MAY 11, 2016
CITY COUNCIL CHAMBERS
3:30 P.M. Closed Session; 4:30 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

MAYOR	**Sam Abed**
DEPUTY MAYOR	**Michael Morasco**
COUNCIL MEMBERS	**Olga Diaz** **Ed Gallo** **John Masson**
CITY MANAGER	**Graham Mitchell**
CITY CLERK	**Diane Halverson**
CITY ATTORNEY	**Jeffrey Epp**
INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT	**Bill Martin**
DIRECTOR OF PUBLIC WORKS	**Ed Domingue**

ELECTRONIC MEDIA:
Electronic media which members of the public wish to be used during any public comment period should be submitted to the City Clerk's Office at least 24 hours prior to the Council meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Council during the meeting are part of the public record and may be retained by the Clerk.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.

May 11, 2016
3:30 P.M. Meeting

Escondido City Council

CALL TO ORDER

ROLL CALL: Diaz, Gallo, Masson, Morasco, Abed

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.) Speakers are limited to only one opportunity to address the Council under Oral Communications.

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)

a. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit

b. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Non-Sworn Police Bargaining Unit

c. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Escondido City Employee Association: Supervisory Bargaining Unit

II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)

a. **Property:** 220 South Broadway
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: COMPACT
Under Negotiation: Price and Terms of Agreement

b. **Property:** 2601 Mountain View Drive (Por.)
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Grangetto Ranches, Inc.
Under Negotiation: Price and Terms of Agreement

ADJOURNMENT

May 11, 2016
4:30 P.M. Meeting

Escondido City Council
Mobilehome Rent Review Board

CALL TO ORDER

MOMENT OF REFLECTION:
City Council agendas allow an opportunity for a moment of silence and reflection at the beginning of the evening meeting. The City does not participate in the selection of speakers for this portion of the agenda, and does not endorse or sanction any remarks made by individuals during this time. If you wish to be recognized during this portion of the agenda, please notify the City Clerk in advance.

FLAG SALUTE

ROLL CALL: Diaz, Gallo, Masson, Morasco, Abed

PROCLAMATIONS: 2016 Public Works Week, May 15-21
Historic Preservation Month, May 2016

PRESENTATIONS: Presentation of Historic Preservation Awards

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.) NOTE: Depending on the number of requests, comments may be reduced to less than 3 minutes per speaker and limited to a total of 15 minutes. Any remaining speakers will be heard during Oral Communications at the end of the meeting.

CONSENT CALENDAR

Items on the Consent Calendar are not discussed individually and are approved in a single motion. However, Council members always have the option to have an item considered separately, either on their own request or at the request of staff or a member of the public.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: A) Regular Meeting of April 13, 2016 B) Regular Meeting of April 20, 2016**

4. **FINANCIAL REPORT FOR QUARTER ENDED MARCH 31, 2016 AND BUDGET ADJUSTMENTS**
   Request City Council receive and file the third quarter financial report; approve amendments to the Fiscal Year 2015/16 operating budget; approve budget adjustment increase to the Fire Department operating budget of $622,500 to cover costs for strike team incidents and grant funded training; approve budget adjustment increase to Reidy Creek Golf Course operating budget of $36,000 to fund a new greens mower for the golf course; approve a transfer of $9,500 to the General Plan Update Project to cover remaining implementation costs of the General Plan through the end of the year; and approve a transfer of $300,000 to the Building Maintenance Fund to cover increased utilities costs and unanticipated maintenance costs.

   Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

5. **FISCAL YEAR 2015 OPERATION STONEGARDEN GRANT AND BUDGET ADJUSTMENT -**
   Request City Council approve accepting Fiscal Year 2015 Operation Stonegarden Grant Funds in the amount of $50,000 from the California Office of Emergency Services through the County of San Diego; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds.

   Staff Recommendation: **Approval (Police Department: Craig Carter)**

6. **LEASE AGREEMENT WITH JOHN PAUL THE GREAT CATHOLIC UNIVERSITY FOR PARKING SPACES WITHIN THE CITY'S WOODWARD AVENUE PARKING LOT -**
   Request City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with John Paul the Great Catholic University for parking spaces within the City's Woodward Avenue parking lot.

   Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

   RESOLUTION NO. 2016-62

7. **LEASE AGREEMENT WITH AMERICAN LEGION POST 149 AT 230 PARK AVENUE -**
   Request City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with the American Legion Post 149 at 230 Park Avenue.

   Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

   RESOLUTION NO. 2016-63

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

PUBLIC HEARINGS

8. **SHORT-FORM RENT INCREASE APPLICATION FOR GREEN TREE MOBILE ESTATES -**
Request City Council consider for approval the short-form rent increase application submitted by Green Tree Mobile Home Estates, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index, or 2.822 percent (an average of $10.10) for the period December 31, 2013 through December 31, 2015 per space, per month. **Continued from April 13, 2016**

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB RESOLUTION NO. 2016-04R

9. **SHORT-FORM RENT INCREASE APPLICATION FOR MOBILE PARK WEST -**
Request City Council consider for approval the short-form rent increase application submitted for Mobile Park West, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index, or 2.82 percent (an average of $13.57) for the period December 31, 2013 through December 31, 2015.

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB RESOLUTION NO. 2016-06

10. **SHORT-FORM RENT INCREASE APPLICATION FOR EASTWOOD MEADOWS MOBILEHOME PARK -**
Request City Council consider for approval the short-form rent increase application submitted for Eastwood Meadows Mobilehome Park, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index, or 2.82 percent (an average of $13.57 per space) for the period of December 31, 2013 through December 31, 2015.

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB RESOLUTION NO. 2016-07

11. **TENTATIVE SUBDIVISION MAPS, MASTER AND PRECISE DEVELOPMENT PLAN, ZONE CHANGE AND AMENDMENT TO THE SOUTH ESCONDIDO BOULEVARD NEIGHBORHOOD PLAN FOR A 113-UNIT CONDOMINIUM DEVELOPMENT (SUB 15-0022, SUB 15-0023, PHG 15-0031, AZ 15-0002, AND ENV 15-0011) -**
Request City Council approve a proposed residential planned development for 113 condominium units on 4.9 acres in conjunction with a Zone Change to Planned Development Residential and an Amendment to the South Escondido Boulevard Area Plan.

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

A) RESOLUTION NO. 2016-66 B) RESOLUTION NO. 2016-67
C) ORDINANCE NO. 2016-05 (Introduction and First Reading)

CURRENT BUSINESS

12. **MEMORANDUM OF UNDERSTANDING WITH THE CITY OF ESCONDIDO AND THE CITIES OF CARLSBAD, OCEANSIDE, SAN MARCOS, AND VISTA FOR CONTINUED FUNDING OF AN AGREEMENT WITH THE SAN DIEGO REGIONAL ECONOMIC DEVELOPMENT CORPORATION FOR "INNOVATE 78" AND APPROVAL OF CONSULTING AGREEMENT BETWEEN THE CITY OF ESCONDIDO AND THE SAN DIEGO REGIONAL ECONOMIC DEVELOPMENT CORPORATION -**

Request City Council approve a Memorandum of Understanding (MOU) with the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos, and Vista; authorize continued funding for Escondido's share of the agreement with San Diego Regional Economic Development Corporation (EDC) to continue work of the "Innovate 78" regional economic development initiative; and approve a Consulting Agreement between the City of Escondido and the EDC to establish the City of Escondido as the contract administrator for the five cities during the next two-year period.

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson)**

A) RESOLUTION NO. 2016-51 B) RESOLUTION NO. 2016-52

13. **APPROVAL OF CHANGE ORDERS FOR THE RECYCLED WATER EASTERLY MAIN EXTENSION PROJECT (BROADWAY TO CITRUS) -**

Request City Council approve authorizing change orders to the contract with MNR Construction, Inc. no to exceed $200,000. The new contract amount will be $7,789,880.01.

Staff Recommendation: **Approval (Utilities Department: Christopher McKinney)**

RESOLUTION NO. 2016-64

FUTURE AGENDA

14. **FUTURE AGENDA -**

The purpose of this item is to identify issues presently known to staff or which members of the City Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: **None (City Clerk's Department: Diane Halverson)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

CITY MANAGER'S UPDATE/BRIEFING

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. Speakers are limited to only one opportunity to address the Council under Oral Communications.

ADJOURNMENT

UPCOMING MEETING SCHEDULE				
Date	**Day**	**Time**	**Meeting Type**	**Location**
May 18	Wednesday	4:30 p.m.	Town Hall Meeting	Council Chambers
May 25	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
June 1	-	-	No Meeting	-
June 8	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers

TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker's form and give it to the City Clerk. Submission of Speaker forms prior to the discussion of an item is highly encouraged. Comments are generally limited to 3 minutes.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications." Please complete a Speaker's form as noted above.

Nomination forms for Community Awards are available at the Escondido City Clerk's Office or at http://www.escondido.org/city-clerks-office.aspx

Handouts for the City Council should be given to the City Clerk. To address the Council, use the podium in the center of the Chambers, STATE YOUR NAME FOR THE RECORD and speak directly into the microphone.

AGENDA, STAFF REPORTS AND BACK-UP MATERIALS ARE AVAILABLE:

- Online at http://www.escondido.org/meeting-agendas.aspx
- In the City Clerk's Office at City Hall
- In the Library (239 S. Kalmia) during regular business hours and
- Placed in the Council Chambers (See: City Clerk/Minutes Clerk) immediately before and during the Council meeting.

AVAILABILITY OF SUPPLEMENTAL MATERIALS AFTER AGENDA POSTING: Any supplemental writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

LIVE BROADCAST

Council meetings are broadcast live on Cox Cable Channel 19 and U-verse Channel 99 – Escondido Gov TV. They can also be viewed the following Sunday and Monday evenings at 6:00 p.m. on those same channels. The Council meetings are also available live via the Internet by accessing the City's website at www.escondido.org, and clicking the "Live Streaming –City Council Meeting now in progress" button on the home page.

Please turn off all cellular phones and pagers while the meeting is in session.

The City Council is scheduled to meet the first four Wednesdays of the month at 3:30 in Closed Session and 4:30 in Open Session.
(Verify schedule with City Clerk's Office)
Members of the Council also sit as the Successor Agency to the CDC, Escondido Joint Powers Financing Authority and the Mobilehome Rent Review Board.

CITY HALL HOURS OF OPERATION
Monday-Friday 8:00 a.m. to 5:00 p.m.

If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4643. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

Listening devices are available for the hearing impaired – please see the City Clerk.

CITY OF ESCONDIDO

April 13, 2016
3:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, April 13, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:
The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Deputy Mayor Michael Morasco, and Mayor Sam Abed. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to recess to Closed Session. Motion carried unanimously.

I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)

a.	**Agency Negotiator:**	Sheryl Bennett and Graham Mitchell
	Employee Organization:	Non-Sworn Police Bargaining Unit
b.	**Agency Negotiator:**	Sheryl Bennett and Graham Mitchell
	Employee Organization:	Escondido City Employee Association: Supervisory Bargaining Unit
c.	**Agency Negotiator:**	Sheryl Bennett and Graham Mitchell
	Employee Organization:	Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:02 p.m.

_____ _____

MAYOR CITY CLERK

_____

MINUTES CLERK

CITY OF ESCONDIDO

April 13, 2016
4:30 P.M. Meeting Minutes

Escondido City Council
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, April 13, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:
Mel Bittner led the Moment of Reflection.

FLAG SALUTE
Mayor Abed led the Flag Salute.

ATTENDANCE:
The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Deputy Mayor Michael Morasco, and Mayor Sam Abed. Quorum present.

Also present were: Graham Mitchell, City Manager; Jeffrey Epp, City Attorney; Bill Martin, Interim Director of Community Development; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

Alex Galenes, Escondido, supports building a new library in Grape Day Park.

RobRoy Fawcett, Escondido, stated the Municipal Code sign Ordinance should be removed.

CONSENT CALENDAR

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Masson to approve the following Consent Calendar items. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: None Scheduled**

4. **VECTOR HABITAT REMEDIATION PROGRAM FUNDING GRANT -**
   Request City Council approve authorizing the Director of Utilities or his designee to submit an application to the County of San Diego's Department of Environmental Health (DEH) for a Vector Habitat Remediation Program grant. (File No. 0480-70)

   Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

PUBLIC HEARINGS

5. SHORT-FORM RENT INCREASE APPLICATION FOR VALLEY PARKWAY MOBILE HOME PARK

Request City Council consider for approval the short-form rent increase application submitted by Valley Parkway Mobile Home Park granting an increase of 75 percent of the change in the Consumer Price Index, or 2.822 percent (an average of $13.54) for the period of December 31, 2013 to December 31, 2015. (File No. 0697-20-10063)

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB RESOLUTION NO. 2016-02

Karen Youel, Housing Manager, presented the staff report, utilizing a PowerPoint presentation.

Andrew Modglin, Code Enforcement, was available to answer questions.

Mayor Abed opened the public hearing

Clint Lau, Owner's Representative, was available to answer questions and provided information regarding park projects.

Iris Henderson, Resident Representative, expressed concern with children playing in park streets and that park rules need to be updated.

Mary Spear, Escondido, noted the entrance to the park needs to be cleaned.

Billie Pinzon, Escondido, stated the park has not been modified to serve families and children.

Mayor Abed closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve the short-form rent increase application submitted by Valley Parkway Mobile Home Park granting an increase of 75 percent of the change in the Consumer Price Index, or 2.822 percent (an average of $13.54) for the period of December 31, 2013 to December 31, 2015 and adopt RRB Resolution No. 2016-02. Motion carried unanimously.

6. SHORT-FORM RENT INCREASE APPLICATION FOR GREEN TREE MOBILE ESTATES -

Request City Council consider for approval the short-form rent increase application submitted for Green Tree Mobile Home Estates granting an increase of 75 percent of the change in the Consumer Price Index, or 2.822 percent (an average of $15.39) for the period of December 31, 2013 to December 31, 2015. (File No. 0697-20-10065)

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB RESOLUTION NO. 2016-04

Karen Youel, Housing Manager, presented the staff report, utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing.

Kenneth Weiner, Owner's Representative, was available for questions and noted issues that have been resolved in the park. Mentioned improvements that have been made in the park such as clubhouse access via lockbox key, and lowered latch on pool entrance.

Sharon Fischer, Resident Representative, stated residents desire a barbeque area to be installed in a dated shuffleboard court; stated there is a strong sense of community in the neighborhood and requested a denial of the rental increase.

Stefanie Venema, Escondido, stated park amenities are not sufficient to warrant a rent increase.

Donald Bartow, Escondido, requested Council consider the number of residents protesting and thanked community members that came to the meeting.

Mayor Abed closed the public hearing.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Gallo to continue item for 30 days to May 11, 2016. Ayes: Gallo, Masson, Morasco and Abed. Noes: Diaz. Absent: None. Motion carried.

FUTURE AGENDA

7. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the City Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: **None (City Clerk's Office: Diane Halverson)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Masson reported on the League of California Cities meeting with a presentation by the San Diego County Water Authority regarding rates and a presentation from Environmental Quality regarding the desalination plant.

Deputy Mayor Morasco reported on the Regional Solid Waste Association meeting and its strong financials; noted the upcoming California Center for the Arts Subcommittee meeting next week, and the School Subcommittee meeting in June.

Mayor Abed reported that SANDAG did not vote on the sales tax increase and is still discussing options.

CITY MANAGER'S UPDATE/BRIEFING

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:40 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO

April 20, 2016
3:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, April 20, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:
The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Deputy Mayor Michael Morasco, and Mayor Sam Abed. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

Motion: Moved by Deputy Mayor Morasco and seconded by Councilmember Gallo to recess to Closed Session. Motion carried unanimously.

I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)

a.	**Agency Negotiator:**	Sheryl Bennett and Graham Mitchell
	Employee Organization:	Non-Sworn Police Bargaining Unit
b.	**Agency Negotiator:**	Sheryl Bennett and Graham Mitchell
	Employee Organization:	Escondido City Employee Association: Supervisory Bargaining Unit
c.	**Agency Negotiator:**	Sheryl Bennett and Graham Mitchell
	Employee Organization:	Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit

II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)

a.	**Property:**	A parcel on the north side of West Valley Parkway between City Hall and the CCAE, APN 229-372-20
	City Negotiator:	Graham Mitchell, City Manager
	Negotiating Parties:	The City of Escondido and Craig Clark
	Under Negotiation:	Price and Terms of Agreement

ITEM II. a. WAS NOT DISCUSSED.

ADJOURNMENT

Mayor Abed adjourned the meeting at 3:55 p.m.

_____ _____

MAYOR CITY CLERK

_____

MINUTES CLERK

CITY OF ESCONDIDO

April 20, 2016
4:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, April 20, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:
Dave Hall led the Moment of Reflection.

FLAG SALUTE
Mayor Abed led the Flag Salute.

PROCLAMATIONS:
Earth Day - April 22, 2016

PRESENTATIONS:
Earth Day Poster Contest Awards

ATTENDANCE:
The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Deputy Mayor Michael Morasco, and Mayor Sam Abed. Quorum present.

Also present were: Graham Mitchell, City Manager; Jeffrey Epp, City Attorney; Bill Martin, Interim Director of Community Development; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

Michael Riddle, Escondido, mentioned an event, "Celebrate Jesus" in Grape Day Park held by various churches.

CONSENT CALENDAR

Councilmember Gallo removed item 5 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve the following Consent Calendar items. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: Regular Meeting of April 6, 2016**

4. **FIRST AMENDMENT TO CONSULTING AGREEMENT FOR THE DESIGN OF A MEMBRANE FILTRATION/REVERSE OSMOSIS FACILITY FOR TREATMENT OF RECYCLED WATER FOR AGRICULTURAL IRRIGATION -**
   Request City Council approve authorizing the Mayor and City Clerk to execute a First Amendment to the Consulting Agreement with Black & Veatch Corporation in the amount of $414,650. The Amendment is for additional engineering services to prepare construction drawings and specifications for a membrane filtration and reverse osmosis facility with a capacity of 2 million gallons per day (MGD). ***Continued from March 23, 2016*** (File No. 0600-10 [A-3132])

   Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

   RESOLUTION NO. 2016-47

5. **CALIFORNIA FRANCHISE TAX BOARD CITY BUSINESS TAX PROGRAM -**
   Request City Council approve authorizing the Director of Community Development to execute an agreement with the State of California Franchise Tax Board (FTB) to renew and continue the City's participation in the FTB City Business Tax Program. (File No. 0480-40)

   Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

   RESOLUTION NO. 2016-56

Councilmember Gallo questioned if the City contracts with a company to track business licenses.

Bill Martin, Interim Director of Community Development, explained using an outside agency was not efficient.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve authorizing the Director of Community Development to execute an agreement with the State of California Franchise Tax Board (FTB) to renew and continue the City's participation in the FTB City Business Tax Program and adopt Resolution No. 2016-15. Motion carried unanimously.

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

CURRENT BUSINESS

6. PROPOSED FEE INCREASE FOR EMERGENCY MEDICAL SERVICE AMBULANCE TRANSPORTATION -

Request City Council approve authorizing a fee increase for Emergency Medical Services (EMS) transportation for Advanced Life Support (ALS) and Basic Life Support (BLS) provided to resident and non-resident patients. (File No. 0480-30)

Staff Recommendation: **Approval (Fire Department: Michael Lowry)**

RESOLUTION NO. 2016-57

Michael Lowry, Fire Chief, Russell Knowles, Deputy Fire Chief, and Rick Vogt, Fire Division Chief, presented the staff report, utilizing a PowerPoint presentation.

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Diaz to approve authorizing a fee increase for Emergency Medical Services (EMS) transportation for Advanced Life Support (ALS) and Basic Life Support (BLS) provided to resident and non-resident patients and adopt Resolution No. 2016-57. Ayes: Gallo, Diaz, Masson and Morasco. Noes: Abed. Absent: None. Motion carried.

7. 2015-16 CITY COUNCIL ACTION PLAN UPDATE -

Request City Council receive and file the 2015-2016 City Council Action Plan update. (File No. 0610-95)

Staff Recommendation: **Receive and File (City Manager's Office: Graham Mitchell)**

Graham Mitchell, City Manager, presented the staff report.

NO ACTION, INFORMATION ONLY.

WORKSHOP

8. DEFERRED MAINTENANCE CAPITAL PROJECTS WORKSHOP -

Request City Council consider the information presented regarding recent capital projects that are underway or have been completed. (File No. 1020-75)

Staff Recommendation: **Receive and File (Public Works Department: Ed Domingue)**

Ed Domingue, Director of Public Works, Richard O'Donnell, Deputy Director of Public Works/Maintenance, and Ira Morgan, Building Maintenance Superintendent, presented the staff report, utilizing a PowerPoint presentation.

NO ACTION, INFORMATION ONLY.

FUTURE AGENDA

9. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the City Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: **None (City Clerk's Office: Diane Halverson)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Gallo reported on North County Transit District's negotiations with bus drivers and noted the possibility of a work shortage.

Councilmember Morasco reported on the CCAE Subcommittee meeting information, including a full upcoming lineup; the Dancing with Our Stars Fundraiser raised over $60,000; noted many education programs that utilize the Center are grant funded, and there is a deficit of 250,000 due to low donations. Community Day of Service is this Saturday in honor of Earth Day to provide service to the parks and community. Coffee with the Council will be next Tuesday at 7:30 a.m. at the Escondido Chamber of Commerce.

CITY MANAGER'S UPDATE/BRIEFING

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:51 p.m.

_____ _____

MAYOR CITY CLERK

_____

MINUTES CLERK

ESCONDIDO
City of Choice

CITY COUNCIL

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

Agenda Item No.: 4
Date: May 11, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Director of Administrative Services
Joan Ryan, Assistant Finance Director

SUBJECT: Financial Report for the Quarter Ended March 31, 2016

RECOMMENDATION:

It is requested that the City Council receive and file the third quarter financial report and approve the following amendments to the Fiscal Year 2015/16 operating budget along with the approval for adjustments between revenue accounts:

- Approve an increase to the Fire Department operating budget of $622,500 to cover costs for strike team incidents and grant funded training. Funding for these increases will come from fire mutual aid and the Urban Area Security Initiative training grant.

- Approve an increase to Reidy Creek Golf Course operating budget of $36,000 to fund a new greens mower for the golf course. The current mower is 10 years old and has over 8000 operating hours. The motor on the mower has failed and the hydraulics are worn beyond repair. Funding for this increase will come from one-time revenue.

- Approve a transfer of $9,500 to the General Plan Update Project to cover remaining implementation costs of the General Plan through the end of the year. Funding for this increase will come from one-time revenue.

- Approve a transfer of $300,000 to the Building Maintenance Fund to cover increased utilities costs and unanticipated maintenance costs. Funding for this increase will come from one-time revenue.

