

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED:	August 2, 2017	REPORT NO. HO-17-051
HEARING DATE:	August 9, 2017	
SUBJECT:	THE INSTITUTE, Process Three Decision	
PROJECT NUMBER:	<u>537928</u>	
OWNER/APPLICANT:	SR19 Mark II Portfolio, LLC, Arka Miramar II, L LLC, Owners/lillon Augustine, Augustine Desig	

<u>SUMMARY</u>

<u>Issue</u>: Should the Hearing Officer approve a Conditional Use Permit for a private school for special needs children in an existing, two-story, two-building commercial office complex located at 9524 Kearney Villa Road within the Mira Mesa Community Planning area?

Staff Recommendation: APPRROVE Conditional Use Permit No. 1901386.

<u>Community Planning Group Recommendation</u>: On February 23, 2017, the Mira Mesa Community Planning Group voted unanimously (no specific vote given) to recommend approval of the proposed project without conditions.

<u>Environmental Review</u>: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 29, 2017, circulated and the opportunity to appeal that determination ended July 14, 2017.

BACKGROUND

The project site is currently developed with a 21,482-square foot, two-story, multi-tenant, twobuilding commercial office complex, located on the west side of Kearney Villa Road, north of Miramar Road and west of Interstate 15, at 9524 Kearney Villa Road (Attachment 1). The surrounding properties are fully developed with a mix of commercial office and light industrial buildings (Attachment 3). The existing commercial office building was built in 1986.

The 1.46-acre project site is located in the IL-2-1 Zone, Airport Land Use Compatibility Overlay Zone (MCAS Miramar), Airport Influence Area, FAA Part 77 Noticing Area within the Mira Mesa Community

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Planning area. "Educational facilities" such as private schools require a Conditional Use Permit in accordance with a Process 3 Decision, pursuant to San Diego Municipal Code (SDMC) Section 126.0303 (a) and 131.0622 and Table 131-068.

DISCUSSION

The proposed project would operate a private school for up to 75 special needs students ages 3 through 12 and in grades kindergarten through the ninth grade within 10 classrooms and one 1,600-square-foot multipurpose room. The school will provide a service for students with severe communication, learning, social, and behavior problems associated with autism and other developmental disorders. Students are enrolled on contract with public school districts and on contract with private families. The students require precise, specific instruction in small groups with many one on one opportunities in order to learn new skills.

This project for the proposed school will occupy the entire, two-story, 21,482-square-foot twobuilding commercial office complex and involve interior tenant improvements for the facility with limited improvements to the exterior of the building. Re-stripping of the parking lot, driveway improvements, additional on-site sidewalks, converting an open exterior courtyard area to a synthetic surface playground area and handicap access upgrades are proposed. The restriping will produce 49 parking spaces, one more than the required 48 off-street parking spaces. A proposed permit condition would set the student drop off and pick times to help control parking lot traffic flow and improve pedestrian safety in the parking lot and on the adjacent public sidewalk (ATTACHMENT 6, CONDITION No. 20). The draft permit also limits the maximum enrollment at 75 students (ATTACHMENT 6, CONDITION No. 17).

This project was reviewed for conformance with the Marine Air Station Miramar Land Use Compatibility Plan. It was determined by the Marine's Community Plans and Liaison Office and LDR-Planning staff that the proposed project is consistent with Land Use Compatibility Plan, pursuant to the plan's noise and safety compatibility guidelines.

As the project is in conformance with IL-2-1 development regulations, off-street parking and traffic circulation for the proposed private school use. Through the approval of this Conditional Use Permit, as conditioned, the proposed private school will function in harmony with the surrounding uses in this Industrial land use designated area.

ALTERNATIVES

- 1. Approve Conditional Use Permit, No. 1901386, with modifications.
- 2. Deny Conditional Use Permit, No. 1901386, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Glenn Gargas, Development Project Manager

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Attachments:

- 1. Project Location Map
- 2. Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Project Data Sheet
- 5. Draft Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Environmental Notice of Exemption
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure Statement
- 10. Project Plans









