ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 9
Date: May 26, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Barbara J. Redlitz, Director of Community Development

SUBJECT: Reconsideration of a Master and Precise Development Plan (Case No. PHG10-0002)

STAFF RECOMMENDATION:
It is requested that Council rescind Resolution No. 2010-57 and adopt Resolution No. 2010-86 approving a Master and Precise Development Plan for a 24-unit mixed-use development.

LOCATION:
On the northwestern corner of Hickory Street and Fourth Avenue, addressed as 225 S. Hickory Street and 444 E. Fourth Avenue (APN 229-480-09).

PROJECT DESCRIPTION:
The City Council considered this item on April 28, 2010, and approved the Master and Precise Development Plan (vote 4-1, Councilmember Diaz voting no). Following the hearing, staff became aware of an error in the public hearing notice and advised the applicant of the situation. The project applicant (David Landes – Big DP Partners, LLC) requested the project be renoticed and reconsidered in order to eliminate any potential future issues with the adequacy of the public hearing process. The project has been re-noticed.

The project involves a Master and Precise Development Plan for the development of two, two-story shopkeeper/condominium units fronting onto South Escondido Boulevard, and 22, three-story residential/condominium type units on a one-acre parcel located within the South Escondido Boulevard Planning Area. Access to the project would be provided by a single driveway from Escondido Boulevard. The project also includes the demolition of three older structures on the site that have been determined not to be significant historic resources. Since the April 28th Council hearing, staff has received one letter (attached) from an adjacent resident expressing opposition to another high-density project along the South Escondido Boulevard Corridor, and suggest the property might best be used for a neighborhood park/open space amenity for the area.

There is an active code enforcement case involving the appearance and ongoing maintenance of the subject property, and the City has been working with the project applicant to correct these issues. In light of the recent Council discussion regarding the appearance of vacant, blighted and abandoned commercial properties, an option for the Council would be to defer action on the

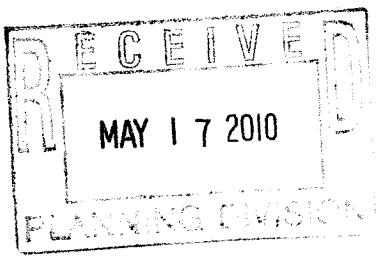
request until the property owner complies with the code enforcement issues.. In any event, staff will continue to enforce the City's codes on the property.

Respectfully submitted,

Barbara J. Redlitz
Director of Community Development

Jay Paul
Associate Planner

May 13, 2010



Bill Martin
Planning Division
City of Escondido
201 N. Broadway
Escondido, CA 92025-2798

Public Opinion Regarding Case No. PHG 10-0002

As a resident of the nearby Felicita Villas condominium community on Felicita Avenue, I am opposed to the proposed Plan for the development of 22 multi-family units and 2 shopkeeper units on South Escondido Blvd.

Over the years, South Escondido Blvd has been impacted with several "Master and Precise Development" plans with similar high density units as well as commercial enterprises. While revitalization can be appreciated, the resulting density issue is a major concern for homeowners in the surrounding area. These development plans have resulted in the increase of automobile traffic and an overall "crowded" feeling to the area.

The installation of a well lit small greenbelt on this one acre parcel would be a better alternative and a nice reprieve for this already deterioting side of town.

As an Escondido property taxpayer, I resent that the South Escondido community bears the brunt of these "high density "development plans while the North Escondido community remains unscathed.

Suzanne Brandt

Suzanne Brandt
1651 S. Juniper St. #228
Escondido, CA 92025

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For City Clerk's Use:
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Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: _____
Date: April 28, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Barbara Redlitz, Director of Community Development

SUBJECT: Master and Precise Development Plan (Case No. PHG10-0002)

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission recommended denial on March 23, 2010 (Vote 4-2, Commissioners Winton and Campbell voted no).

STAFF RECOMMENDATION:
It is requested that Council adopt Resolution No. 2010-57 approving the Master and Precise Development Plan, with updated conditions.

LOCATION:
On the eastern side of Escondido Boulevard, south of Fifteenth Avenue, addressed as 1560 – 1574 South Escondido Boulevard (APNs 236-460-70 and -71).

PROJECT DESCRIPTION:
A Master and Precise Development Plan for the development of two, two-story shopkeeper/condominium units fronting onto South Escondido Boulevard, and 22, three-story residential/condominium type units on a one-acre parcel located within the South Escondido Boulevard Planning Area. Access to the project would be provided by a single driveway from Escondido Boulevard. The project also includes the demolition of three older structures on the site that have been determined not be significant historic resources.

The project includes four separate buildings, and unit designs include two- and three-bedroom units ranging in size from 1,288 SF to 1,721 SF. The two shopkeeper units each would provide approximately 970 SF of usable commercial space, and separate access is provided to the commercial and residential components of these units. All of the units would be constructed with an enclosed two-car garage with 16 units providing tandem garage spaces. An additional 14 on-site parking spaces would be provided to accommodate guests and shopkeeper units. Up to seven on-street parking also would be available across the project frontage, which most likely would support the shopkeeper units. However, Escondido Boulevard is classified as a collector road which calls for potentially removing street parking in the future. Approximately 12,045 SF of common open space is provided which consists of various landscape spaces, decorative paving, benches, theme trellis with lighting and other landscape features. Approximately 2,160 SF of private open space also is provided, which consists of a combination of patios and courtyard entry areas for selected units.

BACKGROUND/PROJECT HISTORY:

A Master and Precise Development Plan in conjunction with a one-lot Tentative Subdivision Map previously was approved in 2006 for the development of the proposed 24-unit mixed-use project (City Case No. 2005-80-CZ/PD/CP and TR 942). A Zone Change also was approved from the previous

Use (MU) developments, which result in the development of residential, commercial and professional office uses are allowed within the South Escondido Corridor as an integral part on a single project, subject to the provisions and standards outlined in Article 19 (Planned Development Zone) of the Zoning Code. The proposed development would be consistent with the South Escondido Boulevard Neighborhood Plan density provisions which allows up to 24 du/ac since the overall density of the project would be 24 du/ac.

The project would be in conformance with General Plan Housing Program No. 8 (In-fill New Construction) which supports construction of new housing for home ownership on in-fill sites. Revitalization and redevelopment are overall objectives for the City of Escondido within the South Escondido Boulevard Corridor area.

ENVIRONMENTAL REVIEW:
A Mitigated Negative Declaration (Case No ER 2005-02) was adopted for the proposed project in conformance with the California Environmental Quality Act. The findings of the environment review concluded the proposed project would not generate any significant environmental impacts, and mitigation measures were not required. No new environmental analysis is required to be prepared in conformance with CEQA Section 15162.

PUBLIC COMMENT:
No comments were received regarding the updated project and no one from the public spoke at the March 23, 2010, Planning Commission hearing.

DISCUSSION:
Staff feels the proposed units are consistent with the Condominium Ordinance since all design review, minimum unit size, washer and dryer hookups, storage, and other requirements of the Condominium Ordinance have been met or would be provided. The project also is in conformance with the Zoning Code requirements for parking, open space, height and setbacks. The commercial spaces would be well suited for smaller professional office and specialty retail/artisan type uses, and the project includes a list of permitted and prohibited uses (attached) that would be appropriate for the amount of parking provided and compatible with the residential nature of the project. A required homeowners' association would ensure the appropriate level of maintenance and necessary financing to support the grading, landscape, drainage and open space design. The Design Review Board reviewed the project again on March 11, 2010, and recommended approval (vote 4-0-2, Bell and Laguna abstained). Although supporting the overall project design and architecture, Board member Watson expressed concern with a high-density, mixed-use project in a suburban area, feeling the project might be more suitable for downtown.

Staff feels the proposed project conforms to the Objectives and Design Guidelines for South Escondido Boulevard, which encourages mixed-use (commercial/professional) developments. Staff is recommending approval of the resubmitted Master and Precise Development Plan for a term that coincides with the State extension for the associated Tentative Subdivision Map, which is valid until May 24, 2012.

Respectfully submitted,

Barbara Redlitz
Director of Community Development

Jay Paul
Associate Planner

Medical Services

The Medical Services refers to establishments primarily engaged in the provision of professional health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, psychologists, and therapists. Generally this is limited to a single professional office with one-on-one service to limit demands on parking.

Financial, Insurance and Real Estate Services

The Financial, Insurance and Real Estate Services refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Generally this is limited to a single professional office with one-on-one service to limit demands on parking.

- Mortgage services
- Insurance agency
- Investment advisor
- Real estate/broker office

Prohibited Uses:

The following uses are expressly prohibited uses within the shopkeeper units:

- Uses categorized as adult oriented uses
- Massage parlors, acupressure and acupuncture studios
- Tattoo and piercing shops
- Smoking or smoking related shops
- Markets or convenience stores
- Thrift or second-hand shops
- Automotive related repair or sales type uses
- Bars, liquor stores or other alcohol related businesses (on-site sales and service)
- Phone banks or telemarketing services
- Discount /99 cent type stores
- Larger group physical fitness operations generally more than three clients at one time (i.e., karate studio, gym, reducing salon, yoga, etc.)
- Restaurants, food service and preparation
- Outdoor storage and display of materials prohibited
- Check cashing businesses
- Uses involving group meetings or public assembly

The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and environmental analysis (ER 2005-53). Perimeter landscaping and fencing/walls would provide an appropriate buffer between the project site and adjacent uses.

5. The overall design of the proposed planned development would produce an attractive commercial and residential project since the project contains an appropriate mix of commercial (live-work units) and single-family units (with ownership opportunities). The project is located in close proximity to other amenities such as public transit and shopping.

6. The development will not require excessive grading and the grading design would be in conformance with the City's Grading Design Guidelines for slope heights.

7. The uses proposed have a beneficial effect not obtainable under existing zoning regulations since a mixed-use development must be processed through the Planned Development process in accordance with the South Escondido Boulevard Neighborhood Plan (Ord. 92-01). The project would provide live/work units, and single-family ownership opportunities integrated into a comprehensive and self contained development, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process.

8. All of the requirements of the California Environmental Quality Act (CEQA) have been met since the findings of the adopted Negative Declaration (ER 2005-53) did not identify any substantial or potentially substantial environmental impacts from the proposed project. Mitigation Measures are not required for this project. A Notice of Determination was filed with the County Clerk of San Diego County. In accordance with CEQA Section 15162, no new or subsequent environmental review need be prepared for this project.

13. Any parcels not associated with this Tentative Map shall be labeled "Not a Part."

14. No street names are part of this approval. A separate request shall be submitted prior to Final Map.

15. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map and grading plans for the subdivision. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, payment of utilities (such as water and gas between the commercial units and residential units), utility easements, driveways, roads, parking areas, structures, and any common drainage facilities. The CC&Rs also shall contain a provision indicating the garages shall be maintained to accommodate up to two vehicles. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established for the relevant project components in accordance with Department of Real Estate requirements. The developer shall deposit $500.00 per unit, to the Planning Division, prior to approval of the final map for TR 942. Said deposit shall be used solely and exclusively as a contingency fund for emergencies which might arise relating to structures, open space areas, and other repairs as may be assumed by the Homeowners' Association or management corporation, pursuant to Section 33-957 of the Escondido Zoning Code. Said funds shall be administered by the city until the homeowners take majority control of the association.

16. Prior to the Final Map approval and issuance of grading permits, a parking management plan which details assigned spaces, overflow, on-site vehicular maintenance, guest parking and on-street parking shall be submitted and approved by the Planning Division.

17. Prior to the issuance of a grading permit, the grading plan shall include the location and type of all mature trees located on the site. Each tree shall be labeled on the plan as to whether it will remain or be removed and staked in the field, as necessary, to the satisfaction of the Planning Division.

18. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Design Review Board recommendations, staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. The final landscape plans, paving plans and signage program shall be approved by the Design Review Board prior to Final Map approval and issuance of grading permits.

19. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47), and exhibits included in the staff report(s). Separate sign permits will be required for project signage. Prior to issuance of building permits, a comprehensive signage program for the project, which includes number, size, color, type and design of signs, especially for the commercial suites.

20. All trash enclosures must be designed and installed per City standards and in coordination with Engineering Department storm water control requirements. The enclosure shall be moved further east within the parking isle to move it further away from the project entrance. The enclosure shall be constructed of decorative materials to be compatible with the design of the buildings. An appropriate decorative roof structure shall be incorporated into the design for storm water control. Landscaping shall be provided around the enclosure to provide appropriate screening.

21. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building, to the satisfaction of the Director of Planning and Building. The final building plans shall clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment. Ground mounted equipment should be located to avoid conflict with pedestrian circulation and access, as well as to screen the equipment from view as much as possible. Units also shall be located and appropriate measures incorporated to avoid potential noise conflict with residential uses.

22. A minimum of 62 on-site spaces, with a minimum 38-foot-depth for tandem garage spaces, shall be provided and maintained in conjunction with this development, as indicated in the Details of Request and site plan. The spaces shall be striped in accordance with the Zoning Code. Driveways and fire lanes do not allow for parking, and curb markings and fire lane signs are required, to the satisfaction of the Fire Marshall.

39. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping, identification of handicap parking stalls and required signage, perimeter walls and landscaping, trash enclosure, as well as any other conditions of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.

40. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval ("the effective date" being the end of the appeal period, if applicable) a certified check payable to the "County Clerk," in the amount of $2,060.25 for a project with a Negative Declaration, which includes an additional authorized County administrative handling fee of $50.00 ($2,010.25 + $50). Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid. The applicant shall be responsible for any fee increases imposed by the State that may arise come into effect prior to posting of the Notice of Determination.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Department. The appropriate plan check fee will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in Ordinance 93-12 and Water Efficient Landscape Regulations (Ord. 2010-01R). The plans shall be prepared by, or under the supervision of a licensed landscape architect.

2. The landscaping plan shall include specimen sized evergreen trees, to the satisfaction of the Planning Division. Root barriers shall be provided in accordance with the Landscape Ordinance.

3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.

4. All manufactured slopes, or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.

5. Prior to occupancy of future units, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

6. Any existing trees to remain on the site shall be identified on the grading and landscape plans. Appropriate notes shall be included on the grading plans detailing how the oak tree will be protected during grading and construction.

7. The streetscape along Escondido Boulevard shall include appropriate decorative paving (i.e., colored concrete, decorative pavers, etc) and landscape planters, along with the required number of street trees, to the satisfaction of the Planning Division. The final landscape plan shall be approved by the Design Review Board.

8. 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

certain parking spaces to provide the appropriate access. These requirements must be included on the Certified Tentative Map and Master Development Plan.

Building Department Conditions:

1. All third-floor units greater than 500 SF require two separate exits, unless exempted by the current building code.

2. A minimum of 10% of multi-level dwelling are to be accessible per Chapter 11A of the California Building Code.

3. Access to this project shall be improved with alley-type driveway in accordance with Escondido Standard Drawing No. G-3-E with a minimum throat width of 28 feet.

4. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.

5. All on-site roads, driveways and parking areas shall be private. Typical sections and design details shall be to the satisfaction of the City Engineer and Fire Marshall.

6. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

7. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signing and striping shall be done by a private contractor.

8. The developer may be responsible for an overlay of Escondido due to damage from the many utility trenches necessary to serve this project or construction activities. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.

9. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.

10. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.

2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.

3. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing

2. All on-site sewer mains not in public easements will be considered a private sewer system. The property owners' association will be responsible for all maintenance of these mains. This shall be clearly stated in the CC&Rs.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.

2. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.

3. The developer is responsible for making the arrangements to quitclaim all easements of record, which conflict with the proposed development prior to approval of the final map. All street vacations shall be accomplished by means of a separate public hearing. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of $50,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.

2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

ESCONDIDO
City of Choice

PLANNING COMMISSION

Agenda Item No.: G.1
Date: March 23, 2010

CASE NUMBER: PHG 10-0002

APPLICANT: Big DP Partners, LLC

LOCATION: On the eastern side of Escondido Boulevard, south of Fifteenth Avenue, addressed as 1560 – 1574 South Escondido Boulevard (APNs 236-460-70 and -71).

TYPE OF PROJECT: Master and Precise Development Plan

PROJECT DESCRIPTION: Master and Precise Development Plan for the development of two, two-story shopkeeper/condominium units fronting onto South Escondido Boulevard, and 22, three-story residential/condominium type units on a one-acre parcel located within the South Escondido Boulevard Planning Area. Access to the project would be provided by a single driveway from Escondido Boulevard. The project also includes the demolition of three older structures on the site that have been determined not be significant historic resources.

STAFF RECOMMENDATION: Approval, subject to the revised conditions.

GENERAL PLAN DESIGNATION/TIER: General Commercial (CG), Tier 1, Central Neighborhood

ZONING: PD-MU (Planned Development-Mixed Use) and South Escondido Boulevard Corridor Area Plan

BACKGROUND:

Development approvals (Subdivision Maps and Planned Development) typically are valid for up to three years, and time extensions may be granted by the Planning Commission and/or City Council. The Tentative Subdivision Map and Planned Development originally were scheduled to expire in 2009, but Senate Bill 1185 adopted in 2008 granted a one-year extension to all subdivision maps. However, the extension does not apply to any associated local land-use approvals. Assembly Bill 333 was adopted in 2009, which granted another two-year extension for all subdivision maps, but also did not extend any local land-use approvals. Therefore, the one-lot Tentative Map (TR 942) for the mix-used project is valid until May 24, 2012, but the Planned Development expired in 2009. Therefore, the project applicant has resubmitted the Master and Precise Development Plan. The design has not changed from the original approval, but the drainage design will need to be revised to conform to current storm water requirements. The curb designs along the driveways and several of the open parking spaces at the project entrance also will need to be modified in order to ensure appropriate access for the larger Fire Department ladder truck is provided. The project has been conditioned accordingly. The project conditions also have been updated to ensure conformance with the current Condominium Ordinance requirements, including storage and required $500 per unit security deposit for the future homeowners' association.

A Master and Precise Development Plan in conjunction with a one-lot Tentative Subdivision Map previously was approved in 2006 for the development of the proposed 24-unit mixed-use project (City Case No. 2005-80-CZ/PD/CP and TR 942) on the subject property. A Zone Change also was approved from the previous General Commercial to Planned Development-Mixed Use zoning to accommodate the residential and commercial components of the project. The project includes four separate buildings, and unit designs include two- and three-bedroom units ranging in size from 1,288 SF to 1,721 SF. Each unit would be constructed with an enclosed two-car garage with 16 units providing tandem garage spaces. The two shopkeeper units each would provide approximately 970 SF of usable commercial space, and separate access is provided to the commercial and residential components of these units. An additional 14 on-site parking spaces would be provided to accommodate guests and shopkeeper units. On-street parking also would be available across the project frontage, which could accommodate up to seven vehicles. These spaces most likely would support the shopkeeper units. However, Escondido Boulevard is classified as a collector road which calls for potentially removing street parking upon ultimate buildout of the street.

PREVIOUS COUNCIL ACTION:
The City Council approved the project May 24, 2006 (vote 5-0). The Council did not express any specific concerns regarding the project or the design.

PREVIOUS PLANNING COMMISSION ACTION:
The Planning Commission recommended denial of the project on April 25, 2006 (vote 4-3, Commissioners Caster, Campbell, Lehman and McQuead voting to deny; Weber, Newman and Winton voting to approve). Commissioners Campbell and Weber suggested that commercial thresholds should be established for mixed-use projects and expressed concern the project would be maximizing residential in a commercial zone. Chairman Weber also felt that tandem parking was inappropriate. Commissioner Winton felt the shopkeeper units should only be used by the occupant of the residential unit and not subleased, which was incorporated into the project conditions.

ENVIRONMENTAL STATUS
A Mitigated Negative Declaration (Case No ER 2005-02) was issued on June 16, 2005, for the proposed project in conformance with the California Environmental Quality Act. The findings of the environment review concluded the proposed project would not generate any significant environmental impacts, and mitigation measures were not required. No new environmental analysis is required to be prepared.

CONFORMANCE WITH CITY POLICY
The General Plan land-use designation for the proposed mixed-use project at the site is General Commercial. Commercial Policy B4.11 (page II-32) establishes the South Escondido Corridor and objectives for the area, as well as the authority for the development of a Land-Use Area Plan. The South Escondido Boulevard Neighborhood Plan was established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. Ordinance 92-01 states that Mixed Use (MU) developments, which result in the development of residential, commercial and professional office uses are allowed within the South Escondido Corridor as an integral part on a single project, subject to the provisions and standards outlined in Article 19 (Planned Development Zone) of the Zoning Code. The proposed development would be consistent with the South Escondido Boulevard Neighborhood Plan density provisions which allows up to 24 du/ac since the overall density of the project would be approximately 24 du/ac.

The project would be in conformance with General Plan Housing Program No. 8 (In-fill New Construction) which supports construction of new housing for home ownership on in-fill sites. Specifically, the project site is located within the Area Plan for South Escondido Boulevard Corridor commercial area. Revitalization and redevelopment are overall objectives for the City of Escondido within the project area.

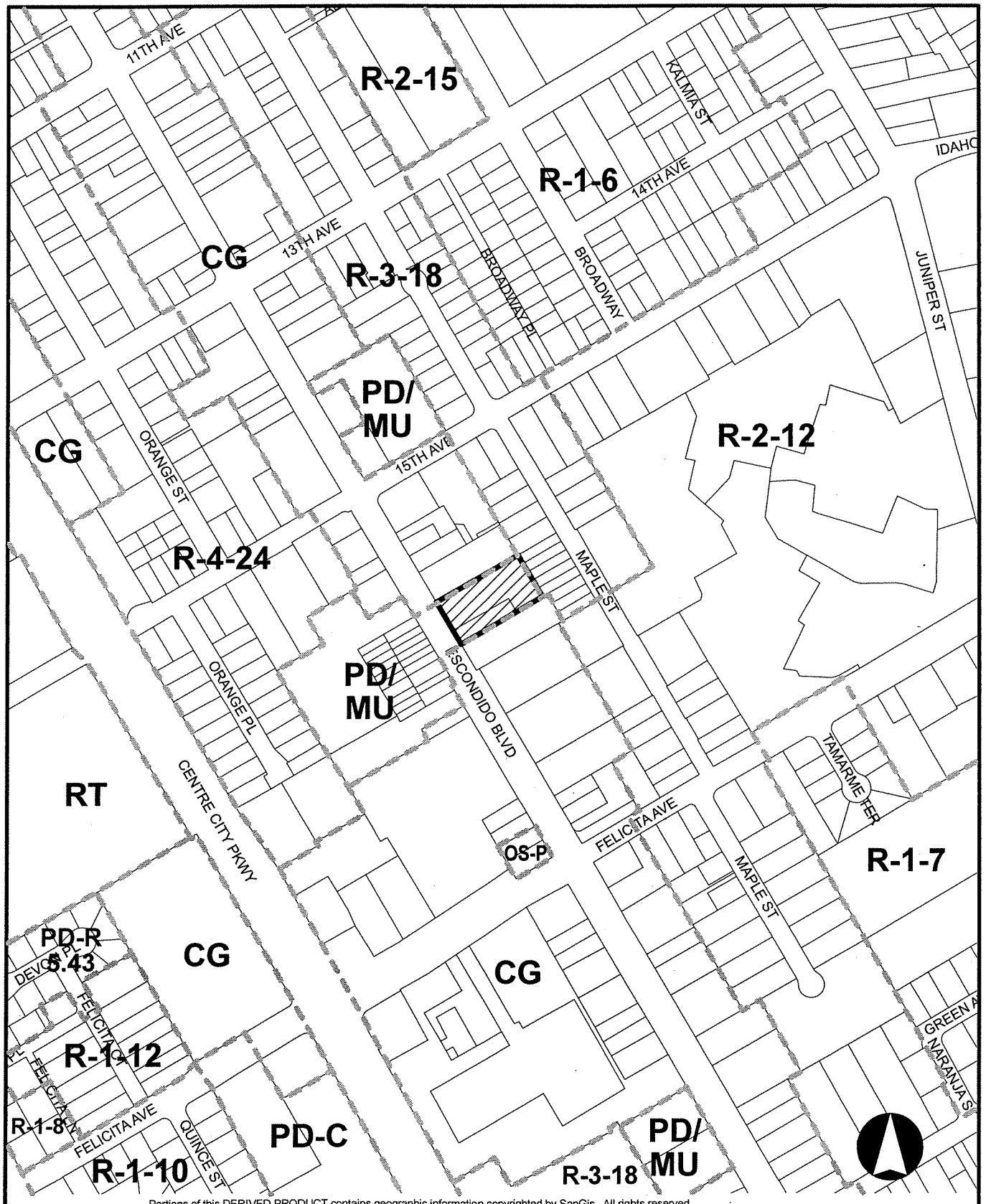
DISCUSSION
The shopkeeper buildings are residential units are similar to the mixed-use project directly across the street from the site (Trinity Development), but the two shopkeeper units would provide more commercial area (approx. 970 SF each) than the Trinity commercial units (approx 625 SF). The project applicant feels the commercial spaces would be well suited for smaller professional office and specialty retail/artisan type uses, and the project includes a list of permitted and prohibited uses (attached) that would be appropriate for the amount of parking provided and compatible with the residential nature of the project. Separate access to the residential component of the shopkeeper units is provided, but the project has been conditioned to restrict subleasing the commercial component of the project. The original project applicant preferred not to restrict the lease or sale of the commercial component separately from the residence, but would agree to the restriction if it was necessary for project approval. A single unisex type bathroom is provided to serve the two shopkeeper units along with eight on-site parking spaces allocated to the commercial uses. Up to seven on-street spaces along the project frontage also would be available for the project, but is not counted towards meeting the parking requirements.