FISCAL ANALYSIS:

Proposed Budget Amendments: The proposed amendments to the General Fund operating budget and the Capital Improvement budget have no effect on the General Fund Reserves as all the adjustments have identified funding sources for their proposed budget increases. One-time revenue used to fund these budget increases came from prior year collection of vehicle license fees and payment from the State on outstanding state mandated cost claims.

PREVIOUS ACTION:

On February 10, 2016, the City Council received the Fiscal Year 2015/16 second quarter financial report. The City Council approved amendments to the General Fund operating budget and the Capital Improvement budget. These increases had no effect on Reserves, as all the increases had funding sources.

BACKGROUND:

Quarterly financial reports present written financial updates to the City Council concerning certain funds of the City based on the most recent financial information available. These quarterly financial reports include budgetary information for certain funds, along with the actual resources received to date, in addition to the use of these resources in fulfilling each fund's financial plan. The reports provide year-to-date information for the General Fund, Community Services Fund, Water and Wastewater Funds, and the Reidy Creek Golf Course Fund. The quarterly financial report is for internal use only.

Respectfully submitted,

Sheryl Bennett
Director of Administrative Services

Joan Ryan
Assistant Finance Director

CITY OF ESCONDIDO
THIRD QUARTER FINANCIAL REPORT
March 31, 2016

OVERVIEW

This report summarizes the City's overall financial position for the period of July 1, 2015 through March 31, 2016. While the focus of this report is the General Fund, the financial status of the Community Services Fund, the Water and Wastewater Funds, and the Reidy Creek Municipal Golf Course are included. This report is for internal use only. The figures presented here are unaudited and have not been prepared in accordance with Generally Accepted Accounting principles (GAAP).

The revenue projections and budget include adjustments for encumbrances, carryovers, and any other supplemental appropriations approved by the City Council as of March 31, 2016.

GENERAL FUND

At the end of the third quarter, General Fund revenues are at 56.5% of the amended budget, while expenditures are at 69.8%. Based on past history of revenue receipts and payment of expenditures, it appears that actual General Fund revenues through March are projected to be over budget by about $979,000 and actual expenditures through March are projected to be under budget by about $565,000; the General Fund is projected to end the year within budget.

General Fund
Comparison of Projected Budget to Actuals
As of March 31, 2016

	ANNUAL AMENDED BUDGET	PROJECTED BUDGET as of 3/31/16	ACTUAL as of 3/31/16
Total Revenue	$89,648,193	$49,695,779	$50,674,527
Total Expenditures	$91,277,878	$64,319,722	$63,754,894
Other Sources (Uses) – Note 1	$1,167,595	$1,167,595	$1,303,595
Total Sources over (Uses) – Note 2	($462,090)	($13,456,348)	($11,776,772)
Reserve Balance			$16,892,319

Note 1: Total Sources (Uses) include transfers in and advances from other funds less transfers out and advance repayments.

Note 2: Council approved the use of General Fund Reserves during the year-end report to Council on October 28, 2015.

General Fund Revenue: General Fund total revenue was up 6% compared to the third quarter of fiscal year 2014/15 or about $2.6 million if you exclude one-time revenue and the "Triple Flip". The largest gains are in sales tax, property tax and charges for services. Details of these changes are outlined below.

General Fund Revenue	Amended Budget	FY 2015/16 Actual	FY 2014/15 Actual
Sales Tax	$ 28,737,000	$ 15,812,351	$ 14,986,168
Sales Tax - Triple Flip	$ 6,855,000	$ 1,183,548	$ 4,164,057
Property Tax	23,460,000	12,962,403	12,398,853
Other Taxes	12,020,000	7,685,861	7,730,207
Intergovernmental	3,159,338	1,944,981	1,927,037
Permits & Fees	778,435	623,318	638,667
Fines & Forfeitures	1,180,000	902,776	734,850
Charges for Services	7,604,285	5,572,192	4,964,876
Investment & Property	3,337,000	2,040,091	1,603,052
Other Revenue	416,220	295,377	284,351
One-Time Revenue	2,100,915	1,651,629	435,302
Total with One-Time Revenue	89,648,193	50,674,527	49,867,420
Total excluding One Time Revenue & Triple Flip	$ 80,692,278	$ 47,839,350	$ 45,268,061

Sales Tax: Sales Tax revenues were $826,000 higher than the previous year, or up about 6%, and were higher than projected fiscal year 2015/16 sales tax growth of 4%. This increase over the prior year is mainly due to growth in sales tax collected on new auto sales, building materials wholesale, and restaurants.

Sales Tax – Triple Flip: The Triple Flip payment received in January 2016 was $3 million less than the payment received in January 2015. This is a timing difference that will occur again in May 2016. Unlike previous fiscal years, the City will be receiving three Triple Flip payments in fiscal year 2015/16. The first two payments will be made in January and May, like in previous years, with the third payment being made in August 2016. The payment in August will be the final Triple Flip payment as the State has paid off the bonds related to the Triple Flip and the City will begin receiving 100% of our monthly sales tax advances versus the 75% allocation that occurred during the Triple Flip.

Property Tax: Property Tax revenues are up about 4.5% or about $563,000 compared to the third quarter of the prior year. This is due to improvements in the residential real estate market and a positive California Consumer Price Index (CCPI) factor of 1.9%.

Other Taxes: Other Taxes are down about $44,000 compared to the prior year. This decrease is mainly from a decrease in the in-lieu franchise fee payment received from SDG&E due to a decrease in natural gas prices. This amount is offset by an increase in revenue received from the transient occupancy tax which is up about 18%.

Intergovernmental: Intergovernmental revenue includes the Rincon fire services agreement, state mandated costs claims and various grants and was up only slightly compared to the prior year.

Fines and Forfeitures: Fines and forfeitures are up about $168,000 or 23% compared to the prior year, with the majority of this increase coming from increased collection of code enforcement citations.

Charges for Services: Charges for Services have increased compared to the prior year by about $607,000. This increase is due to increased development activity in the City, which has resulted in increased revenue from engineering fees.

Income from Interest and Property: Rental income has increased by $437,000 compared to the prior year. The majority of this increase is a timing difference, however, $108,000 is due to increased rent from the Westfield mall.

One-Time Revenue: The City has received one-time revenue of about $1,652,000 through March of this year. Of this amount about $614,000 was for fire mutual aid, an additional $706,000 was received in sales tax due to the end of the Triple Flip, and $284,000 was received from the State for payment of outstanding mandated cost claims.

General Fund Expenditures: General Fund total expenditures are up 4% compared to the prior fiscal year or about $2,274,000. The significant reasons for this change include increases to salaries, PERS expenses, utilities, general liability insurance, and property insurance. The amount expended to date is approximately 70% of the total amount budgeted for the year.

General Fund Expenditures	Amended Budget	FY 2015/16 Actual	FY 2014/15 Actual
General Government	$ 6,155,330	$ 3,865,480	$ 3,668,249
Community Services	4,773,178	3,071,696	3,413,674
Community Development	3,851,065	2,545,744	2,303,817
Public Works	11,606,945	7,822,133	7,118,888
Public Safety	62,268,365	44,391,461	42,990,898
Other Expenditures	2,622,995	2,058,380	1,985,409
Total	$ 91,277,878	$ 63,754,894	$ 61,480,935

COMMUNITY SERVICES FUND

The Community Services Fund overall revenues are down about 4% in comparison to the prior year. Expenditures are about 2% lower than the prior year at this time. The Community Services Fund revised budget for FY 2015/16 is balanced by using $112,165 of fund balance. After looking at projected revenues and expenditures, the Fund will likely end the year without having to use fund balance and may not need all of the General Fund transfer.

Cummunity Services Fund	Annual Budget	FY 15/16 Actual	FY 14/15 Actual
Revenues	3,400,420	2,130,039	2,535,889
Expenditures	3,735,685	2,408,400	2,447,281
Other Sources (Uses)	223,100	223,100	217,897
Net Income (Loss)	(112,165)	(55,261)	306,505

REIDY CREEK GOLF COURSE FUND

Reidy Creek Golf Course Fund revenues are up about 10% compared to the prior year. Expenditures are about 4% higher than the prior year, but are in line with budgeted amounts. Based on this trend the Fund is projected to end the year with a loss similar to last fiscal year; which is projected to be approximately $120,000.

Reidy Creek Golf Course	Annual Budget	FY 15/16 Actual	FY 14/15 Actual
Revenues	663,890	396,641	361,581
Expenditures	663,890	493,591	475,887
Net Operating Income (Loss)		(96,950)	(114,306)
Other Sources (Uses)		131,000	60,000
Net Income (Loss)		34,050	(54,306)

ENTERPRISE FUNDS

Water Fund: The Water Fund operating revenue decreased by $6.5 million or 15.3% from the prior year. The decrease is due to less consumption as a result of customer water conservation. Operating expenses decreased by $3.1 million or 9.8% compared to the prior year; these decreased costs were primarily from purchased water.

Water Fund	Annual Budget	FY 2015/16 Actual	FY 2014/15 Actual
Operating Revenues	60,544,000	36,239,310	42,781,829
Operating Expenses	(52,956,765)	(28,196,658)	(31,270,562)
Nonoperating Rev (Exp)	(816,820)	231,176	(917,814)
Transfer to Capital Projects and Debt Srvc	(6,780,280)	(2,281,361)	(12,209,036)
Total Sources over Uses	(9,865)	5,992,467	(1,615,583)

Beginning in fiscal year 2014/15, both the Water and Wastewater funds have set up an Operating, Debt and Capital Reserve that will be used to ensure that both funds have adequate cash reserves to meet operating, capital and debt service requirements. The monies in this reserve can be used to meet emergency cash flow requirements, fund future capital projects and provide protection from default on annual debt service payments.

Wastewater Fund: Operating revenue was up $2.3 million over the prior year. The increase consists of $1.1 million due to back billing Sempra Energy for recycled water usage, $700,000 is a back payment from Metropolitan Water District for recycled water incentives, and $500,000 due to rate increases. Operating expenditures increased by $1.8 million due to increases in staffing costs, chemicals, gas and electric costs and repairs to the plant.

Wastewater Fund	Annual Budget	FY 2015/16 Actual	FY 2014/15 Actual
Operating Revenues	29,605,000	24,405,166	22,080,591
Operating Expenses	(21,842,440)	(15,647,604)	(13,886,755)
Nonoperating Rev (Exp)	(2,132,350)	(1,470,821)	(1,331,446)
Transfer to Capital Projects and Debt Srvc	(8,275,750)	(9,134,688)	(8,428,561)
Total Sources over Uses	(2,645,540)	(1,847,947)	(1,566,171)

FOR MORE INFORMATION

This summary report is based on detailed information generated by the City's finance department. If you have any questions or would like additional information on this report, please contact the finance department at (760) 839-4676 or visit www.escondido.org.

ESCONDIDO
City of Choice

CITY OF ESCONDIDO

BUDGET ADJUSTMENT REQUEST

Date of Request: 5/11/2016

Department: Finance

Division:

Project/Budget Manager: Joan Ryan/Sheryl Bennett (Name) 4338/4589 (Extension)

Council Date (if applicable) 5/11/2016
(attach copy of staff report)

For Finance Use Only

Log # BA 05-03

Fiscal Year 2016

ear

_____ Budget Balances
_____ General Fund Accts
_____ Revenue
_____ Interfund Transfers
_____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Overtime	5020-001-600	622,500	
Motive Equipment	5208-553	36,000	
Transfer In	4999-553	36,000	
Transfer Out	5999-001	36,000	
Utilities	5171-650-450	300,000	
Transfer In	4999-650	300,000	
Transfer Out	5999-001	300,000	
General Plan Update	108902-229	9,500	
Transfer In	4999-229	9,500	
Transfer Out	5999-001	9,500	
Special Fire Dept Services	4250-001	614,000	
Federal Grants	4128-001	8,500	
SB90 Claims - State of Calif	4129-001	286,500	
State Motor Vehicle in Lieu	4100-001	59,000	

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease

Explanation of Request:

Budget adjustment requested with 3rd quarter financial report ended March 31, 2016.

APPROVALS

Department Head	Date	City Manager	Date
Finance	5/4/16 Date	City Clerk	Date

Distribution (after approval): Original: Finance

FM\105 (Rev.08/06)

ESCONDIDO
City of Choice

CITY OF ESCONDIDO

BUDGET ADJUSTMENT REQUEST

Date of Request: 5/11/16

Department: Finance

Division:

Project/Budget Manager: Joan Ryan
Name Extension

Council Date (if applicable): 5/11/16
(attach copy of staff report)

For Finance Use Only
Log # BA 05-04
Fiscal Year 2016

_____ Budget Balances
_____ General Fund Accts
_____ Revenue
_____ Interfund Transfers
_____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Sales Tax	4001-001-000	57,000	
Property Tax	4012-001-000		76,000
Franchise Fee In Lieu	4038-001-000		419,000
Transient Occupany Tax	4032-001-000	224,000	
Prop Tax In Lieu of VLF	4014-001-000	90,000	
RPTTF Residual Payment	4025-001-000		330,000
Building Permits	4045-001-000	68,000	
Code Enforcement Citations	4075-001-000	155,000	
Rincon Fire Agreement	4122-001-000		201,000
Special Police Dept Services	4241-001-000		118,000
Building Plan Check Fees	4207-001-000	123,000	
Engineering Fees	4227-001-000	668,000	
Paramedic Fees	4255-001-000	157,000	
Sale of Recycling Materials	4900-001-000		160,000
Westfield Lease	4613-001-000	43,000	
Agency Reimbursements	4370-001-000		123,000
Abandoned Vehicle Abatement	4242-001-000		158,000

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease

Explanation of Request:

Amend FY 2015/16 operating budget to approve adjustments between revenue accounts.

APPROVALS

Department Head	Date 5/10/16	City Manager	Date
Finance	Date 5/4/16	City Clerk	Date

Distribution (after approval): Original: Finance

ESCONDIDO
City of Choice

CITY COUNCIL

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

Agenda Item No.: 5
Date: May 11, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Craig Carter, Chief of Police

SUBJECT: FY 2015 Operation Stonegarden Grant

RECOMMENDATION:

It is requested that the City Council accept FY15 Operation Stonegarden Grant Funds in the amount of $50,000 from the California Office of Emergency Services through the County of San Diego; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds.

FISCAL ANALYSIS:

This action will have no impact on the General Fund Budget. Grant funds will be used to pay overtime expenses.

PREVIOUS ACTION:

On November 19, 2014, the City Council accepted a FY 2014 Operation Stonegarden Grant in the amount of $50,000 to pay overtime expenses.

BACKGROUND:

The Escondido Police Department received a $50,000 FY 2015 Operation Stonegarden Grant from the California Emergency Management Agency. Consistent with grant guidelines, funds will be used to support U.S. Department of Homeland Security Bureau of Customs and Border Protection efforts in the region to improve border security. The Department proposes to use grant funds to pay overtime expenses for multi-disciplinary crime suppression operations. This grant will provide operational funding to enforce local and State laws, within our jurisdiction, to target human trafficking, narcotics trafficking, criminal alien gang activity, and weapons trafficking. Grant funds will not be used to enforce immigration laws on behalf of Customs and Border Protection/Border Patrol.

If approved, grant funds will support crime prevention and suppression in the City of Escondido.

Respectfully submitted,

Craig Carter
Chief of Police

ESCONDIDO
City of Choice

CITY OF ESCONDIDO

BUDGET ADJUSTMENT REQUEST

Date of Request: May 4, 2016

Department: Police

Division: Administration

Project/Budget Manager: Lisa Rodelo (Name) 4905 (Extension)

Council Date (if applicable): May 11, 2016
(attach copy of staff report)

For Finance Use Only

Log # BA 05-02

Fiscal Year 2016

_____ Budget Balances
_____ General Fund Accts
_____ Revenue
_____ Interfund Transfers
_____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Revenue	4128-451-New Project Number	$50,000	
Police Grants	451-New Project Number	$50,000	

Explanation of Request:

A budget adjustment is needed to spend grant funds for FY 2015 Operation Stonegarden overtime.

APPROVALS

Department Head _____ Date _____

City Manager _____ Date _____

Finance Jodi Cox Date 5/3/16

City Clerk _____ Date _____

Distribution (after approval): Original: Finance

FM\105 (Rev.11/06)

ESCONDIDO
City of Choice

CITY COUNCIL

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

Agenda Item No.: 6
Date: May 11, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Debra Lundy, Real Property Manager

SUBJECT: Lease Agreement with John Paul the Great Catholic University for Parking Spaces within the City's Woodward Avenue Parking Lot

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-62, authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with John Paul the Great Catholic University for parking spaces within the City's Woodward Avenue parking lot.

FISCAL ANALYSIS:

Rent revenue is $700/month and will be deposited into the General Fund.

PREVIOUS ACTION:

N/A

BACKGROUND:

John Paul the Great Catholic University has been under a short term lease with the City for fifty unmarked, nonexclusive parking spaces within the City's Woodward Avenue parking lot for its staff and students of its downtown campus since June 2013. The six-month interim lease has been extended several times, with an upcoming expiration of May 31, 2016. Lessee has now identified a long term, permanent parking solution and a timeline is better understood for completion of same. As such, the parties are now requesting to enter into a one year lease agreement, with options to extend for two additional six-month terms each. The proposed lease gives the City the right to terminate the lease early without penalty upon providing Lessee with a 90-day notice. Based on a survey of other City owned parking agreements, staff has concluded that $700/month represents fair rent.

Respectfully submitted,

Debra Lundy
Real Property Manager

Agenda Item No.: 6
Date: May 11, 2016

RESOLUTION NO. 2016-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE REAL PROPERTY MANAGER AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, A LEASE AGREEMENT WITH JOHN PAUL THE GREAT CATHOLIC UNIVERSITY IN THE CITY'S WOODWARD AVENUE PARKING LOT

WHEREAS, certain real property, consisting of fifty unmarked, nonexclusive parking spaces within the City's parking lot on Woodward Avenue ("Premises"), is owned by the City of Escondido ("City") and has been leased to John Paul the Great Catholic University ("Lessee") under a short term, interim lease since June 2013 for staff and student parking for its downtown campus; and

WHEREAS, Lessee has identified a need for continued use of the Premises until its permanent parking solution is constructed; and

WHEREAS, it is in the City's best interests to continue to lease the Premises to Lessee; and

WHEREAS, the current lease agreement expires on May 31, 2016, and the parties desire to enter into a new lease to extend the term for another one year term, with two options for an additional six-months each; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the Lease Agreement ("Agreement") with John Paul the Great Catholic University.

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. The Real Property Manager and City Clerk are authorized to execute an Agreement, on behalf of the City, in substantially the form attached to this resolution as Exhibit "A" and incorporated by this reference, and subject to final approval as to form by the City Attorney.

Resolution No. 2016-62
EXHIBIT A
Page 1 of 12

ESCONDIDO
City of Choice

WOODWARD PARKING LOT LEASE AGREEMENT

Lessee: John Paul the Great Catholic University

Term: One Year

Premises: Woodward Parking Lot (APN: 229-352-12), Escondido, CA 92025

Date: June 1, 2016

Lease Agreement between the City of Escondido and the John Paul the Great Catholic University for use of the City's Woodward Avenue parking lot, Escondido, CA 92025 for specific purposes as set forth below.

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ESCONDIDO
City of Choice

Resolution No. 2016-62
EXHIBIT A
Page 3 of 12

CITY OF ESCONDIDO
LEASE AGREEMENT

This lease agreement is made as of _____, 2016 between the **City** and **John Paul the Great Catholic University.**

Section 1 Definition of Terms

The following words in this Lease shall have the significance attached to them in this Section unless otherwise apparent from their context.

City. The City means the City of Escondido, a California general law City.

Lease. Lease means this lease agreement.

Lease Administrator. The Lease Administrator means the City of Escondido Real Property Manager or, upon written notice to Lessee, such other person as shall be designated from time to time by City.

Lessee. Lessee means the John Paul the Great Catholic University and does not include its heirs, assigns, or successors-in-interest.

Party. Lessee or City may be referred to individually as Party or collectively as Parties.

Premises. Premises means 50 unmarked, nonexclusive parking spaces within the City's Woodward Parking lot, as depicted in the attached **EXHIBIT A**.

Section 2 Administration

This Lease will be administered on behalf of City by the Lease Administrator, whose address is:

City of Escondido
Attn: Real Property Manager
201 North Broadway
Escondido, CA 92025

And on behalf of Lessee by Kevin Meziere, whose address is:

John Paul the Great Catholic University
10174 Old Grove Road, Suite 200
San Diego, CA 92131

Section 3 Term

3.1 The term of this Lease shall be one year, commencing on June 1, 2016.

3.2 Hold Over. The occupancy of the Premises by Lessee, after the expiration of the Term shall be construed as a month to month tenancy, and all other terms and conditions of this Lease shall continue in full force and effect, on a month to month basis. The City shall have the right to terminate the month to month tenancy without cause and for any reason by giving thirty (30) days prior notice to Lessee.

Section 4 Termination of Lease

City may terminate this Lease at any time, at its sole discretion, by providing the other Party with 90 days written notice.

Default. If the City discovers at any time that the Lessee has violated any provision of this Lease, City may notify Lessee of the violation and immediately terminate the Lease upon written notice.

Section 5 Options to Renew

At the end of the Term, this Lease may be renewed for two additional six month terms each, upon mutual written agreement by the City and Lessee.

Section 6 Vacation of Premises

Upon termination of this Lease for any reason, Lessee shall peaceably vacate and deliver the Premises to City in the same condition as Lessee found them upon its acceptance of the Premises hereunder, excepting ordinary wear and tear and conditions caused by acts of God.

Upon such termination, Lessee shall immediately:

A. Provide a written statement to the Lease Administrator of Lessee's new address for purpose of refunding monies, if any, due Lessee under this Lease.

Section 7 Rent

Rental Rate. In consideration for this Lease, Lessee will pay $700 per month on or prior to the 5th day of each month.

Section 8 Security Deposit

Not applicable.

Section 9 Utilities Payments

Not applicable.

Section 10 Taxes, Assessments and Fees

The terms of this Lease may result in the creation of a possessory interest. If such a possessory interest is vested in Lessee, Lessee may be subjected to the payment of personal property taxes levied on such interest. Lessee shall be responsible for the payment of, and shall pay before delinquent, all taxes, assessments, and fees assessed or levied upon Lessee, on said Premises or any interest therein, on any buildings, structures, machines, appliances, or other improvements of any nature whatsoever, or on any interest therein.

Lessee further agrees not to allow such taxes, assessments, or fees to become a lien against said premises or any improvement thereon. Nothing herein contained shall be deemed to prevent or prohibit Lessee from contesting the validity of amount of any such tax, assessment, or fee in any manner authorized by law.

Section 11 Acceptance and Maintenance

Lessee hereby acknowledges that Lessee has inspected the Premises and Lessee accepts said Premises "as is" and "where is." Lessee acknowledges that the City makes no representations as to the condition or suitability of the Premises or any improvements on the Premises. Pursuant to the noticing requirements of California Civil Code Section 1938, Lessee acknowledges that the Premises being leased has not undergone inspection by a Certified Access Specialist.