Land Use Map

THE INSTITUTE CUP – 9524 KEARNEY VILLA ROAD PROJECT NO. 537928 Mira Mesa







Aerial Photo

THE INSTITUTE CUP – 9524 KEARNEY VILLA ROAD PROJECT NO. 537928

North

ATTACHMENT 3

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PRO	JECT DATA SHE	ET
PROJECT NAME:	THE INSTITUTE CUP – Proje	ect No. 537928
PROJECT DESCRIPTION:	located within an existing 2	r special needs children to be 1,482-square-foot, two-story, two- complex on a 63,957-square-foot
COMMUNITY PLAN AREA:	Mira Mesa	
DISCRETIONARY ACTIONS:	Conditional Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Industrial	
	ZONING INFORMATION:	
ZONE: IL-2-1 Z		
HEIGHT LIMIT: No heig existing		overlay zones – approx. 28 foot
	quare-foot minimum lot size quare-foot.	– existing lot
FLOOR AREA RATIO: 2.0 – 0.3	4 existing.	
FRONT SETBACK: 20 feet	minimum standard – 65 feet e	existing
SIDE SETBACK: 10 feet	minimum - 24 feet (north) & 5	8 feet (south) existing
STREETSIDE SETBACK: NA		
REAR SETBACK: 15 feet	minimum standard – 18 feet e	existing
PARKING: 48 parki	ng spaces required – 49 space	es proposed.
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Industrial Park; IL-2-1 Zone	Commercial Office
SOUTH:	Industrial Park; IL-2-1 Zone	Commercial Office
EAST:	Industrial Park; IL-2-1 Zone	Commercial Office
WEST:	Industrial Park; IL-2-1 Zone	Light Industrial/Commercial Office
DEVIATIONS OR VARIANCES REQUESTED:	None	

GROUP RECOMMENDATION:	unanimously to recommended approval the project at
	their February 23, 2017 meeting.

HEARING OFFICER RESOLUTION NO. _____ CONDITIONAL USE PERMIT NO. 1901386 THE INSTITUTE - PROJECT NO. 537928

WHEREAS, SR19 MARK II PORTFOLIO, LLC, a California Limited Liability Company, ARKA MIRAMAR II, L.P., a California Limited Partnership, and PACIFICA REAL ESTATE III, LLC, a California Limited Liability Company, Owners and THE INSTITUTE FOR EFFECTIVE EDUCATION, Permittee, filed an application with the City of San Diego for a permit to operate a private school for special needs children in an existing two-building commercial office complex (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1901386), on portions of a 1.47-acre property;

WHEREAS, the project site is located at 9524 Kearney Villa Road, in the IL-2-1 Zone, Airport Land Use Compatibility Overlay Zone (MCAS Miramar), Airport Influence Area, FAA Part 77 Noticing Area, and within the Mira Mesa Community Plan area;

WHEREAS, the project site is legally described as All of Lots; 7, 8, 12, 13, 14, 15, 16, 17 and 18 of Mark II Industrial Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 9310, filed in the Office of the County Recorder of San Diego County, July 30, 1979;

WHEREAS, on August 9, 2017, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1901386 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated August 9, 2017.

CONDITIONAL USE PERMIT FINDINGS:

1. The proposed development will not adversely affect the applicable land use Plan.

The project site is designated for Industrial land use by the Mira Mesa Community Plan. The Industrial designation is intended to accommodate a mixture of research, development, manufacturing and distribution activities. The proposed use for a private school for special needs children is not an Industrial use. However, the underlying Zone is IL-2-1 and allows for "educational facilities" such as private school use, if approved through a Conditional Use Permit. The purpose of the IL zones is to provide for a wide range of manufacturing and distribution activities. The development standards of this zone are intended to encourage sound industrial development by providing an attractive environment free from adverse impacts associated with some heavy industrial uses. The IL zones are intended to permit a range of uses, including nonindustrial uses in some instances, such as the proposed private school.

The proposed private school project is in conformance with IL-2-1 Zone's development regulations, including off-street parking, on-site vehicular and pedestrian traffic circulation. There are no deviations. The project is conditioned to set specific student drop off and pick-up times to

help control on-site traffic flow. The project is also conditioned to set the maximum enrollment at 75 students. Through the approval of a Conditional Use Permit, the proposed private school will function in harmony with the surrounding uses this Industrial land use designated area. For these stated reasons the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed project will be located within an existing, two-story, two-building commercial office complex within an urbanized portion of the City and will have adequate levels of essential public services available, including police, fire, and emergency medical services. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations. The project site and building will be improved to all current development standards and will therefore not be detrimental to the public. The street improvements associated with this development are required to comply with City Engineering and Fire Department Standards and will improve public safety. In addition, conditions of approval require the review and approval of all construction plans (tenant improvements) by City staff prior to construction to determine the construction of the project will comply with all building code regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations.

