing masonry elements will be left as-is and cleaned as necessary). Any existing retail signage will be removed, and new signage will require a separate sign permit, and will be reviewed for conformity to the sign standards in the Downtown Specific Plan. Outdoor spaces on the campus will be enhanced to incorporate new play areas, seating, shade, and landscaping, providing an attractive and functional environment for students and staff. The project has been conditioned to require the applicant to provide 33 parking spaces for staff, either in a lot near the Classical Academy's high school, or in the City-owned lot on the south side of Woodward Avenue. (If the latter option is pursued, the applicant is required to obtain City Council approval to enter a shared parking agreement with the City, but is not required to modify this CUP). Off-street student loading and unloading can be accommodated within the City's parking lot on the south side of Woodward Avenue.

2. A conditional use permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located. As described above, the project will not introduce any new structures or expand the footprint or floor area of any existing structures, and will instead renovate an existing structure and modify outdoor areas that are already within the boundaries of the existing campus. Provisions for staff parking are identified within the proposed conditions of approval, and student loading/unloading can be accommodated within the City-owned lot on the south side of Woodward Avenue. The project site is bordered by commercial uses on the east and west sides, and is fenced on both sides for privacy and security, as well as to contain the students within the campus grounds. In the vicinity of the proposed basketball court, this fence will be raised to 10 feet in height to prevent balls and other equipment from encroaching onto the neighbors' property.
3. A conditional use permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located. The project has undergone staff design review and has been reviewed for consistency with the City of Escondido General Plan, the Downtown Specific Plan, and the Escondido Zoning Code. The proposed use at the location requested will not adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; and will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbances.

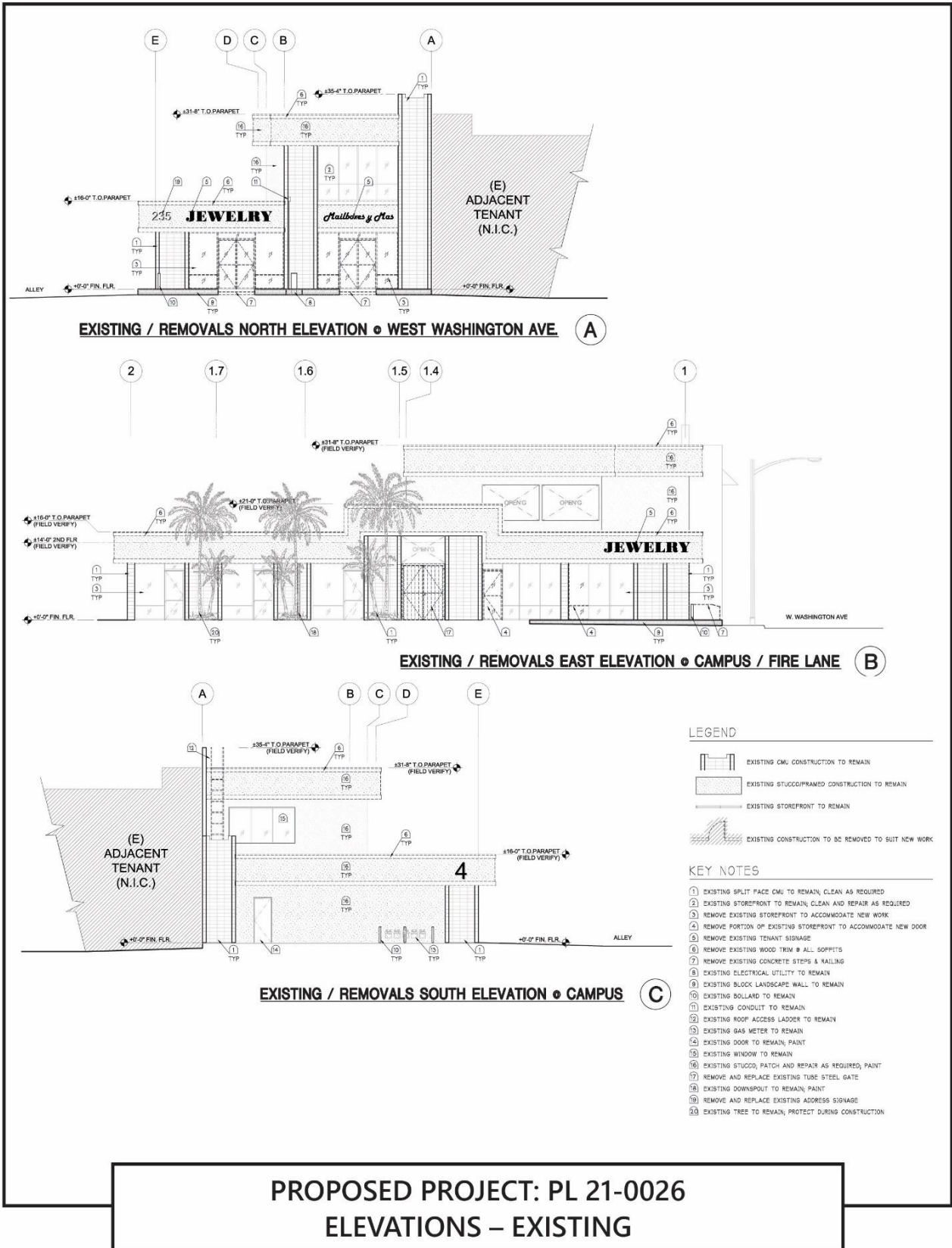
EXHIBIT "C"
PROJECT EXHIBITS
Classical Academy Middle School Expansion PL 21-0026