Lessee agrees to maintain the Premises in good condition and in compliance with all applicable property maintenance and related laws. Lessee releases the City from the obligation to maintain any portion of the Premises. Said release is part of the consideration for the rental of the Premises, and Lessee therefore waives all rights it may otherwise have under Sections 1941 and 1942 of the Civil Code.

In the event Lessee fails to properly maintain the premises as required by City, City may notify Lessee in writing of said failure. In the event Lessee fails to perform said maintenance within 30 days after such notice by City, City may perform such maintenance, and any costs including, but not limited to, the cost of labor, material, and equipment, shall be paid by Lessee to City within 10 days from receipt by Lessee of an invoice from City.

Section 12 Alterations

Lessee shall not paint, alter, cut, add to, or otherwise change the appearance, structure, or condition of the Premises without the prior written consent of the Lease

Administrator and only after obtaining applicable permits. Any tenant improvements and additional improvements made with the consent of the Lease Administrator shall become a fixture to the realty and shall remain on and be surrendered with the Premises upon termination of this Lease.

Section 13 Use

Lessee agrees to use the Premises for parking for staff and students in up to fifty (50) unmarked, nonexclusive parking spaces, Monday through Friday, 8:00 a.m. to 5:00 p.m., in accordance with rules and regulations of the City of Escondido.

Lessee shall not use, nor permit the use of, the Premises other than as described. In any case where Lessee is, or should reasonably be, in doubt as to the propriety of any particular use, Lessee may request, and will not be in breach or default if Lessee abides by, the written determination of the Lease Administrator that such use is or is not permitted.

Section 14 Occupancy, Assignment and Subletting

The Premises shall only be occupied by Lessee and its subtenants providing veterans services. Lessee may not assign any interest in this Lease to any other Party, at any time, including a transferee of a controlling interest in Lessee without written consent from the Lease Administrator.

Section 15 Conduct

Lessee shall not violate, or permit the violation of, any City or County ordinance, or state or federal law, in or about the Premises.

Section 16 Pets

No pets or livestock of any kind may be kept on the Premises overnight without the prior written consent of the Lease Administrator.

Section 17 Notices

Any notice required or permitted to be given by this Lease must either be personally served on the other Party or served by certified mail, return receipt requested, to the addressee. Notices served by mail shall be sent to the address listed above. A change of either Party's address must also be immediately served in the manner described above.

Section 18 Right of Inspection

City reserves the right for its agents or employees to enter upon and inspect the Premises at any reasonable time to ascertain if Lessee is complying with the provisions of this Lease.

Section 19 Insurance

Lessee must have insurance in the following amounts at all times during this Lease:

A. General liability insurance with at least $2 Million combined single-limit coverage per occurrence for bodily injury and property damage.

B. Automobile liability insurance of $1 Million combined single-limit per accident for bodily injury and property damage for any and all vehicles that are owned by the Lessee (if applicable).

C. Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship.

D. Commercial property insurance in an amount commensurate with the value of the improvements on the Premises.

Each insurance policy required above must be acceptable to the City Attorney:

E. Each policy must name the City specifically as an additional insured under the policy on a separate endorsement page, with the exception of the workers' compensation policy.

F. Each policy must provide for written notice within no more than thirty (30) days if cancellation or termination of the policy occurs. Insurance coverage must be provided by an A.M. Best's A-rated, class V carrier or better, admitted in California, or if non-admitted, a company that is not on the Department of Insurance list of unacceptable carriers.

G. All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.

Lessee agrees to deposit with City, on or before the effective date of this Lease, one certificate of insurance for each of the policy or policies necessary to satisfy the insurance provisions of this Lease and to keep such insurance in effect during the entire

term of this Lease. This certificate must be reviewed by, and acceptable to, the City Attorney, prior to commencement of the Term. Lessee will also deposit with the City within 60 days of this Lease, an additional insured endorsement naming City specifically and separately as an "additional insured", with the exception of the worker's compensation policy. The appropriate endorsements described above shall follow within 60 days.

City shall retain the right at any time to review the coverage, form and amount of the insurance required hereby. If, in the opinion of the Lease Administrator, the insurance provisions in this Lease do not provide adequate protection for City and for members of the public using the Premises, City may require Lessee to obtain insurance sufficient in coverage, form and amount to provide adequate protection from and against the kind and extent of risks which exist or are foreseeable at the time a change in insurance is required. City's requirements shall be reasonable, but shall be designed to assure adequate protection of the City's interests. The Lease Administrator shall notify Lessee in writing of changes in the insurance requirements and, if Lessee does not deposit with City within 60 days of receipt of such notice a new Certificate of Insurance for each policy or policies of insurance incorporating such changes, this Lease shall be deemed in default without further notice to Lessee and may be forthwith terminated by the Lease Administrator.

The procuring of such required policy or policies of insurance shall not be construed to limit Lessee's liability hereunder nor to fulfill the indemnification provisions and requirements of this Lease. Notwithstanding said policy or policies of insurance, Lessee shall be obligated for the full and total amount of any damage, injury or loss attributable to any act or omission of it or its agents, customers or guests in connection with this Lease or with use or occupancy of the Premises.

Section 20 Indemnification

Lessee shall defend, indemnify, and hold harmless City, its officers, agents, and employees from and against any and all claims, demands, and liabilities for loss of any kind or nature which City, its officers, agents, or employees may sustain or incur or which may be imposed upon them or any of them for injury to or death of persons or damage to property as a result of, arising out of, or in any manner connected with this Lease or with the occupancy and use of the Premises by Lessee, its invitees, visitors, or any other persons whatsoever. Lessee further agrees to pay any and all costs and expenses, including, but not limited to, court costs and reasonable attorney's fees incurred by City on account of any such claims, demands, or liabilities. However, the provisions of this Lease shall not be construed to indemnify City for claims or acts arising from City's sole negligence.

Section 21 Attorney's Fees, Costs and Expenses

In the event legal action is brought to enforce the terms of or to declare a termination of this Lease for reason of breach thereof, the unsuccessful Party shall pay all of the successful Party's costs of such action, together with reasonable attorney's fees, in an amount to be fixed by the court.

Section 22 Non-Discrimination

Lessee covenants that this Lease is made and accepted upon and subject to the condition that there shall be no discrimination against or segregation of any person or group of persons on account of physical or mental disabilities, race, color, creed, religion, sex, marital status, national origin or ancestry in the use, occupancy, tenure or enjoyment of the leased premises. Lessee shall not establish or permit any such practice of discrimination or segregation with reference to the selection, location, number, or use of occupancy by customers, tenants or vendees in the leased premises.

Section 23 Supersedure

This Lease, upon becoming effective, shall supersede any leases or rental agreements heretofore made or issued for the Premises between the City and Lessee.

Section 24 Hazardous and/or Contaminated Soil and Material

Lessee will not place or permit to be placed materials and/or contaminated soils on the premises which under federal, state, or local law, statute, ordinance, or regulations require special handling in collection, storage, treatment, and/or disposal. Lessee also hereby covenants and agrees that, if at any time it is determined there are materials and/or contaminated soils located on the premises which under any environmental requirement require special handling in collection, storage, treatment, or disposal, Lessee shall notify City. Within 30 days after written notice to City or from City, Lessee shall commence to take and thereafter diligently complete, at Lessee's sole expense, such actions as may be necessary to comply with environmental requirements.

Section 25 Law to Govern; Venue

This Lease is governed by the laws of the State of California. Venue for all actions arising from this Lease must be exclusively in the North County Division of the San Diego County Superior Court or federal courts located in San Diego County, California.

Section 26 Special Provisions

Lessee hereby acknowledges that Lessee waives all rights to any form of relocation assistance provided for by local, state, or federal law to which Lessee may be entitled by reason of this Lease.

Section 27 Compliance with Federal, State, and Local Laws

It is the duty of the Lessee while operating under this Lease to comply with all local, state, and federal laws, and to indemnify City from any violation of any such law. Failure to comply with a provision of local, state, or federal law is grounds for the Lease Administrator's immediate termination of this Lease.

Section 28 Amendment

This Lease may not be amended, modified, or supplemented except by a writing executed both Parties.

Section 29 Waiver

No waiver by a Party of any provision of this Lease shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision. The exercise by a Party of any right or remedy provided in this Lease or provided by law shall not prevent the exercise by that Party of any other remedy provided in this Lease or under the law.

IN WITNESS WHEREOF, the Parties below are authorized to act on behalf of their organizations, and have executed this Lease as of the date set forth below.

JOHN PAUL THE GREAT CATHOLIC UNIVERSITY

Date:_____ By:_____

_____
(Print Name & Title)

Date:_____ By:_____

_____
(Print Name & Title)

CITY OF ESCONDIDO

Date:_____

_____
Debra Lundy, Real Property Manager

Date:_____

_____
Diane Halverson, City Clerk

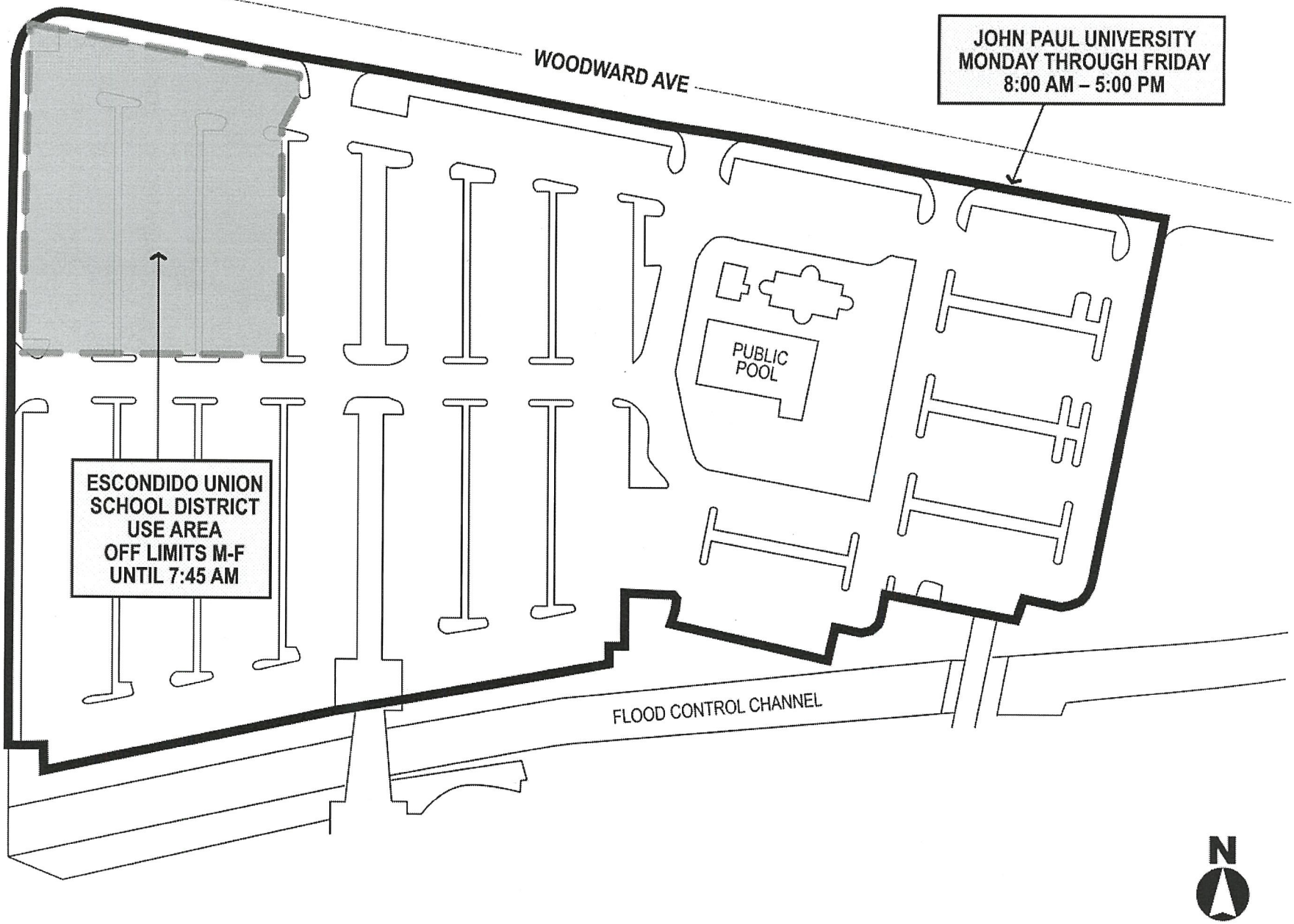
APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
JEFFREY R. EPP, City Attorney

By: _____

Resolution No. 2016-162
EXHIBIT 4 of 12
Page 12

EXHIBIT A



ESCONDIDO
City of Choice

CITY COUNCIL

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

Agenda Item No.: 7
Date: May 11, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Debra Lundy, Real Property Manager

SUBJECT: Lease Agreement with American Legion Post 149 at 230 Park Avenue

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-63, authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with the American Legion Post 149 at 230 Park Avenue.

FISCAL ANALYSIS:

Rent is $10 per year and is deposited into the General Reserve Fund.

PREVIOUS ACTION:

Resolution 2008-155 authorized the existing five year lease agreement, which was subsequently extended an additional three years by a First Amendment approved by the City Council's adoption of Resolution 2013-79.

BACKGROUND:

The Veterans Memorial Building Committee was established by the City Council in 1941 via Resolution No. 456, for the purpose of managing a City-owned building to honor our nation's war veterans, serve to promote veteran's issues and provide a gathering place for veterans. The American Legion Post 149 has leased 230 Park Avenue for its Veterans Memorial Building since 2008. The current lease expires on May 31, 2016 and this proposed new lease will establish a new five (5) year term to allow continued operations at this site. If approved, the lease will also provide two options to extend the lease term for an additional five years each.

Respectfully submitted,

Debra Lundy
Real Property Manager

Agenda Item No.: 7
Date: May 11, 2016

RESOLUTION NO. 2016-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE REAL PROPERTY MANAGER AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, A LEASE AGREEMENT WITH THE AMERICAN LEGION POST 149 AT 230 PARK AVENUE

WHEREAS, certain real property, 230 Park Avenue ("Premises"), is owned by the City of Escondido ("City") and has been leased to the American Legion Post 149 ("Lessee") for several years for a Veterans Memorial Building; and

WHEREAS, it is in the City's best interests to continue to lease the Premises to Lessee; and

WHEREAS, the current lease agreement expires on May 31, 2016, and the parties desire to enter into a new lease to extend the term for another five year term, with two options for an additional five years each; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the Lease Agreement ("Agreement") with the American Legion Post 149.

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. The Real Property Manager and City Clerk are authorized to execute an

Agreement, on behalf of the City, in substantially the form attached to this resolution as Exhibit "A" and incorporated by this reference, and subject to final approval as to form by the City Attorney.

Resolution No. 2016-63
EXHIBIT A
Page 1 of 13

ESCONDIDO
City of Choice

230 PARK AVENUE AMERICAN LEGION LEASE AGREEMENT

Lessee: The American Legion Post 149

Term: Five Years

Premises: 230 Park Avenue, Escondido, CA 92025

Date: June 1, 2016

Lease Agreement between the City of Escondido and the American Legion Post 149 for use of property located at 230 Park Avenue, Escondido, CA 92025 for specific purposes as set forth below.

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SECTION 6 VACATION OF PREMISES 2
SECTION 7 RENT 2
SECTION 8 SECURITY DEPOSIT 3
SECTION 9 UTILITIES PAYMENTS 3
SECTION 10 TAXES, ASSESSMENTS AND FEES 3
SECTION 11 ACCEPTANCE AND MAINTENANCE 3
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SECTION 13 USE 4
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SECTION 26 SPECIAL PROVISIONS 8
SECTION 27 COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS 8
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SECTION 29 WAIVER 8

CITY OF ESCONDIDO
LEASE AGREEMENT

This lease agreement is made as of _____, 2016 between the **City** and **the American Legion Post 149.**

Section 1 Definition of Terms

The following words in this Lease shall have the significance attached to them in this Section unless otherwise apparent from their context.

City. The City means the City of Escondido, a California general law City.

Lease. Lease means this lease agreement.

Lease Administrator. The Lease Administrator means the City of Escondido Real Property Manager or, upon written notice to Lessee, such other person as shall be designated from time to time by City.

Lessee. Lessee means the American Legion Post 149 and does not include its heirs, assigns, or successors-in-interest.

Party. Lessee or City may be referred to individually as Party or collectively as Parties.

Premises. Premises means the real property located at 230 Park Avenue, as depicted in the attached **EXHIBIT A**.

Section 2 Administration

This Lease will be administered on behalf of City by the Lease Administrator, whose address is:

City of Escondido
Attn: Real Property Manager
201 North Broadway
Escondido, CA 92025

And on behalf of Lessee by , whose address is:

American Legion Post 149
230 Park Avenue
Escondido, CA 92026

Section 3 Term

3.1 The term of this Lease shall be five years, commencing on June 1, 2016.

3.2 Hold Over. The occupancy of the Premises by Lessee, after the expiration of the Term shall be construed as a month to month tenancy, and all other terms and conditions of this Lease shall continue in full force and effect, on a month to month basis. The City shall have the right to terminate the month to month tenancy without cause and for any reason by giving thirty (30) days prior notice to Lessee.

Section 4 Termination of Lease

City may terminate this Lease at any time, at its sole discretion, by providing the other Party with 90 days written notice.

Default. If the City discovers at any time that the Lessee has violated any provision of this Lease, City may notify Lessee of the violation and immediately terminate the Lease upon written notice.

Section 5 Options to Renew

At the end of the Term, this Lease may be renewed for two additional five year terms, upon mutual written agreement by the City and Lessee.

Section 6 Vacation of Premises

Upon termination of this Lease for any reason, Lessee shall peaceably vacate and deliver the Premises to City in the same condition as Lessee found them upon its acceptance of the Premises hereunder, excepting ordinary wear and tear and conditions caused by acts of God.

Upon such termination, Lessee shall immediately:

A. Provide a written statement to the Lease Administrator of Lessee's new address for purpose of refunding monies, if any, due Lessee under this Lease; and

B. Deliver any keys for the Premises to the Administrator or send said keys by certified mail to the City.

Section 7 Rent

Rental Rate. In consideration for this Lease, Lessee will pay $10/year in advance ($50 due on or by June 1, 2016).

Section 8 Security Deposit

Not applicable.

Section 9 Utilities Payments

Lessee agrees to provide and pay for all utilities and services necessary for the occupancy and use of the Premises, including but not limited to: gas, water, electricity, trash, sewage charges or septic service, and telephone.

Section 10 Taxes, Assessments and Fees

The terms of this Lease may result in the creation of a possessory interest. If such a possessory interest is vested in Lessee, Lessee may be subjected to the payment of personal property taxes levied on such interest. Lessee shall be responsible for the payment of, and shall pay before delinquent, all taxes, assessments, and fees assessed or levied upon Lessee, on said Premises or any interest therein, on any buildings, structures, machines, appliances, or other improvements of any nature whatsoever, or on any interest therein.

Lessee further agrees not to allow such taxes, assessments, or fees to become a lien against said premises or any improvement thereon. Nothing herein contained shall be deemed to prevent or prohibit Lessee from contesting the validity of amount of any such tax, assessment, or fee in any manner authorized by law.

Section 11 Acceptance and Maintenance

Lessee hereby acknowledges that Lessee has inspected the Premises and Lessee accepts said Premises "as is" and "where is." Lessee acknowledges that the City makes no representations as to the condition or suitability of the Premises or any improvements on the Premises. Pursuant to the noticing requirements of California Civil Code Section 1938, Lessee acknowledges that the Premises being leased has not undergone inspection by a Certified Access Specialist.

Lessee agrees to maintain the Premises in good condition and in compliance with all applicable property maintenance and related laws. Lessee releases the City from the obligation to maintain any portion of the Premises. Said release is part of the consideration for the rental of the Premises, and Lessee therefore waives all rights it may otherwise have under Sections 1941 and 1942 of the Civil Code.

In the event Lessee fails to properly maintain the premises as required by City, City may notify Lessee in writing of said failure. In the event Lessee fails to perform said maintenance within 30 days after such notice by City, City may perform such maintenance, and any costs including, but not limited to, the cost of labor, material, and equipment, shall be paid by Lessee to City within 10 days from receipt by Lessee of an

invoice from City.

Section 12 Alterations

Lessee shall not paint, alter, cut, add to, or otherwise change the appearance, structure, or condition of the Premises without the prior written consent of the Lease Administrator and only after obtaining applicable permits. Any tenant improvements and additional improvements made with the consent of the Lease Administrator shall become a fixture to the realty and shall remain on and be surrendered with the Premises upon termination of this Lease.

Section 13 Use

Lessee agrees to use the Premises for the purpose of those uses indicated in Escondido City Council Resolution No. 78-79, to maintain a building where veterans may gather to reminisce, to honor the fallen and to promote the safety and security of our nation's democracy, and to sublease portions of the building to other qualified veterans organizations for these same purposes.

Lessee shall not use, nor permit the use of, the Premises other than as described. In any case where Lessee is, or should reasonably be, in doubt as to the propriety of any particular use, Lessee may request, and will not be in breach or default if Lessee abides by, the written determination of the Lease Administrator that such use is or is not permitted.

Section 14 Occupancy, Assignment and Subletting

The Premises shall only be occupied by Lessee and its subtenants providing veterans services. Lessee may not assign any interest in this Lease to any other Party, at any time, including a transferee of a controlling interest in Lessee without written consent from the Lease Administrator.

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No pets or livestock of any kind may be kept on the Premises overnight without the prior written consent of the Lease Administrator.

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Any notice required or permitted to be given by this Lease must either be

personally served on the other Party or served by certified mail, return receipt requested, to the addressee. Notices served by mail shall be sent to the address listed above. A change of either Party's address must also be immediately served in the manner described above.

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C. Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship.

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Each insurance policy required above must be acceptable to the City Attorney:

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F. Each policy must provide for written notice within no more than thirty (30) days if cancellation or termination of the policy occurs. Insurance coverage must be provided by an A.M. Best's A-rated, class V carrier or better, admitted in California, or if non-admitted, a company that is not on the Department of Insurance list of unacceptable carriers.

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endorsement in addition to the additional insured endorsement.

Lessee agrees to deposit with City, on or before the effective date of this Lease, one certificate of insurance for each of the policy or policies necessary to satisfy the insurance provisions of this Lease and to keep such insurance in effect during the entire term of this Lease. This certificate must be reviewed by, and acceptable to, the City Attorney, prior to commencement of the Term. Lessee will also deposit with the City within 60 days of this Lease, an additional insured endorsement naming City specifically and separately as an "additional insured", with the exception of the worker's compensation policy. The appropriate endorsements described above shall follow within 60 days.