The residential component of the project includes two- and three-bedroom units ranging in size from 1,288 SF to 1,721 SF. Each unit contains an enclosed two-car garage, large living and dining room, walk-in closets in the master bedrooms, linen or laundry areas and washer/dryer hookups, an individual private balconies or patios. Additional required storage can be accommodated within the garages. The project would provide approximately 12,045 SF of common open space which consists of various landscape spaces, decorative paving, benches, theme trellis with lighting and other landscape features. Approximately 2,160 SF of private open space also is provided (typically patios/courtyard entry areas for selected units). The open space provided would be consistent with the R-4 zoning requirements. A solid masonry wall up to six feet in height would be installed

along the perimeter of the site to further separate the project from adjacent uses. A mix of architectural elements has been incorporated into the buildings, especially along the lower levels, to project a more human scale along the pedestrian ways and Escondido Boulevard. The units include a series of recessed or pop-out features and balconies with trellis elements to break up the mass and scale of the buildings. These features vary in depth, which would be in substantial conformance with the South Escondido Design Guidelines. The overall height of the buildings do not exceed 35 feet, which would be consistent with the South Escondido Boulevard design standards. The Design Review Board reviewed the project again on March 11, 2010, and recommended approval (vote 4-0-2, Bell and Laguna abstained). Although supporting the overall project design and architecture, Board member Watson expressed concern with a high-density, mixed-use project in a suburban area, feeling the project might be more suitable for downtown. Staff feels the proposed project conforms to the Objectives and Design Guidelines for South Escondido Boulevard, which encourages mixed-use (commercial/professional) developments. Staff is recommending approval of the resubmitted Master and Precise Development Plan for a term that coincides with the State extension for the associated Tentative Subdivision Map, which is valid until May 24, 2012.

Respectfully submitted,

Jay Paul
Associate Planner



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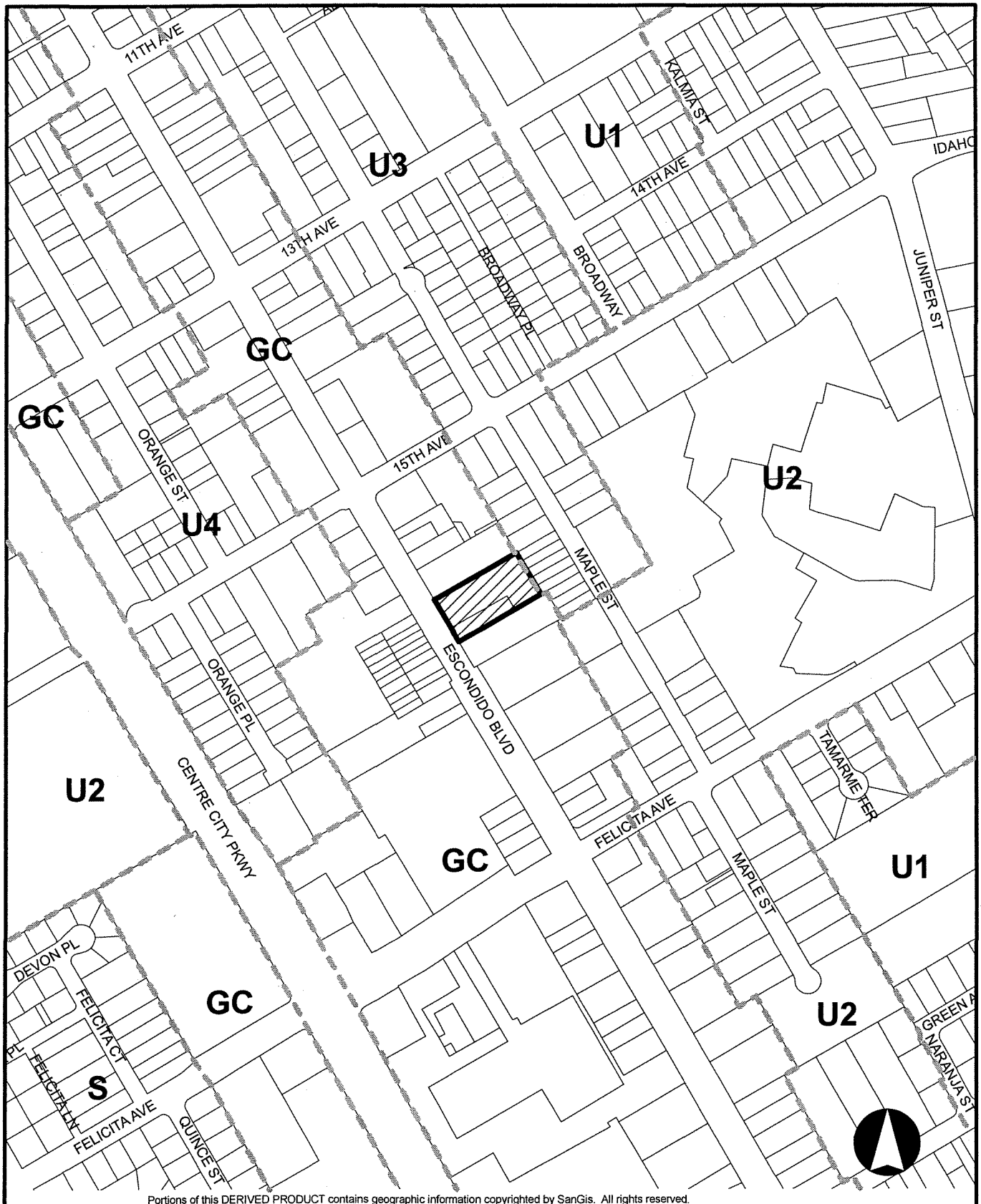
PROPOSED PROJECT
PHG 10-0002

L

LOCATION/ZONING



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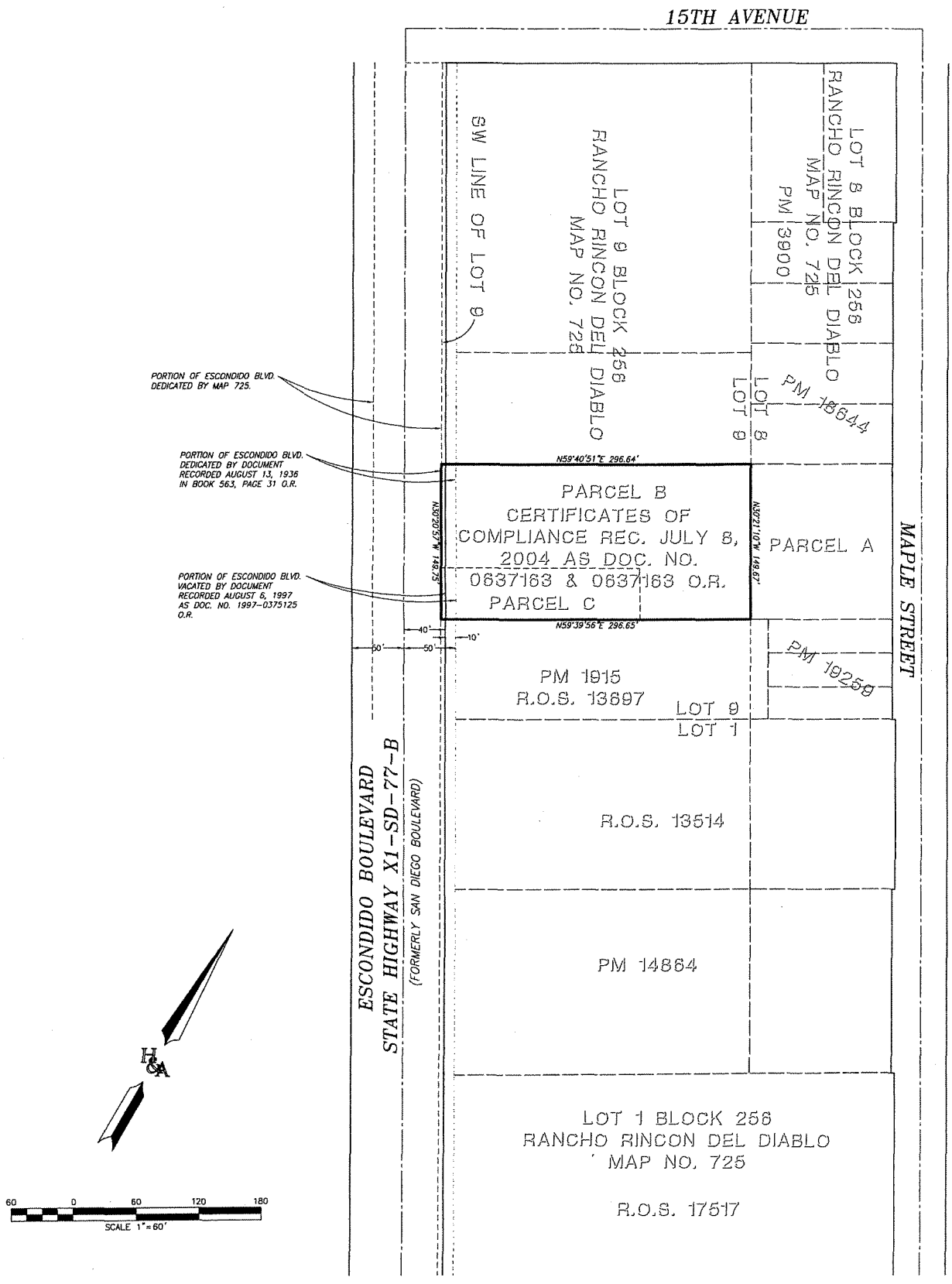
PROPOSED PROJECT
PHG 10-0002