This project was reviewed for conformance with the "MCAS Miramar AICUZ Study Area". It was determined by the MCAS Community Plans and Liaison Office and LDR-Planning staff that the proposed project is consistent with AICUZ noise and safety compatibility guidelines. This site is outside the Airport Safety Zones, does not occur in an Airport Approach Overlay Zone, and is not on Prime Industrial Lands, which is consistent with the requirements for education of kindergarten to twelfth grade within the defined overlay zones. Therefore, the project as proposed will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The 1.47-acre project site is currently developed with a multi-tenant, two-building commercial office complex. The project proposes to operate a private school use for special needs children within the entire existing office buildings. This project proposes interior tenant improvements for the facility with limited improvements to the exterior of the buildings. Re-stripping of the parking lot, driveway improvements, additional on-site sidewalks, converting an open court yard area to a synthetic surface playground area and handicap access upgrades are proposed. The proposed private school facility complies with all the development regulations of the IL-2-1 Zone, including off-street parking, on-site vehicular and pedestrian traffic circulation. There are no deviations with this proposal. Therefore, the proposed development for a private school will comply with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location.

The 1.47-acre project site is currently developed with a two-story, multi-tenant, two-building commercial office complex. The project proposes to operate a private school use for special needs children within the existing office buildings. The project site is designated for Industrial land use by the Mira Mesa Community Plan. However, the underlying Zone is IL-2-1, which is intended to implement the Community Plan's land use designation allows for private school use, if approved through a Condition Use Permit. The purpose of the IL zones is to provide for a wide range of manufacturing and distribution activities. The development standards of this zone are intended to encourage sound industrial development by providing an attractive environment free from adverse impacts associated with some heavy industrial uses. The IL zones are intended to permit a range of uses, including nonindustrial uses in some instances, such as the proposed private school.

This proposed private school site is bordered by a mix of commercial office buildings and light industrial buildings/uses. The proposed private school project is in conformance with IL-2-1 Zone's development regulations, including off-street parking, on-site vehicular and pedestrian traffic circulation. The project is conditioned to set specific student drop off and pick-up times to help control on-site traffic flow and improve pedestrian safety. The project is also conditioned to set the maximum enrollment at 75 students. Through the approval of a Conditional Use Permit, the proposed private school will function in harmony with the surrounding uses this Industrial land use designated area. There, for these reasons, the proposed private school use is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1901386, is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1901386, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas Development Project Manager Development Services

Adopted on: August 9, 2017

IO#: 24007190

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24007190

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 1901386 THE INSTITUTE - PROJECT NO. 537928 HEARING OFFICER

This Conditional Use Permit No. 1901386 is granted by the Hearing Officer of the City of San Diego to SR19 MARK II PORTFOLIO, LLC, a California Limited Liability Company, ARKA MIRAMAR II, L.P., a California Limited Partnership, and PACIFICA REAL ESTATE III, LLC, a California Limited Liability Company, Owners and THE INSTITUTE FOR EFFECTIVE EDUCATION, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0203. The 1.47-acre site is located at 9524 Kearney Villa Road, in the IL-2-1 Zone, Airport Land Use Compatibility Overlay Zone (MCAS Miramar), Airport Influence Area, FAA Part 77 Noticing Area, and within the Mira Mesa Community Plan area. The project site is legally described as: All of Lots 7, 8, 12, 13, 14, 15, 16, 17 and 18 of Mark II Industrial Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 9310, filed in the Office of the County Recorder of San Diego County, July 30, 1979.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners and Permittee to operate a private school in an existing, two-story, two-building commercial office complex described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 9, 2017 on file in the Development Services Department.

The project shall include:

- a. Improvements to operate a private school in an existing 21,482-square-foot, two-story, two-building commercial office complex. The private school will accommodate 75 special needs students, ages three to twelve, in a grades kindergarten through ninth grade program within ten classrooms and one 1,600-square-foot multipurpose room.
- b. Existing Landscaping (planting, irrigation and landscape related improvements);
- c. Existing off-street parking;
- d. New, approximate 3,000-square-foot play area, new security fence/gate and existing precast concrete planters; and

e. 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. This permit must be utilized by August 24, 2020.

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 Owner/Permittee 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 Owner/Permittee 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 Owner/Permittee 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 Owner/Permittee shall secure all necessary building permits. The Owner/Permittee 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 Owner/Permittee 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 Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(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.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, 10. 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 Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee 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, Owner/Permittee 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 Owner/Permittee 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 Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

CLIMATE ACTION PLAN REQUIREMENTS:

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

12. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the driveways per current City Standards, adjacent to the site on Kearny Villa Road, to the satisfaction of the City Engineer.

14. Prior to the issuance of any construction permit, the 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.

15. Prior to the issuance of any construction permit the 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.

PLANNING/DESIGN REQUIREMENTS:

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

17. The maximum student capacity shall not exceed 75 special needs students. An amendment to CUP 1901386 is required if the number of students increases.

18. 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

19. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 authorized by the appropriate City decision maker in accordance with the SDMC.

