



# City of Escondido Zoning Administrator

## MEETING AGENDA

201 North Broadway  
City Hall - Parkview Room  
**December 20, 2022**  
2:00 p.m.

A. Call to Order: \_\_\_\_\_

Zoning Administrator: Adam Finestone, City Planner

Staff Present: \_\_\_\_\_

Public Present: \_\_\_\_\_

B. Agenda item:

1. **CONDITIONAL USE PERMIT – CASE NO. PL 22-0514:**

A request for a Minor Conditional Use Permit to modify an existing structure with interior tenant improvements for an accredited massage school. Approval of a minor conditional use permit is required in accordance with Section 33-764 of the Escondido Zoning Code, and the Downtown Specific Plan.

Location: 342-344 E. Valley Parkway (APN: 229-392-18-00)

Applicant: Paula Curtiss (Healing Hands Massage School)

Planner: Greg Mattson, Contract Planner

Environmental Status: The project is currently exempt from the California Environmental Quality Act (CEQA), in conformance with Section 15301, "Existing Facilities."

**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 December 20, 2022.

\_\_\_\_\_  
Zoning Administrator

\_\_\_\_\_  
Witness

## **ZONING ADMINISTRATOR**

**CASE NUMBER:** PL22-0514

**APPLICANT:** Healing Hands Massage School

**PROJECT LOCATION:** 342-344 E. Valley Parkway (Assessor Parcel Number: 229-392-18-00)

**REQUEST:** A request for a Minor Conditional Use Permit to modify an existing structure with interior tenant improvements for an accredited massage school. Approval of a minor conditional use permit is required in accordance with the Downtown Specific Plan.

**STAFF RECOMMENDATION:** Approve

**GENERAL PLAN DESIGNATION:** Specific Plan Area 9 (SPA: Downtown Specific Plan)

**ZONING:** SP (Specific Plan)

### **BACKGROUND/PROJECT DESCRIPTION:**

The subject site is a 0.24 acre parcel developed with a 5,025 square foot commercial building. The building is a currently vacant, and has undergone a variety of tenant improvements over the years. The building fronts directly onto East Valley Parkway with two primary access points into the commercial space. In addition, the parcel has alleyway access to a gated parking lot with 10 parking spaces, including one handicapped accessible parking space. There are three access points from the back parking lot. The project site is located in the Historic Downtown District of the Downtown Specific Plan. It is also within Parking District 1 of the Downtown Specific Plan, which does not require additional parking spaces for any commercial use. Pursuant to the *Permitted and Conditional Uses* table (Figure II-2) in the Downtown Specific Plan, educational facilities for adults require a Conditional Use Permit (CUP) in the Historic Downtown District. Because the facility would occupy an existing building, it is eligible for a Minor CUP.

The project would require interior tenant improvements to accommodate the vocational massage school. A new trash enclosure also would be constructed in accordance with the City's storm water requirements. Project plans are included as Exhibit "D" to draft Zoning Administrator Resolution No. 2022-13, which itself is included as Attachment 3 to this staff report. The school would have up to 20 students at any given time, as well as six employees. School hours will be Monday through Friday from 9 a.m. to 10 p.m. and Saturday and Sunday from 9 a.m. to 5 p.m.

**ENVIRONMENTAL REVIEW:**

The California Environmental Quality Act (“CEQA”) Guidelines list classes of discretionary projects that have been determined not to have a significant effect on the environment and as a result are exempt from further review under CEQA. The project is categorically exempt from further CEQA review pursuant to CEQA Guidelines section 15301 (Existing Facilities) as described further in the Findings of Fact, attached as Exhibit “B” to Zoning Administrator Resolution No. 2022-13.

**REASON FOR STAFF RECOMMENDATION:**

1. All of the requirements of CEQA have been met because it was found that the project will not have a significant effect on the environment as demonstrated in the Categorical Exemption prepared in conformance with CEQA Guidelines section 15301, “Existing Facilities.” The Project qualifies for the “Existing Facilities” exemption because it is located in area where all public services and facilities are available; has no value as habitat for endangered, rare, or threatened species; approval of the project, as conditioned, would not result in any significant effects on the environment; and the site is connected to City sewer and water services and can adequately be served by all required utilities and public services (refer to Attachment 3).
2. The proposed project is consistent with the Land Use Policies that support walkability in the downtown area, and the re-use of existing buildings for new commercial uses, which ensures that the proposed use economically supports and compliments a vibrant downtown. The granting of the Minor Conditional Use Permit will not result in any conflicts with surrounding land uses and would not materially degrade the level-of-service on adjacent streets, utilities or public facilities.
3. The project would provide 10 parking spaces behind the structure, including one accessible space. However, because the property is within Vehicle Parking District No. 1 of the Downtown Specific Plan, it is not required to provide any parking. Between the parking available on-site and that available in nearby City lots, it is anticipated that sufficient parking is available to serve the project.