City shall retain the right at any time to review the coverage, form and amount of the insurance required hereby. If, in the opinion of the Lease Administrator, the insurance provisions in this Lease do not provide adequate protection for City and for members of the public using the Premises, City may require Lessee to obtain insurance sufficient in coverage, form and amount to provide adequate protection from and against the kind and extent of risks which exist or are foreseeable at the time a change in insurance is required. City's requirements shall be reasonable, but shall be designed to assure adequate protection of the City's interests. The Lease Administrator shall notify Lessee in writing of changes in the insurance requirements and, if Lessee does not deposit with City within 60 days of receipt of such notice a new Certificate of Insurance for each policy or policies of insurance incorporating such changes, this Lease shall be deemed in default without further notice to Lessee and may be forthwith terminated by the Lease Administrator.

The procuring of such required policy or policies of insurance shall not be construed to limit Lessee's liability hereunder nor to fulfill the indemnification provisions and requirements of this Lease. Notwithstanding said policy or policies of insurance, Lessee shall be obligated for the full and total amount of any damage, injury or loss attributable to any act or omission of it or its agents, customers or guests in connection with this Lease or with use or occupancy of the Premises.

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Lessee shall defend, indemnify, and hold harmless City, its officers, agents, and employees from and against any and all claims, demands, and liabilities for loss of any kind or nature which City, its officers, agents, or employees may sustain or incur or which may be imposed upon them or any of them for injury to or death of persons or damage to property as a result of, arising out of, or in any manner connected with this Lease or with the occupancy and use of the Premises by Lessee, its invitees, visitors, or any other persons whatsoever. Lessee further agrees to pay any and all costs and expenses, including, but not limited to, court costs and reasonable attorney's fees incurred by City on account of any such claims, demands, or liabilities. However, the provisions of this

Lease shall not be construed to indemnify City for claims or acts arising from City's sole negligence.

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In the event legal action is brought to enforce the terms of or to declare a termination of this Lease for reason of breach thereof, the unsuccessful Party shall pay all of the successful Party's costs of such action, together with reasonable attorney's fees, in an amount to be fixed by the court.

Section 22 Non-Discrimination

Lessee covenants that this Lease is made and accepted upon and subject to the condition that there shall be no discrimination against or segregation of any person or group of persons on account of physical or mental disabilities, race, color, creed, religion, sex, marital status, national origin or ancestry in the use, occupancy, tenure or enjoyment of the leased premises. Lessee shall not establish or permit any such practice of discrimination or segregation with reference to the selection, location, number, or use of occupancy by customers, tenants or vendees in the leased premises.

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This Lease is governed by the laws of the State of California. Venue for all actions arising from this Lease must be exclusively in the North County Division of the San Diego County Superior Court or federal courts located in San Diego County, California.

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Section 28 Amendment

This Lease may not be amended, modified, or supplemented except by a writing executed both Parties.

Section 29 Waiver

No waiver by a Party of any provision of this Lease shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision. The exercise by a Party of any right or remedy provided in this Lease or provided by law shall not prevent the exercise by that Party of any other remedy provided in this Lease or under the law.

IN WITNESS WHEREOF, the Parties below are authorized to act on behalf of their organizations, and have executed this Lease as of the date set forth below.

AMERICAN LEGION POST 149

Date:_____ By:_____

_____
(Print Name & Title)

Date:_____ By:_____

_____
(Print Name & Title)

CITY OF ESCONDIDO

Date:_____

_____
Debra Lundy, Real Property Manager

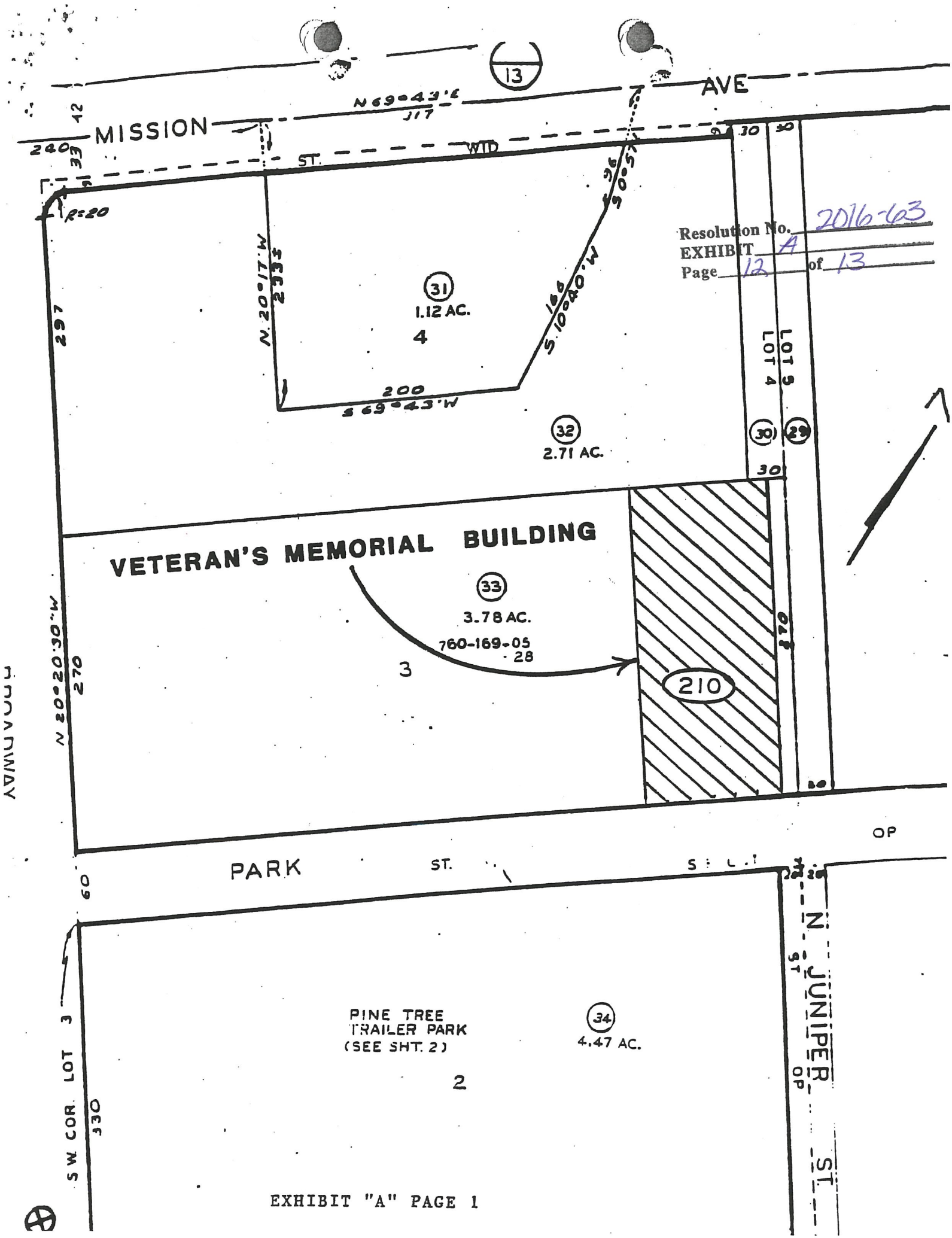
Date:_____

_____
Diane Halverson, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
JEFFREY R. EPP, City Attorney

By: _____



Resolution No. 2016-63
EXHIBIT A
Page 12 of 13

EXHIBIT "A" PAGE 1

EXHIBIT "A" PAGE 2

LEGAL DESCRIPTION VETERANS MEMORIAL BUILDING

The Northeasterly 130 feet of Lot 3 in Block 149 of the Subdivision of Rancho Rincon Del Diablo, In the City of Escondido, County of San Diego, State of California, according to the Map thereof No. 349 made by O. N. Sanford filed in the Office of the County Recorder of San Diego, July 10, 1886.

Excepting therefrom the Southeasterly 60 feet thereof located within the Park Avenue Road Right-Of-Way.

Also excepting therefrom the Northeasterly 15 feet thereof.

vet.legal

ESCONDIDO
City of Choice

RENT REVIEW BOARD

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

Agenda Item No.: 8
Date: May 11, 2016
Continued from April 13, 2016

TO: Honorable Chairman and Members of the Rent Review Board

FROM: Bill Martin, Interim Director of Community Development

SUBJECT: Short-form Rent Increase Application for Green Tree Mobile Estates, Continued Hearing (Case Number 0697-20-10065)

RECOMMENDATION:

- Consider the short-form rent increase application submitted by Green Tree Mobile Estates.

- If approved, adopt Rent Review Board Resolution No. 2016-04R granting an increase of 75 percent of the change in the Consumer Price Index, or 2.822 percent (an average of $10.10) for the period December 31, 2013 through December 31, 2015 per space, per month.

The application meets the eligibility criteria for submittal of a short-form rent increase application.

ADDITONAL INFORMATION:

On April 13, 2016, a public hearing regarding the short-form rent increase application for Green Tree Mobile Estates was opened and testimony was heard. Residents from 51 of the 84 spaces subject to rent control, signed in to protest the short form rent control application; three residents spoke about conditions at the park and rents paid, including Sherry Fischer, Resident Representative. Ken Weiner, the Park Owner's Representative, also spoke about conditions in the Park. The Staff Report from April 13, 2016, is attached as Attachment "A".

After discussion Councilmember Masson motioned and Councilmember Gallo seconded to continue this item to the May 11, 2016 City Council meeting. Motion carried with four "Yes" votes and one "No" vote. The Rent Review board requested that the management and residents meet to attempt resolution. Primary areas of contention were identified as rent increases for residents at the upper range, and shuffleboard court conversion/Park amenities.

The Resident Representative and Owner's Representative scheduled a meeting for April 22, 2016. This meeting was opened to all residents on April 20, 2016. No resolution came out of this meeting. Additional response from the Park management can be found as Attachment "B";

in this response, management has indicated that they would amend their request to give the 23 residents whose rent was $650 or more a $0 increase. Additional response from the Resident Representative can be found as Attachment "C".

Respectfully Submitted,

Bill Martin
Interim Director of Community Development

Karen Youel
Housing Manager

Attachment "A"

ESCONDIDO
City of Choice

RENT REVIEW BOARD

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

Agenda Item No.: _____
Date: April 13, 2016

TO: Honorable Chairman and Members of the Rent Review Board

FROM: Bill Martin, Interim Community Development Director

SUBJECT: Short-form Rent Increase Application for Green Tree Mobile Estates (Case Number 0697-20-10065)

RECOMMENDATION:

- Consider the short-form rent increase application submitted for Green Tree Mobile Home Estates.

- If approved, adopt Rent Review Board Resolution No. 2016-04 granting an increase of 75 percent of the change in CPI, or 2.822 percent (an average of $15.39) for the period December 31, 2013 through December 31, 2015.

INTRODUCTION:

Green Tree Mobile Estates ("Park"), located at 1301 S Hale Avenue, has filed a short-form rent increase application. The Rent Review Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

Green Tree Mobile Estates is an all-ages Park which has a total of 104 spaces with 84 spaces subject to rent control. The Park requests an increase for the 84 rent controlled spaces. The spaces not included in this application are occupied by the Park Manager, vacant, on long-term leases or have homes that are leased by the Park. Common facilities include a clubhouse with kitchen, billiard room, swimming pool, and shuffleboard courts. There are laundry facilities available for a fee as well as a vehicle storage area.

The application meets all the eligibility criteria for submittal of a short-form rent increase application.

PARK OWNER'S REQUEST:

Under the short-form policy guidelines, the Park owner is requesting an increase of 75 percent

of the change in the Consumer Price Index (CPI) for the period of December 31, 2013 through December 31, 2015. The average monthly rent for the residents that are affected by this application is $545.26. The average monthly increase requested for the 84 spaces is $15.39 per space, per month.

This is the twelfth rent increase request filed by this Park since the Ordinance was implemented. The last rent increase for the Park was granted in August 2012 for an average amount of $15.07 per space, per month.

RESIDENT MEETING AND COMMENTS:

Residents of the Park were invited to attend a meeting in their clubhouse on March 8, 2016, at 6:30 p.m. Seventeen residents attended the meeting along with Park Management and City staff. In addition to this application and rent control procedures, vacancy decontrol was discussed. Residents were supportive of the resident manager. Sherry Fischer was elected to act as the resident representative.

City staff reinforced the Rent Review Board's request that the park representative and resident representative meet at least 21 days before the Rent Review Board meeting to discuss park issues.

CODE INSPECTION REPORT:

An inspection of the common areas of the Park by the Code Enforcement Division of the City noted some violations of the Health and Safety Code. A copy of the Code Report ("Report") is attached as "Exhibit A." The Owner, Resident Manager, and resident representative received a copy of the Report, and were made aware that no rent increase, if granted, may be implemented until the Health and Safety Code violations have been cleared.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The Park owner may send the 90-day notice of any rent increase granted to the residents upon the adoption of the Resolution.

Respectfully Submitted,

Bill Martin
Interim Community Development Director

Karen Youel
Housing Manager

ESCONDIDO
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EXHIBIT A

DATE: MARCH 17, 2016

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD

FROM: BRIAN GUSTAFSON, CODE ENFORCEMENT MANAGER

SUBJECT: GREEN TREE MOBILE ESTATES

Green Tree Mobile Estates was inspected on March 17, 2016, with the lighting inspection conducted the prior evening, as a result of an application for rent increase having been filed. There were four general violations and no lighting violations found during the inspections which is documented in the attached report.

A resident meeting was held on March 8, 2016, attended by seventeen residents, four members of the Green Tree staff and city staff. There were no health and safety issues raised and the resident representative was elected and given the Resident Representative Report Form to complete.

There were no code enforcement cases in this park during the past year.

CC: Jay Petrek, Director of Community Development
Karen Youel, Rent Control Administration

Sam Abed, Mayor Michael Morasco, Deputy Mayor Olga Diaz Ed Gallo John Masson

ESCONDIDO
City of Choice

March 17, 2016

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name:	Green Tree Mobile Estates		
Park Owner:	Fritz and Betty Neumann 466 I Street Chula Vista, CA 92010		
Park Manager:	Theresa Turner	**Phone:**	(760) 741-9231
Inspection Date:	03/17/16	**Inspector:**	Andrew Modglin

The following report is based on inspection of the mobile home park conducted under provisions outlined in the California Code of Regulations, Title 25, Division I, Chapter 2 and the Escondido Zoning Code, Article 45. This inspection report only addresses health and safety issues related to the common facilities and areas in the mobile home park for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Repair or replace the gate to the pool so that it is returned to a self-latching gate. **25 CCR 1102(a) (b).**

2. Repair the cracked and deteriorated pavement in the RV storage area which is a trip hazard. **25 CCR 1102 (a) & 25 CCR 1116(a)**

Sam Abed, Mayor Michael Morasco, Deputy Mayor Olga Diaz Ed Gallo John Masson

3. Obtain a water heater installation permit for the recently installed water heater on the lower level of the clubhouse. Obtain required inspections and approvals from the City of Escondido Building Department. 25 CCR 1018(a).

4. Install window screens on the three bathroom windows of the clubhouse. 25 CCR 1102 (a)

Areas of the park needing illumination per 25 CCR 1108
(Lighting Inspection: 03/16/16)

No lighting violations were found.

To: Escondido City Council members
FR: Green Tree Mobile Estates, ownership and management
RE: Additional considerations for the short form rental increase application
Date: April 21, 2016

Statement of Facts

- Green Tree has passed the City of Escondido health and safety inspection
- Staff and Council members agreed that Green Tree is well maintained and exhibits pride in ownership
- Green Tree has not applied for a rental increase since 2012
- Green Tree has mobile homes selling for $150,000+ at the property
- Operating Expenses including SD County property tax, insurance and on-site salaries have increased every calendar year

Additional items for consideration

- Green Tree is willing to amend its request for rental increases so that any residents who are currently paying $650 per month or more will not receive a rental increase.
- Green Tree has 15 residents that are paying $336 per month in space rent.
- Fair market rent today in the City of Escondido for mobile home spaces subject to rental decontrol is $775 or more.
- Resident requests for upgrades to the property at park's expense have not been completely utilized. The best example is the swimming pool that is now heated year round. Considerable expense was taken to accomplish this. The pool is

NEVER used between November 15 and March 31. It appears that this was a nice thought but under utilitized. In addition, a picnic table with a gazebo cover has been added in the common areas by the clubhouse. This is rarely used as well.

The current proposal – agreement with residents for the use of the shuffle board courts

- Residents appear to agree to a rent increase based upon ownership's conversion of the shuffleboard courts to an alternative use.
- A meeting with residents was held on April 22. A variety of items were discussed and a better understanding between management and the residents occurred, in our opinion. Certain objections by residents were raised about the use of the shuffleboard court for a barbeque area which lets us know that the desire for this improvement is not universal among the residents.
- Ownership has grave concerns regarding this action and is not willing to convert this common area at this time. Ownership's stance is based upon:
    - The existing common area use has been disclosed and accepted by all residents prior to moving in. There is no justification to change its use
    - City Government should not be involved in the policy issues or uses of improvements at a mobile home park, only the health and safety issues.
    - Health and safety issues – would smoking be allowed in this area and then adjacent mobile homes will complain or sue ownership. In addition, the existing space has an uneven surface which could present a trip hazard.
    - Other uses could easily occur at this location – including parties with alcohol, noise and litter or children would use the area as a playground.
    - The area would be under utilized, just as the year round heated swimming pool is under utilized. Residents demand such improvements just to exercise their power over management in a rent controlled area.
    - The current ownership owns multiple mobile home parks in San Diego County and in Arizona. This ownership has 30+ years of experience with

attempting to meet resident demands that are ever changing. Here are several examples:

- **Speed bumps** – they were demanded by residents at Green Tree to prevent speeding and they were installed. Several years later they were demanded to be removed as a trip hazard by many residents
- **Conversion of park from a senior park to an all age property** – This property was only converted to all age under duress from the threats of an individual resident who was attempting to get top dollar for the sale of his mobile home to a family. Upon request for verification of the ages of the residents, the resident threatened ownership with actions by HUD and other enforcement agencies for discrimination.
- **Trees** – Residents refuse to maintain trees on their property. For health and safety reasons, trees must then be trimmed or removed by ownership, at ownership's cost.

CONCLUSION

It is ownership's hope that this memo helps to explain to the City Council members some of the management issues that arise on a daily basis at this mobile home park and others in the City. Ownership has attempted to meet the needs of residents over a period of 30 years, but finds that task is difficult or impossible to accomplish because of the ever changing opinions of residents and the changing laws within California and the nation. Green Tree Mobile Estates is one of the nicest mobile home parks in the City of Escondido. Residents enjoy a host of amenities and their homes maintain their resale value or rise in value over time.

It is our opinion that the City Council is best served to NOT legislate or demand mobile home policies or improvements to mobile home parks in the City. Rather, they need to be sensitive to make sure that health and safety codes are in compliance while allowing property owners to collect rental fees that cover the rise in their annual expenses. Furthermore, the current rental rates for approximately 30% of this property are less than half of the fair market value for rental rates today. Only the marketplace can determine fair market rents and those are based upon general economic conditions, land values and demand in the area. Median single family homes prices in the Escondido area is approximately $445,000. The request for a rental increase, equal to the City's maximum allowable amount is a reasonable request that should be granted.

We welcome your feedback and would make ourselves available for further discussion by contacting Ken Weiner, property manager at Income Property Investors, at 858.277.2700 or Ken@ipisandiego.com. Thank you.

SUPPLEMENT DOCUMENTS

The following documents refer to the mobile home park named "El Camino 76" located in Oceanside, California. Fritz and Betty Neumann own this property as well as Green Tree Mobile Estates and have been through a variety of experiences with residences, particularly in Oceanside. They have asked me to include these newspaper articles as reference for what could happen again at Green Tree Mobile Estates.

9/30/08

To: Mr. and Mrs. Fritz Nuemann
Owners: El Camino 76 Mobile Home Estates

From: Al Maglietto
Resident: Space # 73

Dear Mr. and Mrs. Nuemann,

Please accept this letter of thanks in regard to the removal of the over abundance of the "No Parking, Fire Lane" signs in our Park. Personally for me; this is a very positive decision made not only for me but for other concerned residents of El Camino "76". Once again Mr. Nuemann, you have demonstrated your willingness to resolve conflict through resolution. I appreciate your thoughtfulness to meet with me upon my request without hesitation and the respect you have given me when we have our discussions. These are very positive actions and will certainly be effective in making our Park a safe and happy place to reside.

As I have stated before, I am willing to support you and your endeavors relative to making our Park a better place to live. Currently I have not accepted a position as an officer in the Parks Home Owners' Association. However I have been approached by several homeowners and have been asked to represent them whenever you and I meet. I am confident that you and I are on the same page in regards to your investment as the owner and my investment as a concerned resident for the last 29 years. I truly believe Mr. Nuemann that we can make El Camino "76" the best Park in Oceanside.

Please consider my offer to assist you. I am able to make things happen. I will accomplish goals and timetables that can be put in place. I know you're fair and you want what is good for all, however I realize this is your business and there has to be a meeting of the minds for both sides (being owner and residents) to accomplish the success of running an effective well managed Park.

I'm willing to meet with you and your Managerial team at your convenience.

On behalf of the residents of our Park I thank you for listening and acting on the signs and for remodeling a new roof on our Clubhouse.

If you have any questions in regards to this letter please don't hesitate to call me

Respectfully,

Al Maglietto

Cc/Napolian Dev.
Cc/Adele Teal Mgr. El Camino "76"

(1)

EXHIBIT B

Neighborliness Is a Seldom-Heard Word at Trailer Park

■ **Conflict:** Despite repeated attempts at playing peacemaker, authorities are at a loss on how to halt Oceanside feud.

By RAY TESSLER
TIMES STAFF WRITER

Welcome to the neighborhood from hell, where not even the cats on the block are safe any more from the wildly bitter feud among residents.

Heidi Alexander suspects her two felines that inexplicably vanished have been killed, and she shows a photo of another cat from a few doors down that somehow got itself heavily spray-painted one night.

"It's a very sick situation," Alexander said.

Residents in this warring corner of a mobile home park in Oceanside talk of bullet holes, broken windows, bashed cars, rampant spray painting, chronic rock attacks, verbal threats, indecent exposure, retribution and vicious rumors. Somebody even reportedly vomited on garments hanging out on a clothesline.

"We live in terror," said Jim Hewitt, a 15-year park resident.

The siege at 76 Mobile Estates on North El Camino Real is among the worst ever seen by local police, the city attorney and the district attorney, who have tried without success to bring peace.

"It's gotten so far out of hand, it's absolutely unreal," said Bob George a spokesman for the Oceanside Police Department. "It's a regular Hatfield and McCoy-type situation out there."

Police and prosecutors are trying to sort through 20 cases, mostly misdemeanors, to determine whether to press any charges and drag the unending dispute into court.

Bruce Silva, a veteran deputy district attorney who is evaluating the cases, said , "I personally have never seen anything that's gotten so out of control."