20. All Drop-off of students shall occur on-site between 8:15AM - 8:45AM, and all Pick-up of students shall occur on-site between 1:15 PM - 1:45PM.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

21. Prior to the issuance of any Certificate of Occupancy, all public water and/or sewer facilities necessary to serve the development (including services and laterals) shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

22. Prior to the issuance of any Certificate of Occupancy, any existing sewer lateral proposed to be reused must be inspected by a California licensed plumbing contractor using closed-circuit television to verify (to the satisfaction of the City Engineer) that the lateral is in good condition, free of all debris, properly connected to a public sewer main, and in all other ways suitable for reuse. If it is not, the Owner/Permittee or Subdivider is required to repair, remove and replace, or abandon and cap the lateral at the property line in a manner satisfactory to the City Engineer.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 Hearing Officer of the City of San Diego on August 9, 2017, by Resolution No.

Permit Type/PTS Approval No.: CUP No. 1901386 Date of Approval: August 9, 2017

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Glenn R. Gargas Development Project Manager

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

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

ARKA MIRAMAR II, L.P.

SR19 Mark II Portfolio, LLC

Owner

Owner

By _____ Manager Vincent Arthur

By _____

Charles J. Stos II Manager

PACIFIC REAL ESTATE III, LLC

Owner

Ву_____

Steven C. Leonard, Manager

The Institute for Effective Education

Permittee

Ву _____

Ken Traupman CEO, Executive Director

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



THE CITY OF SAN DIEGO

Date of Notice: June 29, 2017 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24007190

PROJECT NAME/NUMBER: THE INSTITUTE CUP/537928

COMMUNITY PLAN AREA: Mira Mesa Community Plan

COUNCIL DISTRICT: 6

LOCATION: 9524 Kearney Villa Road, San Diego, CA 92126

PROJECT DESCRIPTION: Conditional Use Permit (CUP) to convert an existing commercial development at 9524 Kearny Villa Road into a private school to serve a maximum of 70 students. The private school will accommodate special needs students ages 3-12 in a K-9 program within 10 classrooms and one 1,600 square foot multipurpose room. The existing building and site is currently mixed-use and contains offices and service businesses including a dentist, deli, chiropractor, jeweler, and others. The site is in an IL-2 zone and the project is processing a CUP to bring the new school use into conformity with the General Plan, Community Plan, land use, and zoning designation. No construction or new development is proposed.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section15301 (Existing Facilities)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego, Environmental Analysis Section

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) which allows for the permitting of existing private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Since the project is permitting an allowable use which would not substantially increase capacity the exemption is appropriate. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER: MAILING ADDRESS: PHONE NUMBER: Glenn Gargas 1222 First Avenue, MS 501, San Diego, CA 92101-4153 (619) 446-5142

On June 29, 2017 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (Friday, July 14, 2017). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.

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Removed_	JUL 17	2017
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Mira Mesa Community Planning Group

10606-8 Camino Ruiz #230 San Diego, CA 92126

Jillon Augustine Augustine Design Group February 28, 2017

Jillon,

This letter is to confirm that the Mira Mesa Community Planning Group voted unanimously to recommend approval of the project you presented for The Institute of Effective Education at our meeting on February 23, 2017.

Sincerely,

Jeffry L. Stevens Chair Mira Mesa Community Planning Group



1222 First Ave., MS-302 San Diego, CA 92101 The City of Ban Diego (619) 446-5000	Ownership Disclosure Statement
Approval Type: Check appropriate box for type of approval (s) reque Neighborhcod Development Permit Site Development Perm Variance Tentative Map Vesting Tentative Map Map V	
Project Title	Project No. For City Use Only
The Institute for Effective Education	
Project Address: 9524 Kearny Villa Road, San Diego, CA 92126	
Part I - To be completed when property is held by Individua	il(3)
below the owner(s) and tenant(s) (if applicable) of the above reference who have an interest in the property, recorded or otherwise, and state to individuals who own the property). <u>A signature is required of at least or</u> rom the Assistant Executive Director of the San Diego Redevelopment Development Agreement (DDA) has been approved / executed by th Alanager of any changes in ownership during the time the application is	twith the intent to record an encumbrance against the property. Please list ed property. The list must include the names and addresses of all persons the type of property interest (e.g., tenants who will benefit from the permit, all one of the property owners. Attach additional pages if needed. A signature it Agency shall be required for all project parcels for which a Disposition and e City Councit. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to in the subject property. Failure to provide accurate and current ownership
Name of Individual (type or print):	Name of Individual (type or print):
	Name of Individual (type or print):
Name of Individual (type or print):	
Name of Individual (type or print):	Owner Tenant/Lessee Redevelopment Agency
Name of Individual (type or print): Cowner Tenant/Lessee Redevelopment Agency Street Address:	Owner Tenant/Lessee Redevelopment Agency Street Address
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Name of Individual (type or print): Cowner Tenant/Lessee Redevelopment Agency Street Address: City/State/Zip: Phone No: Fax No: (Signature : Date: Name of Individual (type or print):	Owner Tenant/Lessee Redevelopment Agency Street Adcress: City/State/Zip: Phone No: Fax No: Signature : Date Name of Individual (type or print):
Name of Individual (type or print): Owner Tenant/Lessee Redevelopment Agency Street Address: City/State/Zip: Phone No: Fax No: (Signature : Date: Name of Individual (type or print): Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency Street Address City/State/Zip: Phone No: Fax No: Signature : Date Name of Individual (type or print): Owner Tenant/Lessee Redevelopment Agency
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Printed on recycled paper. Visit our web site at <u>www.sandiogo.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities.