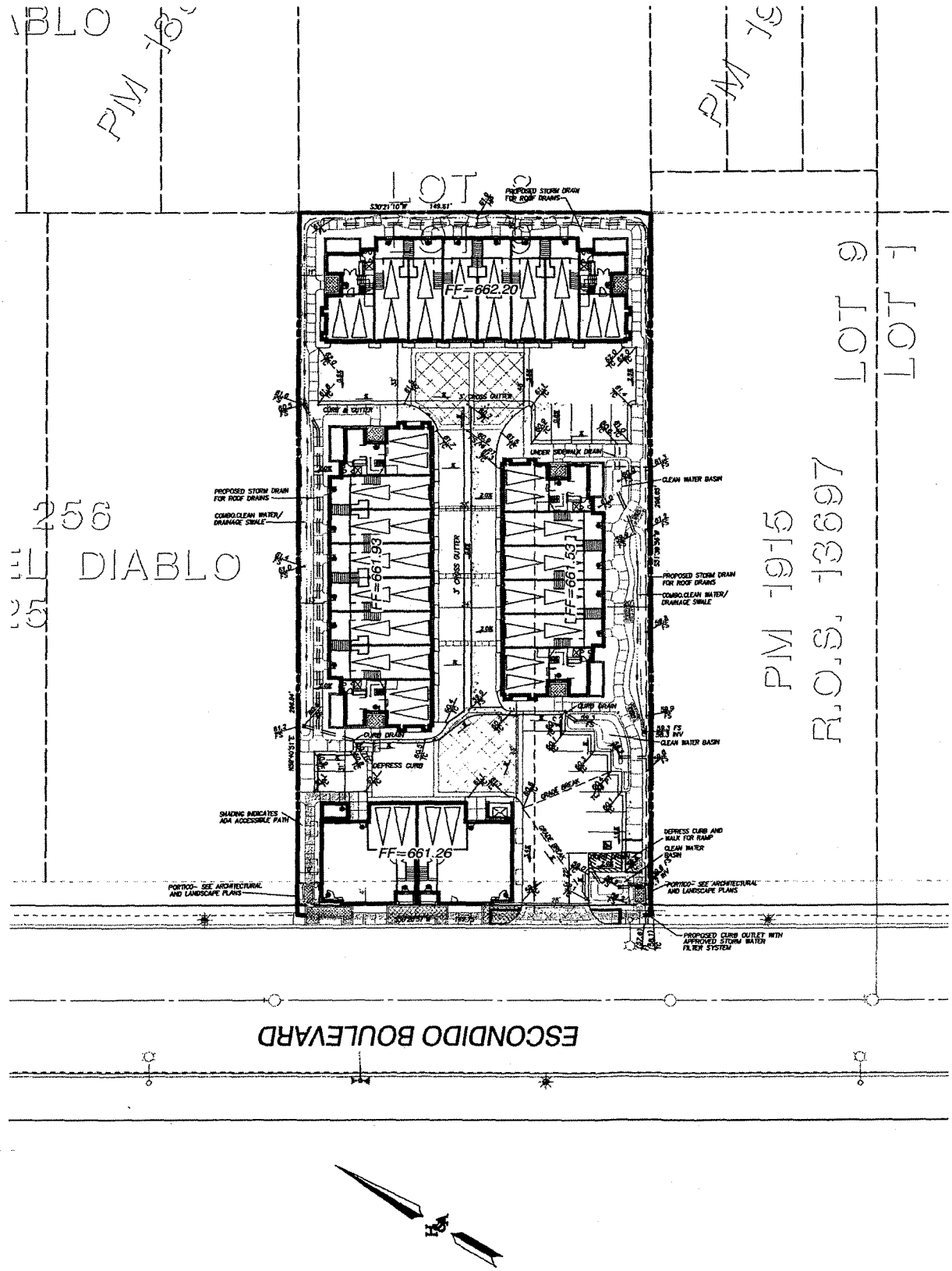
GP
GENERAL PLAN



PROPOSED PROJECT
PHG 10-0002

S

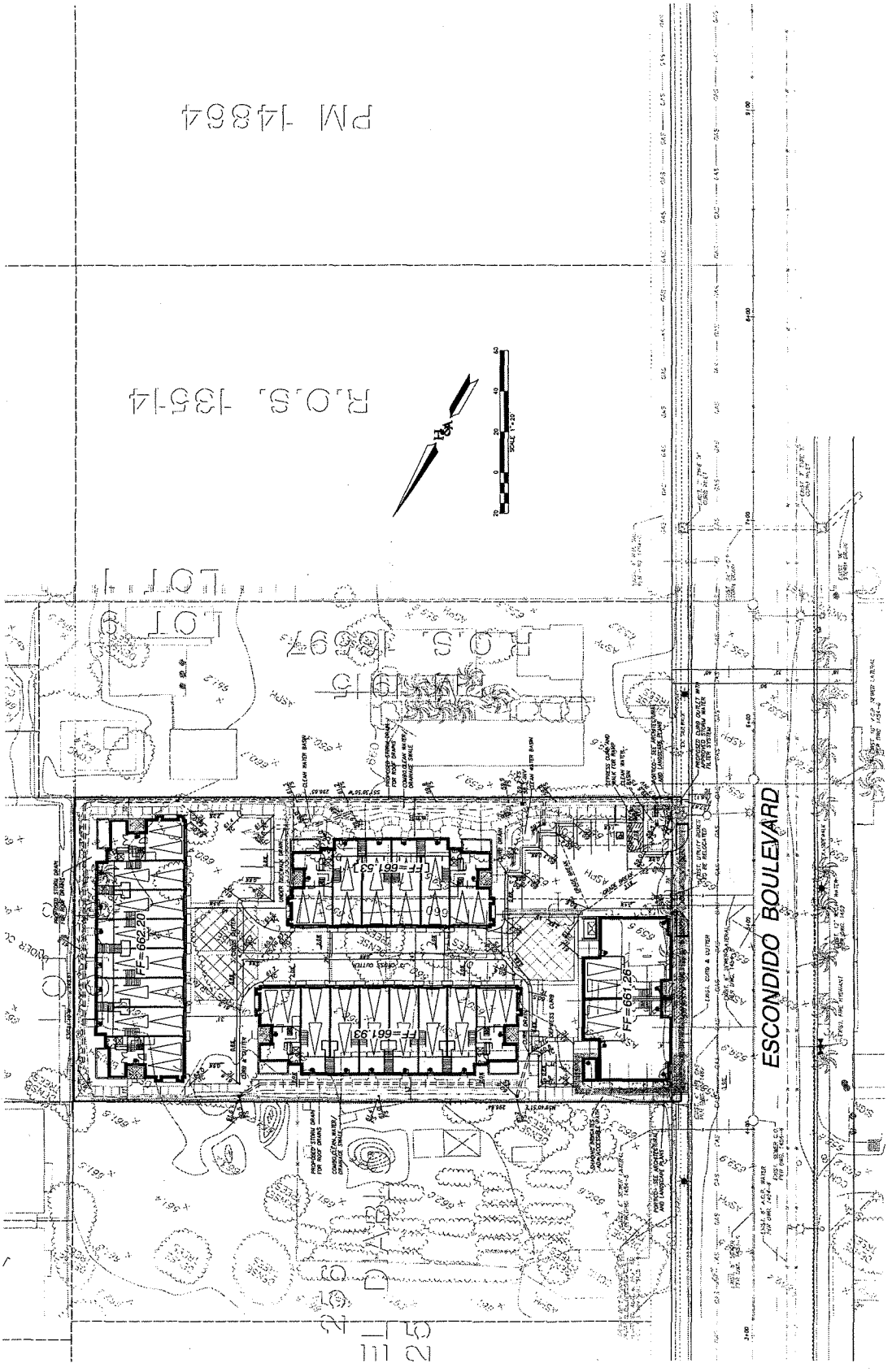
SITE PLAN



PROPOSED PROJECT
PHG 10-0002

S

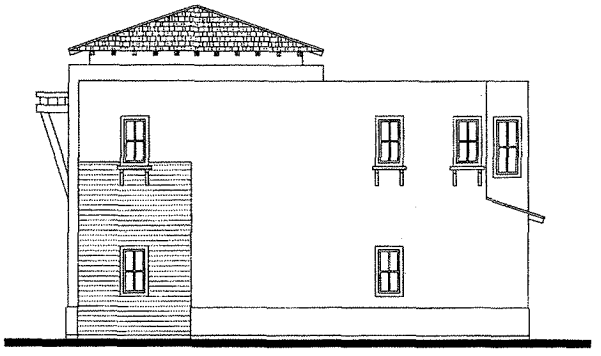
SITE PLAN



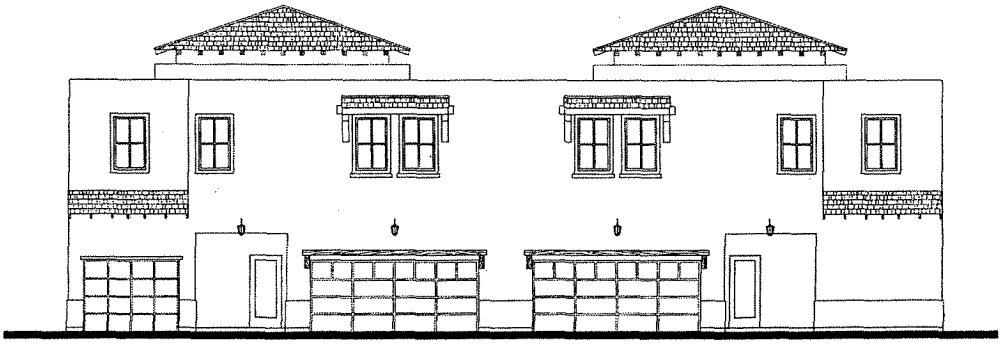
PROPOSED PROJECT
PHG 10-0002

S

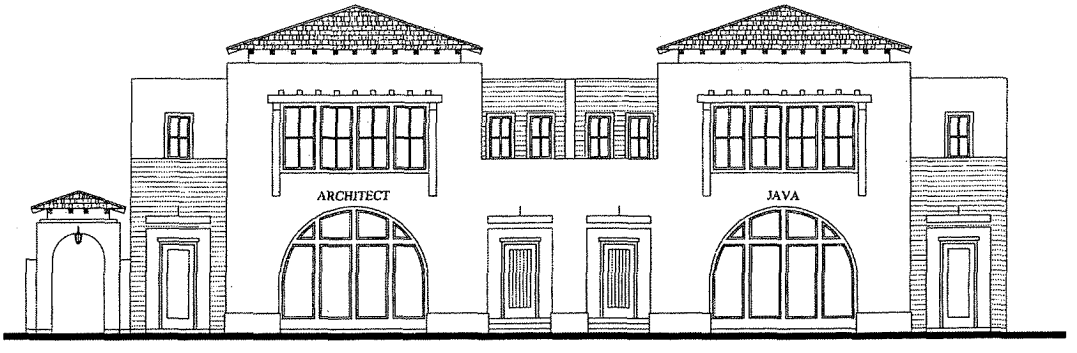
SITE PLAN



EAST and WEST ELEVATIONS



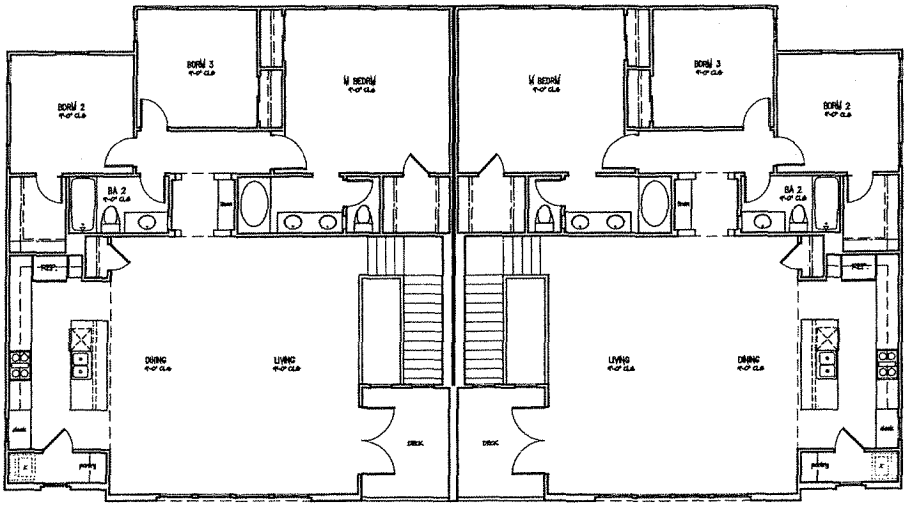
SOUTH ELEVATION



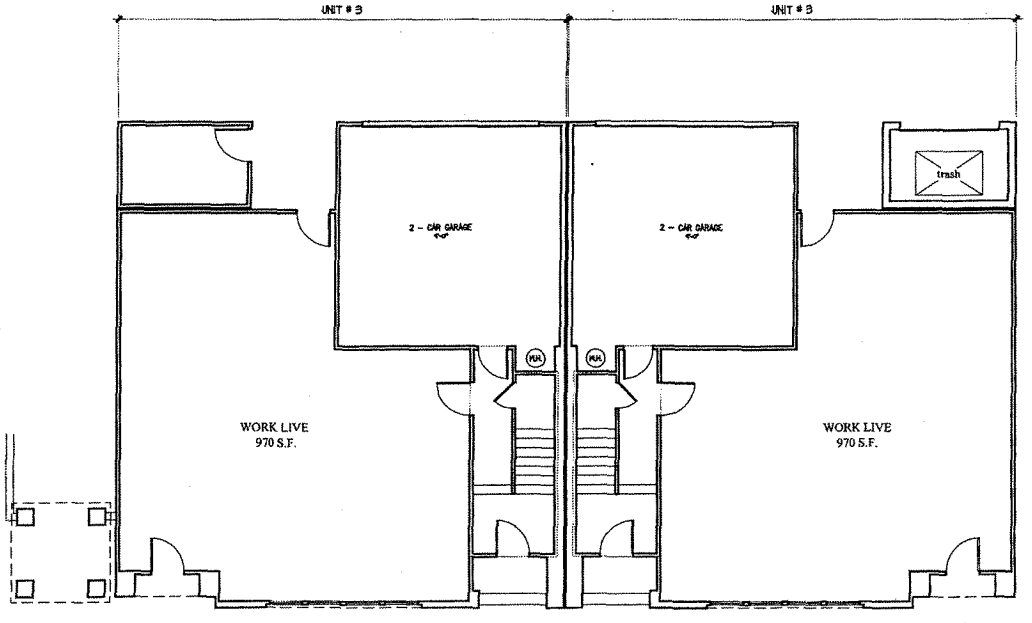
NORTH ELEVATION

PROPOSED PROJECT
PHG 10-0002

ELEVATIONS

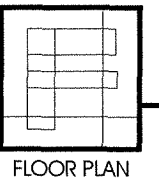


SECOND FLOOR PLAN



FIRST FLOOR PLAN

PROPOSED PROJECT
PHG 10-0002



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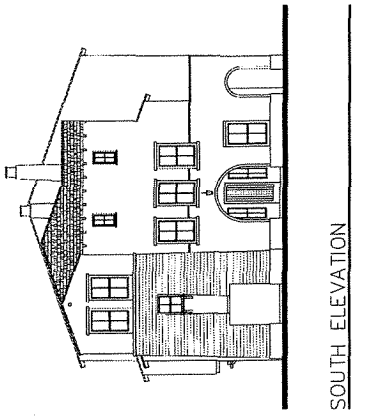

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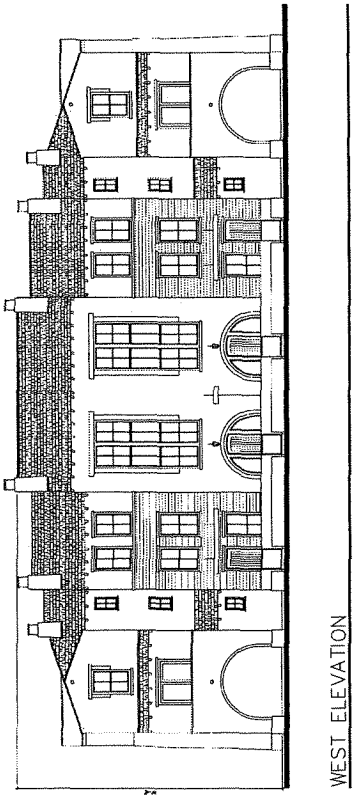

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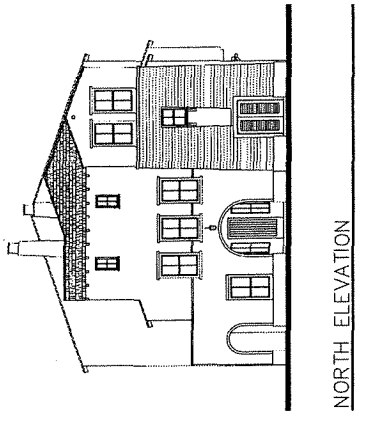

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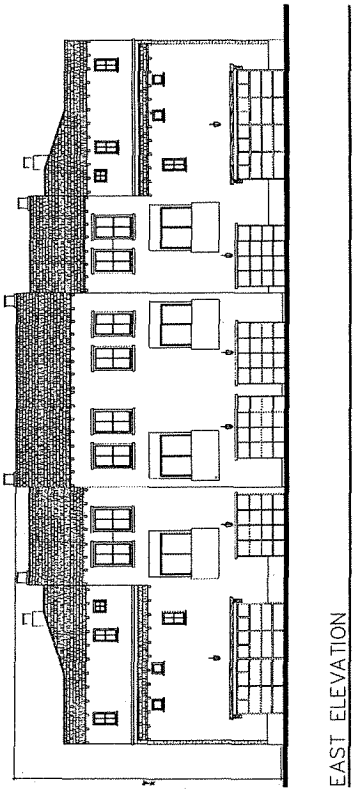
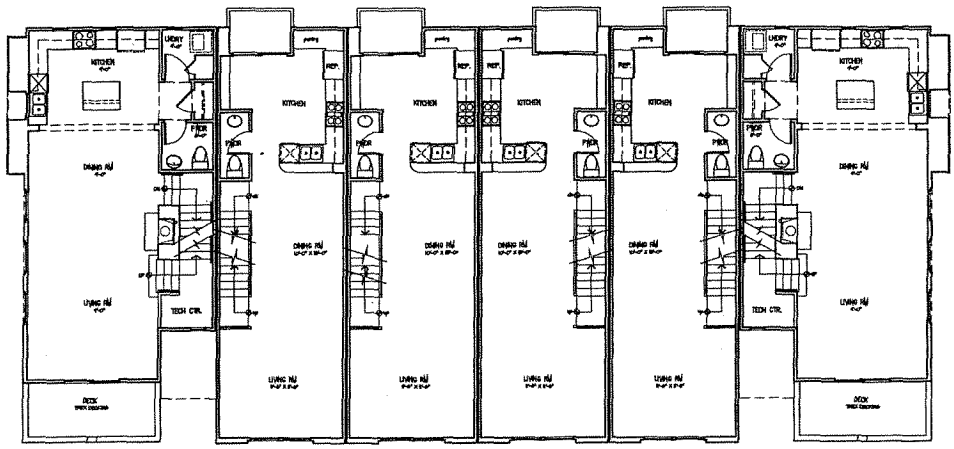


EAST ELEVATION

PROPOSED PROJECT
PHG 10-0002

ELEVATIONS



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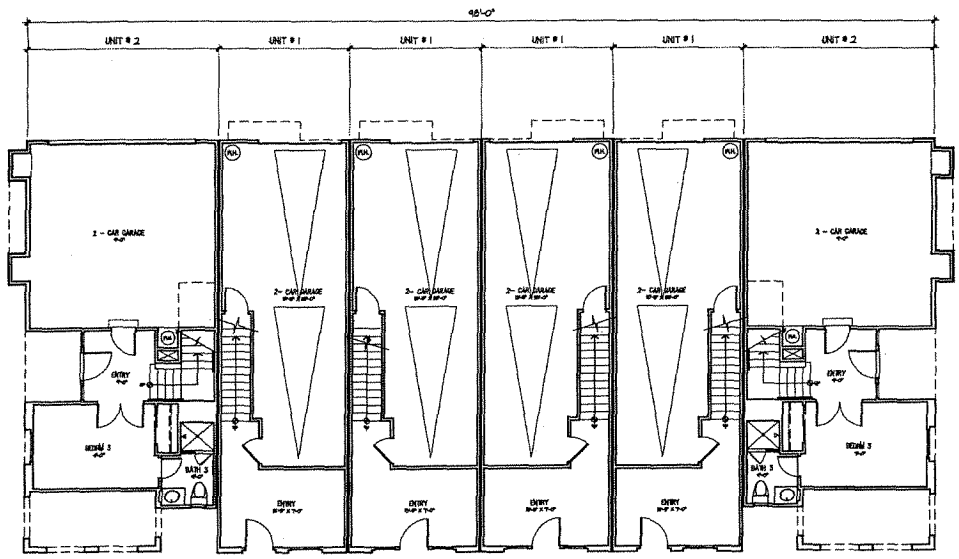
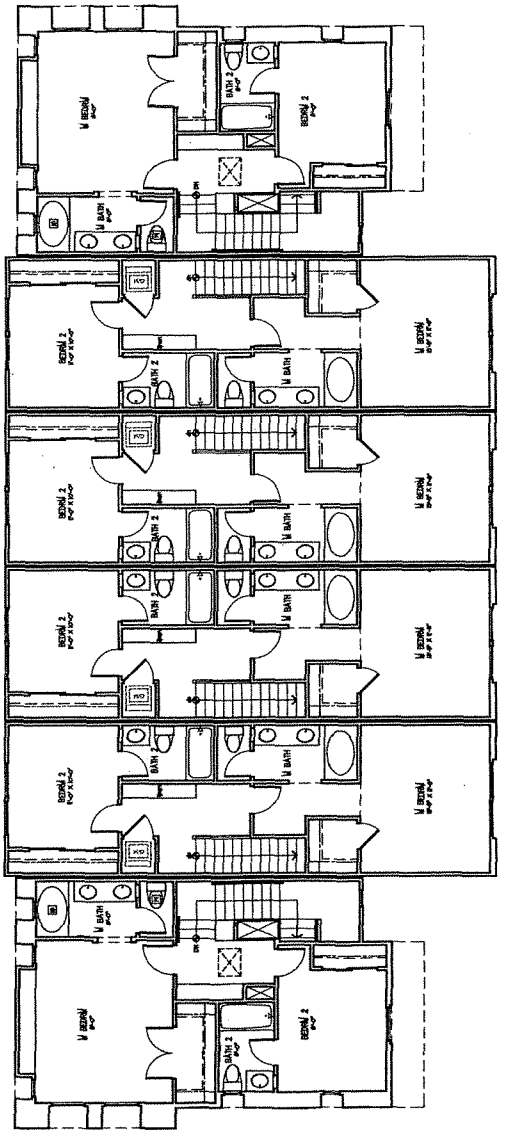


FIRST FLOOR PLAN

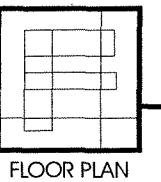
PROPOSED PROJECT
PHG 10-0002

FLOOR PLAN



THIRD FLOOR PLAN

PROPOSED PROJECT
PHG 10-0002



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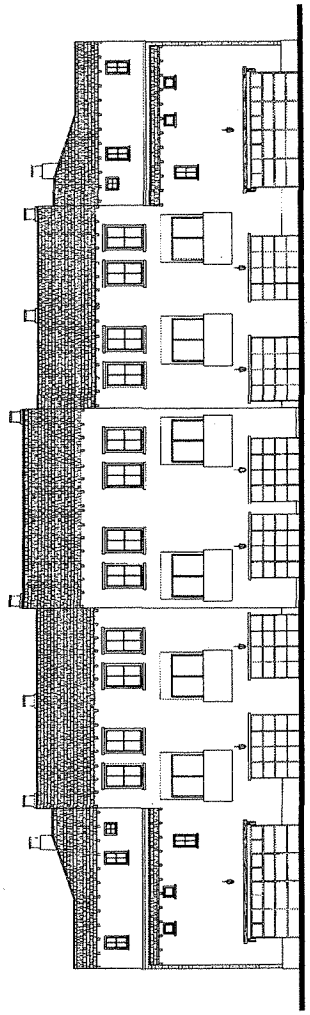
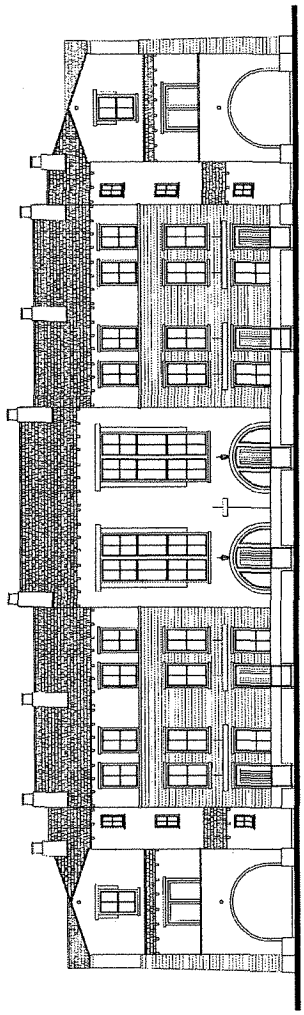
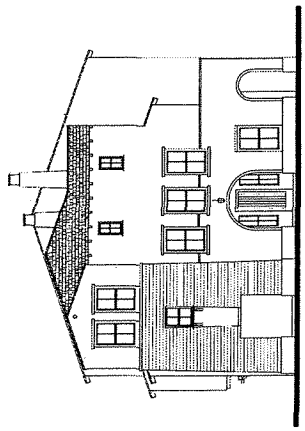


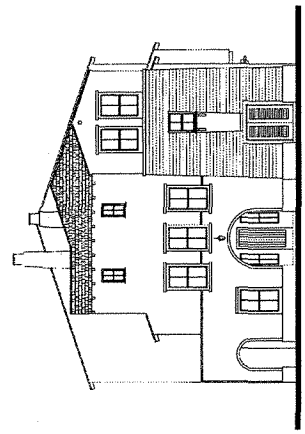
REAR ELEVATION



FRONT ELEVATION



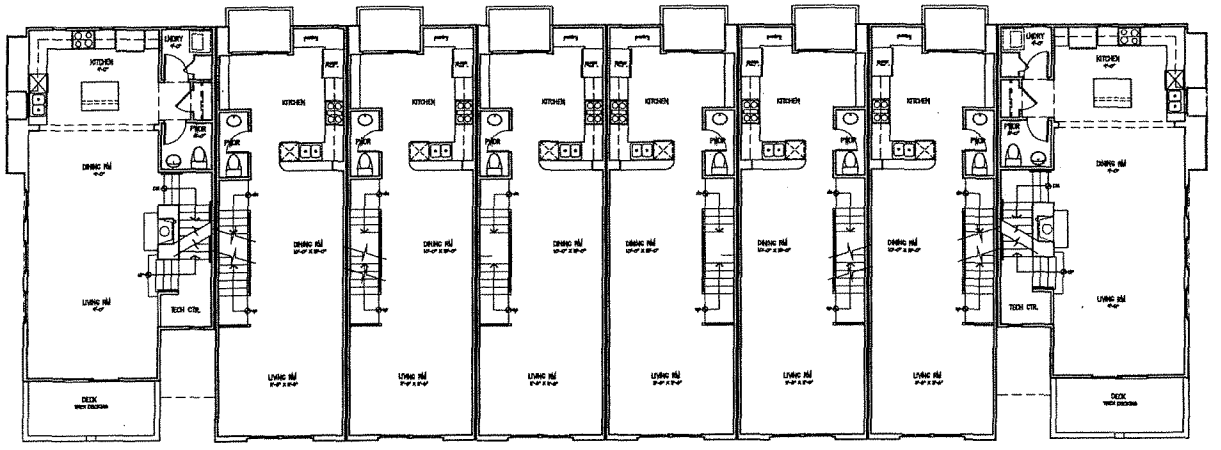
LEFT ELEVATION



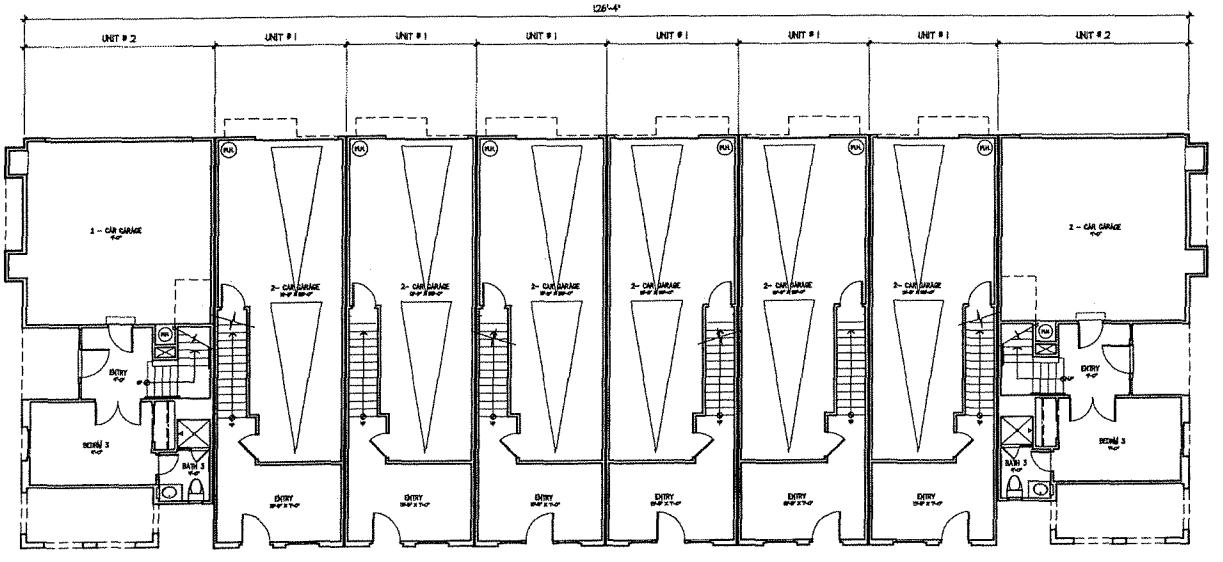
RIGHT ELEVATION

PROPOSED PROJECT
PHG 10-0002

ELEVATIONS

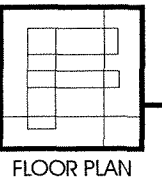


SECOND FLOOR PLAN



FIRST FLOOR PLAN

PROPOSED PROJECT
PHG 10-0002



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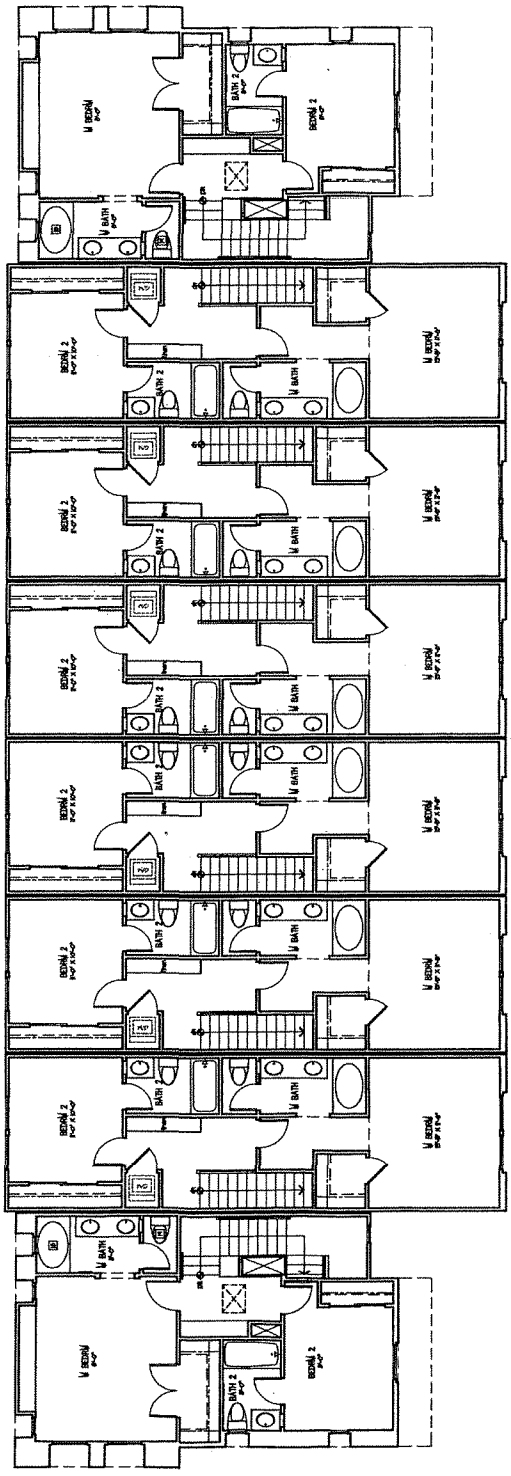
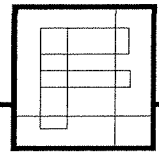


THIRD FLOOR PLAN

PROPOSED PROJECT
PHG 10-0002



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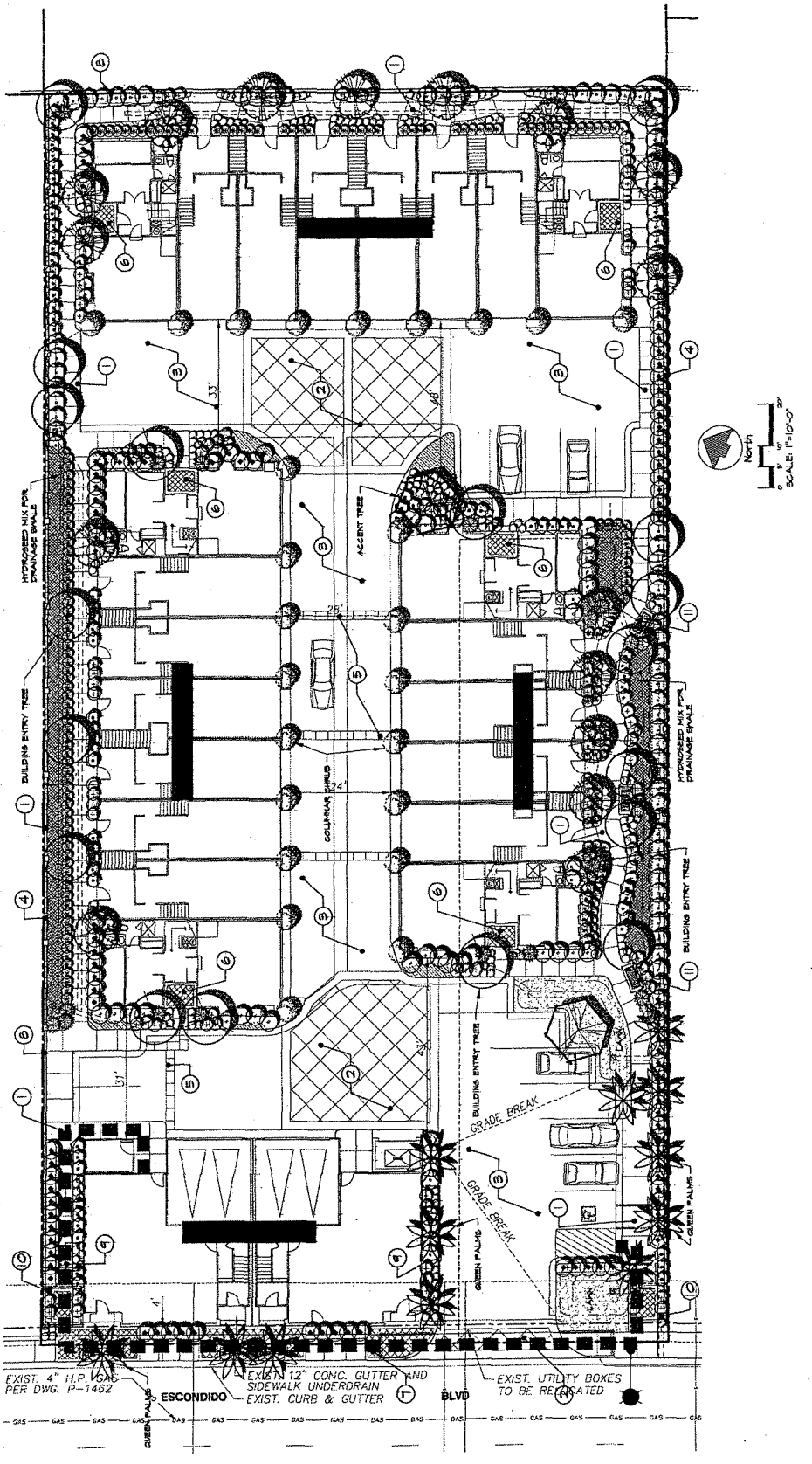


PROPOSED PROJECT
PHG 10-0002

LANDSCAPE PLAN

PROPOSED PROJECT
PHG 10-0002

LANDSCAPE PLAN

PLANT LEGEND

STREET AND ENTRY TREE

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
SYAGRUS ROMANZOFFIANA	QUEEN PALM	4' MIN. BRN. TRUNK HT.	