Longtime park residents say there have been problems for years, but, by most accounts, the latest chapter began about two years ago when Heidi Alexander, her little daughter and her mother, Grada Alexander, moved in.

Both residents and police say the main conflict i between the Alexanders and members of another family– Heath Sims, 18, who lives with his grandparents, Otis an Margaret Coleman.

As the fight between the two families has raged on, five or six other families in this modest, working class mobile home park of 80 families have become involved in the acrimony, whether they wanted to or not.

"I don't even know who to believe, people in this park are so confused, we don't even know," said resident Anita Roberts.

As Heidi Alexander, a 30-year-old single parent, tells the story, the warfare began in May, 1990 when her daughter, then 4 years old, was molested. She accuses Sims and another male, but police say that, although an investigation was conducted, there were no arrests.

Alexander alleges Sims spray-painted her coach to "intimidate" the daughter out of telling Alexander she'd

Please see FEUD, B3

(2)

FEUD: A Lack of Neighborliness

Continued from B1

been molested. But, after the little girl told her mother, who then informed police, the vandalism "started big time."

Alexander shows photos of her family's coach-spray painted with pentagrams, squiggles, the outline of a person's upper body, and an erect penis.

"They throw rocks almost every night," said Alexander, adding, "Five windows have been broken, we've been painted three times, and rocks every night hitting the roof or the sides and denting our cars."

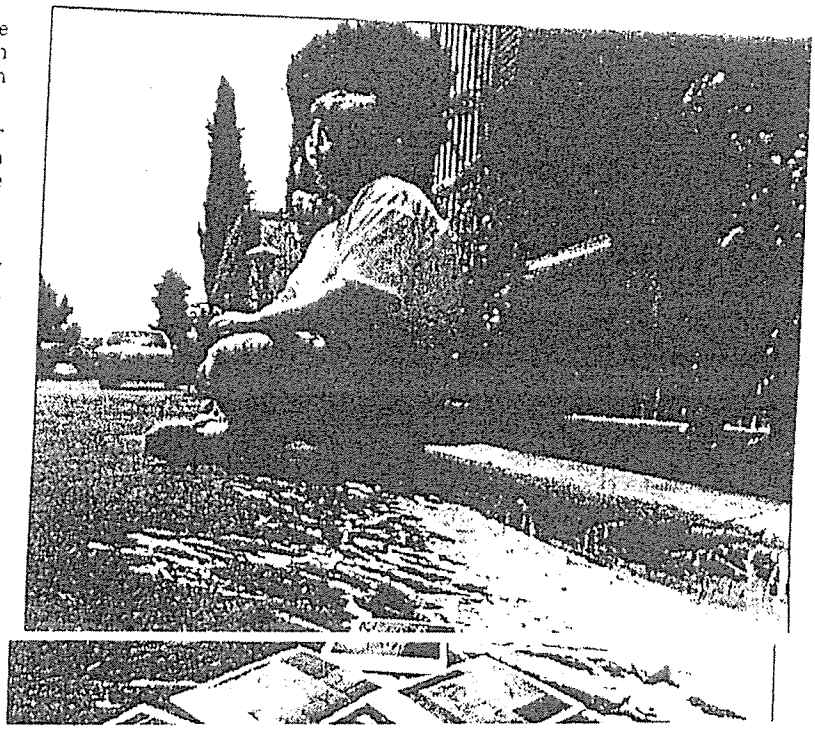
Sims and the Colemans declined requests for interviews to tell their side, and attorney Steve Moore, who has represented Sims, said "there are still matters pending. She's (Margaret Coleman) elected not to discuss it at this point."

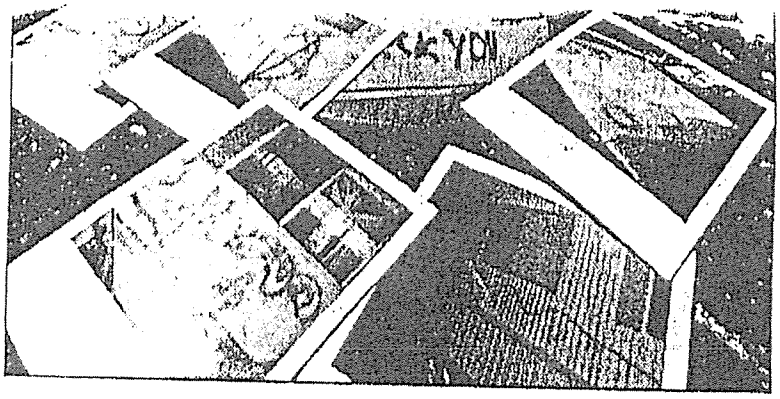
However, documents on file at Superior Court and Municipal Court in Vista help illustrate the morass of charges and counter-charges that Alexander and Sims-Coleman have hurled against one another.

In a request for a restraining order, Alexander claimed that Sims had "exposed himself twice" to her and her family, and, on another occasion, "came after me with a baseball bat and threaten[ed] me." A restraining order was granded.

But Sims and the Colemans also obtained a restraining order, and in documents filed with the court, they accuse Heidi Alexander of harassment and orchestrating rock-throwing against their home.

Sims alleged that "[d]espite [...]





DON BARTLETTI / Los Angeles Times

(Alexander) had rocks thrown at our coach three or four times a week through the entire month of August. In September of 1990, Heidi Alexander accused members of my family of being molesters."

Another document written by Margaret Coleman alleged that "Heidi is spreading malicious lies about my family and myself. Heidi continues to molest my family at all hours day and night."

Although both parties have restraining orders, it doesn't seem to have done any good, as each side has accused the other of violating the orders. In one case in July, Alexander was charged with breaking the restraining order, but the charge was dismissed and she pleaded guilty to disturbing the peace, which is an infraction.

Alexander earlier this year accused Sims of indecent exposure, and the case went before a Municipal Court judge who found Sims not guilty.

On and on it's gone, frustrating police.

Police Sgt. Doug Timbs said, "I've got a stack of crime reports. Just about everybody is a suspect or victims. We've got several neighbors who absolutely hate each other."

Some residents say police have been summoned to the mobile home park on hundreds of occasions, and police spokesman George said, "some days we responded three, four times . . . . I can't even surmise how many times we've gone out there."

For authorities, the problem has been lack of conclusive evidence that would result in a sure arrest and conviction. Police say the incidents are typically one person's word against another, and

Oceanside mobile home. Wet paint at her side was hurled by vandals.

witnesses are afraid to come forward.

"Vandalism does exist," said Timbs. "The question is, who's doing what to whom?"

That's not much satisfaction to residents who try to remain neutral but still live in fear and find themselves being dragged into the fray.

Valery Bonser, a dispatcher for the Oceanside Police Department, said she's paid a price for supporting the neighboring Alexanders in the dispute.

"I found a Molotov cocktail bomb behind my house. I have a bullet hole in the side of my house. I've had firecrackers on my roof," she said.

Down the block, Jim and Jeni Hewitt and their two young daughters are unhappily becoming entangled in the feud.

He said he walked to the Colemans' house to check on the welfare of Otis Coleman because he heard there had been a family dispute. Hewitt found no problem, but when he left the Colemans, Sims allegedly "threatened to blow up my car, my Thunderbird."

Things worsened, according to Hewitt, when police came to talk to one of his daughters after Sims allegedly reported the girl had pitched a rock at the Colemans' place.

Now, the Hewitts are angry.

"We're not really combatants yet, but we're getting close," he said, adding that he's worried about the safety of his family. "My personal family life has been threatened."

The rancor has continued so long that many observers don't consider any of the major participants to be blameless.

Resident Roberts said, "I think they're both wrong. I think they're all doing something."

Heidi Alexander denies all allegations against her, but concedes that her temper has occasionally gotten the better of her.

"The only thing I've ever been guilty of is when rocks were being thrown, I walked up to (the Colemans') house and yelled at them. The only thing I'm guilty of is running my mouth. The only thing I've been into was disturbing the peace."

Finally, the city attorney's office has entered the fracas, asking the key parties to mediate their dispute. "The seemingly endless cycle of conflict has deeply troubled all involved parties as well as law enforcement personal," said a letter from Deputy City Atty. Joe Stine.

But so far, there's been no diplomatic breakthrough.

"These people won't even sit in the same room with one another," said prosecutor Silva.

The mobile home park's new owner, Fritz Neumann, who took over in April, said he's heard endless complaints and is trying to find a solution but has been stymied.

He said if sufficient evidence could be gathered, he would be willing to evict any offending parties. In the meantime, he said that two months ago he asked the city, which regulates the park under its rent control ordinance, to let him hire a 24-hour security service. He said he's gotten no reply.

"I'm going to clean this place up, one way or the other," Neumann vowed.

(3)

Feuding Families Served Walking Papers

Law: Years of a 'Hatfield and McCoy-type situation' in Oceanside mobile home park may finally be resolved with eviction notices.

By RAY TESSLER
TIMES STAFF WRITER

12 Nov. 91/SD

A notorious feud may be ending in Oceanside, where two warring families face eviction after years of conflict that has embroiled a neighborhood, said city police and the district attorney's office.

The owner of El Camino 76 Mobile Estates has informed the families, Grada Alexander and daughter Heidi Alexander and their neighbors, Otis and Margaret Coleman, that they must leave and remove their mobile homes by Dec. 18.

An eviction notice to the Alexanders alleges "verbal obscenities to other tenants, verbal threats, damaging other tenants' homes and cars with paint and food, throwing rocks and other objects [at] tenants and their homes, and vandalism."

The notice is signed by James E. Fitzsimmons, the attorney for mobile home park owner Fritz Neumann. A similar eviction notice has been delivered to the Coleman family, although a copy couldn't be obtained Monday.

In recent years, police have responded to hundreds of calls stemming from the chronic dispute between the Alexanders and the Colemans. Allegations of vandalism and other complaints also involve the Colemans' grandson, 18-year-old Heath Sims, who lives with the Colemans.

The situation has gotten so bad that police have made numerous arrests in the neighborhood and, with the district attorney's office, have been sorting through 20 misdemeanor cases and trying to determine whether to prosecute.

Further, the feuding families have won court restraining orders against one another, but to no avail. Even the city attorney's office has intervened to seek a mediation hearing, but that overture has failed to end the fighting.

Oceanside police Officer Bob George said Monday that conditions finally reached the point where the park owner asked authorities to provide incident reports to help oust the Alexanders and the Colemans.

"The owner said, 'I want them out, and I need public records to substantiate' " the grounds for eviction, George said.

According to George, police "have tried to work with the park for several years. We've had meetings, and we've had restraining orders against each [family], and we've arrested people."

But nothing has worked, and both police and district attorney representatives have called the feud among the worst they've ever seen.

George has termed it "a regular Hatfield and McCoy-type situation out there."

The eviction notices informed each party that they may sell their mobile home, "but you may not represent that it may remain at its present location after it is sold; in fact, it may not and must be removed on sale."

On Monday, "FOR SALE" signs were visible on the Alexander and Coleman mobile homes.

Heidi Alexander said she and her mother are contesting the eviction, and she produced a letter from the Alexander's attorney, Peter Yeomans, denying the allegations against them.

The letter to Fitzsimmons said "the assertion . . . that my clients have caused 'substantial annoyance to other homeowners or residents is without basis, is irresponsible, and constitutes liable (*sic*)."

Attorney Steve Moore, who has represented Heath Sims, couldn't be reached for comment Monday, and the Colemans have declined to discuss the feud.

(4)

B

Blade-Citizen

Sunday, June 21, 1992

Judge gives the boot to feuding families

By Evan Dreyer
Staff Writer

OCEANSIDE — The modern-day Hatfield-and-McCoy feud at an Oceanside mobile-home park has ended, with a Vista Municipal Court judge ordering the two families out.

Judge Harley J. Earwicker on Friday upheld an eviction notice against the Alexanders and Colemans, telling both families to leave the El Camino 76 Mobile Estates park by Thursday.

"Not only is this a great relief to the park's owners, but the rest of the tenants are equally relieved to be rid of them," said attorney James E. Fitzsimmons, who represents park owner Fritz Neumann.

Earwicker refused in April to uphold the eviction notice against both families, ruling on a technicality that the notice was improperly served. On a motion for reconsideration, Earwicker changed his position and effectively ended almost two years of warring between the Alexanders and Colemans.

The feud erupted in 1990, when Heidi Alexander accused Margaret Coleman's 19-year-old grandson of indecent exposure and molesting her daughter. Though the grandson was acquitted, the battle continued with bouts of rock-throwing and vulgar shouting matches.

The two families' "actions do not amount to simple harassment," Fitzsimmons wrote in court papers. "Their acts have escalated to the point of requiring police presence at the park, several times a week, restraining orders being made against them, and even felony charges being brought for witness tampering."

Coleman's grandson, Heath Sims, was arrested on suspicion of threatening a witness in the case against the two families. He allegedly phoned a neighbor, Mary Hulsebus, and told her: "I'm going to kill you ... your kids will be killed," according to Oceanside police.

Hulsebus refused to comment Saturday.

Other neighbors were relieved to learn about Earwicker's decision.

"It is a relief," said one neighbor, who asked not to be identified. "They can just go away and leave everybody alone now. They've been a nuisance in the park; the police were here all the time to break up fights."

But the man who lives directly between the Colemans and Alexanders said he's rarely been bothered by the two fami-

➤ See Feud, Page B-4

Feud

➤From Page B-1

lies.

"I've never had a problem," said Jose Bueno, who works the late shift and is usually not home until 2 a.m. He admitted, though, that he occasionally heard the families "screaming at each other."

Heidi Alexander, who moved to an apartment several months ago but still maintains a residence in the park, could not be reached for comment Saturday.

Neighbor Jose Bueno admitted that he occasionally heard the families "screaming at each other."

Margaret Coleman, 64, said she was "at my wits' end."

"I think it stinks," she said. "I think somebody was paid off. You don't just change your mind like that. And my lawyer didn't even fight it."

Coleman, who suffers from diabetes and emphysema, said her lawyer, James Beall, has threatened to sue her and her 75-year-old husband for the $14,000 to $18,000 he claims he's owed.

"It's just unfair," Coleman said.

REMEMBER WHEN

REMEMBER : When we had the old owners at El Camino 76 and trying to get them to do some of the basic things like providing a **safe** environment for our families to live in.

REMEMBER: When we would try to get the old Managers to keep the swimming pool and common areas **functional** for our use.

REMEMBER: When we had problems with **uninvited** guest sleeping in our dirty clubhouse, near our laundry room with the broken windows and doors and on some occasions in our own back yards.

REMEMBER: When we had all the potholes and cracks in our streets that the owner just couldn't repair or just **wouldn't** ! When we attempted to use our clubhouse for any occasion, and wasn't it **fun** trying to use a stove that didn't work or wash the dishes and pots and pans in a sink with only **cold** water and a broken garbage disposal **for years.**

REMEMBER: When we had to set-up our own park security without the help of the old owner or managers.

When we patrolled our park at all hours of the night because of the tire slashing and the fires in the trash containers.

When we had to put up with the **Hatfields & McCoys** feuding, fussing, and fighting.

FRIENDS, I sure remember those times and I hope they are not about to be repeated. We have been fortunate indeed to have an owner that has dumped a pile of money in our park, had the vision and listened to the concerned residents as to what the park needed to come together as a **community** and live in peace and harmony, which it certainly has done for almost three years.

Mr. Neumann has nurtured our park into a place where residents feel comfortable, safe, and secure. He supplied our park with a manager that everyone truly cared for and respected. That was the husband/wife team of Billy and Vera Brewster. We (the entire park) were very saddened when we were notified the Brewsters would be leaving EC'76. Of course it was a double shock to us when we learned of Billys' death. However the park continued to grow in a very positive direction. We got another excellent husband/wife team in Jerry and Adele Teal who have been residents at EC'76 for many years, and have always demonstrated their willingness to share and volunteer their services whenever the need arose. The Teal's have certainly been the catalyst in keeping EC'76 a fun place to live in and have shown a very caring but firm attitude in upholding the standards of the rules and regulations of EC'76.

I have recently learned that the Teal's' have been terminated as Park Managers by George Anderson BIG MISTAKE , Mr Neumann please reevaluate this decision We feel the Teal's' have been a great asset to our park and to replace them is only going to bring EC76 back to another **REMEMBER WHEN !**

Although I can appreciate Mr Anderson's zeal , I do question his ability to manage because of my experience with him and the way he failed to accept my explanation of a rule he adamantly accused me of being in non-compliance of Which incidentally you have stated I was completely in my rights Mr Anderson would not consider my explanation and apparently failed to follow-up by contacting you to verify what I had stated and offered as my excuse as to why I felt I wasn't violating any of the parks Rules or Regulations I communicated with Mr Anderson on two separate occasions to resolve this matter and thought it (the Problem) was solved After my telecon with you and your meeting me for a discussion on this matter I consider the issue closed and resolved and because I have been subjected to Mr Anderson's' tactics and there doesn't seem to be any other violations in reference to my home I would appreciate it if Mr Anderson focus his attention somewhere else, unless I am in violation of any of the rules or regulations (which, since my moving here in 1981 I have **never** been in) I will expect the Park Manager to inform me and not Mr Anderson I will not tolerate Mr Anderson harassing my wife or intimidating her in any fashion As always you may rely on me to be in total support of making and keeping EC76 a great place to reside and I remain a good example for EC76

Yours Truly,

Al Maglietto

Space #73

October 15, 1994

George Anderson
Professional Business Services
11950 Highway 67
Lakeside, California

Dear Mr. Anderson:

After reviewing your "Notice" to all residents dated October 15, 1994 I feel compelled to respond on some of the issues you have seemed to prioritize as a problem. Quiet frankly I'm a little confused as we (the residents) were led to believe that a J.R. Philips were management servicers for El Camino 76. I can appreciate the fact the owner can delegate or appoint whomever he wishes as managers, but I feel your letter of introduction should have been one for residents feel comfortable with another transition instead of being dictated to.

First I would like to share with you a little of the history of El Camino 76 as I have been a resident here since 1981. I am sure you have been briefed on some of these items, but I would like to make it a matter of record. When I decided to bring my family to the park it was done with the careful examining of two parties, one being myself to make sure I made the right choice for my family and the other by the park manager to ensure that I would be a good resident and follow all rules and regulations in which I consider to have done this far. I considered the park to be a place I wanted to call home.

I've watched our park go from a real nice place to live to one that became sub--standered, poorly managed, without regard or respect to the residents wellfare or privilages. I've witnessed hostage situations, where special police teams were called to provide protection for park residents, and feel we (the park residents) have been exposed to a variety of problems, and I might add that we have weathered the storm.

As responsible residents we set up our own neighborhood watch program and resolved the internal problems that were facing our families as well as could be expected without support from the manager or owner. We dealt with vandalism, tire slashings, the real Hatfield and McCoy type family feuds etc., etc. So I believe we have demonstrated our abilities and have proven to the new owner Mr. Fritz Neuman that we truly support his ideas in providing once again a nice place to live and raise our families. Mr. Neuman has been the catalyst and bridge for the residents of El Camino 76 and it is very evident to all who reside here he has our respect. He supplied us with a teriffic managerial team in Billy and Vera Brewster who took the bull by the horns attidude and "cleaned" this park up. We were sorry to see Billy and Vera go, and terribly saddened to hear of his passing. However we were afforded the oppertunity of getting another excellent husband/wife team in Jerry and Adele Teal. They have proven to be a very valuable asset for us the residents, and it should be evident to your office.

I believe Mr. Neuman will agree through his past experiences with the residents here there has not been only a cosmetic change, but also an attitudinal adjustment relative to making this park grow. The majority of the residents do keep the appearence of their homes up and others have begun to comply, but as always there are those who don't or won't and I believe that's were your obligation should be focused. I feel the way you have presented your notice to us at this time is not fair. My intentions in writing this letter of responce is not to be disruptive but is intended to be constructive criticsism.

You mentioned that boats or campers will not be allowed after a time period, again this is very confusing to some of us as to who are we to believe again? Some of us have permission from the owner to have these on our space. This was approved by Mr. Neuman before we placed these items on our space and we have never been repremanded, warned, or served notice by the owner or the past management company. We appreciate Mr. Neuman's concern with making and keeping the standards of El Camino 76 up and we support his ideas and decisions. We also believe he respects our feelings.

The Teals have clearly demonstrated their willingness to be fair and firm in regards to upholding the rules and regulations established by California Codes and the park (which incidently I co--authored with the owner), and they know they have the support of the park.

In conclusion Mr. Anderson I take exception to your statement in regards to your decision on taking legal action with people parking in the guest spaces as being totally insensitive and without warrant. As I have stated earlier I as well as many others in this park have lived here for quite along time and I have yet to hear a complaint from a "Guest" about parking! Our primary problem isn't parking it's the person who abuses the term guest. Let's deal with the person or persons staying here that aren't guests that have been documented as a problem. Let's continue to keep the gang element out of here. I suggest to you that I feel very intimidated by this notice and I am very disappointed that upon a letter of introduction you would act in such a manner This only reflects to us shades of the "Old Management" Techniques of showing fangs and intimidation. I would urge you to meet with us as a selective group for a meeting of the minds as we only have the best interest of the park in our considerations.

Sincerely,

Al Maglietto
Space #73

February 9, 2007

Mr. and Mrs. Fritz Neumann
El Camino 76 Mobile Estates
Oceanside, Ca.

Dear Mr. & Mrs. Neumann,

Greetings. Please accept this letter as appreciation in regards to meeting your new Management Consultants.

This past Wednesday, Feb 7 we (some park residents) had the pleasure of meeting your new Management Consultants Napoleon and Patricia.

First let me thank you on behalf of those in attendance for replacing Hawk-eye with what appears to be a much more resident friendly pair of Manager Consultants. The turnout of residents for this meeting was exceptional. Napoleon and Patricia presented themselves quite professionally and were well received by the residents present. As I have said to you before I believe you have the best interest for our park and I realize you have to protect your investment. I also believe you can understand some of the feelings that most of the residents have in being able to support your actions in regards to keeping the standards of El Camino Real as a friendly, happy and Safe community a top priority. There are a few residents that could care less and that is to be expected however please be reassured that I will do my best to assist Debbie, Tony, Napoleon and Patricia.

Again, thank you for releasing Hawk eye and for keeping the residents informed. I wish this new team much success and look forward to seeing El Camino "76" grow.

Sincerely,

Al and Debra Maglietto
Space # 75

1301 South Hale Avenue #3
Escondido, California 92029

Mobile Home Rent Control Administration
Karen Youel, Housing Manager
City Of Escondido
201 North Broadway
Escondido, California 92025

Dear Karen,

On behalf of myself, Park Representative, Assistant Representatives, Billie Mac Howie, Georgia Robles, Laura Rash and the residents of Green Tree Mobile Estates I am submitting the following information in regards to the Rent Review Hearing and the 30 day extension.