Respectfully submitted,



Greg Mattson, AICP  
Contract Planner

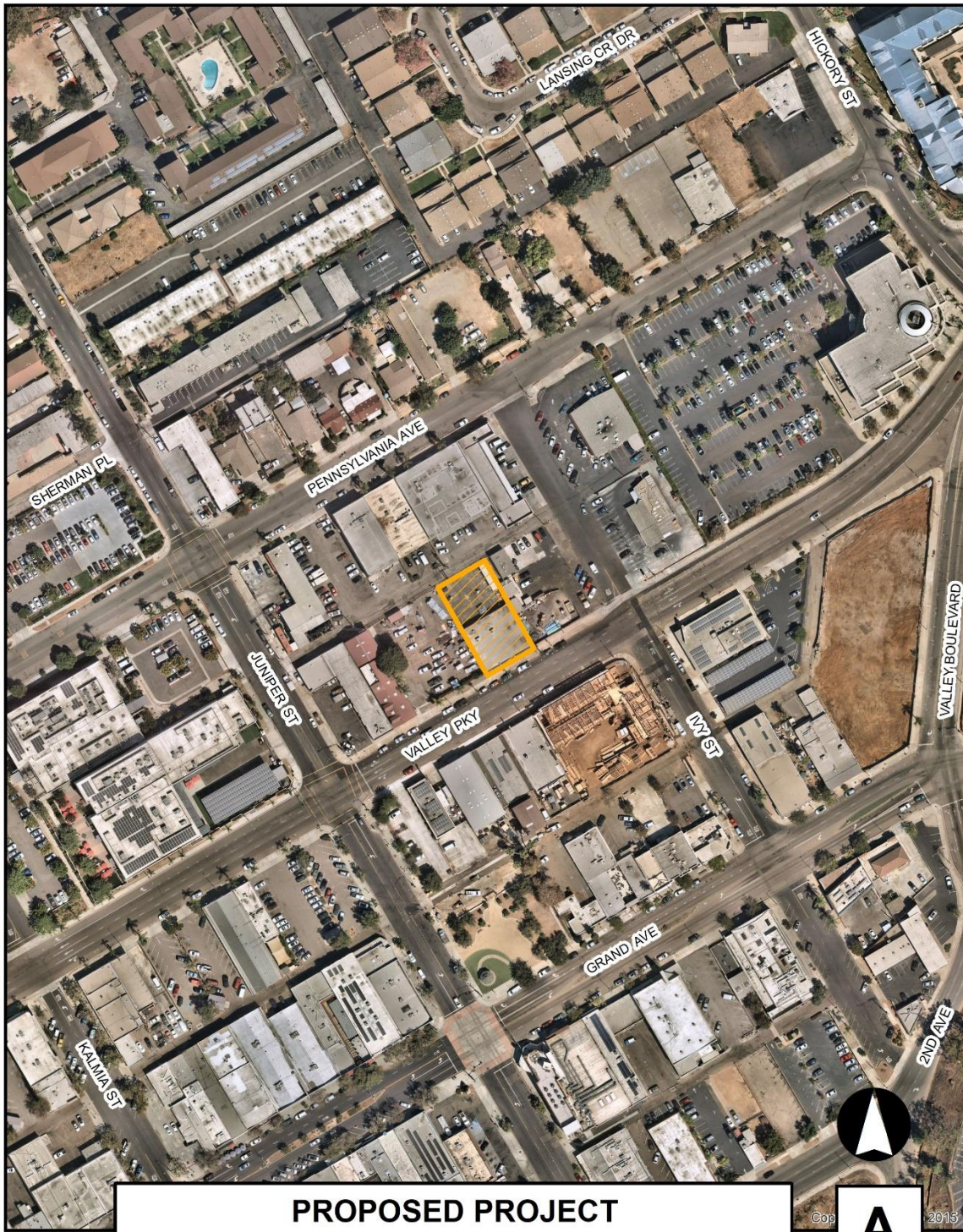
**ATTACHMENTS:**

1. Project Location, Zoning, and General Plan Land Use Maps
2. CEQA Notice of Exemption
3. Zoning Administrator Resolution No. 2022-13, including Exhibits A, B, C, and D