ACCENT TREE

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
KOELREUTERIA BIPINATA	CHINESE FLAME TREE	24" BOX	STANDARD

BUILDING ENTRY TREES

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	24" BOX	STANDARD
LAGERSTROEMIA INDICA 'NATCHEZ'	NATCHEZ CRAPE MYRTLE	24" BOX	STANDARD
PYRUS CALLERYANA 'BRADFORD'	FLOWERING PEAR	24" BOX	STANDARD

LOW HEDGE

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
BUXUS MICROPHYLLA 'GREEN BEAUTY'	JAPANESE BOXWOOD	5 GALLON	MAINTAIN AS 24" HIGH HEDGE PLANT 24" O.C.

TALL HEDGE

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
LIGUSTRUM JAPONICUM 'TEXANUM'	TEXAS PRIVET	5 GALLON	MAINTAIN AS 36" TO 48" HIGH HEDGE. PLANT 36" O.C.
PITTOSPORUM TOBIRA 'VARIEGATA'	VARIEGATED PITTOSPORUM	5 GALLON	MAINTAIN AS 36" TO 48" HIGH HEDGE. PLANT 36" O.C.
RHAPHIOLEPIS INDICA 'CLARA'	INDIAN HAWTHORN	5 GALLON	MAINTAIN AS 36" TO 48" HIGH HEDGE. PLANT 36" O.C.
XYLOSMA CONGESTUM	XYLOSMA	5 GALLON	MAINTAIN AS 36" TO 48" HIGH HEDGE. PLANT 36" O.C.
PHOTINIA FRASERI	RED TIP PHOTINIA	5 GALLON	MAINTAIN AS 36" TO 48" HIGH HEDGE. PLANT 36" O.C.

SMALL SHRUBS

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
NANDINA DOMESTICA 'GULFSTREAM'	DWARF HEAVENLY BAMBOO	5 GALLON	
CUPHEA HYSSOPIFOLIA	FALSE HEATHER	5 GALLON	
RHAPHIOLEPIS INDICA 'BALLERINA'	INDIAN HAWTHORN	5 GALLON	
ESCALLONIA 'COMPAKTA'	COMPACT ESCALLONIA	5 GALLON	

ACCENT SHRUB

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
PHORMIUM SPP.	NEW ZEALAND FLAX	5 GALLON	

COLUMNAR SHRUBS

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
PODOCARPUS MACROPHYLLUS 'MAKI'	SHRUBBY YEW PINE	5 GALLON	
ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	TUSCAN BLUE ROSEMARY	5 GALLON	

PERENNIALS

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
AGAPANTHUS 'PETER PAN'	LILY-OF-THE-NILE	1 GALLON	
HEMEROCALLIS HYBRIDS	DAY LILY	1 GALLON	
LIRIOPE MUSCARI	BIG BLUE LILY TURF	1 GALLON	

GROUNDCOVERS

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
GAZANIA 'MITSUWA YELLOW'	GAZANIA	FLATS	PLANT AT 12" O.C.
TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	FLATS	PLANT AT 12" O.C.
PELARGONIUM PELTATUM 'BALKAN'	IVY GERANIUM	FLATS	PLANT AT 12" O.C.

HYDROSEED MIX FOR DRAINAGE SWALE

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
FESTUCA RUBRA	CHEWINGS FESCUE	HYDROSEED	50%
FESTUCA LONGIFOLIA	HARD FESCUE	HYDROSEED	25%
FESTUCA OVINA	SHEEP FESTUCA	HYDROSEED	25%

HYDROSEED MIX AVAILABLE AT AGRONO-TEC SEED CO. PHONE (909) 674-0688. SLOPE SAVER-2.

HYDROSEED MIX APPLICATION:
SEED RATE: 500 LBS PER ACRE.
MULCH: ECO FIBRE WOOD MULCH, 200 LBS PER ACRE.
BINDER: M-BINDER 150 LBS PER ACRE.

VINES

BOTANICAL NAME	COMMON NAME	SIZE	NOTES
DISTICTIS BUCCINATORIA	BLOOD-RED TRUMPET VINE	5 GALLON	REMOVE FROM NURSERY STAKE AND ATTACH WOOD ARBOR.

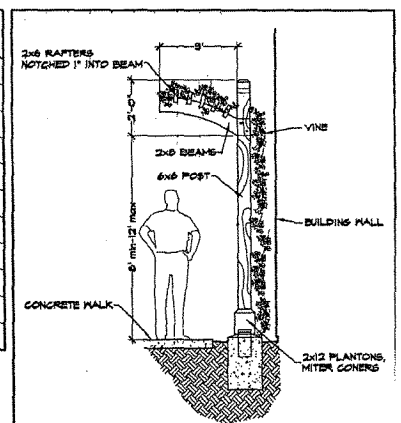
NOT SHOWN

CONCERT PLAN HARDSCAPE SCHEDULE

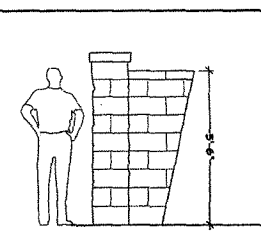
1	CONCRETE WALK.
2	ENHANCED PAVING.
3	CONCRETE DRIVE.
4	MASONRY PERIMETER WALL (5'-6" HIGH)
5	ENHANCED PAVING BANDS.
6	ENHANCED PAVING AT BUILDING ENTRY.
7	NEW CONCRETE SIDEWALK WITH ENHANCED PAVING AT BUILDING ENTRIES.
8	EXISTING PERIMETER WALL TO REMAIN. PROTECT IN PLACE.
9	WOOD ARBOR WITH VINES.
10	PORTICO PER ARCHITECT'S PLAN.
11	BENCH WITH WOOD ARBOR AND VINE.

NOTE:
1) SHRUBS PLANTED AT THE BASE OF BUILDINGS SHALL BE MAINTAINED AS 36" HIGH HEDGE.

2) ALL BOXWOOD SHALL BE MAINTAINED AS 24" HIGH HEDGE



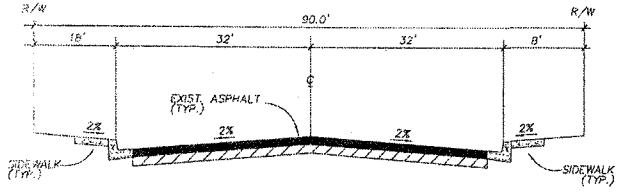
WOOD ARBOR WITH VINE NOT TO SCALE



5'-6" MASONRY BLOCK PERIMETER WALL NOT TO SCALE

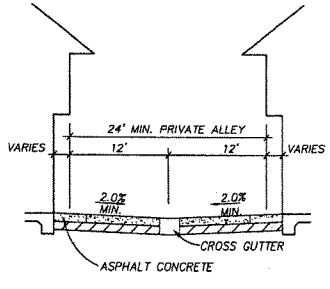
PROPOSED PROJECT
PHG 10-0002

STREET SECTION



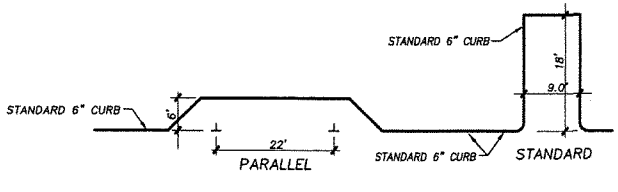
STREET SECTION - ESCONDIDO BOULEVARD

NOT TO SCALE



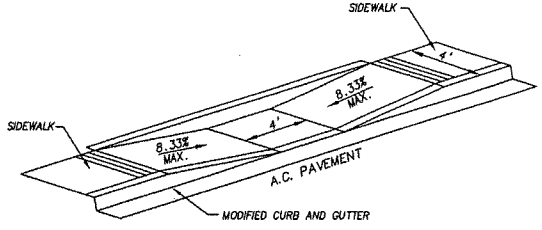
PROPOSED PRIVATE DRIVEWAY

NOT TO SCALE



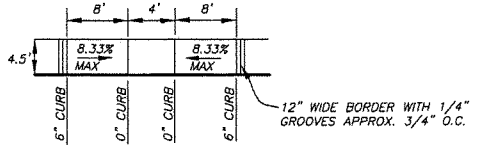
TYPICAL PARKING DETAIL

NTS



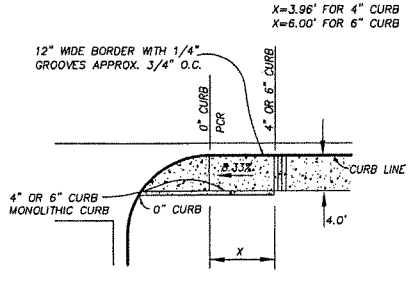
PRIVATE PEDESTRIAN RAMP DETAIL

RAMP PER ADA REQUIREMENTS NTS



PRIVATE PEDESTRIAN RAMP DETAIL

RAMP PER ADA REQUIREMENTS NTS



PRIVATE ALLEY ACCESS RAMP

RAMP PER ADA REQUIREMENTS NTS

List of Permitted Uses
(Shopkeeper Cottages)

The shopkeeper units shall be limited to those less intensive office, service, and specialty retail uses to promote the scale and nature of the live/work residential environment. Uses should not require consistently intensive parking or loading requirements. Commercial uses that are disruptive to the quiet enjoyment of adjacent property owners by excessive noise, sight or smell are prohibited, unless specifically provided for herein.

Administrative/Profession Services
The Administrative Professional Service uses refers to offices of private firms or organizations which are primarily used for the provision of professional, executive, management or administrative services. Typical uses include the following:

- Small business offices only (fleet or commercial vehicle storage/parking not allowed)
- Legal offices
- Architectural and Engineering firms
- Travel agencies, etc.
- Appraiser

Business Support Services
The Business Support Services refers to establishments primarily engaged in the provision of neighborhood services of a clerical or minor processing nature where the storage of non-toxic goods and supplies in minimal. Typical uses include the following:

- Secretarial services
- Accounting services
- Tax services

Convenience Sales and Personal Services
The Convenience Sales and Personal Services refers to establishments or places of business primarily engaged in the provision of frequently or recurrently needed small personal items or services for neighborhood residents. The may include the following or similar type uses:

- Small specialty retail sales (i.e. health food, candle shop, card shop, gift shop, flower shop, etc.)
- Barber shops, salons, and nail parlors
- Jewelry stores
- Hobby Shop, sporting goods, yardage good, bicycle sales and repair
- Book store, video store (no sexually explicit material)
- Novelties (no sexually explicit material)
- Clothing retail/boutiques and rental, apparel repair
- Small appliance sales and repair (i.e., electrical appliance, computers, watch, clock, engraving, etc).
- Art Galleries and artist studios
- Locksmiths and key shops
- Photo studios
- Musical equipment sales, service and instruction
- Limited instructional and physical fitness uses generally limited to no more than three clients at one time (i.e., physical trainer, tutor, etc.

Medical Services

The Medical Services refers to establishments primarily engaged in the provision of professional health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, psychologists, and therapists. Generally this is limited to a single professional office with one-on-one service to limit demands on parking.

Financial, Insurance and Real Estate Services

The Financial, Insurance and Real Estate Services refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Generally this is limited to a single professional office with one-on-one service to limit demands on parking.

- Mortgage services
- Insurance agency
- Investment advisor
- Real estate/broker office

Prohibited Uses:

The following uses are expressly prohibited uses within the shopkeeper units:

- Uses categorized as adult oriented uses
- Massage parlors, acupressure and acupuncture studios
- Tattoo and piercing shops
- Smoking or smoking related shops
- Markets or convenience stores
- Thrift or second-hand shops
- Automotive related repair or sales type uses
- Bars, liquor stores or other alcohol related businesses (on-site sales and service)
- Phone banks or telemarketing services
- Discount /99 cent-type stores
- Larger group physical fitness operations generally more than three clients at one time (i.e., karate studio, gym, reducing salon, yoga, etc.)
- Restaurants, food service and preparation
- Outdoor storage and display of materials prohibited
- Check cashing businesses
- Uses involving group meetings or public assembly

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED
PHG 10-0002

Master and Precise Development Plan

1. The General Plan land-use designation for the proposed mixed-use project site is General Commercial. Commercial Policy B4.11 (page II-32) establishes the South Escondido Corridor and objectives for the area, as well as the authority for the development of a Land-Use Area Plan. The South Escondido Boulevard Neighborhood Plan was established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. Ordinance 92-01 states that Mixed Use (MU) developments, which result in the development of residential, commercial and professional office uses are allowed within the South Escondido Corridor as an integral part on a single project, subject to the provisions and standards outlined in Article 19 of the Zoning Code (Planned Development Zone) of the Zoning Code. The proposed development would be consistent with the South Escondido Boulevard Neighborhood Plan density provisions which allows up to 24 du/ac since the overall density of the project would be 24 du/ac (24 residential units/1 acre). The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site.

1. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use since adequate parking, circulation, utilities and access would be provided for the development of the mixed-use project (as detailed in the staff reports and adopted Negative Declaration prepared for the project (Case No. ER 2005-53). The design of the project would be in conformance with the South Escondido Design Guidelines since the project contains an appropriate mix of commercial (live-work units) and single-family units a varying number of rooms and sizes to accommodate a wide range of needs (with ownership opportunities). Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character of the area.

3. The proposed Master and Precise Development Plan would not cause deterioration of bordering land uses since the site is zoned for commercial development. The mixed-use development would provide for commercial and single-family residential units. Based on San Diego Association of Governments' (SANDAG) traffic generation rates for the San Diego region, the proposed project would generate approximately 275 ADT. South Escondido Boulevard currently operates at a Level-of-Service "C" or better under existing improvement conditions. The Engineering Department indicated that an increase of 275 trips onto the Circulation Element Street is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections.

4. The proposed development is well-integrated with the surrounding properties since the design would be compatible with surrounding commercial and multi-story residential structures as described in the sections above and in the staff report. The design of the project would be in conformance with the South Escondido Design Guidelines since the project contains an appropriate mix of commercial (live-work units) and single-family units (with ownership opportunities). Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character along the corridor and provides a pedestrian orientation along the street/sidewalk. Appropriate separation and orientation between the proposed commercial and residential elements has been provided to avoid conflicts between the uses. Adequate parking is provided for each of the uses, and appropriate open space amenities are provided. Pedestrian circulation is provided throughout the project including various amenities such as patios, enhanced walkways and landscape features. A mix of architectural elements has been incorporated into the buildings, especially along the lower levels, to reflect a more human scale along pedestrian ways and Escondido Boulevard.

   The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas since the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features.

The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and environmental analysis (ER 2005-53). Perimeter landscaping and fencing/walls would provide an appropriate buffer between the project site and adjacent uses.

5. The overall design of the proposed planned development would produce an attractive commercial and residential project since the project contains an appropriate mix of commercial (live-work units) and single-family units (with ownership opportunities). The project is located in close proximity to other amenities such as public transit and shopping.

6. The development will not require excessive grading and the grading design would be in conformance with the City's Grading Design Guidelines for slope heights.

7. The uses proposed have a beneficial effect not obtainable under existing zoning regulations since a mixed-use development must be processed through the Planned Development process in accordance with the South Escondido Boulevard Neighborhood Plan (Ord. 92-01). The project would provide live/work units, and single-family ownership opportunities integrated into a comprehensive and self contained development, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process.

EXHIBIT "B"

CONDITIONS OF APPROVAL

PHG 10-0002

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.

2. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.

3. Access for use of heavy fire fighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.

4. 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.

5. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to 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

6. Prior to or concurrent with the issuance of building permits, 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 Planning and Building.

7. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division and Engineering Department.

8. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less, as recommended in the Acoustical Site Analysis prepared for the project. These measures shall be incorporated into the building plans with appropriate notes/specifications.

9. Solid masonry screen walls shall be constructed along the perimeter of the project boundaries, to the satisfaction of the Planning Division. Appropriate sight distance shall be maintained at driveways and intersections, to the satisfaction of the Engineering Division. Any walls (retaining and screen) shall be constructed of decorative materials, to the satisfaction of the Planning Division and the design and materials shall be indicated on the appropriate plans (building/grading) and final landscape plans. Walls should incorporate pilasters at appropriate intervals, along with a decorative cap. Stucco finished walls should be avoided due to long-term maintenance issues.

10. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75) and be consistent with the lighting design for the shopping center. A copy of the lighting plan shall be included as part of the building plans, to the satisfaction of the Planning Division.

11 Prior to final map approval, a note shall be included on the final map, or other documents provided, stating that grading shall be in conformance to the submitted conceptual design.

12. Three (3) copies of a revised tentative map, reflecting all modification and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.

13. Any parcels not associated with this Tentative Map shall be labeled "Not a Part."

14. No street names are part of this approval. A separate request shall be submitted prior to Final Map.

15. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map and grading plans for the subdivision. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, payment of utilities (such as water and gas between the commercial units and residential units), utility easements, driveways, roads, parking areas, structures, and any common drainage facilities. The CC&Rs also shall contain a provision indicating the garages shall be maintained to accommodate up to two vehicles. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established for the relevant project components in accordance with Department of Real Estate requirements. The developer shall deposit $500.00 per unit, to the Planning Division, prior to approval of the final map for TR 942. Said deposit shall be used solely and exclusively as a contingency fund for emergencies which might arise relating to structures, open space areas, and other repairs as may be assumed by the Homeowners' Association or management corporation, pursuant to Section 33-957 of the Escondido Zoning Code. Said funds shall be administered by the city until the homeowners take majority control of the association.

16. Prior to the Final Map approval and issuance of grading permits, a parking management plan which details assigned spaces, overflow, on-site vehicular maintenance, guest parking and on-street parking shall be submitted and approved by the Planning Division.

17. Prior to the issuance of a grading permit, the grading plan shall include the location and type of all mature trees located on the site. Each tree shall be labeled on the plan as to whether it will remain or be removed and staked in the field, as necessary, to the satisfaction of the Planning Division.

18. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Design Review Board recommendations, staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. The final landscape plans, paving plans and signage program shall be approved by the Design Review Board prior to Final Map approval and issuance of grading permits.

19. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47), and exhibits included in the staff report(s). Separate sign permits will be required for project signage. Prior to issuance of building permits, a comprehensive signage program for the project, which includes number, size, color, type and design of signs, especially for the commercial suites.

20. All trash enclosures must be designed and installed per City standards and in coordination with Engineering Department storm water control requirements. The enclosure shall be moved further east within the parking isle to move it further away from the project entrance. The enclosure shall be constructed of decorative materials to be compatible with the design of the buildings. An appropriate decorative roof structure shall be incorporated into the design for storm water control. Landscaping shall be provided around the enclosure to provide appropriate screening.

21. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building, to the satisfaction of the Director of Planning and Building. The final building plans shall clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment. Ground mounted equipment should be located to avoid conflict with pedestrian circulation and access, as well as to screen the equipment from view as much as possible. Units also shall be located and appropriate measures incorporated to avoid potential noise conflict with residential uses.

22. A minimum of 62 on-site spaces, with a minimum 38-foot-depth for tandem garage spaces, shall be provided and maintained in conjunction with this development, as indicated in the Details of Request and site plan. The spaces shall be striped in accordance with the Zoning Code. Driveways and fire lanes do not allow for parking, and curb markings and fire lane signs are required, to the satisfaction of the Fire Marshall.

Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage.

23. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).

24. Any decorative pavement, driveways and sidewalks shall be indicated on the grading, building and landscape plans, including appropriate notes regarding type and color of materials. Decorative paving, colored concrete or other decorative materials shall be incorporated into the sidewalk and hardscape features along Escondido Boulevard, along with appropriate landscaping.

25. Commercial activities shall be restricted to the first floor of the shopkeeper units, as identified on the plans and details of request. Outdoor storage shall not be allowed. The commercial uses shall be limited to the attached list of "Permitted Uses."

26. On-site parking spaces and the on-street spaces fronting the site shall not be used for fleet vehicles, commercial type vehicles and large construction vehicles. These restrictions also shall be included in the Parking Management Plan and CC&Rs.

27. Any construction, contractor services, or similar type operations shall be used for business offices only, and shall not be used for the storage, warehousing or distribution of construction materials, or parking of construction vehicles, commercial vehicles, work trucks, etc. This condition shall be included in the CC&Rs.

28. Use involving hazardous chemicals or waste shall not be permitted, unless limited to Class M, B and A3 occupancies, per the Building Code.

29. Commercial activities shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. on week days and 11:00 p.m. on Fridays and Saturdays, and deliveries also shall be restricted to these hours. This requirement shall be included in the CC&Rs.

30. Balconies and patios shall be kept in a neat and orderly manner, especially along South Escondido Boulevard. Items stored on balconies should be kept out of view or properly screened. Items shall not be hung over, across or on balconies or patios (such a towels, clothing, etc.). This condition shall be included in the CC&Rs.

31. All new utilities shall be underground.

32. Handicap accessible bathrooms shall be provided for all shopkeeper units.

33. The residential town homes shall not be occupied prior to the shopkeeper units being ready for occupancy.

34. Appropriate backup/kicker areas shall be provided at the terminus of drive isles. These area shall be identified on the grading and site plans.

35. A minimum of 80 cubic feet of storage space, in addition to the normal storage spaces, shall be provided for the units (which can be included under stairways, within garages provided the storage does not take up floor space, balcony areas, etc.). The storage space for each unit shall be identified on the building plans.

