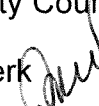


AGENDA ITEM NO.: 3a  
AGENDA DATE: 9-22-10

September 22, 2010

TO: Honorable Mayor and City Council Members

FROM: Marsha Whalen, City Clerk 

SUBJECT: AMENDMENT TO MAY 26, 2010 COUNCIL MINUTES

This memorandum is to request the Council approve amended minutes for the regular meeting of the City Council held at 7:00 p.m. on May 26, 2010 (Agenda Item 14/Talk of the Town). The minutes were originally approved on July 21, 2010. The revised wording of the motion to read: (underlined words added; strike through words deleted)

*"Moved by Councilmember Abed and seconded by Councilmember Daniels to uphold an appeal of a Planning Commission decision to deny an amendment to the South Escondido Boulevard Area Plan to conditionally allow carwashes in Area "B," and denial of a Conditional Use Permit for an approximately 5,500 SF automated carwash and oil change facility with a 4,150 SF restaurant on a 1.34-acre site addressed as 400 Brotherton, giving the adjacent Homeowners Association 60 days to approve the location of the sound separation wall on their property; adopt Resolution No. 2010-05RR and introduce Ordinance No. 2010-02R. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.*

The proposed revision to the motion is based on a review of the City Council discussion indicating that further clarification was necessary. Verbatim excerpts have been attached for your reference.

The purpose of "the wall" was not designated by staff as being a sound wall, but would be considered a separation wall, which is a standard requirement when commercial zoning abuts residential zoning. It was discussed by the Council and the public in relationship to noise and other factors; however, by staff's definition, it was intended to separate the project from the neighborhood since the redesign of the project no longer required the need for noise wall mitigation. (See verbatim excerpt from the staff report attached)

Throughout the Council's final deliberation and motion, the term "homeowners" was always referencing the New Traditions Homeowners Association. (See verbatim transcript of Council discussion and motion attached)

Resolution 2010-05 (RR) outlines the Planning Division Condition No. 24 in more detail (See Resolution attachment – Page 3 of Exhibit A). The proposed revision to the minutes

will clarify Condition No. 24 and the motion in order to avoid any misunderstandings in the future.

Attachments:

Verbatim Transcript (Excerpts)  
Resolution No. 2010-05 RR

VERBATIM TRANSCRIPT - EXCERPTS  
MAY 26, 2010  
COUNCIL MEETING  
"Talk of the Town"  
PROJECT ON SOUTH ESCONDIDO BLVD.

**Excerpt taken from the staff report:**

BILL MARTIN: This is the current, revised design. Basically, what's occurred, you can see, is that it's the same two buildings. The carwash and oil change building and the restaurant building, they're essentially relocated on the site. The carwash building shifted from a central location over to the east so that the carwash tunnel is adjacent and lines up with Centre City Parkway. The restaurant building has moved from the northeastern corner down to the southwestern corner of the site. One of the positive benefits of this particular site design is that by locating the carwash tunnel in this location, there is no longer a need for a noise wall mitigation along the northern part of the site and the noise generated by the dryers in this unit is within city requirements. . .

**Excerpt taken from Council discussion and the motion:**

MAYOR PFEILER: So, we've had lots of discussion. The issue is putting a wall at the top of the slope; and putting it on the homeowner association property and giving them enough time to say if they want it there, or if we end up having to just put the wall at the bottom of the slope. So, how long is an appropriate

amount of time to work with the homeowners association and find out if they're willing to accept the wall at the top of the slope?

BILL MARTIN: Keep in mind the conditional use permit has to be utilized within one year, so you would want to certainly be aware of that.

MAYOR PFEILER: Can you do this in one month then? Thirty days?

BILL MARTIN: Sounds appropriate.

MAYOR PFEILER: OK. So, if we had a motion to approve this project with the condition that we put the wall at the top of the slope, if the homeowners association can come together and give that approval within 30 days.

COUNCILMEMBER DIAZ: Can we make it a longer period of time?

COUNCILMEMBER ABED: I think that's a good point. 30 days, just in case there is no meeting or something; can we give it a little bit more time?

MAYOR PFEILER: Forty-five days?