DS-313 (5-05)

	Project No. (For City Use Only)
Part II - To be completed when property is held by a corporat	ion or partnership
Legal Status (please check):	
Corporation X Limited Liability -or- General) What State Partnership	e? Corporate Identification No
By signing the Ownership Disclosure Statement, the owner(s) ack as identified above, will be filed with the City of San Diego on the the property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants wh in a partnership who own the property) <u>A signature is required o</u> <u>property</u> . Attach additional pages if needed. Note: The applicant is ownership during the time the application is being processed or co Manager at least thirty days prior to any public hearing on the sub information could result in a delay in the hearing process. Addit	subject property with the intent to record an encumbrance against f all persons who have an interest in the property, recorded or o will benefit from the permit, all corporate officers, and all partners f at least one of the corporate officers or partners who own the s responsible for notifying the Project Manager of any changes in onsidered. Changes in ownership are to be given to the Project ject property. Failure to provide accurate and current ownership thonal pages attached Yes No
Corporate/Partnership Name (type or print): The Institute for Effective Education	Corporate/Partnership Name (type or print): SR19 MARK II PORTFOLIO, LLC
Owner IX Tenant/Lessee	X Owner Tenant/Lessee
Street Address: 2255 Camino del Rio South	Street Address: 669 2ND STREET
City/State/Zip: San Diego, CA 92108	City/State/Zip: ENCINITAS
Phone No: Fax No. ()243-1327	Phone No. Fax No: (858) 703-6289 (760) 400-4499
Name of Corporate Officer/Partner (type or print): Ken Traupman	Name of Corporate Officer/Partner (type or print): Charles J. Stos II
Title (type or print): CEO, Executive Director	Title (type or print) Manager
Signature: Drawman Date: 1/10/17	Signature : Date: 1/10/17
Corporate/Partnership Name (type or print): ARKA MIRAMAR II, L.P.	Corporate/Partnership Name (type or print): PACIFICA REAL ESTATE III, LLC
X Owner Tenant/Lessee	X Owner Tenant/Lessee
Street Address: 9350 Wilshire Blvd., Suite 402	Street Address P.O. Box 710
City/State/Zip: Beverly Hills, CA 90212	City/State/Zip: Rancho Santa Fe, CA 92067
Phone No: Fax No: (310) 274-2259 (310) 274-1798	Phone No: Fax No: (858) 759-6800
Name of Corporate Officer/Partner (type or print)	Name of Corporate Officer/Partner (type or print) Steven C. Leonard
Title (type or print):	Title (type or print): Manager
Signature: Date: Date:	Signature: Atto Date: 1/6/17
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address	Street Address:
City/State/Zip:	City/State/Zip
Phone No: Fax No	Fhone No. Fax No:
Name of Corporate Officer/Partner (type or print)	Name of Corporate Officer/Partner (type or print)
Title (type or print):	Title (type or print):
Signature Date	Signature Date.

THE INSTITUTE FOR EFFECTIVE EDUCATION CONDITIONAL USE PERMIT SUBMITTAL

SCOPE OF WORK	CONDITIONAL USE PERMIT TO CON PRIVATE SCHOOL. THE STE IS ZON CONDITIONALLY ALLOWED PER SO
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	ACT LOUINTEROES. ALLENTE DESCH GROUP 171 MET ANDLE 3AN DESC CA STER P. ST. 14 SEA CONTACT. ILLON ALLENTE, PEODECT JAL ADAREK, PEODECT
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	CIVE. ATLAG CANNO REAL MUTE JOOK OTELANDOR CA SIGNA P. 663 ST 6475 CONTACT: ALI HATLAGER, PROSIDO CONTACT: ALI HATLAGER, PROSIDO
	LANDBEATE ABCHIEGT. HOLMARD ASSOCIATES LANDBEATE 3447 SECOND ANDRIE SAN DIEGO, CA STREM P. 63.78,5460 CONTACT. JULE HOLMARD, PRESOC
	PERTI CONSULTANI BARBARA HUARIS PERTITAS DE HAJO STRANJALE 31. PONAY, CA 2004-1 P. BA30.715 CONTACT: MA HARRIS, MANAGER
CURRENT OWNERS	Aroca Miramar II, L.P. 3350 Millshree Baydd, 30178 402 867 yr y Mills (Ja 30717
	SRIS MARK II PORTFOLIO, LLC 605 740 STREET ENCNITAS, CA 52074
	PACEICA REAL BOTATE III, LLC P.O. BOX TO RANCHO SANTA FE, CA 12061