During the April 13, 2016 process when we interfaced with the City Of Escondido we were given a one month continuance after which we must once again return to City Hall. At this hearing the more than the 50% plus one of the residents appeared at City Hall to protest the rent increase, we feel that the proper weight was not given to this crucial fact.

In addition, we had a signed negotiated contract with management from the 2012 Short Form Rental Increase. That was not honored. The increase was given to the Owners yet they did not perform the important aspect of the contract. This was also ignored by Council.

After calls to the Housing Department and the City Attorney's Office no one was available who could inform us on the 30 day extension process. In view of this, we had a negotiation meeting scheduled for April 22, 2016 with Park Management and Park Representatives.

A few days prior to the meeting a notice was sent to all residents to attend. Park Representatives were not informed beforehand about this change. We were not given the opportunity to present our new plan for negotiating. The meeting quickly turned to questions not relevant to negotiating under the Short Form Rental Agreement.

The most important statement at the above mentioned meeting was made by Mr. Ken Weiner. He told us that no improvements will be made at Green Tree, ever. How do you negotiate under those circumstances?

We the residence of Green Tree strongly request you deny the increase. We have met requirements to support this request.

Sincerely,
Sherry Fischer

Agenda Item No.: 8
Date: May 11, 2016

RESOLUTION NO. RRB 2016-04R

A RESOLUTION OF THE ESCONDIDO MOBILEHOME RENT REVIEW BOARD MAKING FINDINGS AND GRANTING A RENT INCREASE FOR GREEN TREE MOBILE ESTATES

(Case Number: 0697-20-10065)

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form rent increase application pursuant to Section 12 of the Rent Review Board Guidelines was filed on February 18, 2016, by Ken Weiner of Income Property Investors, the owner's representatives of the Green Tree Mobile Estates (the "Park"). The Park is located at 1301 S. Hale Avenue in Escondido; and

WHEREAS, this is the 12th rent increase application filed by the Park since the Ordinance became effective in 1988. The last rent increase was granted by the Rent Review Board Resolution 2012-08 on August 22, 2012, for an increase of 2.989 percent, or approximately $15.07 per space, per month; and

WHEREAS, at the time of the current application, the average monthly rent per space was $545.26 for 84 spaces subject to the rent increase. The owner requested a rent increase in the amount of 75 percent of the change in the Consumer Price Index

("CPI") for the period December 31, 2013 through December 31, 2015, in accordance with the Rent Review Board short-form policy guidelines. The application estimated this amount to be an average of $15.39 (an increase of 2.822 percent) per space, per month; and

WHEREAS, a notice of the Park's Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date, and place of the rent hearing before the Board; and

WHEREAS, on March 17, 2016, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed. It noted Health and Safety Code violations in the Park; and

WHEREAS, on April 13, 2016, the Board held its public hearing. After an initial staff presentation, the Board invited testimony from Park ownership, residents of the Park, and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was continued to May 11, 2016; and

WHEREAS, a notice of hearing's continuance was sent to all affected homeowners. All parties were given notice of the time, date, and place of the rent hearing before the Board; and

WHEREAS, the owner amended the application to give the 23 residents whose rent was $650 or more a $0 increase. This amendment would result in an average increase of $10.10 (an increase of 2.822 percent) per space, per month; and

WHEREAS, on May 11, 2016, the Board continued its public hearing. After an initial staff presentation, the Board invited testimony from Park ownership, residents of the Park, and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members, and clarifying questions to the parties and Staff, the Board voted to grant an average rent increase of $10.10 per space, per month.

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.

2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the short-form Guidelines ("Guidelines").

3. That following the Guidelines, an increase based on 75 percent of the change in the Consumer Price Index ("CPI") for San Diego County from December 31, 2013 through December 31, 2015, would amount to an increase of 2.822 percent, which averages $10.10 per space, per month.

4. That the Board concluded that an increase of $10.10 per space, per month, is consistent with the Guidelines, and is fair, just, and a reasonable increase in light of the information presented by all parties.

5. That the increase may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected, signed off, and are in compliance with the various state and local code sections as noted in the Inspection.

6. That the increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

ESCONDIDO
City of Choice

RENT REVIEW BOARD

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

Agenda Item No.: 9
Date: May 11, 2016

TO: Honorable Chairman and Members of the Rent Review Board

FROM: Bill Martin, Interim Director of Community Development

SUBJECT: Short-form Rent Increase Application for Mobile Park West (File Number 0697-20-10071)

RECOMMENDATION:

- Consider the short-form rent increase application submitted for Mobile Park West.
- If approved, adopt Rent Review Board Resolution No. 2016-06 granting an increase of 75 percent of the change in CPI, or 2.82 percent (an average of $13.57) for the period December 31, 2013 through December 31, 2015.

INTRODUCTION:

Mobile Park West Mobilehome Park ("Park"), located at 2700 E Valley Parkway, has filed a short-form rent increase application. The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines (Section 12). The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

Mobilepark West is an all-ages Park which contains 314 spaces; 208 of the spaces are subject to rent control. The Park is requesting an increase for the 208 rent controlled spaces. The other spaces not included in this application are on long-term leases, are vacant or are occupied by the management. Common facilities include a clubhouse with two kitchens, billiard room, card room, library, arts and crafts room, exercise room, swimming pool and spa, and a barbeque area. The Park also has two laundry facilities, two RV storage areas and a car wash facility.

The application meets all the eligibility criteria for submittal of a short-form rent increase application.

PARK OWNER'S REQUEST:

The Park is requesting an increase of 75 percent of the change in Consumer Price Index for the period of December 31, 2013 to December 31, 2015. Seventy-five percent of the change in the

CPI for the period of consideration is 2.82 percent. The average monthly rent for the residents that are affected by this application is $481.09. The average monthly increase requested for the 208 spaces is $13.57 per space, per month.

This is the eleventh rent increase request filed by this Park since the Ordinance was implemented. The last increase was granted in August 2014 for an average amount of $11.01, per space, per month.

RESIDENT MEETING AND COMMENTS:

Residents of Mobile Park West were invited to attend a meeting in their clubhouse on April 12, 2016, at 6:00 p.m., at which time staff reviewed the short-form hearing and code inspection procedures. The Owner's representative, Park manager, and Maintenance Supervisor attended the meeting. Dale Anderson was elected as resident representative. Approximately six residents were in attendance. The HOA and management and Owner's representative have continued to hold monthly meetings. They held a meeting before the resident meeting to discuss issues at the park. They have been and will continue to work on parking issues and property maintenance (of both park maintained areas and resident-owned coaches). The park will continue to work on the street overlay. The Park is adding eight new parking spaces at the clubhouse. Residents had concerns about nearby City-owned property including a uneven section of the sidewalk on Wanek Road and a damaged gate bordering a grass alleyway along the east side of the park.

CODE INSPECTION REPORT:

An inspection of Park's common areas by the City's Code Enforcement Division noted several violations of the Health and Safety Code. A copy of the Code Report is attached as Exhibit "A." The applicant representative has received a copy of the report, has indicated the violations will be corrected, and is further aware that no rent increase, if any is granted, may be implemented until the Health and Safety Code violations have been cleared.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The Park owner may send the 90-day notice of any rent increase granted to the residents upon the adoption of the Resolution.

Respectfully Submitted,

Bill Martin
Interim Director of Community Development

Karen Youel
Housing Manager

EXHIBIT "A"

ESCONDIDO
City of Choice

DATE: **APRIL 21, 2016**

TO: **HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD**

FROM: **BRIAN GUSTAFSON, CODE ENFORCEMENT MANAGER**

SUBJECT: **MOBILE PARK WEST RENT CONTROL**

Mobile Park West was inspected on April 19, 2016, with the lighting inspection conducted the evening prior. This inspection was a result of an application for a rent increase having been filed. Eight general violations and eleven lighting violations were found and noted in the attached inspection report.

The resident meeting was held April 12, 2016, and was attended by six residents, park management and city staff. At this meeting the resident representative was elected and given the report form to complete. There are monthly meetings between management and residents where current issues are discussed.

There were five code enforcement cases in this park during the past year; four at various spaces for work without a permit and one for blocked drains that was the parks responsibility. After investigation this complaint was not substantiated and deemed unfounded as all the drains were found to be clean and clear of debris. There is also a weekly street sweeping service provided to maintain the cleanliness of the roadways within the park.

CC: Bill Martin, Director of Community Development
Karen Youel, Rent Control Administration

Sam Abed, Mayor Michael Morasco, Deputy Mayor Olga Diaz Ed Gallo John Masson

ESCONDIDO
City of Choice

April 21st, 2016

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name: Mobilepark West Mobile Home Park
2700 E Valley Pkwy, Escondido

Park Owner: Escondido Mobilepark West One
PTNSHP Burnet F Wohlford Trust
430 S. San Dimas Ave.
San Dimas, CA 91773

Park Management: Michael Flowers
(760)747-1616

Inspection Date: 4/19/16 **Inspectors:** Jamie Zeller

The following report is based on the inspection of the mobile home park conducted under provisions outlined in the California Code of Regulations, Title 25, Division I, Chapter 2 and the Escondido Zoning Code, Article 45. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Replace all missing window screens on the mobile home park buildings. **25 CCR § 1605 (a) (6)**

2. Replace the light cover in the men's sauna facility. **25 CCR § 1102 (a)**

3. Replace the light out in the women's sauna facility. **25 CCR § 1102 (a)**

4. Replace the missing light covers in the service kitchen. **25 CCR § 1102 (a)**

5. Replace the water fountain push button cover in the pool area. **25 CCR § 1605 (a) (6)**

6. Repair the leaking water fountain in the barbecue/park area. **25 CCR § 1605 (e)**

7. Repair or replace the east and west laundry room's exhaust fans. **25 CCR 1188 (b)**

8. Repair or replace the light that is not working in the hallway by the gym area. **25 CCR § 1102 (a)**

Areas of the park needing illumination per 25 CCR 1108 (Lighting Inspection; 04-18-16)

Eleven exterior lights were found inoperable during my lighting inspection. Determine the cause of the non-working lights and repair as necessary. **25 CCR § 1605 (d) (2).**

The lights are located near lots 28, 30, 73, 77, 96, 118, 121, 167, 276, 300 and the light at the north side of the park common area.

Agenda Item No.: 9
Date: May 11, 2016

RESOLUTION NO. RRB 2016-06

A RESOLUTION OF THE ESCONDIDO MOBILEHOME RENT REVIEW BOARD MAKING FINDINGS AND GRANTING A RENT INCREASE FOR MOBILE PARK WEST MOBILEHOME PARK

(File Number: 0697-20-10071)

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form rent increase application pursuant to Section 12 of the Rent Review Board Guidelines was filed on March 7, 2016, by Chad Casenhiser, the Owner's representative of Mobile Park West Mobilehome Park ("Park"), located at 2700 E. Valley Parkway in Escondido. The short-form rent increase applies to 208 of the 314 spaces; and

WHEREAS, this is the eleventh rent increase application filed by the Park since the Ordinance became effective in 1988. The last short-form rent increase of 2.989 percent, or approximately $11.01 per space, per month, was granted at a Rent Review Board Hearing held on August 20, 2014, and formally adopted by Rent Review Board Resolution 2014-08; and

WHEREAS, at the time of the current short-form rent increase application, the average monthly space rent was $481.09 for the 208 spaces subject to the rent increase. The owner requested a rent increase in the amount of 75 percent of the change in the Consumer Price Index ("CPI") for the period December 31, 2013 through December 31, 2015, in accordance with the Rent Review Board short-form policy guidelines. The short-form rent increase application estimated this amount to be an increase of 2.82 percent per space, per month (an average of $13.57 per space, per month); and

WHEREAS, a notice of the Park's Short-form Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date, and place of the rent hearing before the Board; and

WHEREAS, on April 19, 2016, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed and it noted health and safety code violations in the Park; and

WHEREAS, on May 11, 2016, the Board held its public hearing and after an initial staff presentation, the Board invited testimony from the Park owner's representative, residents of the Park, and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an increase of 2.82 percent, an average of $13.57 per space, per month, for the 208 spaces which are subject to a rent increase.

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.

2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the short-form Guidelines ("Guidelines").

3. That following the Guidelines, an increase based on 75 percent of the change in the CPI for San Diego Country from December 31, 2013 through December 31, 2015, would amount to 2.82 percent, which averages $13.57 per space, per month, for the 208 spaces that are subject to a rent increase.

4. That the Board concluded that an increase of 2.82 percent is consistent with the Guidelines, and is fair, just, and a reasonable increase in light of the information presented by all parties.

5. That the short-form rent increase may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected, signed off, and are in compliance with the various state and local code sections as noted in the Inspection Report.

6. That the short-form rent increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

ESCONDIDO
City of Choice

RENT REVIEW BOARD

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

Agenda Item No.: 10
Date: May 11, 2016

TO: Honorable Chairman and Members of the Rent Review Board

FROM: Bill Martin, Interim Director of Community Development

SUBJECT: Short-form Rent Increase Application for Eastwood Meadows (File Number 0697-20-10072)

RECOMMENDATION:

- Consider the short-form rent increase application submitted by Eastwood Meadows Mobilehome Park.
- If approved, adopt Resolution No. RRB 2016-07 granting a rent increase of 75 percent of the change in the Consumer Price index (CPI) for the period of December 31, 2013 through December 31, 2015, or 2.82 percent (an average of $13.57 per space).

INTRODUCTION:

Eastwood Meadows Mobilehome Park ("Park"), located at 2550 E. Valley Parkway, has filed a short-form rent increase application. The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

The Park, an all-ages park, contains 129 spaces with 80 spaces currently subject to rent control. Management is requesting an increase for the 80 rent controlled spaces. Spaces not subject to this rent increase request include spaces on long-term leases and spaces occupied by employees. Park facilities include a furnished clubhouse with a kitchen, billiard room, exercise room and manager's office. There are also a community pool, a children's playground, and a car wash area. For a fee, a laundry facility and recreational vehicle storage area are available for residents' use.

The application meets all the eligibility criteria for submittal of a short-form rent increase application.

PARK OWNER'S REQUEST:

Under the short-form policy guidelines, the Park is requesting an increase of 75 percent of the change in CPI for the period of December 31, 2013 to December 31, 2015. Seventy-five percent of the change in CPI for the period of consideration is 2.82 percent. The average space rent for spaces subject to an increase is $481.10. The average monthly increase requested is approximately $13.57 per space, per month.

This is the twelfth application for a rent increase filed by this Park since the Ordinance was implemented. The last increase was granted on June 11, 2014, for approximately $11.66 per space per month covering a 24-month period of consideration.

RESIDENT MEETING AND COMMENTS:

Individual notices were sent to each affected resident notifying them of the rent increase application and the hearing date. Approximately eight residents attended a meeting in their clubhouse on April 12, at 7:00 p.m., at which time staff reviewed the short-form hearing procedures. The Owner's representative and Park Manager attended the meeting. Residents expressed overall satisfaction with the conditions at the park, and the new clubhouse roof. They expressed concern regarding the upcoming expiration of the ground lease in 2025; management confirmed that they have been in discussion with the land owners and that they anticipate an agreement before the current lease expires. There were also concerns about on-going electrical issues in the park. Eastwood Meadows had been accepted into the CPUC's pilot program for the electric company to take over electric/gas service to the park and directly bill the residents. Unfortunately, the expiring lease caused the Park to be removed from the program. There are no immediate plans to overhaul the system, although the park will continue to do preventative and emergency maintenance. Residents and management brainstormed about possible ways to reduce speeding in the Park. Residents also commented about intermittent issues with telephone service. Ernst Kubyan was elected as the resident representative.

CODE ENFORCEMENT INSPECTION:

An inspection of the common areas of the Park by the Code Enforcement Division of the City noted some violations of the Health and Safety Code. A copy of the Code Report ("Report") is attached as "Exhibit A." The Owner's representative and resident representative received a copy of the Report, and were made aware that no rent increase, if granted, may be implemented until the Health and Safety Code violations have been cleared.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing.

The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The Park owner may send the 90-day notice of any rent increase granted to the residents upon the adoption of the Resolution.

Respectfully Submitted,

Bill Martin
Interim Director of Community Development

for Karen Youel
Housing Manager

EXHIBIT "A"

ESCONDIDO
City of Choice

DATE: **APRIL 21, 2016**

TO: **HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD**

FROM: **BRIAN GUSTAFSON, CODE ENFORCEMENT MANAGER**

SUBJECT: **EASTWOOD MEADOWS MOBILE HOME PARK**

Eastwood Meadows Mobile Home Park was inspected on April 21, 2016, with the lighting inspection conducted the evening of April 18, 2016, as a result of an application for rent increase having been filed. There were eight general violations found during the inspection which are noted in the attached report; no lighting violations were observed.

A resident meeting was held on April 12, 2016 (attended by eight residents, park management and one city employee). The resident representative was elected and given the report form to complete. There were no health and safety concerns raised during the resident meeting.

There were two code enforcement cases opened during the past year, both concerning individual space issues and none that would be the responsibility of the park.

CC: Bill Martin, Director of Community Development
Karen Youel, Rent Control Administration

ESCONDIDO
City of Choice

April 21st, 2016

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name: Eastwood Meadows Mobile Home Park

Park Owner: Escondido Mobile Park West II
Caroline Blackburn
430 S. San Dimas Ave.
San Dimas, CA 91773

Park Manager: Barbara Cartwright **Phone:** (760) 747-5437

Inspection Date: 04/21/16 **Inspector:** Jamie Zeller

The following report is based on inspection of the mobile home park conducted under provisions outlined in the California Health & Safety Code, Division 13, Part 2.1; the California Code of Regulations, Title 25; the Escondido Zoning Code, Article 45; and the Escondido Municipal Code. This inspection report only addresses health and safety issues related to the common facilities and areas in the mobile home park for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Replace all missing window screens on the mobile home park buildings. **25 CCR § 1605 (a) (6)**

2. Repair or replace the water spigot in the barbecue area. **25 CCR § 1605 (e)**

Sam Abed, Mayor Michael Morasco, Deputy Mayor Olga Diaz Ed Gallo John Masson

3. Repair or replace the can lighting in the Billiard room. **25 CCR § 1605 (d) (1)**

4. Repair or replace the self-latching mechanism on the pool gate. **25 CCR § 1102 (a)**

5. The fire extinguisher in the television room has an outdated fire extinguisher inspection card with the expiration date of April 2015. **25 CCR 1605 (i)**

6. The drain in the workshop area is not operational and needs to be repaired. **25 CCR § 1605 (a) (7)**

7. The handrail in the pool area is broken and off of its base in the plaster of the pool and needs to be repaired. **25 CCR § 1102 (a)**

8. There is roofing on the patio cover in the barbecue area that has boards that are deteriorating and need to be replaced. **25 CCR § 1605 (g) (4)**

Areas of the park needing illumination per 25 CCR 1108
Lighting Inspection: 04/18/16

The lighting in the park was found to be generally sufficient and lighting levels were within the minimum requirements for illumination. All exterior lighting throughout the park is functioning.

Agenda Item No.: 10
Date: May 11, 2016

RESOLUTION NO. RRB 2016-07

A RESOLUTION OF THE ESCONDIDO MOBILEHOME RENT REVIEW BOARD MAKING FINDINGS AND GRANTING A RENT INCREASE FOR EASTWOOD MEADOWS MOBILEHOME PARK

(File Number: 0697-20-10072)

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form rent increase application pursuant to Section 12 of the Rent Review Board Guidelines was filed on March 7, 2016, by Chad Casenhiser, the Owner's representative of Eastwood Meadows Mobilehome Park ("Park"), located at 2550 E. Valley Parkway in Escondido. The short-form rent increase applies to 80 of the 129 spaces; and

WHEREAS, this is the twelfth rent increase application filed by the Park since the Ordinance became effective in 1988. The last short-form rent increase for 2.460 percent, or approximately $11.66 per space, per month, was granted at a Rent Review Board Hearing held on June 11, 2014, and formerly adopted by Rent Review Board Resolution 2014-05; and

WHEREAS, at the time of the current short-form rent increase application, the average monthly space rent was $481.10 for the 80 spaces subject to the rent increase. The owner requested a rent increase in the amount of 75 percent of the change in the Consumer Price Index (CPI) for the period December 31, 2013 through December 31, 2015, in accordance with the Rent Review Board short-form policy guidelines. The short-form rent increase application estimated this amount to be an average of $13.57, an increase of 2.82 percent per space, per month; and

WHEREAS, a notice of the Park's Short-form Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date, and place of the rent hearing before the Board; and

WHEREAS, on April 19, 2016, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed and it noted health and safety code violations in the Park; and

WHEREAS, on May 11, 2016, the Board held its public hearing and after an initial staff presentation, the Board invited testimony from the Park Owner's representative, residents of the Park, and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an increase of 2.82 percent, an average of $13.57 per space, per month, for the 80 spaces which are subject to a rent increase.

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.

2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the short-form Guidelines ("Guidelines").

3. That following the Guidelines, an increase based on 75 percent of the change in the CPI for San Diego Country from December 31, 2013 through December 31, 2015, would amount to 2.82 percent, which averages $13.57 per space, per month, for the 80 spaces that are subject to a rent increase.

4. That the Board concluded that an increase of $13.57 per space, per month, is consistent with the Guidelines, and is fair, just, and a reasonable increase in light of the information presented by all parties.

5. That the short-form rent increase may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected, signed off, and are in compliance with the various state and local code sections as noted in the Inspection Report.

6. That the short-form rent increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

ESCONDIDO
City of Choice

CITY COUNCIL

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

Agenda Item No.: 11
Date: May 11, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Bill Martin, Interim Director of Community Development

SUBJECT: Tentative Subdivision Maps, Master and Precise Development Plan, Zone Change and Amendment to the South Escondido Boulevard Neighborhood Plan for a 113-Unit Condominium Development (SUB15-0022 and SUB15-0023, PHG15-0031, AZ15-0002 and ENV15-0011)

STAFF RECOMMENDATION:

It is recommended that the City Council adopt Resolution Nos. 2016-66 and 2016-67, and introduce Ordinance No. 2016-05, approving a proposed residential planned development for 113 condominium units on 4.9 acres in conjunction with a Zone Change to Planned Development Residential and an Amendment to the South Escondido Boulevard Area Plan.

PLANNING COMMISSION RECOMMENDATION:

On April 12, 2016, the Planning Commission voted 3-2 (Commissioners Cohen and Weiler opposed; Johns and Romo absent) on a motion to deny the proposed Tentative Subdivision Maps, Master and Precise Development Plan, Zone Change and Amendment to the South Escondido Boulevard Neighborhood Plan.