COUNCILMEMBER DIAZ: Four months. That's what we gave the mobilehome park to correct their problem. So, I think 30 days is not long enough for the residents.

COUNCILMEMBER DANIELS: This is just to get them set.

MAYOR PFEILER: We're not going to have any conversation from the audience. We're just trying to figure out if a homeowners association...we've been dealing with this project for a very long time and I don't know how often the homeowners...

COUNCILMEMBER DANIELS: Can they be working on other aspects of the project while they're waiting for...or does the wall have to be built first? Tell me a little bit about the sequence of things.

BILL MARTIN: Oh no, the wall would only have to be installed prior to operations.

COUNCILMEMBER ABED: I would suggest 2 months Mayor, I think that's plenty of time.

MAYOR PFEILER: If you want to make that motion, go ahead.

COUNCILMEMBER ABED: Yes, I'll make a motion to approve staff recommendation with 60 days for the homeowners association to approve the wall on their property.

MAYOR PFEILER: And if they don't give the approval within the 60 days, then the wall will be built at the bottom. Because, we're acknowledging that with the rearrangement of these buildings there isn't really a noise impact. But, for our neighborhood, I think the wall would be a benefit to the neighborhood, just in general, for the entire neighborhood, not just from the impacts of the traffic on Centre City Parkway and other uses, not just specifically from this project.

COUNCILMEMBER DANIELS: I would agree, and I'll second that. Just noting that there are other noise impacts that Ms. Allison and others have talked about that, hopefully, the wall would help mitigate as well.

**RESOLUTION NO. 2010-05(R)(R)**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
APPROVING AN APPEAL OF A PLANNING  
COMMISSION DECISION TO DENY A  
CONDITIONAL USE PERMIT FOR AN  
APPROXIMATELY 5,500 SF AUTOMATED  
CARWASH AND OIL CHANGE FACILITY ON A  
1.34 ACRE SITE LOCATED IN AREA "B" OF  
THE SOUTH ESCONDIDO BOULEVARD AREA  
PLAN**

**Applicant: McArdle Associates Architects  
Planning Case No.: 2004-66-CUP**

**WHEREAS, pursuant to Article 61 of the Escondido Zoning Code, the Planning Commission did, on January 26, 2010, consider, and by Resolution No. 5885, deny an application for a Conditional Use Permit for the construction of an automobile service commercial development consisting of an approximately 5,500 SF automated carwash and oil change facility as well as a 4,150 SF restaurant on a 1.34-acre site located in Area "B" of the South Escondido Boulevard Area Plan, on the northwestern corner of the intersection of Brotherton Road and Centre City Parkway, addressed as 400 Brotherton Road; and**

**WHEREAS, pursuant to Article 61 of the Escondido Zoning Code, the applicant filed a written appeal of the Planning Commission decision within the specified time period; and**

**WHEREAS, pursuant to the California Environmental Quality Regulations, a Revised Mitigated Negative Declaration, City Log No. ER 2004-33, was issued on December 10, 2009; and**

**WHEREAS, this City Council has reviewed the Revised Mitigated Negative Declaration, the staff report, a copy of which is on file in the Planning Department, the recommendations of the Planning Commission and the applicant's written appeal; and**

**WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said appeal of a Planning Commission decision and approve the Conditional Use Permit;**

**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 on the basis of the above review and consideration this City Council makes the following findings of fact:**
  - A. That the facilities to be constructed pursuant to the Conditional Use Permit are required by, and beneficial to, the community.**
  - B. That issuance of this Conditional Use Permit will not result in a deterioration of bordering land uses or create special problems for the area in which it is located.**
  - C. That issuance of this Conditional Use Permit will not adversely affect the community or neighborhood plan for the area in which it is located.**

3. That in view of the above findings and applicable law, the City Council approves the applicant's appeal and approves the Conditional Use Permit (a copy is on file in the Planning Division) subject to the Conditions of Approval, attached as Exhibit "A" to this resolution and incorporated by this reference.