SITE DATA	
ASSESSOR PARCEL NUMBER	341-730-19-00
LEGAL DESCRIPTION PROJECT SITE	LOTS IS, IT, AND IS OF MARK II NOUSTRAL PARK, IN THE CITY OF SAN DEGO, COUNTY OF SAN DEGO, STATE OF CULL PORGA, ACCORDAN IO HAR THEREOF NO, SUB FLED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DEGIS COUNTY, LAY, IN STR.
LEGAL DESCRIPTION ABUTTING PROPERTIES	SCREAL LOT & OF PARCEL HAP 300 SCLEAL LOT & OF PARCEL HAP 300 SELET. LOTO 20, 11, 400 27 OF PARCEL HAP 300
ZONING DESIGNATION/OVERLAYS	LOSE L-3-1 ANTONI PELOCE REVOLUTEA INCAS TRAVIAR 60-65 DEL - ALEXANT TUDICES AREA - CALLANT TUDICES AREA - COLLANT CALLANT REAL
GROSS SITE AREA	63,997 SF (1468 ACRES)
LANDSCAPE AREA	EXETTE: 1500 9 APPROXIMATE BECCOSED: 3533 9 APPROXIMATE ADDITIONAL
GROSS FLOOR AREA	
GEOLOGICAL HAZARD CATEGORY	31 - LEVEL HEARS - UNDERLAN BY TERRALE DEMOSITS AND BEDROCK NOTHAL RESK. 51 - OTHER LEVEL AREAS, GUNTLY SLOPING TO STEEP TERRAN FAVORABLE GEOLOGIC STRUCTURE, LON RISK.

UILDING DATA	
YEAR CONSTRUCTED	1846 ORGINAL BUILDING CONSTRUCTION
CONSTRUCTION TYPE	EXETTING: V-B, NON RATED, NON SPRINCLERED ENDEDID: V-B, NON-RATED, NULLY SPRINCLERED
BUILDING HEIGHT (EXISTING)	78'-0" O.A. EXTERIOR
INTERIOR CEILING HEIGHT (EXISTING)	8'-0' - 16'-0' (VARES)
OCCUPANCY	EXISTING: B. OFFICE (CONTRACTOR HOME CARE SERVICES HEALTH EDUCATION B. MROTESHOULL SERVICES (DONINGT, CHROMRACTOR) M. MROMRILE (JOUELU) AJ, ANDMELT (DELU)
	CROCOSCO: E, EDUCATION (MREMARY) B, OFFICE (ADMINISTRATION) A3, ADMETEL (MALTINGTRONE)

ATTACHMENT 10









ATION

CUTIVE DIRECTOR

DESGNER

ARCHITECTUR

MCE, LLC



TS TITLE SHEET

- CONCEPTUAL GRADING PLAN UTILITY PLAN SECTIONS C1.0 C2.0 C3.0
- L1 LANDSCAPE CONCEPT PLAN

- A-1 SITE PLAN A-2 PHOTOGRAPHIC KEY MAP A-3.1 DEMOLITION/EXISTING USE PLAN, FIRST FLOOR A-3.2 DEMOLITION/EXISTING USE PLAN, SECOND FLOOR A-4.1 PARTITION PLAN, FIRST FLOOR A-4.2 PARTITION PLAN, SECOND FLOOR

VICINITY MAP





1CA THE INSTITUTE FOR EFFECTIVE 9224 KEARNY VILLA ROAD SAN DIEGO, CA 92126

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Project Notes

- ALL PROPOSED WATER AND SEWER FACILITES, BOTH AUBUC AND PRIVATE, UMICH ARE TO BELICOATED WITHIN THA PAULIC ROVICE AVAILUE OF SEMINITY AUDT BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CENTRE LEFFRAULT OF SUM ON THE THE ETM OF SAM DIECOS OLIRENT AVATER AND SEWER FACILITY OF SUBON OUDERING. REGULATIONS, TRANSPORT, AND PROCEED BERNAMMON FREETO
- 2 NO TREES OR SHRUBS WHOSE HEIGHT WILL EXCEED 3 FT AT MATURITY SHALL BE INSTALLED OR RETAINED WITHIN 5 /T OF ANY PUBLICLY MAINTAINED SERVER FACILITIES
- 3 THIS PROJECT WILL GENERATE PEDESITIAN ACTIVITY, ALL PUBLIC IMPROVEMENTS ADJACENI TO THIS PROJECT SHALL SE COMPLIANT WITH THE LATEST CITY STANDARDS AND ACCESSIBILITY REQUIREMENTS