PROJECT DESCRIPTION:

The project involves a Master and Precise Development Plan for 113 air-space, three-story condominium/townhome units on approximately 4.9 acres of land divided into a 3.47-acre northern and 1.4-acre southern component. Two Tentative Subdivision Maps (Del Prado North – 81 units and Del Prado South – 32 units) are requested because all of the subject parcels are not contiguous. An Amendment to the South Escondido Boulevard Area Plan is requested to allow an exclusively residential project on the site in conjunction with a Zone Change from General Commercial (CG) zoning to Planned Development-Residential (PD-R 24 du/ac). Project components includes a mix of two- and three-bedroom units ranging from 1,109 SF to 1,584 SF situated in 27 separate buildings (21 buildings Del Prado North and 6 buildings Del Prado South). A dedicated two-car garage would be provided for each unit along with additional on-site open parking spaces. The project includes shared recreational facilities including a pool, deck/trellis features and BBQ areas. The proposal also includes the adoption of the environmental determination prepared for the project.

LOCATION:

The 4.9-acre project site generally is located on the southwestern corner of S. Centre City Parkway and Brotherton Road. The project consists of five parcels (APNs 238-130-11, -26, -27, -35 and -36) addressed as 2329 Centre City Parkway.

FISCAL ANALYSIS:

None.

GENERAL PLAN ANALYSIS:

The General Plan land use designation on the site is General Commercial with a Mixed-Use Overlay. The General Commercial designation accommodates a wide variety of retail and service activities intended to serve a broad customer base. The Mixed-Use Overlay allows a combination of commercial or office activities that include a residential component within a self-contained comprehensively planned development in specified locations. The site also is located within the Centre City Parkway/Brotherton Road Target Area. Guiding principles for the target area include updating the existing Neighborhood Plan to include the formulation of new criteria for considering exclusively residential development along Escondido Boulevard. That process is now underway as part of the on-going update to the South Escondido Boulevard Neighborhood Plan. The proposed amendment contemplated as part of this project would allow an exclusively residential project as proposed to advance prior to completion of the new neighborhood plan (to be renamed the South Centre City Area Plan).

ENVIRONMENTAL REVIEW:

A Mitigated Negative Declaration (City File No. ENV15-0011) was issued for the project in conformance with the California Environmental Quality Act (CEQA). The findings of environmental review identified effects related to biological resources, geology/soils, noise, cultural and tribal cultural resources that might be potentially significant. However, design and minimization measures, revisions in the project plans, and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level. The City has concluded necessary consultation with the Native American Tribes in accordance with Assembly Bill 52 with the incorporation of appropriate mitigation measures to address potential impacts to Tribal Cultural Resources.

The Final Mitigated Negative Declaration may be viewed at the following link:
https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/delprado/FinalMND.pdf.

BACKGROUND:

The project site (northern parcel) originally was the location of Woody's restaurant (formally Cask 'n Cleaver) that was demolished years ago. The General Plan land-use designation and current zoning is General Commercial. The site is located within the General Plan Centre City Parkway/Brotherton Road Target Area Plan that allows mixed-use projects with a minimum density of 30 dwelling units per acre (du/ac) and also allows for exclusively residential projects. The project site also is located with the South Escondido Boulevard Neighborhood Plan that allows for mixed-use development with a maximum density of up to 24 du/ac, but does not include exclusively residential projects. Density

Neighborhood Plan is updated to correspond with the new General Plan vision for the corridor. That update currently is underway, but in the interim, the residential nature of the proposed development will require approval of an amendment to the South Escondido Boulevard Neighborhood Plan to allow residential development on the site without a commercial component.

PLANNING COMMISSION RECOMMENDATION AND SUMMARY:

On April 12, 2016, the Planning Commission voted 3-2 (Commissioners Cohen and Weiler opposed; Johns and Romo absent) on a motion to deny the proposed project. Commissioner Weber expressed concern with the more urban density of the project indicating the South Centre City Parkway Corridor was a major entry to the City and residential projects should be more suburban in design with a lower density. The Commissioners discussed the traffic concerns throughout the area noting the congestion caused by Interstate 15 and ramp meters. A majority of the Commissioners recommended the buildings situated along the western boundary of the project be reduced in height to address potential overviewing and to be more compatible with the adjacent residential homes, as well as improving pedestrian access along Brotherton road west of the project site. Commissioner Weiler suggested looking into these neighborhood issues as part of the update to the South Escondido Boulevard/CCP area plan. He also indicated the project was consistent with the recently adopted General Plan, and suggested providing additional landscaping or larger plants at initial installation to address the screening/privacy concerns along the western property boundary.

PUBLIC INPUT:

During the Planning Commission hearing, several neighbors spoke in opposition to the project noting the existing traffic congestion along South Centre City Parkway; lack of sidewalks along Brotherton Road for children walking to school; incompatibility of the project density with the surrounding residential neighborhood; insufficient parking for the project and potential impact to the adjacent neighborhood from overflow parking; and overviewing into adjacent residential properties from the three-story units. The owner of the commercial development currently under construction on the north (Munther Ghazal) discussed the need for a traffic signal at the intersection of Centre City Parkway/Brotherton Road indicating he was willing to pay some of the cost and that the developer of the Del Prado project also should contribute to the signalization.

APPLICANTS PERSPECTIVE:

The project applicant noted at the Planning Commission hearing the project density at 23 du/ac was much lower than otherwise would be allowed in conformance with the General Plan and Target Area densities that typically would require buildings higher than three stories. The proposed townhome project also would generate less traffic volume and neighborhood impacts than the range of commercial uses currently allowed on the site. The applicant felt the overall design and architecture of the proposed project with the mix of smaller building types and dedicated two-car garages provided for a much better transition and open space/landscape opportunities than a higher density mixed-use project would allow. Since the Planning Commission's hearing and in response to the adjacent neighbors privacy concern from the upper-story bedrooms, the applicant has proposed to modify the third-story window elements along the western boundary to include elimination of certain windows, reduce the size of other windows, use of opaque or leaded glass to obscure views, and reorientation of some bedrooms to relocate windows.

ANALYSIS:

Traffic –

The Planning Commission discussed the existing peak hour congestion created along Centre City Parkway (CCP) and nearby intersections, along with traffic circulation pattern from the project. The Commissioners noted due to the restricted turn movements at the intersection of Brotherton Road/CCP, in order for vehicles to travel north they must use the signalized intersection south of the project (CCP/Citracado Parkway) or backtrack through the residential neighborhoods. A Traffic Impact Analysis prepared for the project indicated all intersections and roadway segments in the study area would continue to operate at an acceptable level of service with the addition of the project and no mitigation is necessary. According to the Engineering Division, the project does not materially degrade the levels of service on the adjacent streets. However, it is understood that there is some AM peak hour congestion in the area caused by Caltrans metering access to southbound I-15, but a solution to this regional issue is beyond the scope of the proposed development.

The intersection of Brotherton Road/CCP will be modified by the project to improve circulation and sight distance. However, the Engineering Department noted that signalization of the intersection of South Centre City Parkway/Brotherton Road would be a major and expensive undertaking due to the configuration and operational characteristics of the roadways and intersections involved. Signalization and coordination of traffic circulation would involve three separate intersections because South Escondido Boulevard and South Centre City Parkway run parallel to and in close proximity to Centre City Parkway (classified as a Super Major Roadway). The Engineering Division also indicated that installation of sidewalks along Brotherton Road (from the project site to Alexander Drive) typically would involve widening of the street and installation of curb-and gutter, which would be beyond the scope of this project.

Building Design/Height –

The site currently is zoned General Commercial which generally has no minimum height and limited setback requirements for new construction. The proposed zone change to Planned Development-Residential similarly has no minimum standard for height or setbacks. Planned developments may set their own development standards to encourage creative approaches to the use of land through variation in the siting of buildings and design that enhances the appearance and livability of the community. The proposed development proposes a variety of setbacks on all four sides of the two project components to correspond to the variety of adjacent land uses. The project proposed to use the R-4 (multi-family residential) standards adjacent to the single-family residential development on the west to provide greater separation and landscaping between residential properties. Proposed setbacks along Centre City Parkway vary from 12 feet to 23 feet based on building placement/orientation, and greater setbacks for various building components are provided based on the wall plane variations in the front and side elevations of buildings. Front setbacks along Brotherton Road vary from 4 feet to 15 feet with a minimum landscape width of 8 feet to the public sidewalk. Both project frontages allow for a suitable amount of landscaping between the buildings and the back of the public sidewalk. The building complex nearest to the adjacent residential development on the west is setback a minimum of 15 feet from Brotherton Road to be consistent with the front-yard setback for the single-family residential homes along Brotherton Road.

Although the three-story buildings generally would be larger and taller than adjacent residences, the overall neighborhood compatibility has been mitigated through the quality of the site plan and architectural design and materials to reflect the surrounding residential character; varied wall planes, roof lines and balconies; accent features and exterior color palate. Mass and scale also has been addressed by situating the units within 27 smaller buildings with the number of units within each building ranging from three to five. This design provides more building depth and options on how the structures orient towards adjacent properties and views. The proposed buildings located along the western boundary would be situated approximately two feet to nine feet lower than the adjacent single-family residential properties, which would further screen the lower portions of the building/units. In response to concerns raised by the Planning Commission and adjacent property owners regarding overviewing and privacy from upper story windows, the applicant has proposed to modify the third-story window elements along the western boundary to minimize potential overviewing into neighboring properties. A six-foot-high perimeter fence would be provided along the western property boundary to further screen and buffer adjacent residential activities. Some overviewing from the upper story areas into the adjacent properties would still occur, but would be further minimized by the proposed perimeter landscaping.

Parking –

Each proposed townhome unit would have an attached two-car garage on the ground floor with direct access from the garage into the residence. The Escondido Zoning Code requires 1.75 parking spaces for a two-bedroom unit and 2 parking spaces for a three-bedroom unit, which would require a minimum of 214 on-site spaces. The project would provide 226 private garage spaces which is 12 more than required by the zoning code. The code also requires additional parking for guests at a ratio of one guest parking space per four units, which require 28 guest parking spaces for the proposed 113-unit project. A total of 26 open guest spaces are provided on-site with an additional 13 striped on-street spaces along the Brotherton Road (unclassified street) project frontage. Section 33-765 of the Zoning Code allows guest parking to be provided on non-Circulation Element streets. Up to an additional 22 on-street spaces would be available for use by the residents along the South Centre City Parkway frontage (Local Collector Road) but does not count towards meeting the parking requirement for the project. Staff has determined that adequate guest and overflow parking would be available for the proposed development.

Amendment to the South Escondido Boulevard Neighborhood Plan –

The City Council approved an update to the General Plan in 2012 to allow for both mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Because the South Escondido Boulevard Neighborhood Plan has not yet been updated to correspond to the new General Plan language for the corridor, the project includes a proposed amendment to the South Escondido Boulevard Neighborhood Plan to allow for an exclusively residential project on the subject site in conformance with the 2012 General Plan. This type of amendment has been approved twice before as noted in Paragraph 6(c and d) (page 6) of the South Escondido Boulevard Neighborhood Plan, that allowed for exclusively residential developments in the commercial zone. The proposed project includes the following amendment to the neighborhood plan to include paragraph 6(f) for the project site as follows:

Section 6. Uses and Structures. (f)

Residential development without a commercial component may be permitted on the 4.9-acre property located on the southwestern corner of Brotherton Road and S. Centre City Parkway, (APNs 238-130-11, -26, -27, -35 and -36), and shall be processed in accordance with the planned development process specified in Article 19 of the Escondido Zoning Code. The density of any project shall be a maximum of 24 dwelling units per acre and the maximum height shall be three stories.

The proposed project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. Revitalization and redevelopment are overall objectives for the City of Escondido within the South Escondido Boulevard area.

Respectfully Submitted,

Bill Martin
Interim Director of Community Development

Jay Paul
Associate Planner

CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

April 12, 2016

The meeting of the Escondido Planning Commission was called to order at 7:00 p.m. by Chairman Weber in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Jeffery Weber, Chairman; Bob McQuead, Vice-chairman; Michael Cohen, Commissioner; James Spann, Commissioner and Stan Weiler, Commissioner.

Commissioners absent: Don Romo, Commissioner; and Gregory Johns, Commissioner.

Staff present: Bill Martin, Interim Director of Community Development; Jay Paul, Associate Planner; Adam Phillips, Deputy City Attorney; Owen Tunnell, Principal Engineer; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Spann, seconded by Vice-chairman McQuead, to approve the minutes of the March 22, 2016 meeting. Motion carried. Ayes: Spann, McQuead, and Weber. Noes: None. Abstained: Cohen and Weiler. (3-0-2)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **TENTATIVE SUBDIVISION MAP, MASTER and PRECISE DEVELOPMENT PLAN, ZONE CHANGE, and AMENDMENT TO THE SOUTH ESCONDIDO AREA PLAN – SUB 15-0022; SUB 15-0023; PHG 15-0031; AZ 15-0002 and ENV 15-0011:**

REQUEST: The project involves a Master and Precise Development Plan for 113 air-space, three-story condominium/townhome units on approximately 4.90 acres

of land. Two Tentative Subdivision Maps (Del Prado North – 81 units and Del Prado South – 32 units) are requested because all of the subject parcels are not contiguous. An Amendment to the South Escondido Boulevard Area Plan is requested to allow an exclusively residential project on the site in conjunction with a Zone Change from General Commercial (CG) zoning to Planned Development-Residential (PD-R). Project components includes a mix of two- and three-bedroom units ranging from 1,109 SF to 1,584 SF situated in 27 separate buildings (21 buildings Del Prado North and 6 buildings Del Prado South). A dedicated two-car garage would be provided for each unit along with additional on-site open parking spaces. The project includes shared recreational facilities including a pool, deck/trellis features and BBQ areas. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY LOCATION: The 4.90-acre project site generally is located on the southwestern corner of S. Centre City Parkway and Brotherton Road. The project consists of five parcels (APNs 238-130-11; -26; -27; -35 and -36) addressed as 2329 Centre City Parkway. The site fronts onto and takes access from Brotherton Road on the north, and Centre City Parkway frontage road on the east.

Jay Paul, Associate Planner, referenced the staff report and noted that staff issues were whether the design of the proposed project was consistent with the General Plan and South Escondido Boulevard Objectives and Design Guidelines for residential development, and whether a residential use without a commercial component was appropriate on the site. Staff recommended approval based on the following: 1) The proposed planned residential development would be in conformance with the General Plan which allows for exclusively residential development within a target area of the South Escondido Boulevard Area Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). The project also would be in conformance with the South Escondido Boulevard Neighborhood Plan Objectives and Design Guidelines that strive to provide opportunities for a balanced mix of housing types, revitalize and renew the commercial area, and maximize home-ownership opportunities. Staff believes the development provides an appropriate amount of on-site parking for each project component as well as overflow on-street parking, and that a quality living environment will be ensured by the level of amenities provided in the recreation areas and landscape features distributed throughout the project. Although the buildings would be larger and taller than adjacent one- and two-story residential structures, compatibility with the adjacent neighborhood and overall mass and scale of the project has been addressed through the use of multiple smaller building groups rather than fewer but larger buildings; architectural style and building materials similar to adjacent single- and multi-family development; varied building setbacks around the perimeter of the site and larger setbacks adjacent to residential uses; varied wall planes and roof lines; and perimeter fencing/walls and

landscaping to provide the appropriate transition between the adjacent land uses; and 2) Staff believed the proposed Amendment to the South Escondido Boulevard Neighborhood Plan to allow an exclusively residential project would be appropriate for this site because this type of development would serve as an appropriate transition between the mix of lower density residential uses to the west and low intensity commercial on the north, south and east across Centre City Parkway. The General Plan vision for the corridor anticipates that commercial and mixed-use type development should be located towards major intersections and within specific commercial nodes. Although the project is located at a significant intersection, staff believes this specific corner is not conducive to a mixed-use or exclusively commercial development with higher traffic generation due to the proximity to single-family residential development and the overall configuration of the intersection and operational characteristics/limitations. Staff also believes a mixed-commercial component consisting of smaller and more restrictive shopkeeper type units is not anticipated to be a successful project within this southern section of South Escondido Boulevard, due to the mix of other commercial opportunities along the corridor and past experience with similar mixed-use projects.

Commissioner Spann and Mr. Paul discussed the proposed location for the onsite guest parking.

Vice-chairman McQuead and Mr. Tunnell discussed the proposed access to the site from Centre City Parkway.

Chairman Weber asked if a full traffic study was conducted for the project. Mr. Tunnell replied in the affirmative, noting that it took into consideration the cumulative impacts of four other future projects.

Chairman Weber asked if the cumulative traffic impacts of the other projects would change the Level of Services (LOS) in the area. Mr. Tunnell replied in the negative and noted that the peak hour traffic congestion had to do with the ramp metering.

Commissioner Weiler and staff discussed the timing for the update to the South Escondido Boulevard Neighborhood Plan.

Discussion ensued regarding a clarification of the electrical poles that were to be undergrounded in conjunction with this project.

Chairman Weber questioned whether the project would provide secondary access. Mr. Paul replied in the negative and noted that the Fire Department had no issue with this.

Munther Ghazal, San Diego, noted that he owned the commercial property across Brotherton Road and had witnessed multiple accidents at the intersection of Centre City Parkway and Brotherton, feeling a traffic signal would help. He also stated that he would be willing to pay his proportionate cost for said traffic signal.

Rex Little, Escondido, stated that he was opposed to a traffic signal at Brotherton and Centre City Parkway, feeling it would cause more accidents. He stated that he was not opposed to the project but was concerned that the project would add to the issue of limited on-street parking in the area.

Lynn and Patricia Buck, Escondido, expressed their concern with the density of the project creating on-street parking and traffic safety issues in the area. They expressed their concern with the project not providing adequate green space. They were concerned with the area needing infrastructure improvements such as sidewalks so as to create safer conditions for students and pedestrians in the area. They also expressed concern with the western buffer zone not creating adequate space between their residence and the project. Mr. Buck questioned how high the western units would be as well as asking what the definition of the buffer zone was. Chairman Weber indicated that the western units could be 30 feet or higher along with noting that the buffer zone was the setback with landscaping. Mr. Buck noted that he was opposed to a three-story project adjacent to his residence due to loss of privacy in his backyard.

Cynthia Hamilton, Escondido, expressed her concern with the existing and potential increase in traffic on Brotherton Road due to new developments. She expressed her concern with Brotherton Road having limited on-street parking, noting that individuals were parking in front of her yard as well as using her driveway to turn around. She felt the left-turn lane from northbound Centre City Parkway was too short to accommodate additional traffic from the proposed project as well as others in the area. She felt that parking and traffic issues in the area should be addressed before considering the project.

George Hesse, Escondido, expressed his concern with considering any project until the infrastructure and roads in the subject area were upgraded, noting his main concern for traffic flow.

Vice-chairman McQuead questioned whether in light of approving the subject project whether the infrastructure needed to be considered. Mr. Tunnell noted that the traffic studies show no significant traffic impacts.

Vice-chairman McQuead asked if sidewalks could be tied into the subject project. Mr. Tunnell noted that in order to construct sidewalks the streets would have to be improved which went beyond the project's scope.

Vice-chairman McQuead and staff discussed the horizontal buffer zone on the west side of the project which staff indicated would be between 16 and 21 feet with vegetation and trees.

Commissioner Weiler questioned whether the applicant could add more vegetation in the western buffer zone. Mr. Paul replied in the affirmative, but noted this could create issues with overgrowth. He also noted that larger specimen trees could be required for the project.

Chairman Weber expressed his concern with the project potentially having a low owner occupancy rate, noting that Urbana was only 57% owner occupied after 5 years. He felt higher density projects were not attractive to owner occupancy. He then referenced the Walk Score program used by the real estate industry, which rated projects on their walkability, transit, and biking ability and noted his view that the subject project would score very low with regard to providing walkability to City services or transit services. He felt the subject project focused its attention on traffic and parking. He stated that he was opposed to this type of project due to being in the gateway, adding to traffic flow issues and due to the infrastructure in the area not being present to support this type of project. He also felt the parking standards needed to be increased.

Commissioner Weiler stated that the General Plan was completed in 2012, noting that the subject project was allowed per the General Plan. He noted that higher density residential was allowed in this area, noting that if the Commission has issues with this type of development then it needed to address this with staff. He then questioned whether a commercial project constructed under the current zoning would create more impacts to the area.

Commissioner Spann noted that he was in favor of the project's architecture, but felt the project would be more suitable in the downtown area. He did not feel the project would impact traffic but felt the infrastructure in the area needed to be upgraded. He felt the project was too dense, noting his concern with the area being the gateway to the City. He also suggested that the last row of units on the western boundary be conditioned to be single-story.

Vice-chairman McQuead suggested that the west side units be lowered and that the applicant meet with staff to work on the infrastructure in the area.

Vice-chairman McQuead moved to deny the project. The motion included encouraging the applicant to meet with staff to review the site mix of building heights with emphasis of single-story on the western boundary and to look at opportunities to improve the infrastructure for traffic and sidewalks in the general area. The Motion was withdrawn.

Kerry Garza, Touchstone Communities, noted that the existing density for the subject property was 30 units per acre minimum and up to 80 units per acre maximum with mixed use. He stated that they worked closely with staff to reduce the density below 30 units per acre, noting some of the structures were at 22 units per acre. He noted that they also created more greenbelt space in the front of the project so as to create a transitional project, reiterating that the project could have been four- to five-stories. In conclusion, Mr. Garza elaborated that they created a project with less traffic and less density than could have been approved. Additionally, the project provided the needed parking and blended well with the neighborhood. He noted that they worked with the fire department with regard to the proposed landscaping for the buffer zone. He also stated that the type of buyers for the project was younger families, who typically did not have the amount of vehicles associated with older families. He asked that the Commission consider their project.

Elizabeth Metzger, Escondido, expressed her concern with Brotherton Road not having sidewalks and being narrow. She stated that they were not impacted by the commercial in the area due to the traffic being transient. She expressed her concern with the safety of pedestrians and students on Brotherton Road being impacted by increased traffic. She also noted that there was no bus stop in the area.

MOTION:

Vice-chairman McQuead motioned to deny staff's recommendation. The motion included directing staff to work with the applicant to lower the total height of the buildings on the western boundary of the project and to look for opportunities to improve the infrastructure in the surrounding area to potentially include sidewalks and street improvements on Brotherton Road between Centre City Parkway and Alexander Drive. Commissioner Spann seconded the motion.

Commissioner Weiler and staff discussed a clarification of the motion.

ACTION ON MOTION: Motion carried. Ayes: McQuead, Spann, and Weber. Noes: Weiler and Cohen. (3-2)

ESCONDIDO
City of Choice

PLANNING COMMISSION

Agenda Item No.: G.1
Date: April 12, 2016

CASE NUMBER: SUB 15-0022 and SUB 15-0023, PHG 15-0031, AZ 15-0002 and ENV 15-0011

APPLICANT: Touchstone Communities

LOCATION: The 4.9-acre project site generally is located on the southwestern corner of S. Centre City Parkway and Brotherton Road. The project consists of five parcels (APNs 238-130-11, -26, -27, -35 and -36) addressed as 2329 Centre City Parkway. The site fronts onto and takes access from Brotherton Road on the north, and Centre City Parkway frontage road on the east.