ATTACHMENT 1

Project Location, Zoning & General Plan Land Use



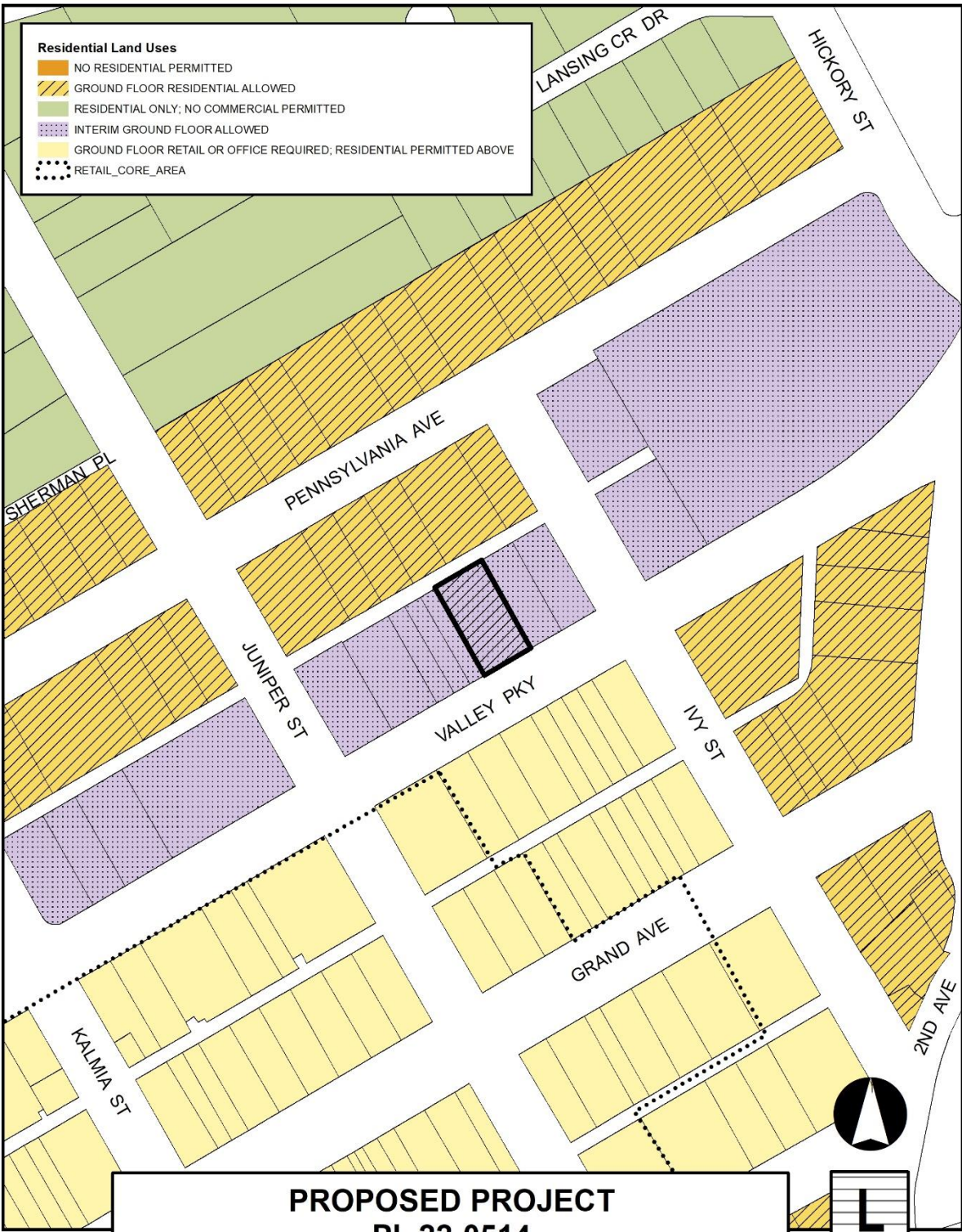
**PROPOSED PROJECT  
PL 22-0514**

**A**

AERIAL

Copyright 2015



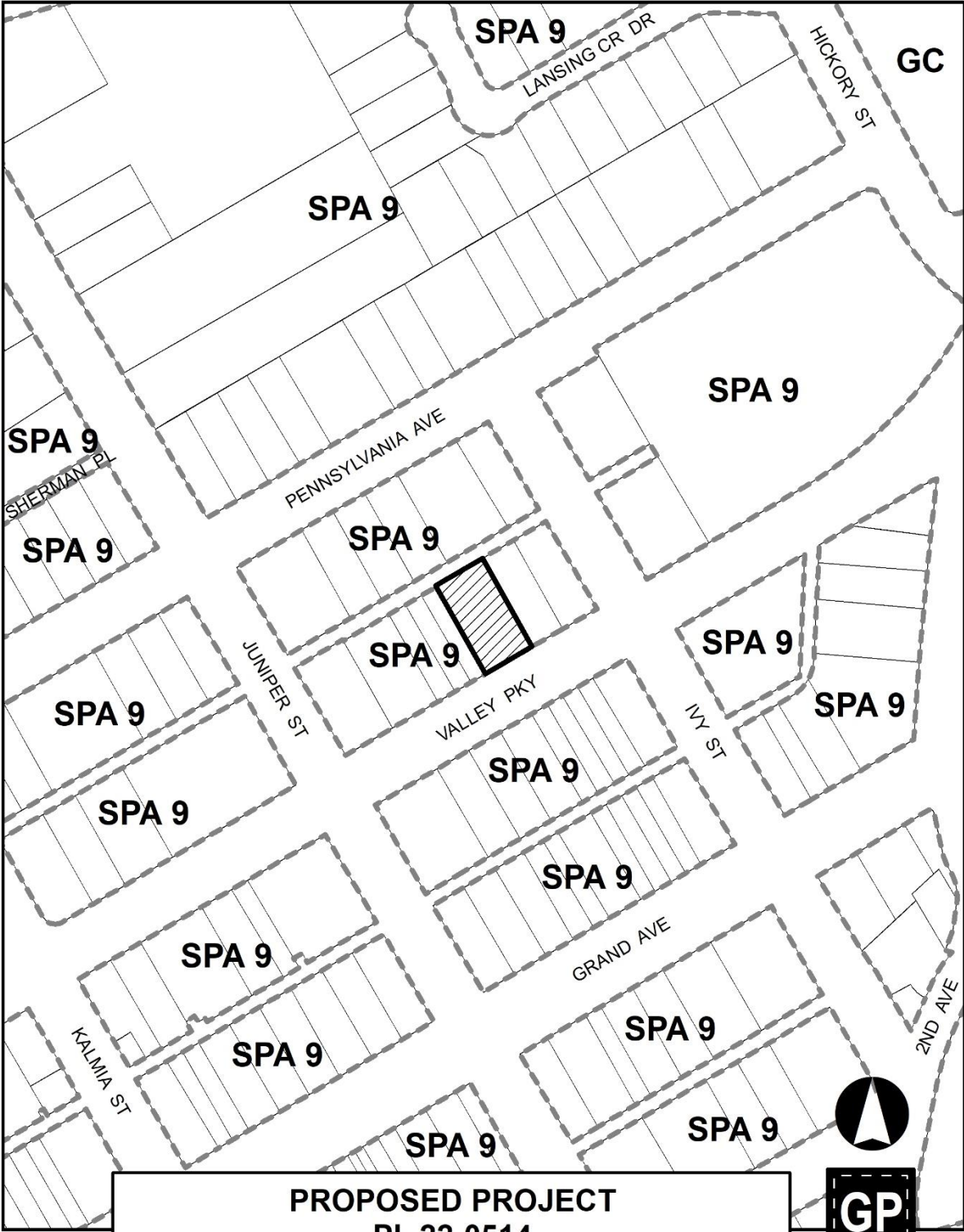


**Residential Land Uses**

- NO RESIDENTIAL PERMITTED
- GROUND FLOOR RESIDENTIAL ALLOWED
- RESIDENTIAL ONLY; NO COMMERCIAL PERMITTED
- INTERIM GROUND FLOOR ALLOWED
- GROUND FLOOR RETAIL OR OFFICE REQUIRED; RESIDENTIAL PERMITTED ABOVE
- RETAIL\_CORE\_AREA