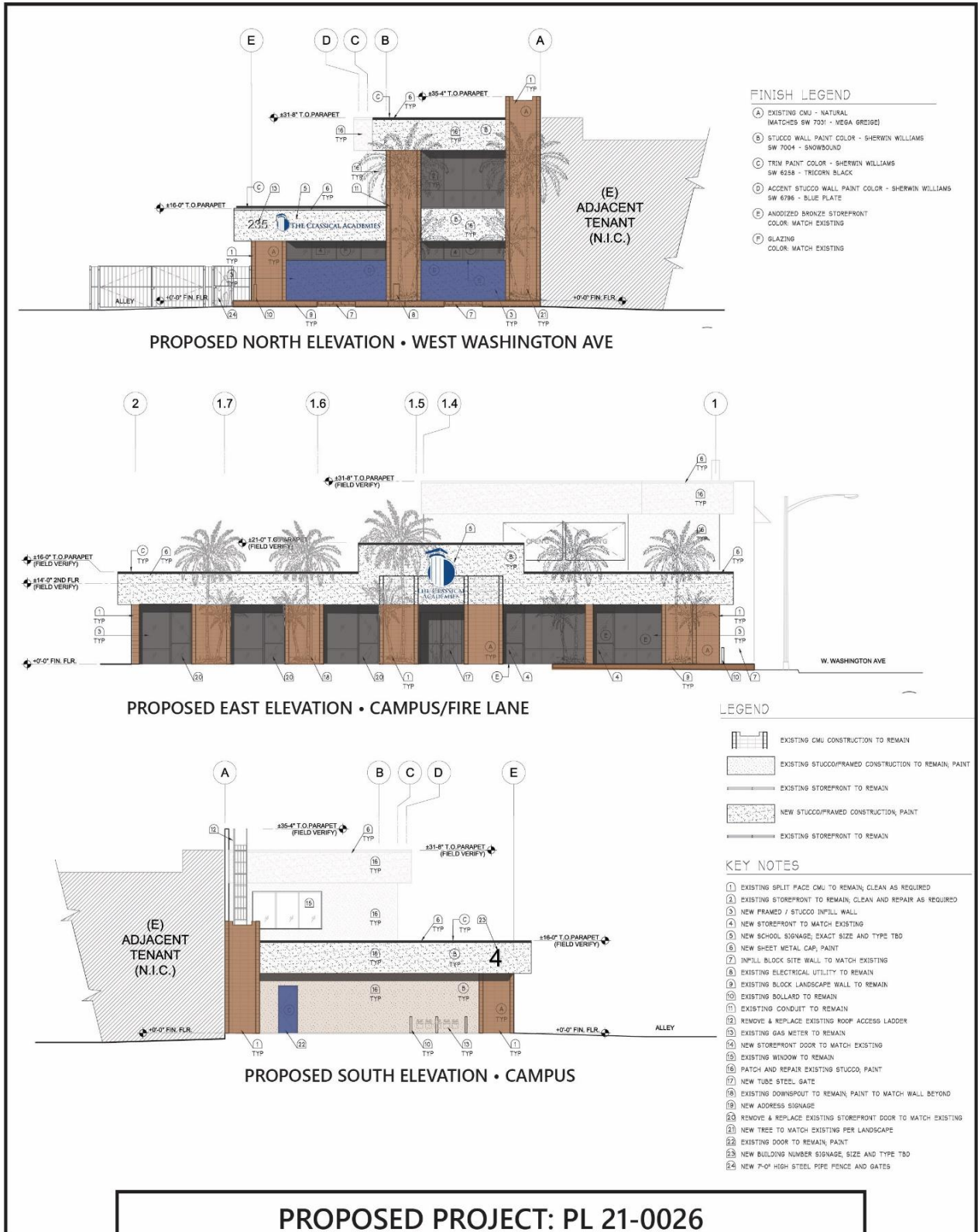
PROPOSED PROJECT: PL 21-0026
EXISTING/REMOVALS FLOOR PLAN 235 W. WASHINGTON



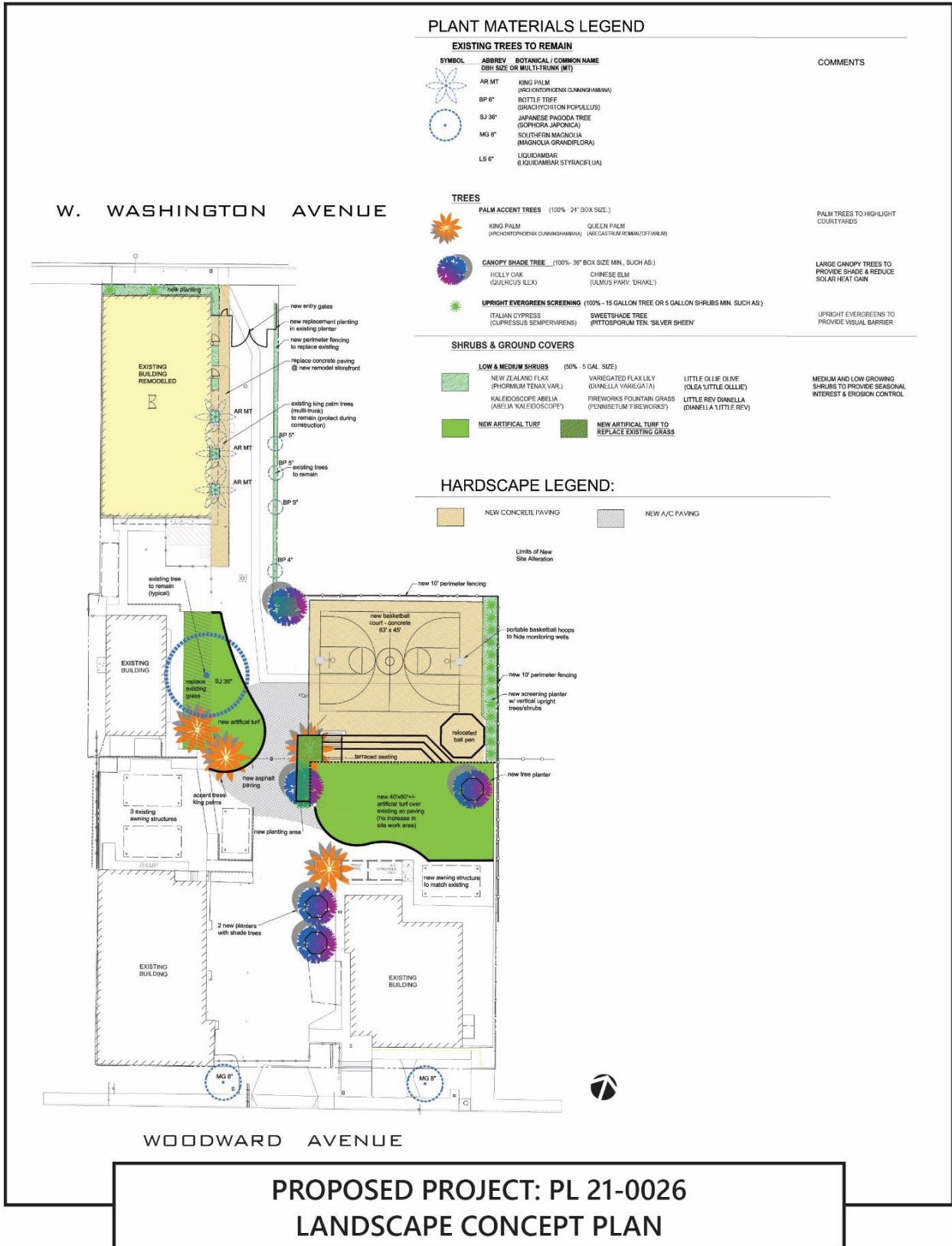
PROPOSED PROJECT: PL 21-0026
PROPOSED FLOOR PLAN 235 W. WASHINGTON

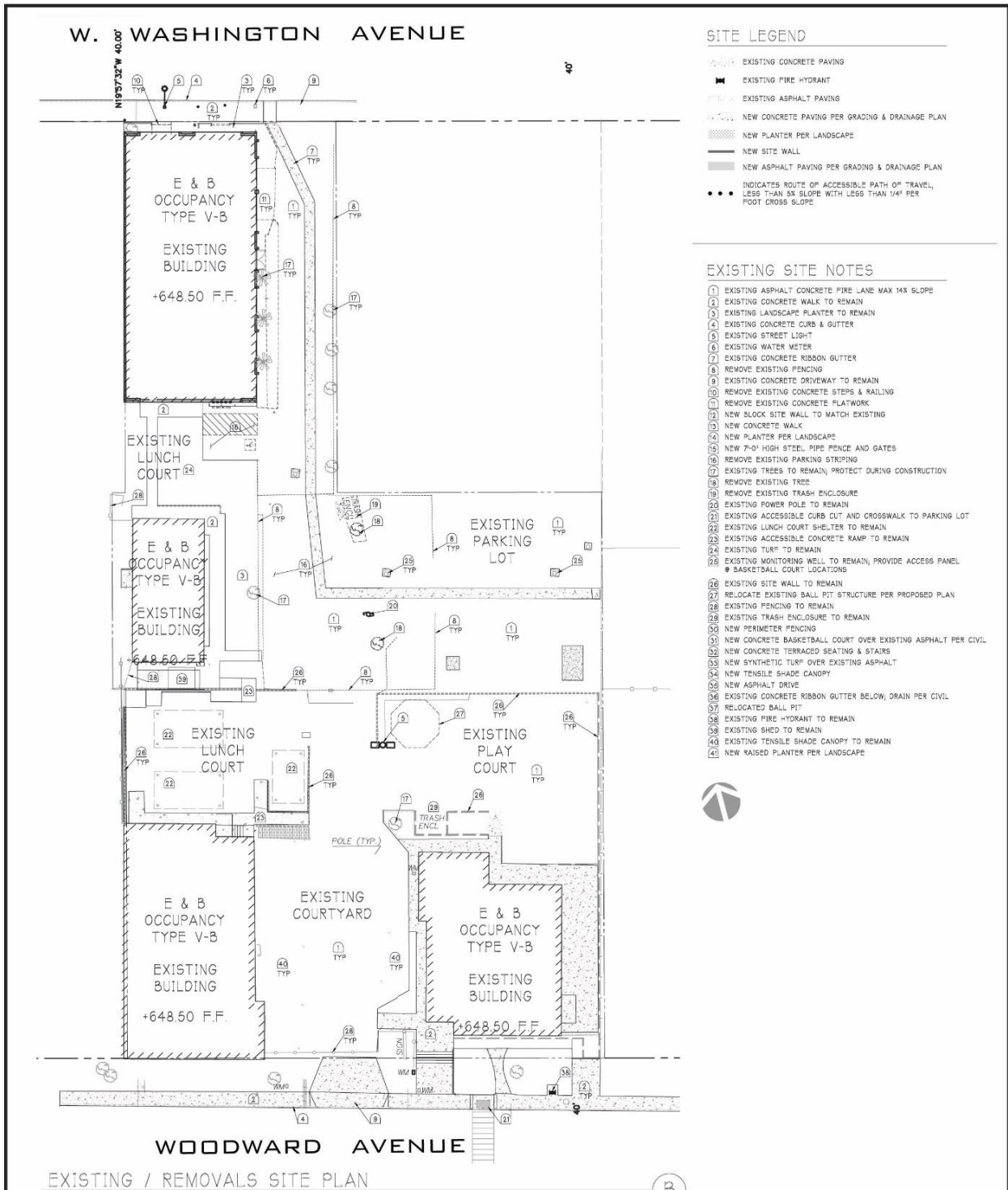


**PROPOSED PROJECT: PL 21-0026
 ELEVATIONS – EXISTING**

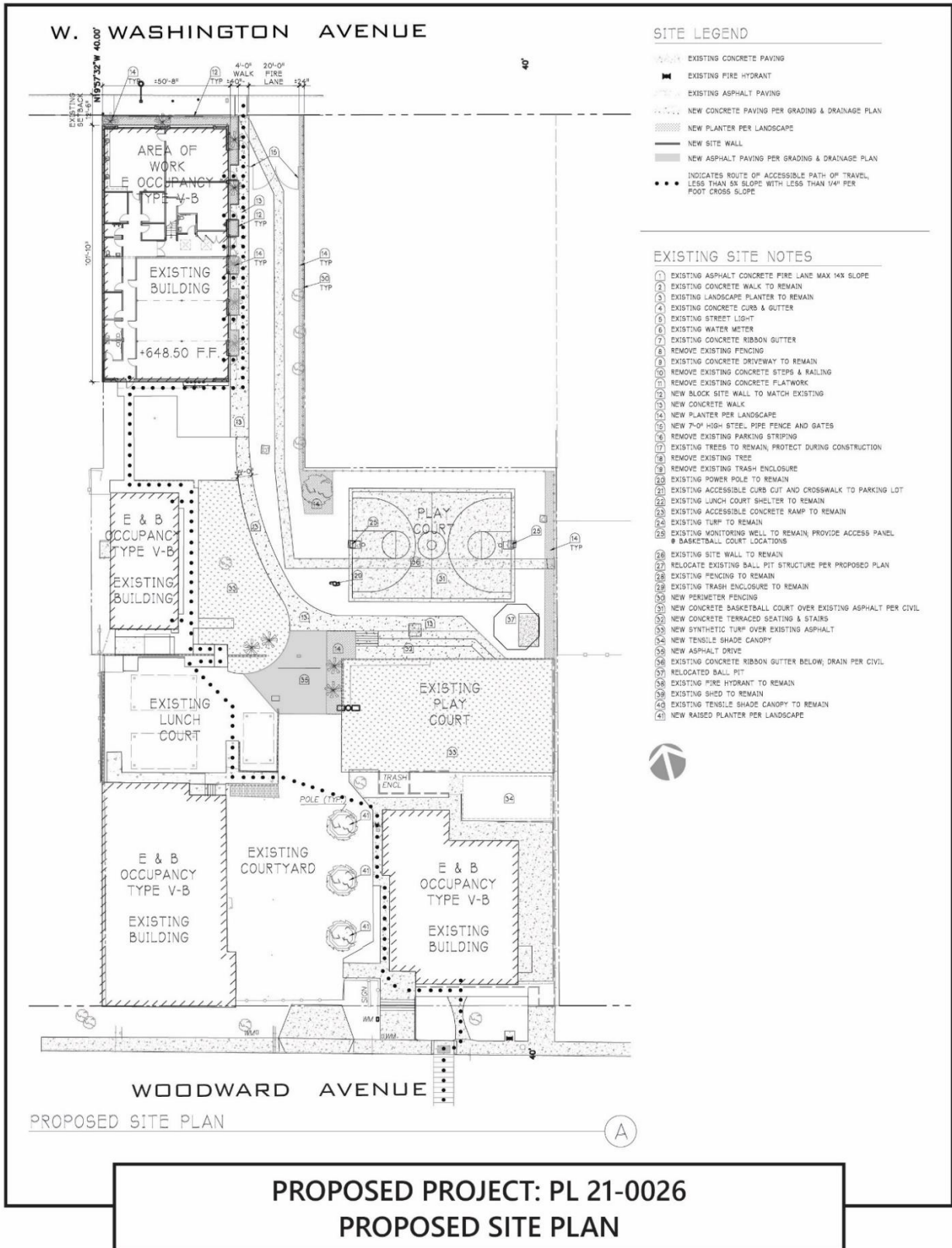


**PROPOSED PROJECT: PL 21-0026
 ELEVATION – PROPOSED**





PROPOSED PROJECT: PL 21-0026
EXISTING SITE PLAN

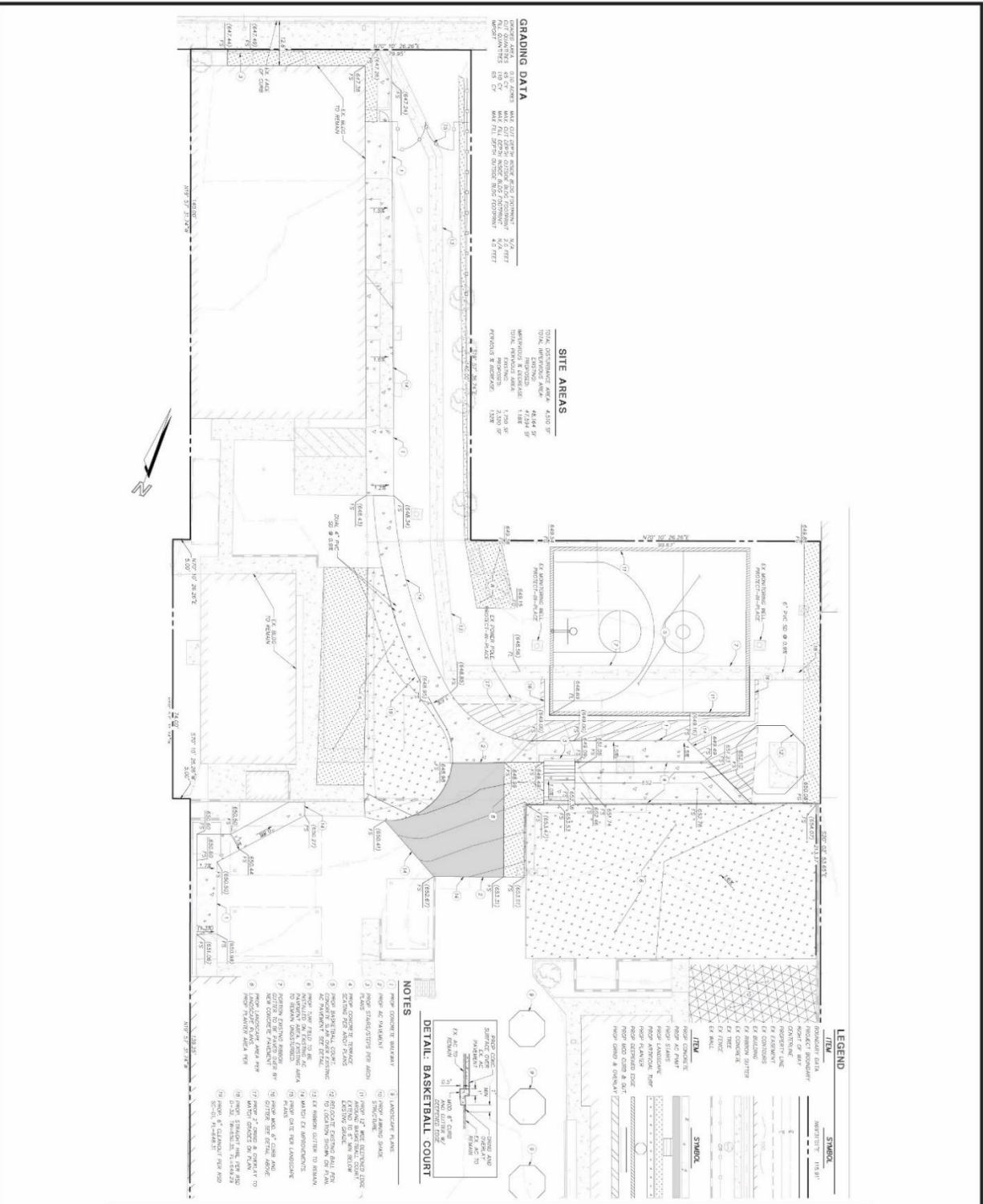


GRADING DATA

| | | | | | |
|----------------|-------------|------------|----------|------------------|-----------|
| EXIST. GRADE | 12.5' ZONES | MAX. CUT | 25.00' | MAX. FILL | 5.00' |
| PROPOSED GRADE | 12.5' ZONES | MAX. CUT | 25.00' | MAX. FILL | 5.00' |
| TOTAL CUT | 45,124 SF | TOTAL FILL | 1,200 SF | TOTAL EXCAVATION | 46,324 SF |