36. Washer and dryer hookups shall be provided in each unit.

37. This planned development shall expire concurrently with the expiration of the associated Tentative Subdivision Map (TR 942).

38. The project applicant/developer shall record a deed restriction on the two shopkeeper units with the recordation of the final map indicating the shopkeeper units shall not be subleased out separately from the residential units. The entire residential/commercial unit shall be restricted to a single tenant. This also shall be included in the CC&Rs for the project.

39. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping, identification of handicap parking stalls and required signage, perimeter walls and landscaping, trash enclosure, as well as any other conditions of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.

40. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval ("the effective date" being the end of the appeal period, if applicable) a certified check payable to the "County Clerk," in the amount of $2,060.25 for a project with a Negative Declaration, which includes an additional authorized County administrative handling fee of $50.00 ($2,010.25 + $50). Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid. The applicant shall be responsible for any fee increases imposed by the State that may arise come into effect prior to posting of the Notice of Determination.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Department. The appropriate plan check fee will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in Ordinance 93-12 and Water Efficient Landscape Regulations (Ord. 2010-01R). The plans shall be prepared by, or under the supervision of a licensed landscape architect.

2. The landscaping plan shall include specimen sized evergreen trees, to the satisfaction of the Planning Division. Root barriers shall be provided in accordance with the Landscape Ordinance.

3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.

4. All manufactured slopes, or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.

5. Prior to occupancy of future units, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

6. Any existing trees to remain on the site shall be identified on the grading and landscape plans. Appropriate notes shall be included on the grading plans detailing how the oak tree will be protected during grading and construction.

7. The streetscape along Escondido Boulevard shall include appropriate decorative paving (i.e., colored concrete, decorative pavers, etc) and landscape planters, along with the required number of street trees, to the satisfaction of the Planning Division. The final landscape plan shall be approved by the Design Review Board.

8. 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.

Fire Department Conditions:

1. A PDF or Tiff image foil of the floor plan and site plan, including access and hydrant location shall be submitted with final plan review.

2. An automatic fire sprinkler system is required for this project.

3. All-weather paved access, able to support the weight of a fire engine (50K lbs.) and approved fire hydrants shall be provided prior to the accumulation of any combustible materials on the job.

4. All gated entrances must be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates must be operable by Fire Department strobe detectors and allow free exiting. A funding method to provide on-going maintenance of fire lanes, electric gates and other fire and life safety requirements must be provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager must be easily accessible to the Fire Department.

5. A Knox box shall be required.

6. A minimum 28 foot turning radius is required on all corners.

7. The site must maintain a minimum required access width of 28 feet (as may be required by the Fire Department) to allow for appropriate emergency vehicle access, loading and unloading of vehicles, and still provide clear and unobstructed emergency vehicle access. Fire Lanes shall be marked as required by the Fire Marshal.

8. All elevators must be capable of accommodating a fire department gurney.

9. There shall be no barricades obstructing fire hydrants or impede emergency vehicle access.

10. A min. 13-'6" vertical clearance must be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width must be trimmed or removed.

11. Red curbs with 4" white lettering "No Parking Fire Lane" is required in any turn-around areas, 24-foot-wide access areas, or other areas required by the Fire Marshal. "Fire Lane" signs and red curbs also must meet the specifications of the Escondido Police Department

12. Grasscrete or other type of similar product shall not be allowed on fire access areas.

13. Standpipe systems will be required in all stairwells.

14. An approved fire alarm system is required.

15. A fire hydrant is required to be located within 50 feet of the fire department connection.

16. Additional hydrants may be required near intersections, Fire Department connections.

17. Speed bumps/humps are not allowed.

18. Dead-end access roads and driveways over 150 feet in length require a Fire Department turn-around.

19. The final design of the project and map must provide appropriate access for the ladder truck, which might include increasing the radius on all driveway corners, utilization of rolled curbs at corners, and relocation of

certain parking spaces to provide the appropriate access. These requirements must be included on the Certified Tentative Map and Master Development Plan.

Building Department Conditions:

1. All third-floor units greater than 500 SF require two separate exits, unless exempted by the current building code.

2. A minimum of 10% of multi-level dwelling are to be accessible per Chapter 11A of the California Building Code.

ENGINEERING CONDITIONS OF APPROVAL
ESCONDIDO TRACT NUMBER 942 and Master and Precise Development Plan, PHG 10-0002
(Revised)

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.

3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.

4. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:

   a) All conditions of the Tentative Subdivision Map have been fulfilled: or

   b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.

5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall be responsible for removal and replacement of all damaged, curb &gutter and sidewalk along project frontage on Escondido Boulevard.

3. Access to this project shall be improved with alley-type driveway in accordance with Escondido Standard Drawing No. G-3-E with a minimum throat width of 28 feet.

4. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.

5. All on-site roads, driveways and parking areas shall be private. Typical sections and design details shall be to the satisfaction of the City Engineer and Fire Marshall.

6. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

7. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signing and striping shall be done by a private contractor.

8. The developer may be responsible for an overlay of Escondido due to damage from the many utility trenches necessary to serve this project or construction activities. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.

9. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.

10. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.

2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.

3. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing

brush and rock) at a recycling center or other location(s) approved by the City Engineer.

4. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.

5. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.

2. A Water Quality Technical Report in accordance with the latest adopted SUSMP shall be prepared for the project for review and approval by the City prior to submittal of final plans to the City. A revised Tentative Map shall be prepared in coordination with the approved WQTR and submitted to Planning Division for review and approval. All project plans shall be in conformance with the approved WQTR and Tentative Map.

WATER SUPPLY

1. All water main locations and sizing shall be to the satisfaction of the City Engineer. Required water main improvements shall include a looped 8 inch water main within the project site and connection to the existing water line in Escondido Boulevard.

2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

3. A hydraulic analysis of the proposed water improvements will be required to determine water main sizes and water system looping necessary to provide adequate domestic service and fire protection as required by the City Engineer and Fire Marshal.

4. All on-site water mains not in public easements will be considered a private water system. The property owner's association will be responsible for all maintenance of these mains. This shall be clearly stated in the CC&Rs.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer.

2. All on-site sewer mains not in public easements will be considered a private sewer system. The property owners' association will be responsible for all maintenance of these mains. This shall be clearly stated in the CC&Rs.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.

2. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.

3. The developer is responsible for making the arrangements to quitclaim all easements of record, which conflict with the proposed development prior to approval of the final map. All street vacations shall be accomplished by means of a separate public hearing. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of $50,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.

2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association of private roadways, driveways, parking areas, private utilities (including sewer and water), drainage swales, private street lighting, storm drains and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. The CC&Rs must state that the property owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.

4. The CC&Rs must state that (if stamped concrete is used in the private street) the homeowners' association is responsible for replacing the stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance.

2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

TR 942, PHG 10-0002

ESCONDIDO
City of Choice

PLANNING COMMISSION

Agenda Item No.: G.2
Date: April 25, 2006

CASE NUMBER: TR 942, 2005-80-CZ/PD/CP

APPLICANT: Brad Tuck, Bradley Land Group

LOCATION: On the eastern side of Escondido Boulevard south of Fifteenth Avenue, addressed as 1560 – 1574 South Escondido Boulevard (APNs 236-460-70, -71).

TYPE OF PROJECT: Tentative Subdivision Map, Zone Change, Master and Precise Development Plan, and Condominium Permit

PROJECT DESCRIPTION: The proposed project would involve demolishing three structures that have been determined not to be significant historic resources. The project also would include a Zone Change from CG (General Commercial) to PD-MU (Planned Development-Mixed Use), as well as a Master and Precise Development Plan with a Tentative Subdivision Map and Condominium Permit for construction of two shopkeeper units and 22 multifamily units on one acre. Access to the project would be provided by a single driveway from Escondido Boulevard. Each unit would be constructed with an enclosed garage and separate exterior pedestrian access.

GENERAL PLAN DESIGNATION/TIER: General Commercial (CG), Central/Tier 1

ZONING: CG (General Commercial) and South Escondido Boulevard Corridor Area Plan

BACKGROUND/SUMMARY OF ISSUES:

The project applicant has submitted a development proposal to develop the parcels located on Escondido Boulevard between 15th Avenue and Felicita Avenue to create a mixed-use development with two shopkeeper units. The property is located within the South Escondido Boulevard (SEB) Corridor, which allows mixed-use development in conjunction with a Planned Development. A Zone Change from existing General Commercial zoning to Planned Development-Mixed Use (PD-MU) along with a Master and Precise Development Plan is requested to accommodate the residential and commercial components of the project. The project also includes a one lot Tentative Subdivision Map to allow for 24 air-space/condominium type units (22 multi-family units plus two shopkeeper units).

Four separate building and unit designs are planned, which offer 2, and 3 bedroom units ranging in size from 1,288 SF to 1,721 SF. Two shopkeeper units will provide approximately 970 SF each of usable commercial space. A two-car garage would be provided for each unit, with 16 units providing tandem spaces and 8 units providing 2-car garages. An additional 14 on-site vehicle spaces would be provided to accommodate guests and the shopkeeper units so that all required parking is accommodated on-site. On-street parking also is available across the project frontage, which could accommodate up to seven vehicles. These spaces most likely would be used to support the shopkeeper units. However, long-term use of street parking cannot be guaranteed since Escondido Boulevard is a collector road which calls for removing street parking upon buildout. Access to the site would be provided by a new driveway fronting onto South Escondido Boulevard. Private internal driveways would provide access to each unit and garage.

1. Whether the design of the proposed project is consistent with the South Escondido Boulevard Objectives and Design Guidelines for mixed-use developments, and appropriateness of the mass, scale and height of the buildings.

2. Whether the amount of commercial space is appropriate for the project.

3. Whether the proposed parking would be adequate for the proposed uses.

4. Whether there is sufficient open space provided, and whether using the ratio for mixed uses in the Downtown Revitalization Area Specific Plan is more appropriate than the ratio for the R-3 multi-family residential zone.

REASONS FOR STAFF RECOMMENDATION:

1. The proposed mixed-use development would be in conformance with the Objectives and Design Guidelines for South Escondido Boulevard since the Plan encourages mixed-use (residential, commercial/professional) developments. The Objectives also strive to provide opportunities for a balanced mix of housing types, and to revitalize and renew the commercial area, and maximize home-ownership opportunities. The design of the project would be in conformance with the Objectives since the project contains an appropriate mix of commercial (live-work units) and single-family ownership opportunities. Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character along the corridor and provides a pedestrian orientation along the street/sidewalk. Appropriate separation and orientation between the proposed commercial and residential elements has been provided to avoid conflicts between the uses. Adequate parking is provided for each of the uses, and open space amenities are provided. The project includes a variety of amenities such as individual patios for selected units, enhanced walkways and paving, and landscape features. A mix of architectural elements has been incorporated into the buildings, especially along the lower levels, to project a more human scale along pedestrian ways and Escondido Boulevard.

2. The amount of commercial space would be appropriate for the type and size of development since the Shopkeeper units are designed to accommodate smaller specialty retail/office and home office type of uses which typically do not require larger suites or centralized commercial area. The amount of commercial space provided is consistent with similar mixed-used project located along the South Escondido Boulevard Corridor. The internal dimensions and ceiling heights for the commercial space will allow flexibility in providing apartments for a wide variety of appropriate uses.

3. The proposed parking would be adequate for the project since each unit is provided with a two-car garage, with sufficient open parking for guests and the commercial component of the project. Although not counted towards meeting the on-site parking requirements, up to seven on-street parking spaces also would be available across the project frontage, which would most likely provide parking for the shopkeeper component of the development. In addition, there would be limits on the commercial uses to ensure adequate parking for the project.

4. There are no specific open space requirements for mixed-use developments within the General Commercial zone or the South Escondido Boulevard Area Plan. The R-4 zone, which also permits a maximum density of up to 24 du/ac, requires 200 SF of open space per unit plus an additional 200 SF for each sleeping unit above one. The open space requirements for mixed-use project within the Downtown Revitalization Area Specific Plan is 90 SF per unit. Using the open space requirements for the R-4 zone, the project would be required to provide a minimum of 11,200 SF open space and 2,160 SF within the Downtown Area. The project would provide approximately 12,045 SF of common open space and 1,180 SF of private open space (typically patios/courtyard entry areas for selected units) and one common area and other various landscape spaces which consist of decorative paving, and benches, theme trellis with lighting, and landscaping. Since the proposed open space meets or exceeds the requirements of the R-4 zone or of the Downtown Revitalization Area Specific Plan, adequate open space is being provided.

Respectfully submitted,

Diana Delgadillo

Diana Delgadillo
Associate Planner

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: CG (General Commercial) zoning/ an older adobe-style single story commercial building fronting on Escondido Boulevard.

SOUTH: CG (General Commercial) zoning/commercial offices fronting on Escondido Boulevard.

EAST: U3 (R-3-18) zoning/multifamily development fronting on Maple Street.

WEST: PD (Planned Development) zoning/across Escondido Boulevard, a mixed-use residential development (Los Arboles), with live-work units fronting Escondido Boulevard, row homes and multi-family development in the rear portion of the site.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department expressed no concern regarding the proposed development and their ability to serve the site.

2. Effect on Fire Service – The City Fire Department has indicated their ability to adequately serve the proposed project. The project site would be served by Fire station No. 1 which is located at 310 North Quince Street and is well within the required response time of five minutes.

3. Traffic – A Traffic Impact Assessment (TIA) Letter was prepared for the proposed project by Linscott, Law, and Greenspan, Inc. in December 2005. The proposed project would take primary access from Escondido Boulevard, which is designated as a Collector Road (84' of right-of-way) in the City's Circulation Element. Access to the proposed condominiums would be provided by a single driveway. Escondido Boulevard is constructed to its ultimate width and currently has been striped for one travel lane in each direction and a center turn lane with parking on both sides. Build-out of the street calls for two travel lanes in each direction, no center turn lane and no parking. The TIA analyzed the project and determined there would be no impact to the existing circulation system. Escondido Boulevard currently has a level of service "B". Based on the analysis, the proposed project would generate a net increase of 275 average daily trips. This would not be considered a significant impact to traffic/circulation.

4. Utilities – Water and sewer is available from existing mains in the adjoining street or easements. Water and Sewer service is provided by the City of Escondido. These systems have adequate capacity to accommodate the project's needs. The Engineering Department indicated the project would not result in a significant impact to public services or other utilities.

5. Solid Waste – Trash service is provided by Escondido Disposal. A new central trash enclosure would be provided to serve the site. The final design would be required to meet current water quality requirements for storm-water runoff. This would require installing some type of roofing structure over the trash enclosure to prevent rain from entering the enclosure area. The Homeowner's Association will need to coordinate with Escondido Disposal on the number of pickups per week to accommodate the volume of trash generated by the site.

6. Drainage – A storm water management plan (SWMP) was prepared by Hunsaker & Associates dated August 29, 2006. The report recommends the location and sizing of site two Best Management Practices (BMPs) that include soil and landscaped filtration areas along the sides of the project boundaries. Runoff from the complex rooftop and paved areas will drain to an overland flow. Excess runoff will be intercepted via a proposed curb outlet, draining this runoff to the existing system within Escondido Boulevard. The project is conditioned to provide a homeowner's association or similar organization for maintenance of the detention system. The project is outside the 100-year flood zone and the 500-year flood plain area as identified on the current Flood Insurance Rate Maps (FIRM).

C. ENVIRONMENTAL STATUS

1. A Negative Declaration (Case No ER 2005-53) was issued on February 21, 2006, for the proposed project in conformance with the California Environmental Quality Act.

2. The project will not materially degrade levels of service of the adjacent streets, intersection or utilities. Therefore, in staff's opinion, the proposed project would not have a significant individual or cumulative impact to the environment.

D. CONFORMANCE WITH CITY POLICY

General Plan

The General Plan land-use designation for the proposed mixed-use project at the site is General Commercial. Commercial Policy B4.11 (page II-32) establishes the South Escondido Corridor and objectives for the area, as well as the authority for the development of a Land-Use Area Plan. The South Escondido Boulevard Neighborhood Plan was established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. Ordinance 92-01 states that Mixed Use (MU) developments, which result in the development of residential, commercial and professional office uses are allowed within the South Escondido Corridor as an integral part on a single project, subject to the provisions and standards outlined in Article 19 (Planned Development Zone) of the Zoning Code. The proposed development would be consistent with the South Escondido Boulevard Neighborhood Plan density provisions which allows up to 24 du/ac since the overall density of the project would be approximately 24 du/ac.

The project would be in conformance with General Plan Housing Program No. 8 (In-fill New Construction) which supports construction of new housing for home ownership on in-fill sites. Specifically, the project site is located within the Area Plan for South Escondido Boulevard Corridor commercial area. Revitalization and redevelopment are overall objectives for the City of Escondido within the project area.

E. PROJECT ANALYSIS

Conformance with South Escondido Boulevard Design Guidelines

The proposed project is located within the South Escondido Boulevard Neighborhood Plan (SEB) that extends from Fifth Avenue to Citracado Parkway and includes both sides of Escondido Boulevard, and is subject to the property development standards and design guidelines contained in the plan. The SEB Design Guidelines states that building height, bulk and design should be sensitive to existing residential developments through the use of stepping back of upper stories, enhanced architectural features, and landscaping; and limit structures to three stories in height. Additional landscaping and setbacks adjacent to the residential zones should be utilized to achieve appropriate transition between zones. Although the three-story shopkeeper buildings and residential units generally would be larger and taller than adjacent buildings, the overall mass and scale of the buildings has been mitigated through the quality of the design, use of a variety of building materials and exterior colors, varied wall planes and roof lines, balconies, and trellis/awning features to provide a more pedestrian scale along the street. A six-foot-high perimeter masonry wall also would be provided to further screen the building and residential activities. The units include a series of recessed or popout features and balconies with trellis elements incorporated into each elevation to break up the mass and scale of the building. These features vary in depth, which would be in substantial conformance with the Design Guidelines. The overall height of the buildings does not exceed 35 feet, which would be consistent South Escondido Boulevard design standards.

Design Review Board

The Design Review Board considered the proposed project on March 9, 2006 and felt the project was well designed. Board member Watson noted that, though the project had a good site design and architecture, he objects to urban style project in suburban locations. The Design Review Board approved the project on a vote of 6-0-0.

Open Space

There are no specific open space requirements for mixed-use developments within the General Commercial zone or the South Escondido Boulevard Area Plan. The R-4 zone, which also permits a maximum density of up to 24 du/ac, requires 200 SF of open space per unit plus an additional 200 SF for each sleeping unit above one. The open space requirements for mixed-use project within the Downtown Revitalization Area Specific Plan is 90 SF per unit. Using the open space requirements for the R-4 zone, the project would be required to provide a minimum of 11,200 SF open space and 2,160 SF within the Downtown Area. The project would provide approximately 12,045 SF of common open space and 1,180 SF of private open space (typically patios/courtyard entry areas for selected units) and one common area and other various landscape spaces which consist of decorative paving, and benches, theme trellis with lighting, and landscaping. Since the proposed open space meets or exceeds the requirements of the R-4 zone or of the Downtown Revitalization Area Specific Plan, adequate open space is being provided.

Paving Design

The applicant has submitted a conceptual plan to incorporate some concrete driveways with enhanced paving band with other paving options along with decorative paving at key focal points. The use of a combination of decorative pavers, colored/scored concrete and stamped concrete creates a visually pleasing pattern on site.

Whether the Amount of Commercial Space is Appropriate for this Project

Two units front onto Escondido Boulevard. The project applicant is proposing to provide two shopkeeper units (with residential units above the commercials space) within the development, which would be located in the northwestern building fronting onto Escondido Boulevard. These are approximately 907 SF ground floor spaces, with public access from Escondido Boulevard. The small size of the units generally would allow for limited retail, low intensity service and office type uses. A list of "Permitted Uses" has been attached in order to provide appropriate uses for the site that would be consistent with the amount of parking provided, and compatible with the residential nature of the project. The southern building contains six residential units, the northern building provides eight residential units and the eastern building provides eight residential units. A Homeowners' Association would be established for the project to provide for maintenance of the property and operation of the residential and commercial components of the project.

The South Escondido Boulevard Area Plan does not contain a requirement for the minimum or maximum amount of commercial space required for a mixed-use project as each project is evaluated on a case-by-case basis. The applicant feels the amount of commercial space would be appropriate for the site since it is consistent with previously approved project such as the Via Roble/Trinity Housing Mixed-Use Project located along South Escondido Boulevard. The Via Roble project provided a total of 72 multi-family and 19 single-family units, which included nine, approximately 627 SF shopkeeper units (approximately 10% of the total units). The proposed Shopkeeper Cottages project would provide commercial units or approximately 8.3% of the total units. However, the two units will be larger than previously approved mixed use projects in the area. Staff feels the proposed 970 SF units would be large enough to support small retail, service and professional office uses; however, units any smaller than this may be difficult to support commercial activities due to minimum ADA bathroom and access requirements.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The one-acre site consists of two level vacant parcels (APNs #236-460-70, 236-460-71) located in an urbanized area with development surrounding the site. The site currently contains three single-story structures. One structures is a three-unit apartment building from the mid 1980s that is currently inhabited. A second structure is a vacant multi-tenant commercial building that was built in the mid 1970s. A third structure is a vacant commercial building that was originally built in the late 1950s and was heavily remodeled over the years. All of the structures would be demolished as part of the proposed development. The project site fronts onto and takes access from Escondido Boulevard, which is classified as a Local Collector Road (84' R-O-W). A paved pedestrian path previously was installed along the Escondido Boulevard frontage.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. **Property Size:** One Acre (2 parcels)

2. **Proposed Lots:** 1 Lot

3. **Number of Units:** 24 total units (with 2 shopkeeper units)

4. **Density:** 24 du/ac

5. **Site Data:**

Building Coverage	18,486 SF	41.6%
Private Open Space	1,118 SF	2.7%
Open Space	12,045 SF	27.1%

6. **Building Data:**

No. of Bldgs: 4

Height: Shop keeper cottages – 2 stories, town homes - 3 stories, heights range from approx. 16 feet up to 38 feet with an overall height of 35'

Unit Mix:

Plan	# Units	# Bedrooms	Total SF of Living Area
Plan 1	16	2	1,288
Plan 2	6	3	1,563
Plan 3	2	3	1,721

Commercial Area: 2 Shopkeeper units with 970 SF gross area each unit
Total 1,940 SF net area

Pct. Com/Res: 24 residential / 2 shopkeeper = 8.3%

7. **Setbacks:**

	Proposed	CG Zone
Front/Western P/L	Approx. 2' to bldg.	0'
Rear/Eastern P/L	Approx. 10' to bldg.	0'
Side/Northern P/L	Approx. 10' to bldg.	0' (5' min. when adjacent to residential zone)
Side/Southern P/L	Approx. 10' to bldg.	0'

Note: Planned Development zoning establishes its own zoning standards, including setbacks.

8. **Parking:** 62 on-site spaces provided
Up to seven on-street spaces available across project frontage

Garages: 8 side-by-side garages (approx. 20' wide x 20' deep)
16 tandem garages (approx. 15.5' wide by 35' deep)

	Provided	**Required**
Residential:	2 garage per unit 24 x 2 = 48	Based on number of bedrooms 2 bed - 1.75 x 28 = 28 3 bed – 2 x 2 = 12 3 bed – 2 x 2 = 4 44 required
	6 guest spaces 8 commercial	1/4 units 24/4 = 6 1:250 SF 970 net SF / 250 = 8
	62 Provided	58 required

Street Parking: Up to 7 additional on-street spaces would be available across the project frontage to serve the commercial component or additional guest needs for the project. On-street spaces are not counted as meeting the minimum on-site parking requirements for the project.