**PROPOSED PROJECT  
PL 22-0514**



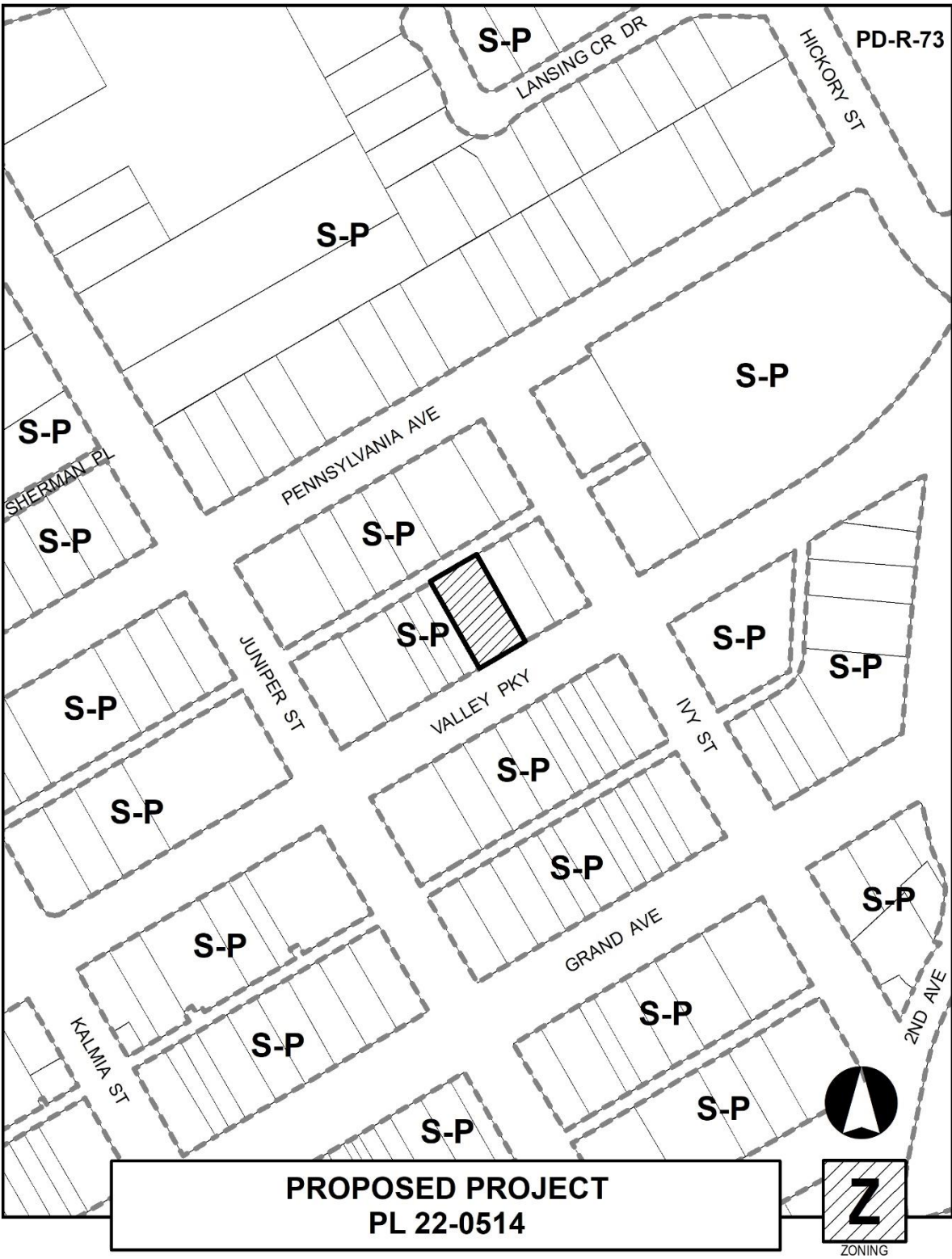


**PROPOSED PROJECT  
PL 22-0514**



GENERAL PLAN







**ATTACHMENT 2**



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

**Notice of Exemption**

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

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

**Project Title/Case No:** Healing Hands Massage School / PL22-0514

**Project Location - Specific:** The subject site is a developed 0.24 acre parcel located on the north side of East Valley Parkway, between Ivy and Juniper streets, and addressed as 342 - 344 E. Valley Parkway (APN: 229-392-18-00).

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

**Description of Project:** A request for a Minor Conditional Use Permit to modify an existing structure with interior tenant improvements for an accredited massage school. Approval of a minor conditional use permit is required in accordance with the Downtown Specific Plan.

**Name of Public Agency Approving Project:** City of Escondido

**Name of Person or Agency Carrying Out Project:**

Name: Paula Curtiss, Healing Hands Massage School  
Address: 11064 Pala Loma Drive, Valley Center, CA 92082  
Telephone: 760-271-4149

Private entity     School district     Local public Agency     State agency     Other

**Exempt Status:** The Project is categorically exempt pursuant to CEQA Guidelines section 15301 ("Existing Facilities").

**Reasons why project is exempt:** The Project is a request to modify and renovate an existing commercial property within the Downtown Specific Plan Area. The Project does not include the physical expansion of the building. This exemption is appropriate for the Project due to negligible expansion of the existing or former use. The Project is in an area where all public services and facilities are available, and the project site is fully developed and has no potential of supporting environmentally sensitive habitat.