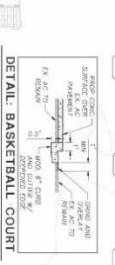
SITE AREAS

| | |
|---------------------------------|-----------|
| TOTAL DEVELOPMENT AREA | 4,510 SF |
| TOTAL EXISTING BUILDING AREA | 48,144 SF |
| TOTAL EXISTING DRIVEWAY AREA | 1,120 SF |
| TOTAL EXISTING PARKING AREA | 2,100 SF |
| TOTAL EXISTING TOTAL AREA | 51,364 SF |
| TOTAL PROPOSED DEVELOPMENT AREA | 4,510 SF |



LEGEND

| ITEM | SYMBOL |
|--------------------------|----------------------------|
| PROPOSED GRADE | (Symbol: Dashed line) |
| EXISTING GRADE | (Symbol: Solid line) |
| PROPOSED DRAINAGE | (Symbol: Dotted line) |
| EXISTING DRAINAGE | (Symbol: Dashed line) |
| PROPOSED CONCRETE | (Symbol: Grid pattern) |
| EXISTING CONCRETE | (Symbol: Solid pattern) |
| PROPOSED ASPHALT DRIVE | (Symbol: Stippled pattern) |
| EXISTING ASPHALT DRIVE | (Symbol: Solid pattern) |
| PROPOSED ASPHALT PARKING | (Symbol: Stippled pattern) |
| EXISTING ASPHALT PARKING | (Symbol: Solid pattern) |
| PROPOSED LANDSCAPE | (Symbol: Dotted pattern) |
| EXISTING LANDSCAPE | (Symbol: Solid pattern) |
| PROPOSED FENCE | (Symbol: Dashed line) |
| EXISTING FENCE | (Symbol: Solid line) |
| PROPOSED STRUCTURE | (Symbol: Solid line) |
| EXISTING STRUCTURE | (Symbol: Dashed line) |
| PROPOSED UTILITY | (Symbol: Dotted line) |
| EXISTING UTILITY | (Symbol: Solid line) |



- NOTES**
1. REFER TO ARCHITECTURAL DRAWINGS FOR ALL DETAILS.
 2. REFER TO ARCHITECTURAL DRAWINGS FOR ALL FINISHES.
 3. REFER TO ARCHITECTURAL DRAWINGS FOR ALL MATERIALS.
 4. REFER TO ARCHITECTURAL DRAWINGS FOR ALL DIMENSIONS.
 5. REFER TO ARCHITECTURAL DRAWINGS FOR ALL NOTES.
 6. REFER TO ARCHITECTURAL DRAWINGS FOR ALL SCHEDULES.