Note: A parking management plan would be required due to the mixed-use nature of this project. Final distribution and assignment of guest spaces will be determined through the parking management plan and project CC&Rs.

9. **Open Space:**

Provided	**Required**
12,045 SF common area 1,180 SF private area 13,225 SF	R-4 multi-family req. used for comparison 200 SF per each unit plus 200 SF each bed over 1 24 units x 200 SF = 4,800 SF 32 beds over 1 x 200 SF = 6,400 SF Total 11,200 SF

10. **Landscaping:** New ornamental landscaping to be provided with the project
Existing mature trees removed would be replaced at min. 1:1 ratio with a variety of specimen and 15 gallon trees. Landscaping along Escondido Boulevard to follow existing design theme to include specimen sized palm trees. Enhanced vehicular paving at entries to site and throughout project. Enhanced pedestrian concrete paving to be provided in front of commercial suites and other selected areas throughout project.

11. **Fencing:** Decorative, six-foot-high, solid masonry proposed around perimeter of the site. A solid masonry wall is required adjacent to all commercial zones.

12. **Signage:** No signage proposed at this time. A Comprehensive Sign Program is required to be prepared for the commercial component project in conformance with CG zoning code requirements for commercial units.

13. **Trash:** One, 20' x 15' trash enclosure would be provided, which could accommodate up to four trash bins (typ. 3 trash and 1 recycle). The enclosure would be constructed of decorative masonry block with a solid roof per water quality/storm water requirements. The final design is conditioned to complement the materials and architecture of the

buildings. The number of trash pick ups per week and types of bins would be coordinated with Escondido Disposal.

14. Grading: On-site grading includes a combination of 736 cubic yards of cut and 867 cubic yards of fill. No grading exemption have been requested, and no slopes will be greater that 2:1.

ESCONDIDO
City of Choice

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

013606

FILED
Gregory J. Smith, Recorder/County Clerk

MAY 31 2006

BY _____ DEPUTY

NOTICE OF DETERMINATION*

DATE: May 25, 2006

TO: San Diego County Recorder's Office
Attn: Anthony Consul
P. O. Box 121750
San Diego, CA 92112-1750

FROM: City of Escondido
201 N. Broadway
Escondido, CA 92025

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on MAY 31 2006
Posted MAY 31 2006 Removed _____
Returned to agency on _____
Deputy _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21089, 21108, or 21152 of the Public Resources Code.

TR 942, 2005-80-CZ/PD/CP, Tentative Map, Zone Change, Master and Precise Development Plan, and Condominium Permit for construction of two shopkeeper units and 22 multifamily units on one acre.
Project Title and Case No.

Bradley Land Group 457 Glencrest, Solana Beach, CA 92075 (619) 300-9444
Applicant's Name and Address Telephone Number

N/A
State Clearinghouse Number (if submitted to State Clearinghouse)

Diana Delgadillo, Associate Planner (760) 839-4555
City Contact Person Telephone Number

On the eastern side of Escondido Boulevard south of Fifteenth Avenue, addressed as 1560 – 1574 South Escondido Boulevard (APNs 236-460-70, -71) Escondido, CA, County of San Diego
Project Location (include County)

The proposed project would involve demolishing three structures that have been determined not to be significant historic resources. The project also would include a Zone Change from CG (General Commercial) to PD-MU (Planned Development-Mixed Use), as well as a Master and Precise Development Plan with a Tentative Subdivision Map and Condominium Permit for construction of two shopkeeper units and 22 multifamily units on one acre. Access to the project would be provided by a single driveway from Escondido Boulevard. Each unit would be constructed with an enclosed garage and separate exterior pedestrian access.

Project Description

This is to advise that on May 24, 2006 the City of Escondido approved the above-described project and has made the following determinations regarding the above-described project:

CERTIFICATE OF FEE EXEMPTION
(De Minimis Impact Finding)

__X__ Check here if applicable

Findings of Fact:

1. The City of Escondido, Planning Division, has completed an Initial Study for the above-referenced property, including evaluation of the proposed project's potential for adverse environmental impacts on fish and wildlife resources.

2. Based on the completed Initial Study and substantial evidence considering the record as a whole, the City of Escondido finds that the proposed project will not encroach upon fish or wildlife habitat area, will have no potential adverse individual or cumulative effects on fish or wildlife resources, requires no mitigation measures to be incorporated into the proposed project which would affect fish or wildlife, and hereby rebuts the presumption of adverse effect contained in Section 753.5(d) of Title 14, California Code of Regulations.

Certification:

I hereby certify that the public agency has made the above findings of fact and that, based upon the Initial Study and hearing record, the project will not individually or cumulatively have an adverse effect on fish or wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Diana Delgadillo
Associate Planner, Community
Development Department
Lead Agency City of Escondido

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
DFG 753.5a (8-03)

272885

Lead Agency: City of Escondido Date: 05/31/2006

County / State Agency of Filing: San Diego Document No.: 13606

Project Title: TR 942, 2005-80-CZ/PD/CP, Tentative Map, Zone Change, Master and Precise Development Plan, and Condo Permit for construction of two shopkeeper untis and 22 multifamily units on one acre

Project Applicant Name: Bradley Land Group Phone Number: (619) 300-9444

Project Applicant Address: 457 Glencrest, Solana Beach, CA 92075

Project Applicant (*check appropriate box*): Local Public Agency ☐ School District ☐ Other Special District ☐
State Agency ☐ Private Entity ☑

CHECK APPLICABLE FEES:

( )	Environmental Impact Report	$850.00	$
( )	Negative Declaration	$1,250.00	$
( )	Application Fee Water Diversion (*State Water Resources Control Board Only*)	$850.00	$
( )	Projects Subject to Certified Regulatory Programs	$850.00	$
( )	County Administrative Fee	$25.00	$
(✓)	Project that is exempt from fees		

TOTAL RECEIVED $ 0.00

Signature and title of person receiving payment: Deputy

WHITE - PROJECT APPLICANT YELLOW - DFG/FASB PINK - LEAD AGENCY GOLDENROD - STATE AGENCY OF FILING

ESCONDIDO
City of Choice

Jonathan H. Brindle, AICP
Planning Director
Planning Division
201 N. Broadway, Escondido, CA 92025
(760) 839-4671, FAX (760) 839-4313

February 21, 2006

Brad Tuck
BRADLEY LAND GROUP
457 Glencrest Drive
Solana Beach, CA 92075

Subject: Escondido Propper Mixed-Use Site Environmental Determination, Initial Study ER-2005-53
Related Cases: 2005-80-CZ/PD/CP, Tract 942

Dear Brad:

An analysis of the proposed Escondido Propper Mixed-Use Development has resulted in the enclosed "Notice of Proposed Negative Declaration," issued in draft form. Issuance of this document indicates the City determined that no potentially significant impacts will arise from the development of the project.

Public notice of the proposed Negative Declaration has been distributed for public review, ending on March 13, 2006. Depending on the relevance of any public comments received during the public review period, staff reserves the right to change the terms and conclusions of this "Proposed Negative Declaration."

Initial comments from various City Departments and/or agencies regarding the proposed development plans also are enclosed. These comments are preliminary in nature and do not represent the City's final staff recommendation on the proposal. The comments are conveyed for your convenience, and are intended to provide advance notice of potential concerns expressed by individual departments. Please note that if any comments require a revision to your development plans or identify any specific submittal requirements, these items must be addressed or your development plans will be considered incomplete. If you have any questions regarding the details or appropriateness of any comments, please contact the appropriate individual department.

This item is tentatively scheduled for the March 14, 2006, Planning Commission public hearing. If you have questions please contact me at (760) 839-4556.

Sincerely,

Jay Petrek, AICP
Senior Planner

Lori Holt Pfeiler, Mayor Ed Gallo, Mayor Pro Tem Marie Waldron Ron Newman Sam Abed

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

NOTICE OF PROPOSED NEGATIVE DECLARATION

The Escondido Planning Division has prepared a Negative Declaration for the project described below. This preliminary finding means that there will be no significant environmental effects from the project described as follows:

Case Number: ER 2005-53, 2005-80-CZ/PD/CP, TR 942

Project Description: The project involves demolishing three structures that are determined to be not-significant. The project includes a zone change from General Commercial to Planned Development-Mixed Use and a Master and Precise Development Plan with a Tentative Subdivision Map and Condominium Permit for construction of 2 shopkeeper units and 22 multifamily "row home-style" units on one acre. Access to the project will be provided by a single driveway from Escondido Boulevard and each unit will be constructed with enclosed garages and separate exterior pedestrian access. The property is located within the Escondido Boulevard Overlay Area Plan.

Location: On the east side of Escondido Boulevard south of 15th Avenue addressed as 1560 – 1574 S. Escondido Boulevard.

Applicant: P.B. South Escondido Blvd. L.L.C.

The review and comment period will end March 13, 2006. A copy of the Environmental Initial Study and the Negative Declaration are on file and available for public review in the Escondido Planning Division, at 201 North Broadway, Escondido, CA 92025. Written comments relevant to environmental issues will be considered if submitted to the Planning Division prior to 5 p.m., March 13, 2006. This item has been tentatively scheduled for the Planning Commission on March 14, 2006. A separate notice regarding that public hearing will be mailed.

Further information may be obtained by contacting Jay Petrek at the Planning Division, telephone (760) 839-4556. Please refer to Case: ER 2005-53

DATED: February 21, 2006

Jay Petrek, AICP
Senior Planner

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

NEGATIVE DECLARATION

SOUTH ESCONDIDO BOULEVARD 24-UNIT MIXED-USE DEVELOPMENT Case Number: ER 2005-53, 2005-80-CZ/PD/CP, TR 942

Date Issued: February 21, 2006

Public Review Period: February 22 – March 13, 2006

Location and Address: On the east side of Escondido Boulevard south of 15th Avenue addressed as 1560 – 1574 S. Escondido Boulevard.

Project Description: The project involves demolishing three structures that are determined to be not-significant. The project includes a zone change from General Commercial to Planned Development-Mixed Use and a Master and Precise Development Plan with a Tentative Subdivision Map and Condominium Permit for construction of 2 shopkeeper units and 22 multifamily "row home-style" units on one acre. Access to the project will be provided by a single driveway from Escondido Boulevard and each unit will be constructed with enclosed garages and separate exterior pedestrian access. The property is located within the Escondido Boulevard Overlay Area Plan.

Applicant: P.B. South Escondido Blvd. L.L.C.

An Initial Study has been prepared to assess this project as required by the California Environmental Quality Act and Guidelines as well as the City of Escondido Ordinances and Regulations. The Initial Study is on file at the City of Escondido Planning Division.

Findings: The finding of this review is that the Initial Study determined that no measures beyond the normal conditions of approval would be required to ensure impacts are reduced to below a level of significance.

Jay Petrek, AICP
Senior Planner

CITY OF ESCONDIDO
Planning Division
201 North Broadway
Escondido, CA 92025-2798
(760) 839-4671

APPENDIX G

Environmental Checklist Form

1. Project title: Escondido Propper (Case Numbers ER-2005-53, 2005-80-CZ/PD/CP, Tract 942)

2. Lead agency name and address: City of Escondido, Planning Division
   201 North Broadway
   Escondido, CA 92025

3. Contact person and phone number: Jay Petrek, Senior Planner (760) 839-4556

4. Project location: 1560 – 1574 S. Escondido Boulevard

5. Project sponsor's name and address: Brad Tuck, Bradley Land Group
   PB South Escondido, LLC
   457 Glencrest Drive
   Solana Beach, CA 92075

6. General Plan designation: General Commercial 7. Zoning: General Commercial

8. Description of project: A Tentative Tract Map, Condominium Permit, Zone Change and Planned Development approval for a mixed-use project proposing two (2) commercial units and 24 residential condominiums on 1.0 acre. The proposal includes demolishing three existing structures that are not historic.

9. Surrounding land uses and setting (briefly describe the project's surroundings):
   East – Multifamily Residential
   South – Commercial
   North – Commercial
   West – Across Escondido is a mixed-use residential development (Los Arboles).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).
    None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be affected by this project involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic

☐ Utilities/Service Systems ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.

☐ I find that, although the proposed project might have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by, or agreed to, the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.

☐ I find that the proposed project might have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT shall be required.

☐ I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT shall be required, but it must analyze only the effects that remain to be addressed.

☐ I find that, although the proposed project might have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further shall be required.

Jay Petrek
Signature

February 21, 2006
Date

Jay Petrek
Printed Name

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take into account the whole action involved, including off-site, on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact might occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect might be significant. If there are one or more "Potentially Significant Impact" entries once the determination is made, an EIR shall be required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5. Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to the tiering, program EIR, or other CEQA. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analysis Used. Identify and state where it is available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of an adequately analyzed earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate references to information sources for potential impacts into the checklist (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies normally should address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a. the significance of criteria or threshold, if any, used to evaluate each question; and
   b. the mitigation measure identified, if any, to reduce the impact to less than significant

SAMPLE QUESTION

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. LAND USE AND PLANNING				
Would the project:				
a. Physically divide an established community? (1,3,8)	☐	☐	☐	☒
b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1,2,3)	☐	☐	☒	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (8,10)	☐	☐	☐	☒
d. Have a substantial adverse effect on a scenic vista? (1,8,10)	☐	☐	☒	☐
e. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (8,10)	☐	☐	☐	☒
f. Substantially degrade the existing visual character or quality of the site and its surroundings? (8,10)	☐	☐	☒	☐
g Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (3,8,10)	☐	☐	☒	☐
II. AGRICULTURE RESOURCES				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (1,2)	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1,3)	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? (1,3)	☐	☐	☐	☒
III. TRANSPORTATION/TRAFFIC				
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)? (1,2,4,9,10,11)	☐	☐	☒	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (1,2,4,9,10,11)	☐	☐	☒	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1,2)	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1,2,9,10,11)	☐	☐	☒	☐
e. Result in inadequate emergency access? (8,9)	☐	☐	☒	☐
f. Result in inadequate parking capacity? (3,8,9,10)	☐	☐	☒	☐
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (1,2,9,10)	☐	☐	☒	☐
IV. AIR QUALITY				
Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan? (2,4,9,10)	☐	☐	☒	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (2,4,9,10)	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (2,4,9,10)	☐	☐	☒	☐
d. Expose sensitive receptors to substantial pollutant concentrations? (2,10)	☐	☐	☒	☐
e. Create objectionable odors affecting a substantial number of people? (2,8)	☐	☐	☐	☒
V. BIOLOGICAL RESOURCES				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1,2,8,10,12)	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1,2,8,10,12)	☐	☐	☐	☒
c. Have a substantial adverse effect on federally projected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (1,2,8,10,12)	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1,2,8,10)	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance? (1,2,8,10)	☐	☐	☒	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1,2,8,10)	☐	☐	☐	☒
VI. CULTURAL RESOURCES				
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (1,2,7,8,13)	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (1,2,8,13)	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1,2,8)	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries? (1,2,7,8,13)	☐	☐	☐	☒
VII. GEOLOGY AND SOILS				
Would the project:				
a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving: (2,8,9)	☐	☐	☐	☐
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (2,8,9)	☐	☐	☐	☒
ii. Strong seismic ground shaking? (1,2,9)	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction? (1,2,9)	☐	☐	☒	☐
iv. Landslides? (1,2,8,9)	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil? (1,2,8,9)	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (1,2,9)	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (1,2,8,9)	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (1,2,3,8,9)	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1,2,10,14)	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1,2,9,10,14)	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1,2,3,9,10)	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (1,2,6,9)	☐	☐	☐	☒
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area? (1,2,9)	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (1,2,9)	☐	☐	☐	☒
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? (1,2,6,9)	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (1,2,8,9,10)	☐	☐	☐	☒
IX. HYDROLOGY AND WATER QUALITY				
Would the project:				
a. Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)? (2,8,9,10)	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2,8,9,10)	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site? (2,5,8,9,10)	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts? (5,8,9,10)	☐	☐	☒	☐
e. Cause significant alteration of receiving water quality during or following construction? (5,8,9,10)	☐	☐	☒	☐
f. Cause an increase of impervious surfaces and associated run-off? (8,9,10)	☐	☐	☒	☐
g. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (5,8,9,10)	☐	☐	☒	☐
h. Cause potentially significant adverse impact on ground water quality? (5,8,910)	☐	☐	☐	☒
i. Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses? (8,9,10)	☐	☐	☐	☒
j. Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list. If so, can it result in an increase in any pollutant for which the water body is already impaired? (5,8,9,10)	☐	☐	☐	☒
k. Create or exacerbate already existing environmentally sensitive areas? (8,9,10)	☐	☐	☐	☒
l. Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters? (8,9,10)	☐	☐	☐	☒
m. Impact aquatic, wetland or riparian habitat? (8,9,10)	☐	☐	☐	☒
n. Otherwise substantially degrade water quality? (8,9,10)	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1,2,8,9,10)	☐	☐	☒	☐
p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (1,2,8,9,10)	☐	☐	☐	☒
q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (1,5,8,9)	☐	☐	☐	☒
r. Inundation by seiche, tsunami, or mudflow? (1,8,9)	☐	☐	☐	☒
X. MINERAL RESOURCES				
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1,2,10)	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan? (1,2,10)	☐	☐	☐	☒
XI. NOISE				
Would the project result in:				
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (1,2,10,15)	☐	☐	☒	☐
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels? (1,2,10,15)	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2,10,15)	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2,10,15)	☐	☐	☒	☐
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (1,2,3)	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (1,2,3)	☐	☐	☐	☒
XII. POPULATION AND HOUSING				
Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (1,2,3,9,10)	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1,3,8)	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1,3,8)	☐	☐	☐	☒
XIII. PUBLIC SERVICES				
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: (1,2,9)	☐	☐	☒	☐
Fire protection? (1,2,9)	☐	☐	☒	☐
Police protection? (1,2,9)	☐	☐	☒	☐
Schools? (1,2,9)	☐	☐	☒	☐
Parks? (1,2,9)	☐	☐	☒	☐
Other public facilities? (1,2,9)	☐	☐	☒	☐
XIV. RECREATION				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1,2,8,10)	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (1,2,8,10)	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1,2,9)	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2,9)	☐	☐	☐	☒
c. Require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2,5,9)	☐	☐	☒	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1,2,9)	☐	☐	☐	☒
e. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1,2,9)	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (1,2,9)	☐	☐	☒	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste? (1,2,9)	☐	☐	☐	☒
XVI. MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Source of Information/Material Used in Preparation of this Analysis

1. Escondido General Plan – 1990
2. Escondido General Plan EIR
3. Escondido Zoning Code and Land Use Map
4. Project application
5. SANDAG Summary of Trip Generation Rates
6. Escondido Drainage Master Plan (1995)
7. County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List
8. Escondido Historical Resources Survey
9. Site Visits/Field Inspection
10. Comments from other Departments:

- Engineering
- Building
- Fire

11. Project Description and Preliminary Information
12. Phase I Environmental Site Assessment – prepared by Environmental Business Solutions, June 28, 2005.
13. Traffic Impact Assessment Letter prepared by Linscott, Law & Greenspan, December 9, 2005

Escondido Propper
1560-1574 S. Escondido Boulevard
Case Numbers:
ER-2005-53
2005-80-CZ/PD/CP
Tract 942

Project Description:

The following section evaluates the potential environmental impacts associated with the demolition of three non-historic structures and construction of a 24-unit mixed-use development on one acre located at 1560 – 1574 South Escondido Boulevard. The proposal involves a zone change from General Commercial to Planned Development / Mixed Use, a condominium permit, and tentative subdivision map. The project proposes four structures. One building along Escondido Boulevard would be two stories in height and would contain two live-work residential units each containing 1,000 square feet of commercial space (2,000 SF total) on the ground floor fronting on Escondido Boulevard. Enclosed garages would be provided for the two live-work residences and accessed from behind. Living quarters for the two residences along Escondido Boulevard would be above the commercial area and pedestrian access would be provided from the garages, the commercial areas, and from Escondido Boulevard.

The other three buildings associated with the project would each be three stories in height, located behind the live-work units and developed with 22 residential town homes. Between six and eight residences would be located in each building that would involve parking garages on the ground floor accessed from a central alley and additional two floors of residential living space over the garages. Pedestrian access would be provided from the ground floor on the opposite side of the building from the garages. Open space for the condominiums will be comprised of private balconies and landscaped areas. The property is located within the Downtown Specific Plan Area within the Centre City Commercial District residential overlay area.

The attached environmental Initial Study is consistent with the California Environmental Quality Act (CEQA) Guidelines, and has been used to focus this study on physical factors that may be impacted by the proposed project. This Initial Study will serve to identify and evaluate any effects determined to be potentially significant.

Environmental Setting:

The 1-acre site comprises two parcels is located in an urbanized segment of South Escondido Boulevard with development occurring in all four cardinal directions. The site currently contains three single story structures. One structure is a three-unit apartment building built in the mid 1980s that is currently inhabited. A second structure is a vacant multi-tenant commercial building that was built in the mid 1970s. A third structure is vacant commercial building that was originally built in the late 1950s and was heavily remodeled over the years. The subject area is level with access currently provided from Escondido Boulevard. The commercial buildings (including residences) would be demolished as part of the future development of the property and the site is completely surrounded by the following commercial and residential uses:

North: CG (General Commercial) zoning/ An older adobe-style single story commercial building fronting on Escondido Boulevard.

South: CG (General Commercial) zoning/ commercial offices fronting on Escondido Boulevard.

East: U3 (R-3-18) zoning/ multifamily development fronting on Maple Street.

West: PD (Planned Development) zoning/ Across Escondido Boulevard, a mixed-use residential development (Los Arboles), with live-work units fronting Escondido Boulevard, Row Homes and multi-family development in the rear portion of the site.

I. Land Use and Planning

City of Escondido Significance Criteria

Significant land use impacts would occur if the project substantially conflicted with established uses, disrupted or divided an established community or resulted in a substantial alteration to the present or planned land uses. Consistency with the City of Escondido General Plan and zoning and other applicable environmental plans and policies, is evaluated in making a determination of potential significant land use impacts. Aesthetic impacts would be significant if the project resulted in the obstruction of any scenic view or vista open to the public; damage of significant scenic resources within a designated State scenic highway, create an aesthetically offensive site open to the public, and/or substantial degradation of the existing visual character or quality of the site and its surroundings. Significant aesthetic impacts would also occur if the project generated new sources of light or glare that adversely affected day or nighttime views in the area, including that which would directly illuminate or reflect upon adjacent properties or could be directly seen by motorists or persons residing, working or otherwise situated within sight of the project.

The site is within the South Escondido Boulevard Area Plan that extends from Fifth Avenue to Citracado Parkway and includes both sides of Escondido Boulevard. The Plan includes commercial and mixed-use development, aesthetically pleasing architecture, and a variety of land uses. A zone change is proposed to change the designation to Planned Development-Mixed Use (PD-MU). The proposed zone change will allow for the mixed-use development on the site involving 22 multi-family units and the two live-work units. The ultimate goal of the proposed project is to facilitate the revitalization efforts within the redevelopment area.

Existing land uses within close proximity to the proposed project will remain as General Commercial (CG) and will not conflict with the proposed mixed-use development since commercial areas abut multi-family development throughout the community and the proposal will incorporate similar types of standards to maintain compatibility. The residential portion will be separated from off-site commercial uses by existing streets and a solid masonry wall separating the residential from commercial uses will also be installed to further achieve compatibility. Existing views around the entire project site will remain. The proposed development will be more attractively designed with additional landscaping in the parking lot area, updated lighting, new architecture with complementary colors and materials. No new substantial light or glare will be produced from the project site, which will strengthen compatibility.