**Lead Agency Contact Person:**

Area Code/Telephone/Extension: 760-839-4544

Signature:   
Greg Mattson, AICP  
Contract Planner

December 20, 2022

Signed by Lead Agency  
 Signed by Applicant

Date received for filing at OPR:

**ATTACHMENT 3**

Zoning Administrator

Hearing Date: December 20, 2022

Effective Date: January 3, 2023

**RESOLUTION NO. 2022-13**

**A RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE CITY OF ESCONDIDO, CALIFORNIA,  
APPROVING A MINOR CONDITIONAL USE PERMIT  
FOR A VOCATIONAL MASSAGE SCHOOL AT 342-  
344 E. VALLEY PARKWAY**

**APPLICANT: Healing Hands Massage School**

**CASE NO: PL22-0514**

WHEREAS, the Zoning Administrator of the City of Escondido did, on December 20, 2022, hold a public hearing to consider a request for a Minor Conditional Use Permit for a vocational massage school (Planning Case No. PL22-0514) pursuant to the Downtown Specific Plan, on a property addressed as 342 – 344 E. Valley Parkway (Assessor’s Parcel No. 229-392-18-00), more particularly described in Exhibit “A,” and all persons desiring to speak did so; and

WHEREAS, evidence was submitted to and considered by the Zoning Administrator at or before the public hearing, including, without limitation, written information, and the staff report dated, December 20, 2022, which along with its attachments is incorporated herein by this reference; and

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

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

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

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

1. That the above recitations are true and correct.
2. That the project is categorically exempt from further CEQA review pursuant to CEQA Guidelines section 15301 (Existing Facilities). 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.
3. That, considering the Findings of Fact attached to the staff report as Exhibit "B," and applicable law, the Zoning Administrator hereby approves Planning Case No. PL22-0514, subject to the Conditions of Approval attached as Exhibit "C," and as depicted on the project plans attached as Exhibit "D."
4. That this approval shall automatically become null and void unless a the use authorized by this approval has commenced within 12 months of the date of this approval, unless an Extension of Time is granted pursuant to Article 61 of the Escondido Zoning Code.

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



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

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

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the City of Escondido, California, at a regular meeting held on the 20th day of December, 2022.

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ADAM FINESTONE, AICP  
Zoning Administrator,  
City of Escondido

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WITNESS

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

## **EXHIBIT "A"**

### **Legal Description**

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

LOTS 10, 11, AND 12 IN BLOCK 17 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, JULY 10, 1886.

**APN: 229-392-18-00**

## **EXHIBIT “B”**

### **FACTORS TO BE CONSIDERED / FINDINGS OF FACT**

#### **Environmental Determinations:**

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) (“CEQA”), and its implementing regulations (14 C.C.R. § 15000 et seq.) (“CEQA Guidelines”), the City of Escondido (“City”) is the Lead Agency for the project (“Project”), as the public agency with the principal responsibility for approving the Project.
2. All of the requirements of CEQA have been met because it was found that the project will not have a significant effect on the environment as demonstrated in the Categorical Exemption prepared in conformance with CEQA Guidelines section 15301, “Existing Facilities.” The Project qualifies for the “Existing Facilities” exemption because it is located in area where all public services and facilities are available; has no value as habitat for endangered, rare, or threatened species; approval of the project, as conditioned, would not result in any significant effects on the environment; and the site is connected to City sewer and water services and can adequately be served by all required utilities and public services.
3. The Zoning Administrator has independently considered the full administrative record before it, which includes but is not limited to the December 20, 2022, Zoning Administrator staff report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

#### **Public Notice and Outreach:**

Planning Division staff provided public notice of the application in accordance with City and State public noticing requirements. A notice was published in the local newspaper on or around December 8, 2022. In addition, on December 5, 2022, notices were mailed to property owners within 500 feet of the project site. A public notice was also posted at the project site and on the City’s website.

#### **Conditional Use Permit (Escondido Zoning Code Section 33-1203)**

The Zoning Administrator has reviewed the record, including applicable CEQA findings, and makes the following findings for a Conditional Use Permit:

1. The project involves a modification to an existing commercial structure in the Downtown Specific Plan to allow for the establishment of a massage training school which has been in operation of



20 years in Escondido. The proposed project is consistent with the Land Use Policies that support walkability in the downtown area, and the re-use of existing buildings for new commercial uses, which ensures that the proposed use economically supports and compliments a vibrant downtown.

2. The Conditional Use Permit will not cause deterioration of bordering land uses or create special problems for the area in which it is located because the school will be limited in enrollment to 20 students at any given time and all necessary public services are available to serve it. Additionally, the school is not anticipated to generate noise or other impacts that could be detrimental to adjacent properties.
3. The Conditional Use Permit would provide educational opportunities for Escondido residents in a location that is easily accessible by public transit and nearby residential neighborhoods.

## Exhibit "C"

### PLANNING CASE NO. PL22-0514 CONDITIONS OF APPROVAL

This Project is conditionally approved as set forth on the application received by the City of Escondido on September 26, 2022, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, and Colored Elevations; all designated as approved on December 20, 2022, and shall not be altered without express authorization by the Development Service 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 Development Services, 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. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. 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 Development Services 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 Development Services 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 Development Services.



## **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 Development Services.
- 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 Development Services. 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 Development Services Department.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

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

**12. Clerk Recording.**

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

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

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

**15. Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the 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 Development Services for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

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

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

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

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

harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City).

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

## **B. Construction, Maintenance, and Operation Obligations:**

- 1. Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Development Services, 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 Divisions. 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. Phasing.** A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.
- 16. 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 10 off-street parking spaces, including one ADA compliant space, shall be provided unless a reduction in the number of spaces is required in order to accommodate the proposed trash enclosure. Onsite parking 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.