 7. REFER TO ARCHITECTURAL DRAWINGS FOR ALL SPECIFICATIONS.
 8. REFER TO ARCHITECTURAL DRAWINGS FOR ALL REQUIREMENTS.
 9. REFER TO ARCHITECTURAL DRAWINGS FOR ALL CONDITIONS.
 10. REFER TO ARCHITECTURAL DRAWINGS FOR ALL EXCEPTIONS.
 11. REFER TO ARCHITECTURAL DRAWINGS FOR ALL VARIATIONS.
 12. REFER TO ARCHITECTURAL DRAWINGS FOR ALL DEVIATIONS.
 13. REFER TO ARCHITECTURAL DRAWINGS FOR ALL MODIFICATIONS.
 14. REFER TO ARCHITECTURAL DRAWINGS FOR ALL CORRECTIONS.
 15. REFER TO ARCHITECTURAL DRAWINGS FOR ALL REVISIONS.
 16. REFER TO ARCHITECTURAL DRAWINGS FOR ALL CHANGES.
 17. REFER TO ARCHITECTURAL DRAWINGS FOR ALL UPDATES.
 18. REFER TO ARCHITECTURAL DRAWINGS FOR ALL IMPROVEMENTS.
 19. REFER TO ARCHITECTURAL DRAWINGS FOR ALL ENHANCEMENTS.
 20. REFER TO ARCHITECTURAL DRAWINGS FOR ALL ADJUSTMENTS.