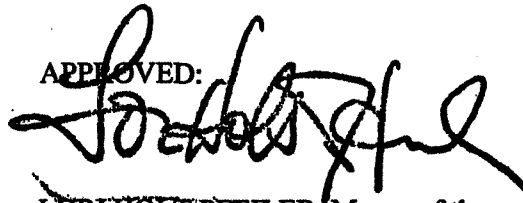
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 26<sup>th</sup> day of May, 2010 by the following vote to wit:

AYES : Councilmembers: ABED, DANIELS, WALDRON, PFEILER

NOES : Councilmembers: DIAZ

ABSENT : Councilmembers: NONE

APPROVED:

A handwritten signature in black ink, appearing to read "Lori Holt Pfeiler", written over the word "APPROVED:".

LORI HOLT PFEILER, Mayor of the  
City of Escondido, California

ATTEST: ....

A handwritten signature in black ink, appearing to read "Marsha Whalen", written below the "ATTEST:" line.

MARSHA WHALEN, City Clerk of the  
City of Escondido, California

RESOLUTION NO. 2010-05 RR

**CONDITIONS OF APPROVAL**  
**2004-02-AZ, 2004-66-CUP**

**Project Mitigation Measures**

1. Contribute a fair share amount of approximately 2.18% towards the cost of installing a traffic signal at the intersection of Felicita Avenue and Brotherton Road.
2. Contribute a fair share amount of approximately 2.16% towards the cost of improving the segment of Centre City Parkway, between Felicita Avenue and Brotherton Road to City of Escondido Major Road standards.
3. The restaurant kitchen equipment shall include an emission control system such as an electrostatic precipitation filtration system or other filtration system satisfactory to the Planning Division.
4. All parking lot light fixtures shall be installed on the lowest pole height feasible as determined by a lighting analysis. All light fixtures near the northern and western property lines shall be directed downward and provided with shields to minimize potential impacts related to light spillover and glare.
5. All exterior HVAC units for the restaurant building shall be installed within a screened area on the eastern side of the building to meet sound attenuation standards. The HVAC unit for the auto services building shall be installed within a screened area on the southern side of the building. HVAC equipment shall be as specified in the Noise Impact Analysis or a similar model with equal or less noise emissions.
6. The carwash dryer system shall not to exceed 82.5 dBA unmitigated noise level at 5 feet and shall be set back within the carwash tunnel approximately six feet from the exit allowing the tunnel structure to function as a sound attenuation barrier.
7. All carwash supporting equipment including pumps, compressors, and vacuum motor and canister system shall be installed within a dedicated equipment room equipped with passive rooftop ventilation.
8. In order to meet daytime noise limits as defined in the Escondido Noise Ordinance, the carwash must cease operating no later than 10:00 p.m. (this is further modified by Planning Division Condition No. 16 below).
9. The use of pneumatic tools shall be prohibited at the oil change facility.

**Planning Division Conditions**

1. 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, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
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 Art 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. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. Prior to issuance of a building permit, the applicant shall submit a photometric plan for the parking lot lighting to ensure that light spillover has been minimized to the extent feasible through the use of reduced-height light poles, low wattage lamps and shielding.
7. A minimum of 50 striped parking spaces shall be provided in conjunction with this development. Said parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards
8. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
9. 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 (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) 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.
10. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
11. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the Design Review Board on June 25, 2009, and the exhibits and details in the staff report to the satisfaction of the Planning Division.
12. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code). Only one freestanding sign shall be permitted for the development.
13. All new utilities shall be underground.
14. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
15. 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 "County Clerk", in the amount of \$2,060.25 for a project with a Negative Declaration. These fees include an authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the time specified 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. Commencing January 1, 2007, the State Clearinghouse and/or County Clerk will not accept or post a Notice of Determination filed by a lead agency unless it is accompanied by one of the following: 1) a check with the correct Fish and Game filing fee payment, 2) a receipt or other proof of payment showing previous payment of the filing fee for the same project, or 3) a completed form from the Department of Fish and Game documenting the Department's determination that the

project will have no effect on fish and wildlife. If the required filing fee is not paid for a project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code).