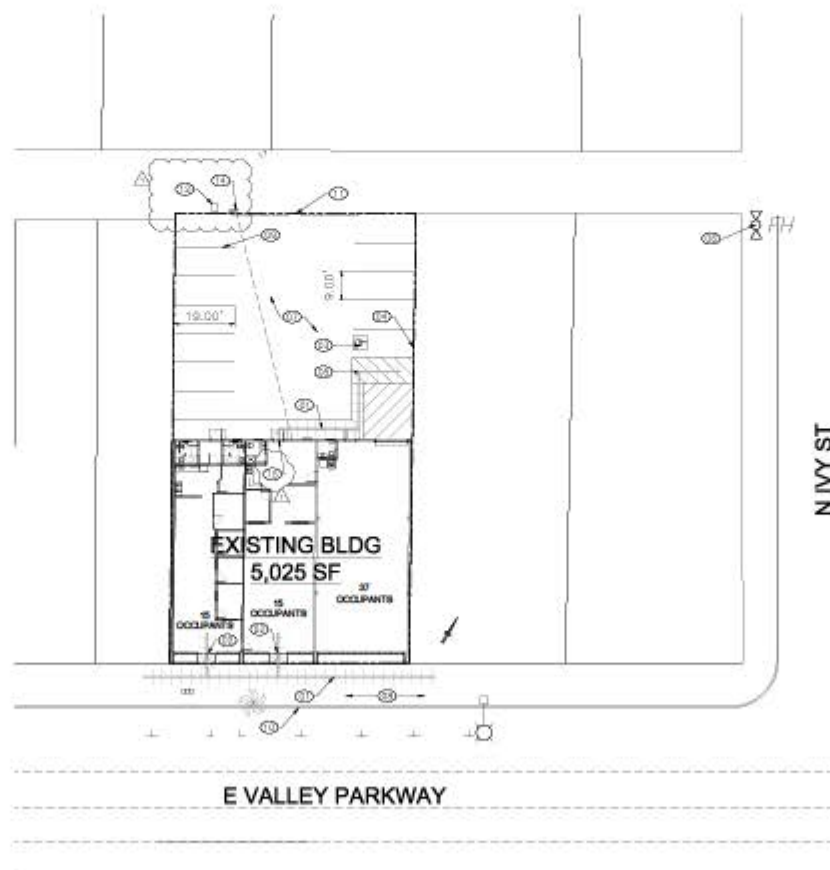
1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping 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 Engineering Services Department 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 Development Services.
- 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 Development Services 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. Hours of operation shall be limited to Monday through Friday from 9 a.m. to 10 p.m., and Saturday and Sunday from 9 a.m. to 5 p.m..
2. No more than 20 students and six staff members shall be permitted at any time. Any increase in these numbers shall require review and approval by the Director of Development Services.
3. The proposed trash enclosure must be covered and shall be designed to City standards.
4. If the alley behind the building is less than 24 feet wide, the proposed trash enclosure shall be set back at least two feet from the property line. Planning Division staff may a reduction in parking if required to accommodate the necessary setback.





01 SITE PLAN  
SCALE: 1" = 20'-0"

**SITE PLAN KEYNOTES**

- (1) ACCESSIBLE PATH OF TRAVEL MINIMUM 5% SLOPE IN DIRECTION OF TRAVEL AND MINIMUM 2% CROSS SLOPE
- (2) LOCATION OF ACCESSIBLE ENTRANCE WITH LEVEL LANDING (2% MAX. SLOP IN ANY DIRECTION)
- (3) LOCATION OF ACCESSIBLE PARKING STALL TO REMAIN
- (4) LOCATION OF ACCESSIBLE PARKING SIGNAGE TO REMAIN
- (5) LOADING AND UNLOADING STEPPING AREA TO REMAIN
- (6) FIRE HYDRANT TO REMAIN
- (7) NO PARKING TO REMAIN
- (8) CONCRETE SIDEWALK, OR MAX SLOPE TO REMAIN
- (9) PARKING LOT STEPPING TO BE RE-STEPPED
- (10) EDGE OF SIDEWALK TO REMAIN
- (11) 18" FIRM OF WINDSHIELD FROM RETIARD GATE - TO REMAIN OPEN DURING BUSINESS HOURS
- (12) WATER METER TO REMAIN
- (13) SEWER CONNECTION TO REMAIN
- (14) DISCONNECT POWER TO REMAIN
- (15) PROPOSED ACCESSIBLE ENTRANCE WITH LEVEL LANDING (2% MAX. SLOP IN ANY DIRECTION)