**PROPOSED PROJECT: PL 21-0026
 GRADING AND DRAINING PLAN**

EXHIBIT “D”
CONDITIONS OF APPROVAL
Classical Academy Middle School Expansion
PL 21-0026

This Project is conditionally approved as set forth on the application received by the City of Escondido on **January 20, 2021**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as approved on **April 27, 2021**, and shall not be altered without express authorization by the Community Development Department.

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

A. General:

1. **Acceptance of Permit.** If the Applicant fails to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a. Acceptance of the Permit by the Applicant; and
 - b. Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.

2. **Permit Expiration.** If the Permit was filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. If not filed as concurrent with a Tentative Map or Planned Development application, the Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

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

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

7. Availability of Permit Conditions.

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

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

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

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

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

11. Public Art Partnership Program. All requirements of the Public Art Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

12. Clerk Recording.

- a. Exemption. The City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50 in order to file a Notice of Exemption. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Guidelines section 15062, the Applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the Project (the final approval being the date of this letter) a certified check payable to the "County Clerk" in the amount of \$50. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the Project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations period will apply.
- b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

13. Exemption. The City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50 in order to file a Notice of Exemption. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Guidelines section 15062, the Applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the Project (the final approval being the date of this letter) a certified check payable to the "County Clerk" in the amount of \$50. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the Project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations period will apply.

For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

14. Legal Description Adequacy. The legal description attached to the application has been provided by the Applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

15. **Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.
16. **Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Community Development for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

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

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

17. **Indemnification, Hold Harmless, Duty to Defend.**

- a. The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner of the Property (including the Applicant's or the owner of the Property's contractors, subcontractors, licensees,

- sub lessees, invitees, agents, consultants, employees, or volunteers), or such activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City).
- b.** The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project's environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant's payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).
- c.** The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written

Deposit Account Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

B. Construction, Maintenance, and Operation Obligations:

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

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

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

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

3. **Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
4. **Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.
5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
7. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.
8. **Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
9. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
10. **Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
11. **Trash Enclosures.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.

12. **Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
13. **Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
14. **Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof, demonstrating compliance with the California Green Building Standards Code sections cited above.
15. **Construction Equipment Emissions.** Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board ("CARB") certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii) functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall demonstrate to the satisfaction of the Director of Community Development that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model ("CalEEMod") or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.

C. Parking and Loading/Unloading.

1. A minimum of 33 parking spaces shall be provided at all times for use by middle school staff. The applicant may satisfy this requirement by entering an agreement to allow middle school staff to use 33 spaces within the parking lot at the northwest corner of Waverly Pl. and E. Pennsylvania Ave. (currently part of the Classical Academy High School's parking inventory). If this option is utilized, any gates maintained at this parking lot shall not prohibit access to middle school staff during regular school hours. As an alternative, the applicant may request that the City Council authorize an agreement between the applicant and the City of Escondido for the use of 33 spaces within the City's parking lot on Woodward Avenue, without any further amendments to the Conditional Use Permit. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required, minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.
3. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

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

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.
6. **Landscaping Plans.** Applicant shall install all required improvements including screening walls, retaining walls, storm improvements, and landscaping in substantial conformance to the planting and irrigation schedule as shown on the final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Planning Division for review and approval, if meeting any of the criteria listed under Section 33-1323 of the Zoning Code. Five copies of detailed landscape and irrigation plans shall be submitted to the Engineering Services Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees, paid in accordance with the prevailing fee schedule in effect at the time of submittal. Details of Project fencing and walls, including materials and colors, shall be provided on the landscape plans. (Building permits may also be required.) The landscape and irrigation plans shall be reviewed and approved by the Planning Division and Engineering Services Department prior to issuance of grading permits, and shall be equivalent or superior to the conceptual landscape plans included as part of the Approved Plan set, to the satisfaction of the Planning Division. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code, except where stricter requirements are imposed by the State of California.
 - b. Screening walls, retaining walls, storm improvements, and landscaping (i.e. planting and irrigation) is to be provided prior to final occupancy.
 - c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The Applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
 - d. Any new freestanding walls and/or retaining walls shall incorporate decorative materials or finishes, and shall be indicated on the landscaping plans. (Building permits may also be required.) All freestanding walls visible from points beyond the Project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be a type satisfactory to the Director of Community Development.