Project Parking Data

REQUIRED PARKING From Fable 142-05Gr 2.0 spaces per classroom, if he assembly area If assembly area, 30 spaces per 1,000sf

O Classroom Madules # 2.0 = 20 parting sor Assembly Area 1.600sf max. 30 = 43 parking spaces required Assembly Area governs, therefore 48 parking spaces provided

Per CBC Table 113-208.2 26-50 spaces = 2 accessible spaces required and around Per SDNIC 142.0530(a) and CALGreen 5 106 5 2, 26-50 spaces - 3 carbool/zero emusion vehicle spaces required and provided

Per CALGreen 5 105 5.1, 25-50 = 2 EV charging spaces required and provided MOTORC/CLE PARKING From SDXIC 142 05530g), Provide 2 min. or 2 % of parking returned, whichever is greater 2% 37 50 = 1.0, therefore 2 required and provides.

 $\frac{\text{BICYCLE *ARKING}}{\text{From SDNIC 142.053 Qet Short term *rowcle 2 min or 0.1 per 1000st of building area or 5\%$

of parking required, which even is greater Approx. 19,000sf 1000 \times 0.1 = 1.9, 5% of 50 = 2.5, therefore 3 required and provided CALSireen 5.106.4.1.1 requires 5% of parring or 2 \pm in, inerefore ve comply.

Long term: Provide 1 mm, or 3% of parting resumed for buildings with mixe than 10 fullime employees, which we regresser. 5% of 50 = 25, therefore 3 largering moving factuable endosures or lockers regioned and provided, CALCINES \$106.4.1.2, resume 5% of parting or 1 mm; therefore we comply

PARKING SUMMARY EUSTING PARI ING STANDARD COMPACT 56 JPACES 04 SPACES 04 SPACES 54 SPACES ACCESSI TOTAL PROPOSED PARKING STANDAPD COMPACT ACCESSIBLE TOTAL MINIMUM REQUIRED 47 SPACES 00 SPACES 02 SPACES 99 SPACES PROVIDED 48 SPACES REQUIRED >>> OK CARPOOL ZERO EMISSION VEHICLES EVICHARGING STATIONS 3 SPACES REQID & PROVIDED (NOT IN ADDITION) 2 SPACES REQID & PROVIDED (NOT IN ADDITION) MOTORCYCLE PARKING 2 SPACES REQUIRED AND PROVIDED SHORT-ERM BILE PARKING 3 SPACES REQUIRED AND PROVIDED 3 SPACES REQUIRED AND PROVIDED

ATTACHMENT 10





Site Plan Legend

CCESSIBLE PATH OF TRAVEL

·····

STUDIO E ARCHITECTS

2258 First Avenue San Diego California 92101 mail@studioearchitects.com

619 235 9262 F 619 235 0523

EDUCATION EFFECTIVE FOR THE INSTITUTE F 9524 KEARNY VILLA ROAD SAN DIEGO, CA 92126

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-----SITE PLAN

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PRELIMINARY GRADING PLAN FOR: THE INSTITUTE FOR EFFECTIVE EDUCATION CITY OF SAN DIEGO, CALIFORNIA



ATTACHMENT 10

LEGEND

-- 250 -x 142.72'

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PROPERTY LINE

Existing Building . Existing tree

EXISTING CONTOURS EXISTING SPOT ELEVATION





EDUCATION
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STITUTE FOR ARNY VILLA ROAD 0, CA 92126
THE INS 9524 KEA SAN DIEGO

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EXISTING NTERIOR CONDITIONS SHOW. SEE LEGEND FOR HALLS TO REMAIN AND HALLS TO BE REPORT UNCER NUTRE SUILDING PERMIT.

EXISTING PARTITION/DOORFIXTURE TO BE REPOVED. C::::::: EXISTING DRIP LINE/SOFFIT TO RETAIN.

EXISTING AREA OF OPENINGS AT EXISTING EXTERIOR

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ATTACHMENT 10

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EXISTING DRIP LINE TO REMAN. EXISTING AREA OF OPENINGS AT EXISTING EXTERNO

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PARTITION PLAN FIRST FLOOR A-4.1 \bigcirc

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KEYNOTES

ATTACHMENT 10



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THE INSTITUTE FOR EFFECTIVE EDUCATION 9224 KEANNY VILLA ROAD SAN DIEGO, CA 92128

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DEMOLITION/ EXST'G USE PLAN SECOND FLOOR

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EXISTING DEP LINE TO REMAN.