16. The hours of operation for the restaurant building shall be limited to 6:00 A.M. to 10:00 P.M. 7 days/week. The hours of operation for the Carwash/Oil Change facility shall be limited to daytime hours defined as opening no earlier than 8:00 A.M. and closing no later than sunset.
17. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
18. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
19. The carwash/oil change facility may not receive a building permit prior to issuance of a building permit for the restaurant building. Occupancy of the carwash/oil change facility shall not be granted prior to occupancy of the restaurant building unless a determination is made by the Planning and Building Divisions that a final inspection for the restaurant building is imminent.
20. Employees of the carwash shall be prohibited from honking car horns to signal the owners that the car is ready.
21. No exterior loudspeakers for music, paging or announcements shall be permitted on the site.
22. The car wash design and building plans shall incorporate water conservation features including a water recycling system satisfactory to the Planning and Utilities Divisions.
23. All outdoor dining or smoking areas for the restaurant shall be limited to the eastern side of the building.
24. Prior to occupancy of any buildings, a six-foot-high masonry separation wall shall be constructed on the northern and western property lines as required by Section 33-1082 of the Zoning Code. Per the City Council approval granted on May 26, 2010, the New Traditions HOA shall have a 60-day period (ending July 26, 2010) during which the association can provide written consent to the developer allowing the wall to be installed on association property at the top of the slope for the benefit of adjacent residents. If permission is not granted within the 60-day timeframe, the developer shall be required to install the wall on his property as specified above.

#### **Landscaping Conditions**

1. Prior to issuance of a building permit, the conceptual landscape plan shall be reviewed by the Design Review Board.
2. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. Additionally, all landscaping proposed in conjunction with each building to be developed shall be installed. All vegetation shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
3. In compliance with Article 62 (Landscape Standards), Section 1339 of the Escondido Zoning Code, all manufactured slopes over three feet high shall be irrigated and planted with landscape materials. The type of plant material shall be low maintenance, drought resistant, and fast growing, to the satisfaction of the Planning Division. In particular, the ground cover shall be a fast-growing species which establishes quickly and is capable of choking out weeds. All slopes over three vertical feet shall be irrigated as part of the irrigation system approved by the Planning Division.
4. 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 an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined

in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.

5. 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.
6. 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 Division and City Engineer.
7. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
8. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.

**Building Division Conditions**

1. Appropriate accessible paths of travel shall be required from the public way.
2. Plans shall comply with the 2007 California Code

**Fire Department Conditions**

**Fire Protection Systems**

1. ☒ NFPA 13 ☐ NFPA 13R ☐ NFPA 13D automatic fire sprinkler system will be required.
2. Automatic fire sprinkler system will be required in the entire structure for the following reasons:
  - ☐ The project is more than three minutes driving time and five miles from the nearest fire station.
  - ☒ The structures are more than 3,600 square feet and exceed 1,500 GPM needed fire flow.
  - ☐ High fire severity area.
  - ☐ Other: \_\_\_\_\_
3. Sprinklers will be required on all overhangs exceeding four feet.
4. An approved fire alarm system shall be required if the number of sprinkler heads exceed 100.
5. A fire hydrant is required to be located within 50 feet of the fire department connection, unless otherwise specified. Please show location on plans.
6. Fire hydrants capable of delivering ☐ 1,500 GPM ☒ 2,500 GPM at 20 PSI residual pressure shall be required every 300 feet.
7. Fire suppression system required for hood system.

8. Extinguisher(s) shall be provided at locations indicated with a minimum rating of 2A-10B:C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet (CFC 1002.1; T-19 Art. 5). Extinguishers must be mounted not more than 5 feet nor less than 3 ½ feet above the floor.

#### Access

9. Commercial access roads/drive aisles shall be a minimum of 24-feet wide.
10. Speed humps/bumps will not be allowed.
11. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants must be provided prior to the accumulation of any combustible materials on the job site.
12. Knox box shall be required.
13. A 28' inside turning radius is required on all corners.
14. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.
15. 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.
16. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas.

#### Engineering Division Conditions

##### GENERAL

1. 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 plans and the issuance of Building Permits.
2. 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.
3. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.

##### STREET IMPROVEMENTS AND TRAFFIC

1. The developer shall construct a 15 foot wide south bound deceleration lane along project frontage on Centre City Parkway (250 feet long with 120 foot long transition) to the satisfaction of the City Engineer. Roadway improvements shall include construction of roadway widening, curb and gutter, drainage improvements and two street lights along deceleration lane. The developer shall also be responsible to prepare a striping & signage plan to allow for a fourteen foot wide deceleration lane and widen the existing bike lane from four to five feet.
2. The developer shall be responsible to landscape and irrigate the parkway areas along project frontage on Centre City Parkway and Brotherton Road to the satisfaction of the Planning Director.