- e. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Community Development shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

1. All conditions of approval previously applied to this Conditional Use Permit by Planning Commission Resolution No. 6060 (Planning Case No. PHG 15-0035) shall remain in effect unless specifically modified herein.
2. School enrollment shall be limited to a maximum of 385 students at the full implementation of the enrollment increase.
3. The school shall provide annual enrollment figures to the Director of Community Development by October 1 of year 2021 (for the 2021/22 academic year), and year 2022 (for the 2022/23 academic year).
4. School site administration and staff shall use the parking lot at the northwest corner of Waverly Place and East Pennsylvania Avenue. As an alternative to using parking at the high school campus, the Applicant may also seek a shared parking agreement with the City of Escondido, for use of spaces within the City-owned parking lot on the south side of Woodward Avenue. If this option is pursued, a shared parking agreement shall be recorded with the County Recorder's Office to ensure that sufficient parking will be available for the Project. The agreement shall be in a form approved by the City Attorney and require authorization by the City Council, signed by the City Manager, prior to recordation. No further modifications to the CUP will be required specifically in relation to this agreement, nor will additional hearings before the Zoning Administrator or Planning Commission be necessary in relation to this agreement.
5. Activities/uses that are not directly related to on-site instruction and school assembly use, which would generate traffic and parking demand in addition to the traffic and parking demand generated by the school, are prohibited to be conducted simultaneously with on-site instruction or any other student-related services assembled on the school campus.
6. The on-site activities/uses shall not create overflow parking that results in patrons parking on adjacent streets, or in adjacent parking facilities, other than the parking lot at the northwest corner of Waverly Place and East Pennsylvania Avenue, or as authorized by a shared parking agreement on the Woodward parking lot.

7. The school shall continue to use the Woodward parking lot as part of the overall temporary student drop-off and pick-up system. In the event that the off-site spaces associated with the Woodward parking lot are no longer available, the potential loss of parking would have to be mitigated by conditions which may also require removal of fixed-seating, student enrollment capacity reductions, and/or other measures to reduce peak parking or traffic flow demand.
8. Monitoring for parking generated by the Project will be required to ensure compliance with Project conditions. Any parking complaints received by the City are required to be mitigated by the Applicant, to the satisfaction of the Director of Community Development and the City Engineer.
9. No queuing of vehicles shall be permitted onto adjacent public streets. If any queuing is not remedied to the satisfaction of the City Engineer, the Project may be referred to the Planning Commission for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.
10. The Applicant shall provide a parking monitor (i.e. school site administration or staff) to guide student drop-off and pick-up and to guide motorists to designated areas and to discourage motorists from parking on public streets. A crossing guard shall be provided by the Applicant at all crossing points on Woodward Avenue. (The parking monitor and crossing guard(s) shall be contracted entirely at the Applicant's expense.) The Applicant, parking monitor, and crossing guard(s) shall continuously monitor the overall temporary student drop-off and pick-up system to ensure that students enter and exit the school grounds safely.
11. Once building occupancy is granted, and within six months of the date of this Project's approval, the Applicant shall submit a "Parking and Drop-off/Pick-up Management Plan" to the Director of Community Development to monitor the effectiveness of the drop-off and pick-up system, including, but not limited to, parking lot capacity, overflow parking, traffic flow and traffic congestions, and an assessment of risk zones and risk periods associated with the student drop-off and pick-up system. For the purposes of this section, "risk zones" shall be the accident-prone areas outside of the school campus. "Risk periods" shall be the times and situations that have an effect on the drop-off and pick-up behaviors. The Parking and Drop-off/Pick-up Management Plan shall identify the approach to ensuring continued compliance with required conditions of approval. Among other things, the Plan shall include 1) parking counts for on-site, off-site, and street parking that is related to parking demand from school-related activities; 2) information regarding queuing on Woodward Avenue as it related to vehicles entering the school site or Woodward Parking lot; 3) the manner in which the Applicant monitors drop-off and pick-up behaviors for compliance with the conditions, which may include an annual program reviews, field inspections, or surveys which the City may deem appropriate; and 4) all effectual design

and operational controls/features in the Applicant's development plans (such as staggered start/end times, parking agreements, short-term parking, transit subsidies, bike parking, traffic control enforcement, or other tools) to achieve parking efficiency.

- a. If legitimate and verified complaints (regarding school related parking lot capacity, overflow parking, queuing, etc.) are received by the City in regard to parking and traffic related to Project activities, the Director of Community Development shall notify the Applicant, which shall have 30 days to remedy the issue to the satisfaction of the Director. If the issue is not remedied satisfactorily within this time frame or the same valid and verified complaint is received after the 30-day period, the Director may request an independent parking study be prepared. (The traffic/parking consultant shall be contracted entirely at the Applicant's expense.) In addition, implementation of additional design and operational control/features may be required by the Director of Community Development in the event that the specified performance standards relating to parking and traffic are not adhered to by the Project. Thereafter, the Director may at his/her discretion require independent parking studies be re-initiated and conducted at the same frequency and intervals as previously required if the City receives legitimate parking complaints related to on-street or off-site parking and traffic issues.
- b. The City shall have every right to pursue every available remedy at law for any failure to comply with the conditions of the Project or any breach of the approved components of the Parking and Drop-off/Pick-up Management Plan.

ENGINEERING CONDITIONS OF APPROVAL

GENERAL

1. The applicant shall provide the City Engineer a current Title Report covering the subject property.
2. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
3. The location of all existing on-site and adjacent utilities and drainage facilities shall be determined by the applicant's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the grading plan. This utility/facility relocation work shall be completed prior to issuance of Building Permits.

STREET IMPROVEMENTS AND TRAFFIC

1. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards.
2. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.
3. The project owner shall remove and replace all damaged sidewalks and curb and gutters along project frontages.

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

GRADING

1. A site grading, drainage, and erosion control plan prepared by a registered Civil Engineer shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 1 copy of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Erosion control, including riprap, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
3. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.
4. A site grading, drainage, and erosion control plan shall be approved by the Engineering Department prior to issuance of building permits.
5. Site grading and drainage shall comply with Escondido Standard Drawing No. M-2-E. A grading plan or permit will not be required unless Grading Ordinance limits are exceeded. (Note: This requirement will not delay issuance of a building permit)

6. The trash enclosure area shall be constructed or modified to comply with storm water quality management requirement to the satisfaction of the City Engineer.
7. The developer will be required to obtain permission from adjoining property owners for any off-site grading necessary to construct the project and/or the required improvements.
8. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in their report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by the Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Department plan review and permit process.