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EXISTING DRP LINE TO RETAIN. EXISTING AREA OF OPENINGS AT EXISTING

NEN INTERIOR PARTITION HITH R-I BATT NELLATION TO 6"

EXISTING ROOF AREA

ланстика дин ТЕ-БЛ РОТОСО БИССТ 1550 С I MAN OF SOMTAL

----PARTITION PLAN

........ A-4.2











CONSTRUCTION NOTES

- () PROPOSED CURB OUTLET PER CITY STANDAR
- 2 PROPOSED PVC STORM DRAIN

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UTILITY PLAN

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Legend				MATURE SIZE	S S S S S S S S S S S S S S S S S S S
ARGE PERIMETER TREES:	COMMON NAME	SIZE P	ucols	Нхи	□田ぷぉ
CERCIDIUM DESERT MUSEUM	DESERT MUSEUM PALO VERDE TIPU TREE	24° 80X 24° 80X	L L	30' x 30' 30' x 30'	
IEDIUM ACCENT TREES: ARBUTUS MARINA CERCIDIUM 'DESERT MUSEUM' RUS LANCEA	STRANDERRY TREE DESERT MUSEUM PALO VERDE ARRICAN SUMAC	24° BOX 24° BOX 24° BOX	L L L	20' × 20' 30' × 30' 20' × 20'	
MALL ACCENT TREES: CERCIS CANADENSIS FOREST PSY CHITALPA TASHKENTENSIS		24° 80X 24° 80X	Ľ	15' × 15' 20' × 20'	
ARGE ACCENT SHRUBS: AGAVE ATTENUATA BOISAINVILLEA TORCH SUCA" FEILOD SELLONIANA	FOXTAIL AGAVE STRIPED CENTRY PLANT BOUGAINVILLEA PINEAPPLE GUAVA	5 6AL. 5 6AL. 5 6AL.		4' x 4' 5' x 5' 5' x 3' 15' x 15'	
CLANCE BARNESS ERIMETER SHRUBS: GRONNIN SINCHST AGAVE BUE SLOW AGAVE BUE SLOW AGAVE BUE SLOW AGAVE BUE SLOW AGAVE BARNESS AGAVE BUE SLOW AGAVE BUE SLOW HAGHING FRITCORA PROPRIM T. EVENING SLOW ROOMANNES TUSCAN BLIEF	NCN NCN BUG SLOM ASAVE BUG SLOM ASAVE BOGSANVILLEA ROCK PRELAME PADLE PLANT LANTAA BRASELM SAGE NEM ZEALAND FLAX TISCAN BUG ROSEMARY	5 54. 1 5 4. 1 5 4. 1 6 4. 5 6 4. 1 6 4. 1 6 4. 1 6 4. 1 6 4. 1 5 6 4. 1 5 6 4. 5 6 4. 5 6 4.		8' × 6' 1' × 2' 4 3' × 3' 3' × 3' 1' × ' 2' × 1' 2' × 1' 2' × 1' 2' × 3' 1' × 3' 3' × 3' 4' × 3' 4' × 3'	A S S A S S land
SALVIA GREGHI SALVIA LBUCANTHA ITERIOR MASSING SHRUBS ABELIA GRANDIMUORA CITRIS SPR. RUAPHICIBMIS INDICA	TEXAS SAGE SAGE BRUSH ADELIA DMARF CITRUS INDIAN HANTHORN BALLERINA'	5 GAL.	L L MML	2' × 3' 3' × 3' 3' × 5'	6 4 4
ROUNDCOVERS	INDIAN HAATHORN BALLERINA' BIRD-OF-PARADISE COAST ROSEMARY	5 GAL. 5 GAL. 5 GAL.	JXJ	5' × 5' 5' × 5' 2' × 5' 5' × 5'	NA
ARCTOSTAPHYLOS PACIFIC MIST SCENECIO CYLINDRICUS LANTANA MONTEVIDENSIS	MANZANITA NARROM CHALK STICKS TRAILLING LANTANA	IGAL. IGAL.	L L L	l' × ð' l' × 2' 2' × 5'	PT PLAN
	STAR JASHINE	5 GAL.	м	2' × 4'	CONCEPT
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AGATION NOTES					ne Inst
LANDSCAPE AREAS SHALL BE II DMATIC IRRIGATION SYSTEM UTIL P LINES, AND A MEATHER BASED	IZING LOW-FLOW ROTATOR AUTOMATIC IRRIGATION SI	HEADS A	ITROLLE	R	DATE: 04/07/2017
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