Approval of the proposed project will not create any significant land use impacts since the project does not conflict with established urban uses. Disruptions or divisions to an established community will not occur since none currently exists and the proposed residential is consistent with the eastern land uses. Multi-family housing would be considered compatible with the proposed redevelopment of the site, and should serve to unify South Escondido Boulevard by integrating commercial and residential activities. Locating a 24-hour population along the Boulevard would also enhance the economic growth of the area.

Residential projects typically do not directly illuminate or reflect glare upon adjacent properties; furthermore, City Ordinances require that lighting be shielded and cut-offs be provided to ensure that light does not spill over to adjacent properties; therefore, no significant light or glare impact would result from the proposed project. Development of the proposed project will also not obstruct scenic views or vistas open to the public since no scenic vistas encompassing this site are identified in the City General Plan and Escondido Boulevard is not a State-designated scenic highway.

II. Agricultural Resources

City of Escondido Significance Criteria

Project impacts to agricultural resources would be significant if they lead to direct or indirect loss of Prime Farmland, Unique Farmland or Farmland of Statewide Importance, defined by the California Department of Conservation, or conflicted with the City's existing agricultural zoning or Williamson Act Contract.

The project site is not listed as Prime Agricultural Lands as identified in the General Plan Final Environmental Impact Report, which was prepared for the City's most recent General Plan revisions in 2000. The property is also not involved in a Williamson Act Contract or other agricultural land contract.

The California Department of Conservation, which publishes farmland conservation reports, classifies the subject area as "Other Land" which is defined as:

> "Rural development, marginal agricultural lands, tracts not suitable for grazing, government lands not available for agricultural use, road systems and vacant land surrounded on all sides by urban development."

The development of a residential community on the subject site would therefore not result in significant individual or cumulative impacts to agricultural resources.

III. Transportation/Traffic

City of Escondido Significance Criteria

According to the City of Escondido Environmental Quality Regulation (Article 47, Sec. 33-924), impacts would be considered significant if the project:

1. *Caused the level of service (LOS) of a circulation element street to fall below a mid-range of LOS "D" and /or added more than 200 ADT to a circulation element street with an LOS below the mid-range "D" yet above LOS "F". According to the Escondido General Plan, the minimum acceptable LOS is "C".*

2. *Exceeded, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads and highways.*

3. *Resulted in a change of air traffic patterns, including either an increase in traffic levels or in a location that results in substantial safety risks or increased hazards due to a design feature.*

4. *Results in inadequate emergency access or parking capacity, or the project conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).*

The proposed project would take primary access from Escondido Boulevard, which is designated as a Collector Road (84' of right-of-way) in the City's Circulation Element. Access to the proposed condominiums would be provided by a single driveway access. Escondido Boulevard is constructed to its ultimate width and currently has been striped for one travel lane in each direction and a center turn lane with parking on both sides. Build-out of the street calls for two travel lanes in each direction, no center turn lane and no parking. A Traffic Impact Assessment Letter (Linscott, Law & Greenspan, 12/9/05) analyzed the project and determined there would be no impact to the existing circulation system. The Current level of Service for Escondido Boulevard is "B". Based on the analysis the proposed project would generate a net increase of 275 Average Daily Trips. This would not trigger the 200 trip threshold for impacts to streets below mid LOS "D" and consequently, the project will not adversely affect traffic.

IV. Air Quality

City of Escondido Significance Criteria

Project impacts exceeding any of the following South Coast Air Quality Management District (SCAQMD) daily emissions criteria can be considered significant:

- *Carbon Monoxide (CO)* — *550 lbs.*
- *Reactive Organic Gases (ROG)* — *55 lbs.*
- *Oxides of Nitrogen (NO_x)* — *55 lbs.*
- *Fine Particulate Matter(PM_{10})* — *150 lbs.*
- *Oxides of Sulfur (SO_x)* — *250 lbs.*
- *Lead* — *3.2 lbs*

The project area is within the San Diego Air Basin (SDAB). Air quality at a particular location is a function of the kinds and amounts of pollutants being emitted into the air locally, and throughout the basin, and the dispersal rates of pollutants within the region. The major factors affecting pollutant dispersion are wind speed and direction, the vertical dispersion of pollutants (which is affected by inversions) and the local topography. The air basin currently is designated a state and federal non-attainment area for ozone and particulate matter.

However, in the SDAB, part of the ozone contamination is derived from the South Coast Air Basin (located in the Los Angeles area). This occurs during periods of westerly winds (Santa Ana condition) when air pollutants are windborne over the ocean, drift to the south and then, when the westerly winds cease, are blown easterly into the SDAB. Local agencies can control neither the source nor transportation of pollutants from outside the basin. The Air Pollution Control District (APCD) policy therefore, has been to control local sources effectively enough to reduce locally produced contamination to clean air standards.

For long-term emissions, the direct impacts of a project can be measured by the degree to which the project is consistent with regional plans to improve and maintain air quality. Local air-quality impacts are directly related to the number of vehicle trips and operation levels on adjacent streets and intersections. For planning purposes, the APCD assumed the City's General Plan designation of Specific Plan/Commercial in calculating air quality impacts. According to CEQA Guidelines, a project normally is considered to have a significant air quality impact if it violates any ambient air quality standard, contributes substantially to an existing or projected air-quality violation or exposes sensitive receptors to substantial pollution concentrations.

Emissions resulting from developing the site would be directly related to the amount of vehicular traffic generated by the facility. The project of 21 new dwelling units (24 proposed – 3 existing to be demolished) would generate an additional 126 ADT beyond the current 24 ADT generated by the three existing residences (1998 SANDAG Vehicle Trip Generation Rate table). A larger residential project was evaluated in the General Plan update that analyzed a 52-dwelling unit residential project (Schooler Area 10). That air quality analysis determined that a 52 dwelling unit residential project would not generate daily emissions that exceed South Coast Air Quality Management District's (SCAQMD) daily emissions criteria.

Consequently, while the proposed project would have an incremental impact to basin-wide air-quality issues resulting from the cumulative impacts of thousands of sources, the individual impacts attributed to the proposed project are immeasurably small on a regional scale and will not cause ambient air-quality standards to be exceeded. Since the project would not materially degrade the levels of service on adjacent streets and intersections, and would not violate daily emissions thresholds, the project will not have a significant impact on air quality and no mitigation measures are required.

Construction-Related Emissions

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emission include:

- Fugitive dust from grading activities;
- Construction equipment exhaust;
- Construction-related trips by worker, delivery trucks and material-hauling trucks; and
- Construction-related power consumption.

Dust from grading and other site preparation would generate particulate matter emission. Due to the small amount of grading, and with appropriate use of grading and operation procedures (in conformance with APCD Best Management Practice for dust control), the project would not generate significant particulate matter or dust.

The City of Escondido Grading Ordinance and erosion control requirements include provisions for dust control to reduce impacts to air quality during grading and construction activities. At a minimum, these ordinances and provisions require projects to perform regular watering and timely revegetation of disturbed areas to minimize the dust and airborne nuisance impacts to off-site receptors. Emissions from construction equipment, worker and delivery and material-hauling trucks, and construction-related power consumption would be temporary and would result in an extremely small contribution to the SDAB and therefore would not result in a significant impact.

V. Biological Resources

City of Escondido Significance Criteria

Project impacts upon biological resources may be significant if the project generates impacts that create any of the following results:

- *Substantial direct or indirect-effect on any species identified as a candidate, sensitive, or special status in local/regional plans, policies or regulations, or by the State of California Department of Fish and Game (F & G) or U.S. Fish and Wildlife Service (U.S. FWS);*
- *Substantial effect upon sensitive natural communities identified in local/regional plans, policies, regulations or by the agencies (F & G-U.S. FWS);*
- *Substantial affects (e.g. fill, removal, hydrologic interruption) upon federally protected wetlands under Section 404 of the Clean Water Act;*
- *Substantial interference with movement of native resident or migratory wildlife corridors or impeding the use of native wildlife nursery sites;*
- *Conflict with any local policies/ordinance that protect biological resources (e.g. tree preservation policy or ordinance)*
- *Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan.*

The entire site area has been completely disturbed by existing commercial and residential development. The site is in an urban area and no areas of native vegetation exist anywhere on the site. Since the project site supports non-native vegetation of little or no local or regional biological resource value, and because no significant populations of sensitive plants or animals are present, redevelopment of the area would result in impacts that are less than significant. The proposed project would not encroach upon wildlife habitat areas or have any potential adverse, individual or cumulative effects on wildlife resources. The proposed project requires no mitigation measures to be incorporated into the proposed project that would affect fish or wildlife resources, and the project would have a "de minimus" impact to these resources.

A review of the City's Draft Focus Planning Area (Spring 2002) that identifies plant communities appropriate for including in the City's Multi-Habitat Conservation Plan describes the area as disturbed/developed. No special status species (e.g., federal- or state- listed rare or endangered) were observed and are not expected. Therefore, no resource agency permits would be necessary for the future development of this property. The site, because it represents urban in-fill, would not conflict with adopted habitat conservation plans or interfere with wildlife corridors.

VI. Cultural Resources

City of Escondido Significance Criteria

A significant impact to cultural resources would occur if implementation of the project causes substantial change to a historical or archaeological resource pursuant to Section 15064.5 of the California Environmental Quality Act Guidelines, the destruction of unique paleontological resources or unique geologic feature, or disturb any human remains.

There are no recorded archaeological sites in the vicinity, and the property is currently developed and surrounded by developed properties. All structures on the site were built after World War II. The oldest structure is a converted auto-related business (circa 1955) that has been heavily remodeled over the years. The site has no association with people or events important to the history of the local area or region and does not rise to the level of significance to be eligible for listing on either the State or National Register of Historic Places. Consequently, implementation of the project will not result in direct or indirect impacts to any significant cultural or historical resources.

VII. Geology and Soils

City of Escondido Significance Criteria

A significant geologic impact would occur if a project exposed people or structures to major geologic hazards such as earthquake damage (rupture, ground shaking, ground failure, landslides), slope and/or foundation instability, erosion, soil instability or other problems of a geologic nature.

The site is level and not located on any active or potentially active fault. The nearest active fault to the site is the Rose Canyon Fault, located approximately 26 miles from the site. Another nearby fault is the Elsinore-Temecula Fault. According to the geotechnical investigation, no significant geologic hazards were observed or are known to exist on the site that would adversely affect the proposed project. The report concludes that potential settlement due to liquefaction can be considered negligible. The project would be constructed in conformance with the recommendations in the geology reports. Any grading and subsequent compaction of the site, as necessary, would be per City standards to the satisfaction of the City Engineer. No significant impacts are anticipated.

VIII. Hazards and Hazardous Materials

City of Escondido Significance Criteria

A significant impact to the environment and the public associated with hazards and hazardous materials would result from a project if any of the following occurred:

1. *Creation of a significant hazard to the public or the environment though routine transport, use or disposal of hazardous materials or from reasonably foreseeable upset and accident;*
2. *Emission and/or handling of hazardous materials substances or waste within one-quarter mile of an existing or proposed school;*
3. *Location of a project on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5;*

4. *Location within an airport land-use plan or within two miles of a public airport. Or the project is located within the vicinity of a private air strip;*
5. *Impairment/interference with an adopted emergency response plan or emergency evacuation plan; and*
6. *Expose people or structures to a significant risk of loss, injury or death involving wild fires.*

The proposed project for 22 multi-family residential units and 2 shopkeeper units would not be expected to result in the creation of a significant hazard to the public or environment due to the lack of hazardous materials typically associated with residential development. The subject area is not located near an airport or private airstrip and has not been identified as a significant risk area for wildland fire due to its location within the urban core of the city. Additionally, the site has not been identified as a hazardous waste site on the County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List.

Environmental Business Solutions has prepared a Phase 1 Environmental Site Assessment (ESA) for the site (available for review at the City of Escondido Planning Division). The findings relative to the recognized environmental condition and potential presence of hazardous materials and wastes and/or hazardous conditions at the site are summarized that:

> "there are no obvious indications that a recognized environmental condition exists at the site as a result of a release of hazardous materials/wastes or petroleum products from a know or interpreted historical Site land use."

Based on the report's conclusions, the potential for site contamination appears to be limited and the likelihood of significant on-site contamination from any present or former businesses on site or in the area is considered low. Significant impacts are not expected because:

- The proposed project will not creation a significant hazard to the public or the environment through routine transport, use or disposal of hazardous materials;
- The proposed project will not generate any hazardous emissions and would include handling of minor volumes of typical household hazardous substances that would not threaten any surrounding uses, including any existing or proposed school within ¼ mile;
- The property, that is the subject of the proposal, is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5;
- The subject property is not located within an airport land use plan or within two miles of a public airport or private air strip;
- The proposed project will not change an adopted emergency response plan or emergency evacuation plan; and
- As an urban in-fill project, people or structures will not be exposed to a significant risk of loss, injury or death involving wildfires.

IX. Hydrology and Water Quality

City of Escondido Significance Criteria:
Significant impacts associated with hydrology and water quality would result from the project if water quality standards or waste discharge requirements would be violated; groundwater and surface water quality and quantity would be substantially altered; drainage patterns would be substantially altered so as to increase erosion/siltation and increase surface runoff; increased runoff would exceed the capacity of existing or planned drainage systems or add a substantial source of pollution; the project is located in a 100-year floodplain and cannot be protected; and, if the project exposed people to hydrological hazards, such as flooding or inundation by seiche, tsunami, or mudflow.

The majority of the site is currently paved; therefore, no significant change in. the amount of run-off from the site would be expected as a result of the proposed redevelopment project.

A storm water management plan (SWMP) was prepared by Hunsaker & Associates dated August 29, 2006, which is available for review in the Planning Division at the City of Escondido. The report recommends the location and sizing of site two (2) Best Management Practices (BMPs) that include soil and landscaped filtration areas along the sides of the project boundaries. Runoff from the complex rooftop and paved areas will drain to an overland flow. Excess runoff will be intercepted via a proposed curb outlet, draining this runoff to the existing system within Escondido Boulevard. Further discussions with the applicant established the need to further enhance the landscaping drainage areas, which would improve the level of on-site detention. The project will also be conditioned to provide a homeowner's association or similar organization for maintenance of the detention system. Therefore, staff has determined runoff from the project would not be considered significant and the project would not materially degrade the existing drainage facilities. The City would provide sewer and water service from mains within the adjacent street or easements; consequently, no impact from a water well or an underground septic tank system could affect the groundwater table. The project is outside the 100-year flood zone and 500-year flood plain area as identified on current Flood Insurance Rate Maps (FIRM). Therefore, the project site is not subject to potential flooding, landslides or mudflows.

X. Mineral Resources

City of Escondido Significance Criteria:
Impacts to mineral resources would be substantial if the proposed project resulted in the loss of significant state or locally important mineral resources.

This site has not been used for extraction or processing of any mineral resources and it is not identified in the Escondido as an important mineral resource area of statewide or local significance.

XI. Noise

City of Escondido Significance Criteria

Significant noise impacts would occur if the project; exposed persons to, or generated noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies; exposed persons to, or generated excessive ground-borne vibration or ground-borne noise levels. Significant noise effects would also occur if the project resulted in substantial permanent or temporary/periodic increase in ambient noise levels in the project vicinity above noise levels existing without the project. According the General Plan Noise Policy E1.4, projects that increase noise levels by 5 dB or greater should be considered as generating a significant impact and should be mitigated.

The City's General Plan Noise Element contains noise policies, which outline acceptable noise levels associated with each type of land use. A 60 CNEL exposure is considered normally acceptable for outside areas in residential zones with interior noise levels up to 45dBA based upon the assumption that any buildings involved are of normal conventional construction. The City requires that noise levels be presented in terms of Community Noise Equivalent Level (CNEL). CNEL is a weighted sound level during a 24-hour period, after the addition of 5 decibels (dB) to average sound levels at evening hours (7 PM to 10 PM) and 10dB to the average night hours (10 PM to 7AM). The addition of 5 and 10 dB is applied to account for noise sensitivity during evening and nighttime hours.

A review of the City's 2000 General Plan Update EIR that analyzed noise contours along to City Streets indicates that 65 dBA noise levels are present adjacent Escondido Boulevard but that level decreases to 60 dBA for most of the site. Standard construction practices will be able to reduce interior sound levels of the two mixed-use residences to the City's standard of 45dBA. The remaining 22 row homes fall within the 60 dBA noise level and will be further shielded by noise by the placement of the live-work units along Escondido Boulevard. Based on these findings traffic generated by this project would not result in any significant increase in noise levels along the streets impacted by this traffic.

Private balcony areas of units are not required to maintain minimum noise levels, however common open space is limited to 60dBA levels. The project incorporates a concrete wall along the northern and southern sides of the site and an existing concrete wall extends along the eastern boundary. Based on these design features and the requirement to maintain noise levels within the parameter to local codes and ordinances the project will not generate a significant noise impact.

Grading and construction within the project would create temporary noise impacts. Modern construction equipment, properly used and maintained, meet the noise limits contained in the City's Noise Ordinance. All noise generated by the project would be required to comply with the City's Noise Ordinance. Upon completion of the project, all construction noise from the project will cease. Because construction operations would be required to conform to the City's Noise Ordinance and because construction noise is temporary, no significant impact from construction noise would occur.

XII. Population and Housing

City of Escondido Significance Criteria
Significant population and housing impacts would occur if the proposed project; induced substantial population growth in an area; and, displaced substantial numbers of people or existing housing.

Population within the City would incrementally increase as a result of developing multi-family residential on the site. The Escondido Boulevard Area plan indicates that densities of up to 24 units per acre may be permitted with mixed-use development. This project's 24 units would be within that overall cap, and would not displace substantial numbers of existing housing or people since only three housing units exist on the site. The proposed residential development would contribute to the City's Regional Share Housing requirements and would not be considered growth inducing since it is located within an established urban setting. Public facilities are readily available to serve the residential project.

XIII. Public Services

City of Escondido Significance Criteria
Impacts would be significant if the project resulted in demands for wastewater treatment requirements in excess of the capacity of existing facilities. Or if the project triggered the need for construction of new water or wastewater treatment facilities or the expansion of existing facilities, the construction of which could cause significant environmental effects. The project would cause significant impacts if the project required/resulted in, the construction of new storm water drainage facilities or expansion of existing facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Significant impacts would also occur if the project resulted in a determination by the wastewater treatment provider and/or a landfill operator, which serve, or may serve, the project that capacity of existing facilities to serve the project's projected demand in addition to the provider's existing commitments is inadequate.

Sewer Service –Interviews with City Public Utilities staff have confirmed that sufficient treatment capacity exists at the wastewater treatment plant located on Hale Avenue.

Water Service – City of Escondido Water service is available and adequate to service the proposed project from the existing water main in adjacent streets.

Storm Water/Refuse Collection – The Engineering Division indicated the proposed project would not require the construction of significant new storm drain facilities or adversely impact existing facilities. Escondido Disposal currently provides solid waste service to the site and the project would not result in a significant increase in solid waste. The proposed project would not result in any significant individual or cumulative impacts to utilities and service systems.

Fire - The City Fire Department has indicated their ability to adequately serve the proposed project. The project site would be served by Fire Station No. 1, which is located at 310 N. Quince Street and is well within the required response time of five minutes.

Law Enforcement - The City of Escondido Police Department has indicated the ability to provide adequate service to the proposed development.

Schools - The proposed overlay area is within the Escondido Union School District and the Escondido Union High District. The elementary district serves Kindergarten-8th grade. The closest facilities to the site are Juniper Elementary School and L. R. Green Middle School.

The District uses a student generation rate of .4309 students per multi-family dwelling unit. A total of 10 elementary and middle school students are projected from the project. The project would be required to pay school fees; payment of these fees will fully offset this project's incremental impact on local school facilities.

The area of the proposed project is within the 2004-2005 attendance boundaries of San Pasqual High School, serving grades 9-12. The boundaries may need to be adjusted to meet school housing needs in future school years. Mitigation of this project's impact on high school facilities will be accomplished through the payment of school fees prior to the issuance of building permits. No further mitigation may be required of this project as part of the City's CEQA compliance process, pursuant to California Government Code Section 65995. Both the EUSD and EUHSD have noted the fees, which are set by State law; do not fully mitigate the impact of new residential development on the District. The City's Growth Management provisions require a will-serve letter from the school district prior to issuance of building permits.

XIV. Recreation

City of Escondido Significance Criteria

Significant impact would occur if the project resulted in an increase of the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. A significant impact would also occur if the project includes or requires the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

The project proposes approximately 5,750 square feet of common (240 SF per unit) plus minimum 50 square-foot balcony areas (1,200 SF) to total approximately 6,950 square feet of collective open space. Standard R-4-24 zoning would require 10,000 square feet of open space for this development. In reviewing other mixed–use and Downtown developments it has been the City's practice to vary the open space requirement to allow 30 to 40% of the required comparable residential zoning. Based on this approach the project proposes 69.5% of the required residential open space, which is well within the standard applied for other mixed use developments along Escondido Boulevard and in Downtown. The proposed housing units would result in an incremental demand on the City's recreational facilities. However the development fees paid by all residential development in the overlay area would offset the anticipated impact on existing facilities. The proposed project would not affect existing recreational opportunities since the site is not currently used for recreational activities and is not listed as a park site in the City's Master Plan of Parks, Trails and Open Space. Therefore no significant impact to recreational resources would occur as a result of the project.

XV. Mandatory Findings of Significance

The results of this Initial Study have determined that this project would not result in any significant short-term or long-term impacts on the environment, nor any substantially adverse effects on human beings.

RESOLUTION NO. 2010-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, RECINDING ESCONDIDO CITY COUNCIL RESOLUTION NO. 2010-57 AND APPROVING A MASTER AND PRECISE DEVELOPMENT PLAN, FOR A 24-UNIT MIXED-USED DEVELOPMENT WITHIN THE SOUTH ESCONDIDO BOULEVARD AREA PLAN

Case No. PHG 10-0002

WHEREAS, on March 23, 2010, the Planning Commission considered and recommended denial of the aforesaid application for a Master and Precise Development Plan for the development of a 24-unit, mixed-use project on approximately one acre of land within the Planned Development-Mixed Use zone of the South Escondido Boulevard Area Plan. The project is a cluster of three, three-story buildings and one, two-story building for a total of 24 residential units. The two street-front dwelling units along South Escondido Boulevard would be designated as residential/specialty retail shopkeeper units. A one-lot Tentative Subdivision Map (TR 942), Master and Precise Development Plan to allow twenty-four air-space/condominium-type units and a Zone Change from CG (General Commercial) to PD-MU (Planned Development-Mixed Use) previously was approved for the subject site by the Escondido City Council (City Case No. 2005-80-CZ/PD). The project site generally is located on the eastern side of Escondido Boulevard, between Fifteenth Street and Felicita Avenue, addressed as 1560 – 1574 South Escondido Boulevard (APNs 236-460-70 and -71), more particularly described in Exhibit "C," which is attached to this resolution and incorporated by this reference.