*All site grading and erosion control plans shall be prepared by a Registered Civil Engineer. A separate submittal to the Engineering Department is required for the site grading and erosion control plans. Plans will **not** be forwarded from the Building Department.*

DRAINAGE

1. Final on-site and off-site drainage improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts of the building shall be directed to landscaping to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.
3. The project owner shall perpetually maintain all permeable surfaces in accordance to the standards established by the County of San Diego Green Streets manual in effect at the time the grading permits are issued. City shall have the right to inspect all permeable surfaces as needed to ensure they function as designed. City shall have the right to require qualified third party testing at the property owner's expense when surface failure is suspected. Contractor qualifications are outlined in the County of SD Green Streets manual. The project owner will be required to repair or reinstall the permeable surface for all failing surfaces to County of SD Green Streets manual standards in place at the time of the grading permit. In the event of failure to maintain the permeable pavers system that result in not functioning as designed, the project owner will be responsible to replace the pervious pavers system with an alternate method of storm water treatment system or will be required to transition the project to a

priority storm water development project by complying with the applicable requirements, including development of a Storm Water Quality Management Plan and the installation of structural best management practices.

4. If the project is deemed a Priority Development Project (PDP), a Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the grading plans. The SWQMP shall include hydromodification calculations, treatment calculations, post-construction storm water treatment measures, and maintenance requirements.

WATER SUPPLY

1. All existing public waterlines on-site shall be located within a public utility easement granted to the City of Escondido. All fire hydrants, water meters and other public water appurtenances on-site shall be located within a public utility easement. The minimum easement width shall be 20 feet.
2. All water lines and backflow prevention devices behind the public water meter shall be considered a private water system. The property owner shall be responsible for all maintenance of these water lines and appurtenances.
3. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal. Fire hydrants shall be public and connect to a minimum 8-inch water main.
4. If a fire suppression sprinkler system is required by the Fire Department or if there is an existing fire suppression sprinkler system on-site, the DCA serving the proposed or existing sprinkler system shall be designed and constructed or meet current City of Escondido standards.
5. A minimum 1-inch water service, 1-inch water meter, and backflow prevention device shall serve the building per the City of Escondido Design Standards and Standard Drawings. Water meters and backflow devices shall not be installed within any driveway apron or private drive areas. Backflow prevention assemblies are private and shall be located on private property. Backflows shall be located directly behind the public meter.
6. No trees or deep rooted plants shall be planted within 10-feet of any water main.
7. There shall be no permanent structures or private utilities located within the City's public utility easements.

SEWER

1. All existing public sewer mains on-site shall be located within a public utility easement granted to the City of Escondido. The minimum easement width shall be 20 feet.
2. A 6-inch minimum PVC sewer lateral shall be provided in accordance with the City of Escondido Design Standards and Standard Drawings and per the current Uniform Plumbing Code. Sewer laterals are private and clean-outs shall be located outside of public utility easements.
3. There shall be no deep rooted trees or bushes planted within 15-feet of any sewer main or within 10-feet of any sewer lateral.
4. There shall be no permanent structures or private utilities located within the public utility easement.

CASH SECURITY AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public to private property and improvements, install or maintain BMP's, and stabilize and/or close-up a non-responsive of abandoned project. Any moneys used by the City for clean-up or damage will be drawn from this security. The remaining portion of this clean-up security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, retaining wall, landscaping, and best management practices item of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services.
2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

ATTACHMENT 3



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

Notice of Exemption

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

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

Project Title/Case No.: PL 21-0026 (Classical Academy Middle School Expansion)

Project Location - Specific: The building to be remodeled is located on a 0.26-acre lot addressed as 235 W. Washington Ave. (Assessor's Parcel Number (APN) 229-281-29-00). Upon completion of the project, the campus would consist of the following properties: 235 W. Washington Ave., 237 W. Washington Ave., 144 Woodward Ave., and 146 Woodward Ave. (APNs 229-281-29-00, 229-281-30-00, 229-281-17-00, 229-281-18-00, and 229-281-19-00).

Project Location - City: Escondido

Project Location - County: San Diego

Description of Project: A Modification to a Conditional Use Permit for improvements to Classical Academy's middle school campus, including renovation of a portion of the building at 235 W. Washington Ave. for use as instructional space and offices, minor façade modifications to 235 W. Washington Ave., and reconfiguration of recreational amenities and landscaping in the outdoor areas of the campus. The middle school currently occupies a portion of 235 W. Washington Ave., as well as the full buildings addressed as 237 W. Washington Ave. and 144 and 146 Woodward Ave. With implementation of this project, Classical Academy would occupy the entirety of 235 W. Washington Ave. No changes to the other three buildings are proposed. The project will add three classrooms to the school and involve a 21% increase in student capacity, from 317 students to 385 students, and has been conditioned to cap the enrollment at 385. The project site is located within the Parkview District of the Downtown Specific Plan, and schools are a conditional use in this district.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Mark Kalpakgian, The Classical Academies
Address: 157 E. Valley Pkwy., Escondido, CA 92025

Telephone: (760) 535-5189

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

Exempt Status: Categorical Exemption. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines section 15314 (Minor Additions to Schools).

Zoning Administrator
April 27, 2021
PL 21-0026

Reasons why project is exempt:

1. The project is consistent with the General Plan and zoning, which allow school uses with a conditional use permit. No variances are required.
2. All service and access to the proposed parcels to local standards are available.
3. The project is a minor addition to an existing school, within existing school grounds, and would not increase the original student capacity of the school by more than 25% or 10 classrooms.

Lead Agency Contact Person: Ann Dolmage, Associate Planner

Area Code/Telephone/Extension: (760) 839-4548

Signature: _____
Planner Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant