

# DEL MAR HEIGHTS SCHOOL REBUILD PROJECT

BOARD OF TRUSTEES SPECIAL BOARD MEETING  
JANUARY 19, 2021

# DEL MAR HEIGHTS SCHOOL REBUILD – TOPICS TO BE DISCUSSED

- Project Background
- CEQA Lawsuit
- Update on Court Ruling
- Staff Recommendation

# DEL MAR HEIGHTS SCHOOL REBUILD – PROJECT BACKGROUND

- Facilities Master Plan
  - Developed through exhaustive process
  - Board approved July 25, 2018
- Measure MM
  - Based on Facilities Master Plan
  - Board approved August 6, 2018
  - Passed by community November 6, 2018

# DEL MAR HEIGHTS SCHOOL REBUILD – PROJECT BACKGROUND



- Community Engagement Process
- Spring 2019 – 5 community meetings
  - Started with no design
  - Community, staff, and district input
  - Goals, Facts, Needs, Concepts
  - Input and priorities shaped design
- Fall 2019 – 2 community meetings
  - Shared design updates and gathered input
  - Responded to input and feedback



# DEL MAR HEIGHTS SCHOOL REBUILD – PROJECT BACKGROUND

- Adjacent homeowners expressed concerns about views
- Met with homeowners regarding trees and landscape next to Mira Montana
- Reduced roof heights
- Increased field size
- Moved buildings to the east, improving views
- HVAC at ground level rather than rooftop
- Investigated green roofs, retaining walls, and alternative plans

# DEL MAR HEIGHTS SCHOOL REBUILD – PROJECT BACKGROUND



DEL MAR HEIGHTS SCHOOL REBUILD



# DEL MAR HEIGHTS SCHOOL REBUILD – PROJECT BACKGROUND

- California Environmental Quality Act (CEQA)
  - Extremely thorough Initial Study / Mitigated Negative Declaration (IS/MND) and Response to Comments
  - IS/MND
    - 783 pages including attachments
  - Response to Comments
    - 373 pages including attachments

# DEL MAR HEIGHTS SCHOOL REBUILD – PROJECT BACKGROUND

- A Negative Declaration, Notice of Exemption (NOE), or a Mitigated Negative Declaration (MND) is commonly utilized for a rebuild
- Similar projects in neighboring Districts:
  - Sunset HS (San Dieguito USD) – Negative Declaration
  - Earl Warren (San Dieguito USD) – MND
  - Skyline (Solana Beach SD) – MND
  - Solana Vista (Solana Beach SD) – MND
  - La Costa Meadows (San Marcos USD) – MND
  - Alvin Dunn Elementary/La Mirada Academy K-8 (San Marcos USD) - NOE

# DEL MAR HEIGHTS SCHOOL REBUILD – CEQA LAWSUIT

- CEQA Lawsuit Court Hearing – December 22, 2020
- Save the Field (Litigant) challenged by raising 17 arguments
- Litigant asked the court to rule on 14 claimed violations
  - One (1) claim related to whether the project was adequately described
    - This claim was rejected
  - 13 related to claims of significant environmental impacts
    - 10 of the 13 areas ruled in favor of the District
    - 3 of the 13 areas ruled in favor of Petitioner

## RULING UPDATE – ITEMS DEEMED TO BE WITHOUT MERIT

- Main points raised by opponents to the project have included:
  - Modification / reduction of field space
  - Wildfire danger
  - Traffic / parking lot



## RULING UPDATE – MODIFICATION / REDUCTION OF FIELD SPACE

- The challenge on recreation impacts related to the field was deemed without merit
- The District’s review was appropriate and the improvements to recreation were noted
- Recreation Impacts
  - “Given the extensive discussion within the administrative record, as set forth above, evidence exists supporting the conclusion that the impact associated with community recreational use is insignificant. In other words, although the Rebuild Project will result in changes, these changes are not significant for purposes of a CEQA analysis...Therefore, this aspect of the writ of mandate lacks merit.”

## RULING UPDATE – WILDFIRE DANGER

- Wildfire concerns and emergency access did not require further study
- The improved access and reduction of cars on Boquita, along with no increase in students or staff, will improve emergency vehicle access
- Wildfire and Emergency / Fire Access Impacts:
  - The new parking lot and drop-off area “could improve emergency vehicle access to the surrounding neighborhood. Given all of these factors, there is no demonstrated potential for a significant impact related to wildfire and emergency/fire access, and this aspect of the writ of mandate lacks merit.”
  - The Court concluded the "Rebuild Project will add and improve rescue vehicle access via the new fire access lane..." and will add fire hydrants, "move buildings an additional 20 feet from the canyon edge and upgrade to more fire resistant buildings equipped with fire sprinklers."



## RULING UPDATE – TRAFFIC / PARKING LOT

- Traffic and drop-off/pick-up will not create an impact with respect to operational noise or traffic on Boquita Drive
- Operational Noise Impacts:
  - “The RK Engineering comment letter speculates that the new drop-off / pick-up lane will increase operation noise levels from idling cars, car horns, etc. However, there is no evidence in the record supporting this contention.”
  - “The student and staff populations will not increase such that vehicle trips should not increase.”
  - “In addition, it is reasonable to assume the expanded parking lot and new drop-off / pick-up area will bring vehicles onto school grounds and away from the residential streets.”
  - “This aspect of the writ of mandate lacks merit.”

## RULING UPDATE – ITEMS IN NEED OF FURTHER STUDY

- Temporary construction noise
- Potential impacts to sensitive plant species in the area of the stormwater outfall pipe repairs
- Potential traffic due to the construction of stairs and ADA ramp at the Mira Montana cul-de-sac

## RULING UPDATE – TEMPORARY CONSTRUCTION NOISE

- Issue – whether noise from construction equipment will exceed the City's CEQA threshold and if mitigation is needed
- Further study is needed

# RULING UPDATE – POTENTIAL IMPACTS TO SENSITIVE PLANT SPECIES IN THE AREA OF THE STORMWATER OUTFALL PIPE REPAIRS

- Issue – potential impact to Southern Maritime Chaparral and whether an endangered plant lives in the area that will be disturbed exists
- Biological Resources:
  - “With the exception of repairing the two storm water outfalls, the Rebuild Project will not affect this habitat because the Rebuild Project is limited to the current fence line of the school. Only a small portion of the Southern Maritime Chaparral habitat will be affected by the outfall repair (less than 0.01 acres).”
  - “The extent to which this habitat will be disturbed is unclear.”
  - “For example, it is not known whether the endangered plant species identified in the comment letter is even located where the storm water outfall repairs will take place.”

# RULING UPDATE – POTENTIAL IMPACTS TO SENSITIVE PLANT SPECIES IN THE AREA OF THE STORMWATER OUTFALL PIPE REPAIRS



- Fixing a current issue
- Improvement that will benefit the surrounding habitat

## RULING UPDATE – POTENTIAL TRAFFIC DUE TO THE CONSTRUCTION OF STAIRS AND ADA RAMP AT THE MIRA MONTANA CUL-DE-SAC

- Issue – whether the addition of stairs and an ADA accessible ramp from the cul-de-sac at the end of Mira Montana Drive will result in an impact due to increased traffic
- Further study is required



# RULING UPDATE – POTENTIAL TRAFFIC DUE TO THE CONSTRUCTION OF STAIRS AND ADA RAMP AT THE MIRA MONTANA CUL-DE-SAC



- Not part of the original plan

# STAFF RECOMMENDATION – STAIRS AND ADA RAMP TO MIRA MONTANA CUL-DE-SAC



- Staff recommendation – remove stairs and associated ADA ramp from the project
  - Not part of original design
  - Added at community request
  - Enhancement that added convenience
  - Not integral
  - Challenge says this may increase traffic





# QUESTIONS