3. The developer shall re-establish the striping at the intersections of Centre City Parkway /Brotherton Road and Brotherton Road/Frontage Road. This work shall be shown and approved as part of the striping & signage plan.
4. All driveways shall be alley-type in accordance with Escondido Standard Drawing No. 3, with a minimum throat width of minimum 24 feet.
5. The developer shall install a street light at the intersection Brotherton Road and new easterly driveway that shall be aligned with frontage road.
6. The developer shall be responsible for replacement of the existing drainage pipe across Brotherton Road, if it were found to be damaged at the time of final plans review, as determined by the City Engineer.
7. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards.
8. Adequate horizontal sight distance shall be provided at all street intersections and driveway entrances. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
9. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Developer's contractor shall do any removal of existing striping and all new signing and striping.
10. 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.
11. The developer shall provide the City with cash contribution in the amount of \$50,000 towards future improvement of Centre City Parkway between Felicita Avenue and Brotherton Road, prior to issuance of Building Permit.
12. The developer shall provide the City with cash contribution in the amount of \$7,500 towards future improvement of the intersection of Brotherton Road and Felicita Avenue, prior to issuance of building permit.

#### **GRADING**

1. Site grading and erosion control plans prepared by a Registered Civil Engineer are required for all onsite improvements and shall be submitted to the Engineering Department. Grading Plans are subject to approval by the Planning, Fire and Engineering Departments prior to issuance of a Grading Permit.
2. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 5 1/2" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC. (This requirement may be reduced to 2" AC over 4" AB or 5 1/2" P.C.C. over native for single family residential only)
3. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
4. Erosion control, including riprap, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.

5. A General Construction Activity Storm Water 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. Two copies of the Storm Water Pollution Prevention Plan shall be submitted to the City.

#### **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 Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted together with the final improvement and grading plans. Water Quality Technical Report shall include post construction storm water treatment measures and maintenance requirements.
3. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of grass bio-swales or rock/gravel swales within or along the perimeter of the parking and driveway areas as the primary method of storm water treatment. The landscape plans will need to reflect these areas of storm water treatment.
4. The on-site trash enclosure area shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer.
5. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the property owner.

#### **WATER SUPPLY**

1. Fire hydrants together with an eight (8") inch supply line from Brotherton Road shall be installed at locations approved by the Fire Marshal, designed and constructed to the satisfaction of the Utilities Director.
2. Separate water meters shall be installed for each building.
3. A Public Utility Easement shall be granted to the City of Escondido for all public water mains within the project site. The easement shall include all fire hydrants, water meters and other appurtenances. The minimum easement width shall be 20 feet.

#### **RECYCLED WATER**

1. The developer is required to construct an irrigation system, for the frontage on Centre City Parkway and Brotherton Road that can use either potable or recycled water. This system should be built to the satisfaction of the Planning and Utilities Directors.

#### **SEWER**

1. An access driveway shall be provided from Centre City Pkwy. to the existing sewer manhole in the northeast corner of the proposed project to the satisfaction of the Director of Utilities.
2. Separate 6" sewer laterals shall be installed from the public main to each building.
3. No trees or deep rooted plants shall be planted within 15' of sewer lines.



### **EASEMENTS AND DEDICATIONS**

1. Necessary public utility easements (for sewer, water and storm drain) shall be granted to the City. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
2. Vehicular access rights to Center City Parkway shall be waived and relinquished to the City of Escondido.

*Material necessary for processing a dedication or easement shall include: a current grant deed or title report, a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying (document size) and traverse closure tapes. The City will prepare all final documents.*

### **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 \$30,000, 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.

### **SURVEYING AND MONUMENTATION**

1. All property corners shall be monumented by a person authorized to practice land surveying and a Record of Survey Map (or Corner Record if appropriate) shall be recorded.
2. A current preliminary title report shall be submitted with the grading plans.

### **UTILITY UNDERGROUNDING AND RELOCATION**

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground in accordance with City's Utilities Undergrounding 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.