**SITE LEGEND**

- (1) ACCESSIBLE PATH OF TRAVEL
- PROPERTY LINE
- DESTINE FIRE HYDRANT

APN 226-392-18  
ZONING: S-P: SPECIFIC PLAN AREA

**SITE SUMMARY:**  
TOTAL BUILDING AREA = 53,000 SF

**PARKING SUMMARY:**

EXISTING STANDARD STALLS	11 SPACES
EXISTING ACCESSIBLE STALLS	1 SPACE
EXISTING PARKING	12 SPACES

DATE: \_\_\_\_\_  
REVISIONS: \_\_\_\_\_

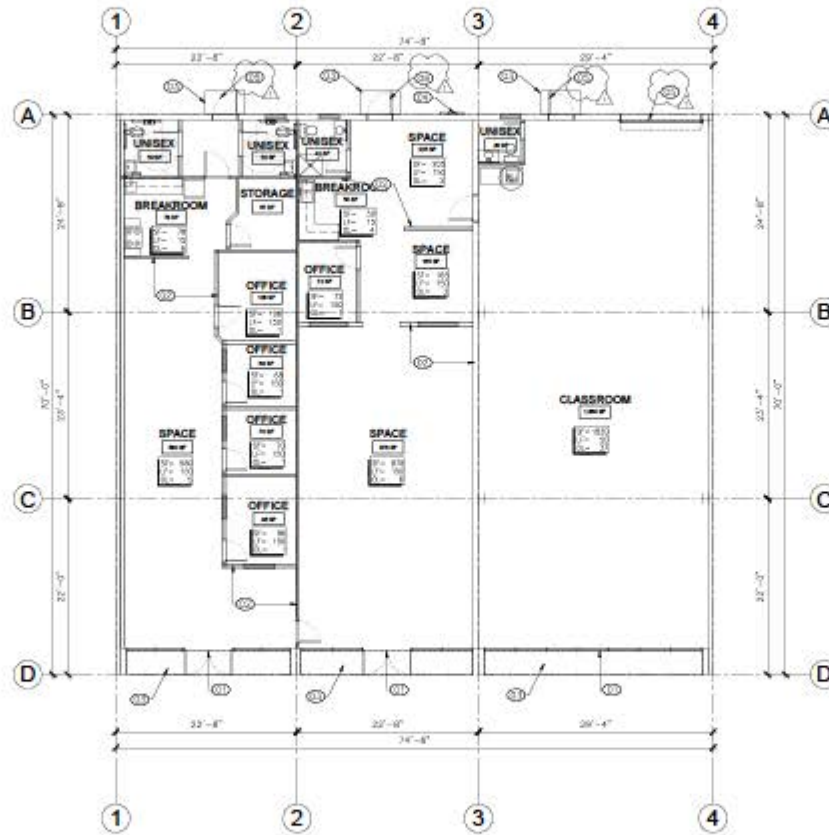
PROJECT DATA:  
**MESSAGE EDUCATION FACILITY**  
342-344 E VALLEY PARKWAY  
ESCONDIDO, CA 92026

**GRAND WEST ASSOCIATES, INC.**  
REGISTERED ARCHITECTS  
1000 N. WYOMING STREET, SUITE 100  
ESCONDIDO, CA 92026  
TEL: 760-941-1000  
WWW.GWA.COM

DATE: 11/9/2022

**SITE PLAN**  
**AS.1**





**01 EXISTING FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

**FLOOR PLAN KEYNOTES**

- 01 STAIR TRONE SYSTEM TO REMAIN
- 02 MIRROR WALLS TO REMAIN
- 03 WAINING TO REMAIN
- 04 ELECTRICAL PANELS TO REMAIN
- 05 DOOR TO REMAIN
- PROPOSED ACCESSIBLE DISTANCE WITH LEVEL LANDING (SEE MAX. SLOPE IN ANY DIRECTION)

**SYMBOL LEGEND**

	WINDOW NUMBER DESIGNATIONS, SEE WINDOW SCHEDULE ON SHEET A0.0		INTERIOR ELEVATION (CALLOUT)
	DOOR NUMBER DESIGNATIONS, SEE DOOR SCHEDULE ON SHEET A0.0		SECTION REFERENCE SYMBOL
	SHEET KEY NOTE		DETAIL REFERENCE CALL-OUT
	ACCESSIBLE CMT, TEXTURE, COUNTERTOP, ETC.		
	WALL TYPE CALL-OUT		

**PROJECT DATA**

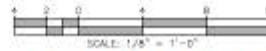
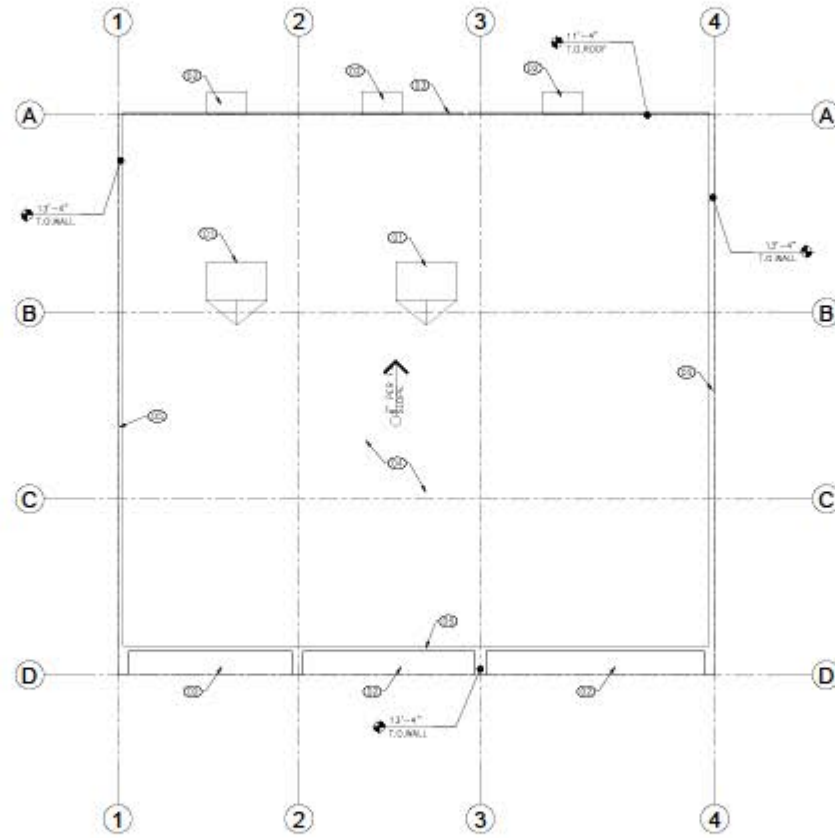
**MESSAGE EDUCATION FACILITY**  
342-344 E VALLEY PARKWAY  
ESCONDIDO, CA 92026

**GRAND WEST ASSOCIATES, INC.**  
11 West Coast Ave., Suite 107  
San Diego, CA 92108  
Tel: 619-594-8200  
www.grandwest.com