WHEREAS, the City Council reviewed the request for a Master and Precise Development Plan, and has reviewed and considered the Negative Declaration (Case No. ER 2005-33) previously adopted for the project and has determined the project would not have a significant impact to the environment; and

WHEREAS, the City Council did on April 28, 2010, approved the request for a Master and Precise Development Plan for a 24-unit mixed-use development on the subject site (City Council Resolution No. 2010-57); and

WHEREAS, following the April 28, 2010 hearing, staff became aware of an error in the public hearing notice and the applicant requested the project be re-noticed; and

WHEREAS, the City Council has reconsidered the proposed 24-unit mixed-use planned development; and

WHEREAS, Ordinance No. 78-2 enacted pursuant to Section 65974 of the California Government Code and pertaining to the dedication of land and fees for school facilities has been adopted by the City of Escondido; and

WHEREAS, this City Council has held a duly noticed public hearing and considered the request, the staff report, the recommendations of the Planning Commission, the Design Review Board and the appropriate agencies, and public testimony presented at the Council hearing and incorporates by reference the findings made in the Council report; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Master and Precise Development Plan as reflected in the

details of request contained in the staff report(s), and on plans and documents on file in the offices of the City Clerk and Planning Division;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.

2. That the City Council has reviewed and considered the Negative Declaration adopted for the project, the staff reports, and has heard and considered testimony given at the public hearing, and certifies the project would not result in any significant impacts to the environment, and that no new or subsequent environmental review need be prepared in accordance with CEQA Section 15162.

3. That the Findings of Fact/Factors to be Considered, attached as Exhibit "A," and incorporated by this reference, were made by said Council.

4. That upon consideration of the Findings/Factors, all material in the staff report (a copy of which is on file in the Planning Division), public testimony presented at the hearing, and all other oral and written evidence on this project, this City Council rescinds Resolution No. 2010-57 and approves the Master and Precise Development Plan (Case No. PHG10-0002) as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval set forth as Exhibit "B," attached to this resolution and incorporated by this reference.

5. That the terms and conditions of this Master and Precise Development Plan shall expire concurrently with the expiration of the associated Tentative

Subdivision Map (TR 942) unless an Extension of Time is granted in accordance with the Escondido Zoning Code and Subdivision Map Act.

6. That Escondido City Council Resolution 2010-57 is hereby rescinded and shall be of no further force or effect.

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 Department and Public Works Department. The project is also 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.

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED
PHG 10-0002

Master and Precise Development Plan

1. The General Plan land-use designation for the proposed mixed-use project site is General Commercial. Commercial Policy B4.11 (page II-32) establishes the South Escondido Corridor and objectives for the area, as well as the authority for the development of a Land-Use Area Plan. The South Escondido Boulevard Neighborhood Plan was established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. Ordinance 92-01 states that Mixed Use (MU) developments, which result in the development of residential, commercial and professional office uses are allowed within the South Escondido Corridor as an integral part on a single project, subject to the provisions and standards outlined in Article 19 of the Zoning Code (Planned Development Zone) of the Zoning Code. The proposed development would be consistent with the South Escondido Boulevard Neighborhood Plan density provisions which allows up to 24 du/ac since the overall density of the project would be 24 du/ac (24 residential units/1 acre). The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site.

2. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use since adequate parking, circulation, utilities and access would be provided for the development of the mixed-use project (as detailed in the staff reports and adopted Negative Declaration prepared for the project (Case No. ER 2005-53). The design of the project would be in conformance with the South Escondido Design Guidelines since the project contains an appropriate mix of commercial (live-work units) and single-family units a varying number of rooms and sizes to accommodate a wide range of needs (with ownership opportunities). Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character of the area.

3. The proposed Master and Precise Development Plan would not cause deterioration of bordering land uses since the site is zoned for commercial development. The mixed-use development would provide for commercial and single-family residential units. Based on San Diego Association of Governments' (SANDAG) traffic generation rates for the San Diego region, the proposed project would generate approximately 275 ADT. South Escondido Boulevard currently operates at a Level-of-Service "C" or better under existing improvement conditions. The Engineering Department indicated that an increase of 275 trips onto the Circulation Element Street is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections.

4. The proposed development is well-integrated with the surrounding properties since the design would be compatible with surrounding commercial and multi-story residential structures as described in the sections above and in the staff report. The design of the project would be in conformance with the South Escondido Design Guidelines since the project contains an appropriate mix of commercial (live-work units) and single-family units (with ownership opportunities). Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character along the corridor and provides a pedestrian orientation along the street/sidewalk. Appropriate separation and orientation between the proposed commercial and residential elements has been provided to avoid conflicts between the uses. Adequate parking is provided for each of the uses, and appropriate open space amenities are provided. Pedestrian circulation is provided throughout the project including various amenities such as patios, enhanced walkways and landscape features. A mix of architectural elements has been incorporated into the buildings, especially along the lower levels, to reflect a more human scale along pedestrian ways and Escondido Boulevard.

   The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas since the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features.

The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and environmental analysis (ER 2005-53). Perimeter landscaping and fencing/walls would provide an appropriate buffer between the project site and adjacent uses.

5. The overall design of the proposed planned development would produce an attractive commercial and residential project since the project contains an appropriate mix of commercial (live-work units) and single-family units (with ownership opportunities). The project is located in close proximity to other amenities such as public transit and shopping.

6. The development will not require excessive grading and the grading design would be in conformance with the City's Grading Design Guidelines for slope heights.

7. The uses proposed have a beneficial effect not obtainable under existing zoning regulations since a mixed-use development must be processed through the Planned Development process in accordance with the South Escondido Boulevard Neighborhood Plan (Ord. 92-01). The project would provide live/work units, and single-family ownership opportunities integrated into a comprehensive and self contained development, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process.

8. All of the requirements of the California Environmental Quality Act (CEQA) have been met since the findings of the adopted Negative Declaration (ER 2005-53) did not identify any substantial or potentially substantial environmental impacts from the proposed project. Mitigation Measures are not required for this project. A Notice of Determination was filed with the County Clerk of San Diego County. In accordance with CEQA Section 15162, no new or subsequent environmental review need be prepared for this project.

EXHIBIT "B"

CONDITIONS OF APPROVAL
PHG 10-0002

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.

2. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.

3. Access for use of heavy fire fighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.

4. 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.

5. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to 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

6. Prior to or concurrent with the issuance of building permits, 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 Planning and Building.

7. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division and Engineering Department.

8. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less, as recommended in the Acoustical Site Analysis prepared for the project. These measures shall be incorporated into the building plans with appropriate notes/specifications.

9. Solid masonry screen walls shall be constructed along the perimeter of the project boundaries, to the satisfaction of the Planning Division. Appropriate sight distance shall be maintained at driveways and intersections, to the satisfaction of the Engineering Division. Any walls (retaining and screen) shall be constructed of decorative materials, to the satisfaction of the Planning Division and the design and materials shall be indicated on the appropriate plans (building/grading) and final landscape plans. Walls should incorporate pilasters at appropriate intervals, along with a decorative cap. Stucco finished walls should be avoided due to long-term maintenance issues.

10. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75) and be consistent with the lighting design for the shopping center. A copy of the lighting plan shall be included as part of the building plans, to the satisfaction of the Planning Division.

11 Prior to final map approval, a note shall be included on the final map, or other documents provided, stating that grading shall be in conformance to the submitted conceptual design.

12. Three (3) copies of a revised tentative map, reflecting all modification and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.

13. Any parcels not associated with this Tentative Map shall be labeled "Not a Part."

14. No street names are part of this approval. A separate request shall be submitted prior to Final Map.

15. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map and grading plans for the subdivision. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, payment of utilities (such as water and gas between the commercial units and residential units), utility easements, driveways, roads, parking areas, structures, and any common drainage facilities. The CC&Rs also shall contain a provision indicating the garages shall be maintained to accommodate up to two vehicles. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established for the relevant project components in accordance with Department of Real Estate requirements. The developer shall deposit $500.00 per unit, to the Planning Division, prior to approval of the final map for TR 942. Said deposit shall be used solely and exclusively as a contingency fund for emergencies which might arise relating to structures, open space areas, and other repairs as may be assumed by the Homeowners' Association or management corporation, pursuant to Section 33-957 of the Escondido Zoning Code. Said funds shall be administered by the city until the homeowners take majority control of the association.

16. Prior to the Final Map approval and issuance of grading permits, a parking management plan which details assigned spaces, overflow, on-site vehicular maintenance, guest parking and on-street parking shall be submitted and approved by the Planning Division.

17. Prior to the issuance of a grading permit, the grading plan shall include the location and type of all mature trees located on the site. Each tree shall be labeled on the plan as to whether it will remain or be removed and staked in the field, as necessary, to the satisfaction of the Planning Division.

18. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Design Review Board recommendations, staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. The final landscape plans, paving plans and signage program shall be approved by the Design Review Board prior to Final Map approval and issuance of grading permits.

19. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47), and exhibits included in the staff report(s). Separate sign permits will be required for project signage. Prior to issuance of building permits, a comprehensive signage program for the project, which includes number, size, color, type and design of signs, especially for the commercial suites.

20. All trash enclosures must be designed and installed per City standards and in coordination with Engineering Department storm water control requirements. The enclosure shall be moved further east within the parking isle to move it further away from the project entrance. The enclosure shall be constructed of decorative materials to be compatible with the design of the buildings. An appropriate decorative roof structure shall be incorporated into the design for storm water control. Landscaping shall be provided around the enclosure to provide appropriate screening.

21. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building, to the satisfaction of the Director of Planning and Building. The final building plans shall clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment. Ground mounted equipment should be located to avoid conflict with pedestrian circulation and access, as well as to screen the equipment from view as much as possible. Units also shall be located and appropriate measures incorporated to avoid potential noise conflict with residential uses.

22. A minimum of 62 on-site spaces, with a minimum 38-foot-depth for tandem garage spaces, shall be provided and maintained in conjunction with this development, as indicated in the Details of Request and site plan. The spaces shall be striped in accordance with the Zoning Code. Driveways and fire lanes do not allow for parking, and curb markings and fire lane signs are required, to the satisfaction of the Fire Marshall. Parking for disabled

persons shall be provided (including "Van Accessible" spaces) in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage.

23. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).

24. Any decorative pavement, driveways and sidewalks shall be indicated on the grading, building and landscape plans, including appropriate notes regarding type and color of materials. Decorative paving, colored concrete or other decorative materials shall be incorporated into the sidewalk and hardscape features along Escondido Boulevard, along with appropriate landscaping.

25. Commercial activities shall be restricted to the first floor of the shopkeeper units, as identified on the plans and details of request. Outdoor storage shall not be allowed. The commercial uses shall be limited to the attached list of "Permitted Uses."

26. On-site parking spaces and the on-street spaces fronting the site shall not be used for fleet vehicles, commercial type vehicles and large construction vehicles. These restrictions also shall be included in the Parking Management Plan and CC&Rs.

27. Any construction, contractor services, or similar type operations shall be used for business offices only, and shall not be used for the storage, warehousing or distribution of construction materials, or parking of construction vehicles, commercial vehicles, work trucks, etc. This condition shall be included in the CC&Rs.

28. Use involving hazardous chemicals or waste shall not be permitted, unless limited to Class M, B and A3 occupancies, per the Building Code.

29. Commercial activities shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. on week days and 11:00 p.m. on Fridays and Saturdays, and deliveries also shall be restricted to these hours. This requirement shall be included in the CC&Rs.

30. Balconies and patios shall be kept in a neat and orderly manner, especially along South Escondido Boulevard. Items stored on balconies should be kept out of view or properly screened. Items shall not be hung over, across or on balconies or patios (such a towels, clothing, etc.). This condition shall be included in the CC&Rs.

31. All new utilities shall be underground.

32. Handicap accessible bathrooms shall be provided for all shopkeeper units.

33. The residential town homes shall not be occupied prior to the shopkeeper units being ready for occupancy.

34. Appropriate backup/kicker areas shall be provided at the terminus of drive isles. These area shall be identified on the grading and site plans.

35. A minimum of 80 cubic feet of storage space, in addition to the normal storage spaces, shall be provided for the units (which can be included under stairways, within garages provided the storage does not take up floor space, balcony areas, etc.). The storage space for each unit shall be identified on the building plans.

36. Washer and dryer hookups shall be provided in each unit.

37. This planned development shall expire concurrently with the expiration of the associated Tentative Subdivision Map (TR 942).

38. The project applicant/developer shall record a deed restriction on the two shopkeeper units with the recordation of the final map indicating the shopkeeper units shall not be subleased out separately from the residential units. The entire residential/commercial unit shall be restricted to a single tenant. This also shall be included in the CC&Rs for the project.

39. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping, identification of handicap parking stalls and required signage, perimeter walls and landscaping, trash enclosure, as well as any other conditions of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.

40. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval ("the effective date" being the end of the appeal period, if applicable) a certified check payable to the "County Clerk," in the amount of $2,060.25 for a project with a Negative Declaration, which includes an additional authorized County administrative handling fee of $50.00 ($2,010.25 + $50). Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid. The applicant shall be responsible for any fee increases imposed by the State that may arise come into effect prior to posting of the Notice of Determination.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Department. The appropriate plan check fee will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in Ordinance 93-12 and Water Efficient Landscape Regulations (Ord. 2010-01R). The plans shall be prepared by, or under the supervision of a licensed landscape architect.

2. The landscaping plan shall include specimen sized evergreen trees, to the satisfaction of the Planning Division. Root barriers shall be provided in accordance with the Landscape Ordinance.

3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.

4. All manufactured slopes, or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.

5. Prior to occupancy of future units, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

6. Any existing trees to remain on the site shall be identified on the grading and landscape plans. Appropriate notes shall be included on the grading plans detailing how the oak tree will be protected during grading and construction.

7. The streetscape along Escondido Boulevard shall include appropriate decorative paving (i.e., colored concrete, decorative pavers, etc) and landscape planters, along with the required number of street trees, to the satisfaction of the Planning Division. The final landscape plan shall be approved by the Design Review Board.

8. 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.

Fire Department Conditions:

1. A PDF or Tiff image foil of the floor plan and site plan, including access and hydrant location shall be submitted with final plan review.

2. An automatic fire sprinkler system is required for this project.

3. All-weather paved access, able to support the weight of a fire engine (50K lbs.) and approved fire hydrants shall be provided prior to the accumulation of any combustible materials on the job.

4. All gated entrances must be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates must be operable by Fire Department strobe detectors and allow free exiting. A funding method to provide on-going maintenance of fire lanes, electric gates and other fire and life safety requirements must be provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager must be easily accessible to the Fire Department.

5. A Knox box shall be required.

6. A minimum 28 foot turning radius is required on all corners.

7. The site must maintain a minimum required access width of 28 feet (as may be required by the Fire Department) to allow for appropriate emergency vehicle access, loading and unloading of vehicles, and still provide clear and unobstructed emergency vehicle access. Fire Lanes shall be marked as required by the Fire Marshal.

8. All elevators must be capable of accommodating a fire department gurney.

9. There shall be no barricades obstructing fire hydrants or impede emergency vehicle access.

10. A min. 13-'6" vertical clearance must be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width must be trimmed or removed.

11. Red curbs with 4" white lettering "No Parking Fire Lane" is required in any turn-around areas, 24-foot-wide access areas, or other areas required by the Fire Marshal. "Fire Lane" signs and red curbs also must meet the specifications of the Escondido Police Department

12. Grasscrete or other type of similar product shall not be allowed on fire access areas.

13. Standpipe systems will be required in all stairwells.

14. An approved fire alarm system is required.

15. A fire hydrant is required to be located within 50 feet of the fire department connection.

16. Additional hydrants may be required near intersections, Fire Department connections.

17. Speed bumps/humps are not allowed.

18. Dead-end access roads and driveways over 150 feet in length require a Fire Department turn-around.

19. The final design of the project and map must provide appropriate access for the ladder truck, which might include increasing the radius on all driveway corners, utilization of rolled curbs at corners, and relocation of certain parking spaces to provide the appropriate access. These requirements must be included on the Certified Tentative Map and Master Development Plan.

Building Department Conditions:

1. All third-floor units greater than 500 SF require two separate exits, unless exempted by the current building code.

2. A minimum of 10% of multi-level dwelling are to be accessible per Chapter 11A of the California Building Code.

ENGINEERING CONDITIONS OF APPROVAL
ESCONDIDO TRACT NUMBER 942 and Master and Precise Development Plan, PHG 10-0002
(Revised)

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.

3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.

4. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:

   a) All conditions of the Tentative Subdivision Map have been fulfilled: or

   b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.

5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall be responsible for removal and replacement of all damaged, curb &gutter and sidewalk along project frontage on Escondido Boulevard.

3. Access to this project shall be improved with alley-type driveway in accordance with Escondido Standard Drawing No. G-3-E with a minimum throat width of 28 feet.

4. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.

5. All on-site roads, driveways and parking areas shall be private. Typical sections and design details shall be to the satisfaction of the City Engineer and Fire Marshall.

6. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

7. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signing and striping shall be done by a private contractor.

8. The developer may be responsible for an overlay of Escondido due to damage from the many utility trenches necessary to serve this project or construction activities. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.

9. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.

10. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.

2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.

3. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

4. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.

5. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.

2. A Water Quality Technical Report in accordance with the latest adopted SUSMP shall be prepared for the project for review and approval by the City prior to submittal of final plans to the City. A revised Tentative Map shall be prepared in coordination with the approved WQTR and submitted to Planning Division for review and approval. All project plans shall be in conformance with the approved WQTR and Tentative Map.

WATER SUPPLY

1. All water main locations and sizing shall be to the satisfaction of the City Engineer. Required water main improvements shall include a looped 8 inch water main within the project site and connection to the existing water line in Escondido Boulevard.

2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

3. A hydraulic analysis of the proposed water improvements will be required to determine water main sizes and water system looping necessary to provide adequate domestic service and fire protection as required by the City Engineer and Fire Marshal.

4. All on-site water mains not in public easements will be considered a private water system. The property owner's association will be responsible for all maintenance of these mains. This shall be clearly stated in the CC&Rs.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer.

2. All on-site sewer mains not in public easements will be considered a private sewer system. The property owners' association will be responsible for all maintenance of these mains. This shall be clearly stated in the CC&Rs.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.

2. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.

3. The developer is responsible for making the arrangements to quitclaim all easements of record, which conflict with the proposed development prior to approval of the final map. All street vacations shall be accomplished by means of a separate public hearing. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of $50,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.

2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association of private roadways, driveways, parking areas, private utilities (including sewer and water), drainage swales, private street lighting, storm drains and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. The CC&Rs must state that the property owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.

4. The CC&Rs must state that (if stamped concrete is used in the private street) the homeowners' association is responsible for replacing the stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance.

2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

TR 942, PHG 10-0002

List of Permitted Uses
(Shopkeeper Cottages PHG10-0002)

The shopkeeper units shall be limited to those less intensive office, service, and specialty retail uses to promote the scale and nature of the live/work residential environment. Uses should not require consistently intensive parking or loading requirements. Commercial uses that are disruptive to the quiet enjoyment of adjacent property owners by excessive noise, sight or smell are prohibited, unless specifically provided for herein.

Administrative/Profession Services
The Administrative Professional Service uses refers to offices of private firms or organizations which are primarily used for the provision of professional, executive, management or administrative services. Typical uses include the following:

- Small business offices only (fleet or commercial vehicle storage/parking not allowed)
- Legal offices
- Architectural and Engineering firms
- Travel agencies, etc.
- Appraiser

Business Support Services
The Business Support Services refers to establishments primarily engaged in the provision of neighborhood services of a clerical or minor processing nature where the storage of non-toxic goods and supplies in minimal. Typical uses include the following:

- Secretarial services
- Accounting services
- Tax services

Convenience Sales and Personal Services
The Convenience Sales and Personal Services refers to establishments or places of business primarily engaged in the provision of frequently or recurrently needed small personal items or services for neighborhood residents. The may include the following or similar type uses:

- Small specialty retail sales (i.e. health food, candle shop, card shop, gift shop, flower shop, etc.)
- Barber shops, salons, and nail parlors
- Jewelry stores
- Hobby Shop, sporting goods, yardage good, bicycle sales and repair
- Book store, video store (no sexually explicit material)
- Novelties (no sexually explicit material)
- Clothing retail/boutiques and rental, apparel repair
- Small appliance sales and repair (i.e., electrical appliance, computers, watch, clock, engraving, etc).
- Art Galleries and artist studios
- Locksmiths and key shops
- Photo studios
- Musical equipment sales, service and instruction
- Limited instructional and physical fitness uses generally limited to no more than three clients at one time (i.e., physical trainer, tutor, etc.).

Medical Services
The Medical Services refers to establishments primarily engaged in the provision of professional health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, psychologists, and therapists. Generally this is limited to a single professional office with one-on-one service to limit demands on parking.

Financial, Insurance and Real Estate Services
The Financial, Insurance and Real Estate Services refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Generally this is limited to a single professional office with one-on-one service to limit demands on parking.

- Mortgage services
- Insurance agency
- Investment advisor
- Real estate/broker office

Prohibited Uses:
The following uses are expressly prohibited uses within the shopkeeper units:

- Uses categorized as adult oriented uses
- Massage parlors, acupressure and acupuncture studios
- Tattoo and piercing shops
- Smoking or smoking related shops
- Markets or convenience stores
- Thrift or second-hand shops
- Automotive related repair or sales type uses
- Bars, liquor stores or other alcohol related businesses (on-site sales and service)
- Phone banks or telemarketing services
- Discount /99 cent type stores
- Larger group physical fitness operations generally more than three clients at one time (i.e., karate studio, gym, reducing salon, yoga, etc.)
- Restaurants, food service and preparation
- Outdoor storage and display of materials prohibited
- Check cashing businesses
- Uses involving group meetings or public assembly

EXHIBIT "C"

LEGAL DESCRIPTION

PHG 10-0002

Parcel 1: (APN 236-460-70)

All that portion of Lot 9 in block 256 of Rancho Rincon Del Diablo, in the City of Escondido, County of San Diego, State of California, according to map thereof No. 725, filed in the Office of the County Recorder of San Diego County, August 13, 1892, described as follows:

Beginning at the most northerly corner of the southeasterly 96.75 feet of said Lot 9; thence along the northwesterly line of said southeasterly 96.75 feet, south 59°38'17" west 106.64 feet; thence leaving said northwesterly line, north 30°21'43" west 50.00 feet; thence parallel with said northwesterly line south 59°38'17" west 190.48 feet to the southwesterly line of said Lot 9; thence along said southwesterly line north 30°23'10" west 99.75 feet to the northwesterly line of the land described in deed to Lester Purer and wife recorded May 7, 1947 as Document No. 4723, Page 425 of official records; thence along said northwesterly line of said Purer land, north 59°39'12" east 297.11 feet to the northwesterly line of said Lot 9; thence along said northeasterly line south 30°22'51" east 149.67 feet to the point of beginning.

Parcel 2 (APN 236-460-71)

All that portion of Lot 9 in Block 256 of Rancho Rincon Del Diablo, in the City of Escondido, County of San Diego, State of California, according to map thereof No. 725, filed in the office of the County Recorder of San Diego County, August 13, 1892, described as follows:

Beginning at the most northerly corner of the southeasterly 96.75 feet of said Lot 9; thence along the northwesterly line of said southeasterly 96.75 feet, south 59°38'17" west 106.64 feet to the true point of beginning; thence leaving said northwesterly line, north 30°21'43" west 50.00 feet; thence parallel with said northwesterly line south 59°38'17" west 190.48 feet to the southwesterly line of said Lot 9; thence along said southwesterly line south 30°23'10" east 50 feet to the northwesterly line of said southeasterly 96.75 feet; thence along said northwesterly line, north 59°38'17" east 190.46 feet to the true point of beginning.