**DESIGNED AND DRAWN BY**

**FLOOR PLAN A1.0**

DATE: 11/9/2022



**01** EXISTING ROOF PLAN  
SCALE: 1/8" = 1'-0"



REV #	#	ROOF PLAN NOTES
	01	EXISTING ROOFTOP EQUIPMENT UNITS TO REMAIN
	02	EXISTING PARAPETS TO REMAIN
	03	EXISTING ROOF GUTTER DRAIN TO REMAIN
	04	EXISTING ROOF ASSEMBLY TO REMAIN
	05	EXISTING PARAPET WALLS TO REMAIN

SYMBOLS LEGEND	
101	SHEET KEY NOTE

NO.	DATE	REVISION

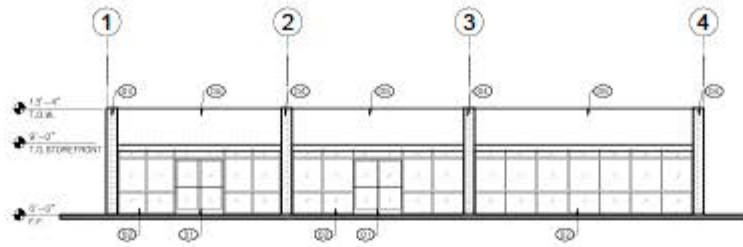


**PROJECT DATA**  
**MESSAGE EDUCATION FACILITY**  
 343-344 E VALLEY PARKWAY  
 ESCONDIDO, CA 92026

**GRAND WEST ASSOCIATES, INC.**  
 ENGINEERS ARCHITECTS  
 1000 West Main Street  
 Suite 200  
 San Diego, CA 92101  
 (619) 594-8888  
 www.gwainc.com

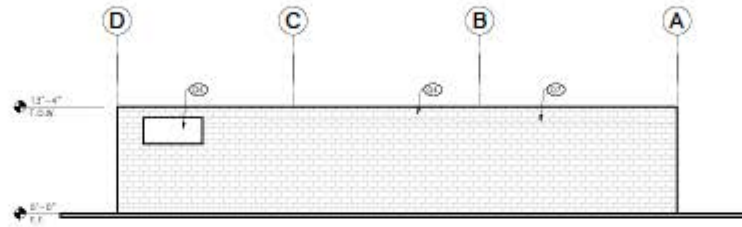
**PROJECT INFORMATION**  
 SHEET NO.: A3.0  
 DATE: 11/4/2022

**ROOF PLAN**  
**A3.0**



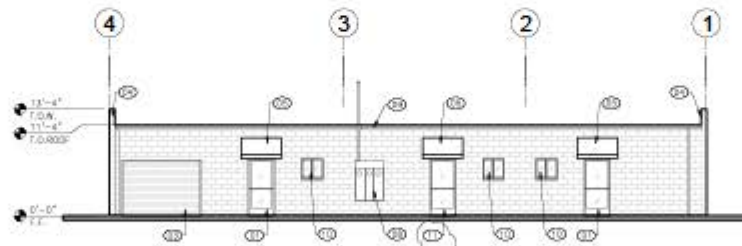
**01 EXISTING EXTERIOR ELEVATIONS**

SCALE: 1/8" = 1'-0"



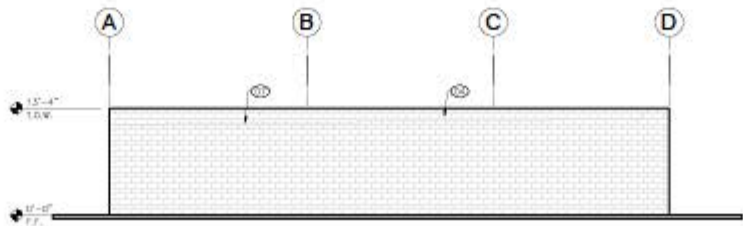
**02 EXISTING EXTERIOR ELEVATIONS**

SCALE: 1/8" = 1'-0"



**03 EXISTING EXTERIOR ELEVATIONS**

SCALE: 1/8" = 1'-0"



**04 EXISTING EXTERIOR ELEVATIONS**

SCALE: 1/8" = 1'-0"

**EXTERIOR ELEVATION KEYNOTES**

- 01 EXISTING ALUMINUM STOREFRONT ENTRY TO REMAIN
- 02 EXISTING STOREFRONT GLAZING SYSTEM TO REMAIN
- 03 EXISTING ROLL-UP DOOR TO REMAIN
- 04 EXISTING EXTERIOR CMU WALL TO REMAIN
- 05 EXISTING FABRIC AWNING TO REMAIN
- 06 EXISTING WALL ATTACHED SIGN TO REMAIN AND TO BE RE-USE WITH TENANT'S NEW SIGN
- 07 KEEP LIME
- 08 EXISTING ELECTRICAL PANELS TO REMAIN
- 09 EXISTING OUTER AND DOWNSPOUT TO REMAIN
- 10 EXISTING WINDOW TO REMAIN
- 11 PROPOSED ACCESSIBLE ENTRANCE WITH LEVEL LANDING OR WALK SLOP IN ANY DIRECTION

DATE	REVISION



**PROJECT DATA**  
**MESSAGE EDUCATION FACILITY**  
 342344 E VALLEY PARKWAY  
 ESCONDIDO, CA 92026

**GRAND WEST ASSOCIATES, INC.**  
 D E S I G N B U I L D  
 11 West Coast Ave, Suite 101  
 San Diego, CA 92108  
 Tel: 619-594-8200  
 Fax: 619-594-8201  
 www.grandwest.com

**OWNER:** AECOM  
**DESIGNED BY:** Grand West  
**DATE:** 11/19/2024  
**SCALE:** AS SHOWN  
**PROJECT NO.:** 22-023  
**DATE PLOTTED:** 11/19/2024

**EXTERIOR ELEVATIONS**

**A4.0**