TYPE OF PROJECT: Master and Precise Development Plan, Tentative Subdivision Maps, Zone Change, and Amendment to the South Escondido Boulevard Neighborhood Plan

PROJECT DESCRIPTION: The project involves a Master and Precise Development Plan for 113 air-space, three-story condominium/townhome units on approximately 4.9 acres of land divided into a 3.47-acre northern and 1.4-acre southern component. Two Tentative Subdivision Maps (Del Prado North – 81 units and Del Prado South – 32 units) are requested because all of the subject parcels are not contiguous. An Amendment to the South Escondido Boulevard Area Plan is requested to allow an exclusively residential project on the site in conjunction with a Zone Change from General Commercial (CG) zoning to Planned Development-Residential (PD-R 24 du/ac). Project components includes a mix of two- and three-bedroom units ranging from 1,109 SF to 1,584 SF situated in 27 separate buildings (21 buildings Del Prado North and 6 buildings Del Prado South). A dedicated two-car garage would be provided for each unit along with additional on-site open parking spaces. The project includes shared recreational facilities including a pool, deck/trellis features and BBQ areas. The existing single-family home located on the northern site recently was removed. The proposal also includes the adoption of the environmental determination prepared for the project.

GENERAL PLAN DESIGNATION: General Commercial (CG) and Centre City Parkway/Brotherton Road Target Area

ZONING: Existing: General Commercial and South Escondido Boulevard Corridor Area Plan –Area "B"
Proposed: PD-R 24 (Planned Development-Residential, 24 dwelling units per acre)

BACKGROUND/SUMMARY OF ISSUES:

The project site (northern parcel) originally was the location of Woody's restaurant (formally Cask 'n Cleaver) that was demolished years ago. The General Plan land-use designation and current zoning is General Commercial. The site is located within the General Plan Centre City Parkway/Brotherton Road Target Area Plan that allows mixed-use projects with a minimum density of 30 dwelling units per acre (du/ac) and also allows for exclusively residential projects. The project site also is located with the South Escondido Boulevard Neighborhood Plan that allows for mixed-use development with a maximum density of up to 24 du/ac, but does not include exclusively residential projects. The Neighborhood Plan has not yet been updated to correspond with the new General Plan vision for the corridor. That update currently is underway, but in the interim, the exclusively residential nature of the proposed development will require approval of an amendment to the South Escondido Boulevard Neighborhood Plan. Density standards for exclusively residential projects ultimately will be specified when the South Escondido Boulevard Neighborhood Plan update is completed.

The project includes two separate Tentative Subdivision Maps that could be recorded and developed separately. However, the applicant intends to record both maps (north and south) concurrently, grade and install any off-site improvements for both sites at the same time. Construction is planned to be done in multiple phases starting with the northern project, and then the southern component following completion of the northern project.

Staff feels the issues are as follows:

1. Whether the design of the proposed project is consistent with the General Plan and South Escondido Boulevard Objectives and Design Guidelines for residential development.

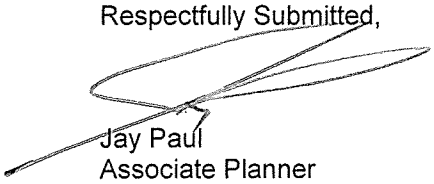
2. Whether a residential use without a commercial component is appropriate on the site.

REASONS FOR STAFF RECOMMENDATION:

1. The proposed planned residential development would be in conformance with the General Plan which allows for exclusively residential development within a target area of the South Escondido Boulevard Area Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). The project also would be in conformance with the South Escondido Boulevard Neighborhood Plan Objectives and Design Guidelines that strive to provide opportunities for a balanced mix of housing types, revitalize and renew the commercial area, and maximize home-ownership opportunities. Staff believes the development provides an appropriate amount of on-site parking for each project component as well as overflow on-street parking, and that a quality living environment will be ensured by the level of amenities provided in the recreation areas and landscape features distributed throughout the project. Although the buildings would be larger and taller than adjacent one- and two-story residential structures, compatibility with the adjacent neighborhood and overall mass and scale of the project has been addressed through the use of multiple smaller building groups rather than fewer but larger buildings; architectural style and building materials similar to adjacent single- and multi-family development; varied building setbacks around the perimeter of the site and larger setbacks adjacent to residential uses; varied wall planes and roof lines; and perimeter fencing/walls and landscaping to provide the appropriate transition between the adjacent land uses.

2. Staff believes the proposed Amendment to the South Escondido Boulevard Neighborhood Plan to allow an exclusively residential project would be appropriate for this site because this type of development would serve as an appropriate transition between the mix of lower density residential uses to the west and low intensity commercial on the north, south and east across Centre City Parkway. The General Plan vision for the corridor anticipates that commercial and mixed-use type development should be located towards major intersections and within specific commercial nodes. Although the project is located at a significant intersection, staff believes this specific corner is not conducive to a mixed-use or exclusively commercial development with higher traffic generation due to the proximity to single-family residential development and the overall configuration of the intersection and operational characteristics/limitations. Staff also believes a mixed-commercial component consisting of smaller and more restrictive shopkeeper type units is not anticipated to be a successful project within this southern section of South Escondido Boulevard, due to the mix of other commercial opportunities along the corridor and past experience with similar mixed-use projects.

Respectfully Submitted,



Jay Paul
Associate Planner

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: CG and R-1-10 zoning (General Commercial and Single-Family Residential, 10,000 SF min. lot size). A commercial development (known as Talk of the Town) currently under construction is located north of the site across Brotherton Road. The project consists of a 4,150 SF restaurant and 5,500 SF carwash/oil change facility. Single-family residential homes (one and two-story) also are located north and northwest of the project site across Brotherton Road. The driveway for proposed Del Prado North will align with Charise Street to the north. Parking along both sides of Brotherton Road (unclassified residential street) is allowed.

SOUTH: CG, PD-C and R-3-18 zoning (General Commercial, Planned Development Commercial and Multi-Family Residential 18 du/ac). A SDG&E transmission facility is located south of Del Prado North and west of Del Prado South. Access to the SDG&E facility is provided by a paved access and utility easement between the northern and southern components of the project. A masonry block wall is located around the perimeter of the SDG&E facility. A commercial development is located south of Del Prado South consisting of a Kinder Care facility and various in-line shops. A masonry block wall is located along the southern property boundary. A two-story multi-family residential development is located southwest of the project site. The adjacent multi-family residential development is located at a higher elevation and the rear of the units generally orient towards the site.

EAST: CG zoning (General Commercial). Centre City Parkway and S. Centre City Parkway frontage road is located along the project frontage (classified as a Super Major Road 110' R-O-W, and Local Collector Roadway 66' R-O-W). A variety of commercial development is located along the eastern side of Centre City Parkway. Single- and multi-family residential development is located further to the east and southeast.

WEST: CG and R-1-10 zoning (General Commercial and Single-Family Residential, 10,000 SF min. lot size). Single-family residential homes are located adjacent on the west of Del Prado North. A SDG&E facility is located adjacent on the west of Del Prado South. The adjacent homes would be situated approximately 2 to 10 feet lower than Del Prado North. A new six-foot-high fence would be installed along the western property boundary. The proposed new units (Del Prado North) would be setback approximately 16' to 21' from the western property boundary. A masonry block wall surrounds the SDG&E facility to screen the above-ground equipment. An approximately 15-foot-wide landscape buffer area on the SDG&E property is located between the masonry wall and Del Prado South project. The project is proposing to enhance and maintain this landscape easement and also would enhance and maintain the 25-foot-wide SDG&E panhandle located between Del Prado North and Del Prado South.

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 Fire Department indicated that adequate services can be provided to the site and the proposed project would not impact levels of service. Appropriate on-site circulation and turnaround areas are provided. The site is served by Fire Station No. 5, located along Felicita Road and Fire Station No. 1 located at 310 Quince Street.

3. Traffic – A Traffic Study Report was prepared for the project which was estimated to generate up to 904 average daily trips (ADT) with 72 AM peak hour trips and 90 PM peak hour trips. Access to the site would be provided by a single driveway from Brotherton Road (non-classified street, 60' R-O-W) on the north and a single driveway from S. Centre City Parkway (Local Collector, 66' R-O-W) frontage road on the east. The study concluded the project would not cause the Level of Service (LOS) of any roadway segments to decrease as a direct impact from the project. The study also concluded the cumulative impacts from other projects throughout the area also would not cause the LOS of any street segments or intersections to decrease to an unacceptable level. The project is required to construct frontage improvements along Brotherton Road and Centre City Parkway to Local Collector standards, but can be modified with the final design where existing power poles are in conflict with improvements. The intersection of Brotherton Road and Centre City Parkway will be modified with new signing, striping and surface improvements at the

southwestern corner to enhance the operation, turn movements, safety and sight distance to accommodate existing traffic and the new project. Peak-hour traffic flow and ramp metering at the entrance to Interstate 15 to the south results in congestion at nearby intersections (primarily CCP and Citracado Parkway). However, the ramp metering is controlled by Caltrans and is beyond the scope of this or other projects to address or modify the existing condition.

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. The on-site water and sewer system would be located within public and private utility easements. There are several SDG&E easements that cross the subject site that provide access to the transmission facility, and also contain underground 69kv electric transmission lines. Several of the SDG&E easements are proposed to be quitclaimed prior to final map/development. The existing SDG&E paved access easement located on the Del Prado South site will be retained and incorporated into the driveway access to the southern project. The existing underground transmission lines also would remain. The project's improvements and utility plans will need to be designed to avoid any potential impacts to the SDG&E improvements and the final plans approved by SDG&E.

5. Solid Waste – Trash service is provided by Escondido Disposal. Individual trash pickup for each unit would be provided. The garages for each unit contains a dedicated area for the storage of trash bins. Escondido Disposal has reviewed the circulation plans and indicated their trucks would be able to serve each unit.

6. Drainage – The project site is not located within a 100-year Flood Zone as indicated on current FEMA maps. There are no significant drainage courses within or adjoining the property. Stormwater runoff generated by the project areas would be directed into various on-site storm water features (bioretention basins) and then conveyed to the existing off-site storm drain system located within Centre City Parkway. The proposed system is designed to convey on-site flow volumes per the City of Escondido drainage design standards. The Engineering Department determined the project would not materially degrade the levels of service of the existing drainage facilities A Storm Water Quality Management Report (SWQMR) has been prepared to address the design of drainage and water quality features in accordance with SUSMP requirements. Maintenance of the on-site storm drain system would be performed as part of the Homeowners' Association duties and these maintenance requirements are included as conditions of approval of the project and also would be detailed in the project CC&Rs.

C. ENVIRONMENTAL STATUS

A Mitigated Negative Declaration (City File No. ENV15-0011) was issued for the project for 20-day public review in conformance with the California Environmental Quality Act (CEQA) that is attached to this report. The findings of environmental review identified effects related to biological resources, geology/soils, noise, cultural and tribal cultural resources that might be potentially significant. However, design and minimization measures, revisions in the project plans, and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level. The City has concluded necessary consultation with the Native American Tribes in accordance with Assembly Bill 52 with the incorporation of appropriate mitigation measures to address potential impacts to Tribal Cultural Resources, including Native American monitors during initial site grading. The Final Mitigated Negative Declaration may be viewed at the following link: https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/delprado/FinalMND.pdf.

Staff received a few phone calls from adjacent residents requesting additional information regarding the project and one call to express general concerns with the overall density and compatibility of the multi-family type project with the adjacent neighborhood. Staff received an email from a nearby resident to the north generally supporting the overall project concept, but wanted to ensure the project did not create any traffic and parking impacts to the adjacent residential neighborhoods. Staff also received an email from an adjacent resident (attached) expressing concern with the project density, traffic and noise impacts from the adjacent roadway and commercial uses. Staff did not receive any correspondence specifically expressing any concerns with the draft environmental document.

D. CONFORMANCE WITH CITY POLICY

General Plan

The General Plan land-use designation for subject site is General Commercial (GC) which allows for a variety of commercial, retail and service type uses along the South Escondido Boulevard and Centre City Parkway Corridor. The site also is located within the General Plan Centre City Parkway/Brotherton Road Target Area (page II-70). Mixed-use residential development with a commercial component is allowed within the Target Area with a minimum density of 30 dwelling units per acre in conformance with Smart Growth Principles. Guiding principles for the target area include updating the existing Neighborhood Plan to include the formulation of new criteria for considering exclusively residential development. That process is now underway as part of the on-going update to the South Escondido Boulevard Neighborhood Plan.

The site also is located within the South Escondido Boulevard Neighborhood Plan Area "B" that was established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development up to 24 du/ac in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development Because the South Escondido Boulevard Neighborhood Plan has not yet been updated to correspond to the new General Plan language for the Target Area, the project includes a proposed amendment to the Neighborhood Plan to allow for an exclusively residential project in conformance with the General Plan. This type of amendment has been approved twice before as noted in Paragraph 6 (c and d) (page 6) of the South Escondido Boulevard Neighborhood Plan, that allowed for exclusively residential developments in the commercial zone. The proposed project includes the following amendment to the neighborhood plan to include paragraph 6(f) for the project site as follows:

> ***Section 6. Uses and Structures. (f)***
>
> ***Residential development without a commercial component may be permitted on the 4.9-acre project site located on the southwestern corner of Brotherton Road and S. Centre City Parkway, (APNs 238-130-11, -26, -27, -35 and -36), and shall be processed in accordance with the planned development process specified in Article 19 of the Escondido Zoning Code. The density of any project shall be a maximum of 24 dwelling units per acre and the maximum height shall be three stories.***

The proposed project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form the promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. Revitalization and redevelopment are overall objectives for the City of Escondido within the South Escondido Boulevard area.

Whether an Exclusively Residential Project is Appropriate for the Subject Site

The General Plan vision for the corridor anticipates that commercial and mixed-use type development should be located towards major intersections and within specific commercial nodes. Two exclusively residential projects previously have been approved within this Target Area, including 22 affordable units at the former Penny Lodge along Brotherton Road to the east, and the 76-unit, three-story condo project (Haven 76) Lyon Living-Homes currently is constructing adjacent to the Elk's Lodge. Those projects were approved through the Planned Development process that also included an amendment to the South Escondido Boulevard Neighborhood Plan. Although the proposed Del Prado project is located at a significant intersection, staff believes this specific corner is not conducive to a mixed-use or exclusive commercial development with higher traffic generation due to the proximity to single-family residential development and the overall configuration and operational characteristics at the intersection. Staff believes an exclusively residential project with the lower density of 24 du/ac in conformance with the South Escondido Boulevard Neighborhood Plan density provisions provides an appropriate transition between the mix of lower density residential development on the west and commercial to the north, south and east. The lower density also allows for a project design that can incorporate increased setbacks, lower overall building height and greater separation between buildings, additional on-site open space and available parking than a higher density residential or mixed-use development would be able to provide. In addition, based on previous challenges encountered by mixed-use projects along the Corridor in attracting and/or retaining commercial-service-office type uses, staff believes that an exclusively residential development

on this site would provide an additional helpful catalyst for future residential development along the corridor and would continue to strengthen the customer base for more appropriate and viable commercial and mixed-use development at key intersections and node areas.

E. PROJECT ANALYSIS

Conformance with South Escondido Boulevard Design Guidelines and the Requirements for a Proposed PD-R Zone.

The project is subject to the property development standards and design guidelines contained in the South Escondido Boulevard Neighborhood Plan (SEB). 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 buildings generally would be larger and taller than adjacent buildings, the overall neighborhood compatibility has been mitigated through the quality of the site plan and architectural design and materials to reflect the surrounding residential character; varied wall planes, roof lines and balconies; accent features and exterior color palate. Mass and scale also has been address by situating the units within 27 smaller buildings with the number of units within each building ranging from three to five. This design provides more building depth and options how the structures orient towards adjacent properties and views. The proposed buildings located along the western boundary would be situated approximately two feet to nine feet lower than the adjacent single-family residential properties, which would further screen the lower portions of the building/units. A six-foot-high perimeter fence would be provided along the western property boundary to further screen and buffer adjacent residential activities.

Setbacks

The site currently is zoned General Commercial which has limited or no minimum setback requirements for new construction. The proposed zone change would change the zoning to Planned Development-Residential which similarly has no minimum standard for setbacks. Planned developments may set their own development standards to encourage creative approaches to the use of land through variation in the siting of buildings and design that enhances the appearance and livability of the community. The proposed development proposes a variety of setbacks on all four sides of the two project components to correspond to the variety of adjacent land uses. The project utilizes the more restrictive R-4 (multi-family residential) standards adjacent to the single-family residential development on the west to provide greater separation and landscaping between residential properties. Proposed setbacks along Centre City Parkway vary from 12 feet to 23 feet based on building placement/orientation, and greater setbacks for various building components are provided based on the wall plane variations in the front and side elevations of buildings. Front setbacks along Brotherton Road vary from 4 feet to 15 feet with a minimum landscape width of 8 feet to the public sidewalk. Both project frontages allow for a suitable amount of landscaping between the buildings and the back of the public sidewalk. The building complex nearest to the adjacent residential development on the west is setback a minimum of 15 feet from Brotherton Road to be consistent with the R-1 zoning code setbacks for the single-family residential homes along Brotherton Road.

Open Space

There are no specific open space requirements for residential developments within the General Commercial zone or the South Escondido Boulevard Area Plan. The R-4 zone typically has been used as a benchmark for similar type projects and requires a minimum of 200 SF per bedroom plus an additional 200 SF for each sleeping unit above one. The open space requirements for mixed-use and exclusively residential projects within the Downtown Revitalization Area Specific Plan is 90 SF per unit. Existing projects along the corridor have provided a ratio between these two standards on a case-by-case basis through the Planned Development process, which allows for such flexibility. The R-4 standard would require a minimum of 58,600 SF for the project and 67,766 SF would be provided, which exceeds the R-4 requirement. Proposed open space consists of a combination of active and passive recreation spaces and landscape planter areas, along with private balconies and recessed building/unit front entry features. Decorative public spaces also are provided along the Centre City Parkway frontage. A pool and pool house would be located on the Del Prado North site. A pedestrian walkway is proposed between the northern and southern components of the project across the SDG&E panhandle easement to allow for a more convenient access and additional visible tie between north and south.

Parking

Parking for the project is based on the amount of units and also the number of bedrooms, which would require a minimum of 242 on-site parking spaces. The project would provide a total of 252 on-site parking spaces (226 resident and 26 guest) that includes an attached two-car private garage for each townhome unit and open parking spaces situated throughout the project. The individual garage areas provide access into the residences and also provide additional storage space for each of the units as required by the City's Condominium requirements. The code requires parking for guests at a ratio of one parking space per four units and 28 guest parking spaces would be required for the 113-unit project. Although the project provides 26 open guest spaces on site, the overall number of parking spaces exceeds the minimum code requirements. In addition, on-street parking along both project frontages would be allowed, which would provide up to 35 additional spaces (13 along Brotherton Rd. and 22 along CCP). The zoning code allows for on-street spaces along a project's frontage on non-circulation element streets to be counted towards providing guest spaces. Therefore, staff believes the project would provide more than adequate parking for the type of residential development proposed in accordance with the City's parking requirements, and would not create any adverse parking impacts throughout the surrounding neighborhood.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The project site consists of two rectangular, vacant lots separated by an SDG&E panhandle and paved access easement. Existing vegetation on the highly disturbed site is non-native and includes weedy grasses and forbs, shrubs, and trees such as mature eucalyptus and palms. Existing on-site development includes a single-family home located on the northwest corner of the north lot that was recently removed. A concrete pad and parking lot remains in place on the northern lot from a former restaurant (originally Cask n' and Cleaver and then Woody's). The topography of the site is relatively flat, with the entire site having less than a 10-percent slope. Existing elevations range from approximately 625 feet AMSL near the western site boundary of the site, to approximately 610 feet AMSL along the eastern site boundary where it slopes down towards S. Centre City Parkway. Brotherton Road meets Centre City Parkway at a non-signalized intersection to the northeast of the site. Access to Centre City Parkway from Brotherton Road is restricted to right-turn only and controlled with stop signs. The Centre City Parkway/Citracado Parkway intersection to the south is signalized. Access to the site is provided from Brotherton Road and S. Centre City Parkway. S. Centre City Parkway is a single-loaded two-lane local collector frontage road running parallel to and immediately west of Centre City Parkway. Centre City Parkway is designated as a Major Road and is constructed in the site vicinity as a divided roadway with two travel lanes in each direction. Brotherton Road is an unclassified street that lacks some improvements on the southern side of the street where it fronts the project site.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. **Property Size:** 4.9 acre total site (5 parcels).
   Del Prado North – 3.47 acre and Del Prado South – 1.44 acres

2. **Proposed Lots:** 2 Lots (air-space townhome/condominium type units, Del Prado North and South Tentative Subdivision Maps)

3. **Number of Units:** 113 total units

4. **Density:** 23 du/ac overall project density (113 units / 4.9 ac)

   North: 23.3 du/ac (81 units / 3.47 ac)
   South: 22.2 du/ac (32 units / 1.44 ac)

5. **Building Data**:
   No. of Bldgs.: 27 residential bldgs. (6 different building configurations with 3, 4 and 5 unit building types) 1 pool/equipment building with restrooms and outdoor shower

   Del Prado North: 21 buildings – 81 units
   Del Prado South: 6 buildings – 32 units

   Height: 3 stories with pitched roofs up to approx. 36' in height to the ridgeline

   Unit Mix:

Plan	#Bed/Bath	# Units	Total SF	Condo Ord.
1	2 BD/2.5BA	20	1,109 SF/38 SF balcony	800 SF min.
2	2 BD/2.5 BA	26	1,183 SF/52 SF balcony	800 SF min.
3	3 BD/3.5 BA	38	1,378 SF 64 SF balcony	1,000 SF min.
4	3 BD/2.5 BA	29	1,584 SF/41 SF balcony	1,000 SF min.

6. **Material/Colors:** Stucco exterior walls (off-white, cream, and light-medium tan)
   Wooden fascia and window trim (dark browns)
   Various window treatments-shutters and wooden surrounds, window pot shelves, metal awnings over select windows and doors, metal balcony railings, gable accents.
   Concrete tile roof (tan-orange blend)

7. Setbacks:

Planned Development zoning establishes its own zoning standards, including setbacks and is not subject to the underlying zoning requirements. Although the parcels are zoned General Commercial, the multi-family residential (R-4) setbacks are listed for reference purposes.

	Proposed	R-4 Requirement for Comparison
Del Prado North		
Front (CCP)	Ranges from 12' to 23'	15' min.
Rear/Western P/L	Ranges from 16' to 21'	15' min. for three story building
Street Side (Brotherton)	Ranges from 4' to 15' (13' from face of curb and 8' from back of sidewalk)	10' min. in R-4 and 5' min. for CG zone (*Note: Brotherton Road is wider than standard non-classified street 60' vs. 56'* R-O-W)
Side/Southern P/L	Ranges from 17' to 18'	15' min. for three-story building
Del Prado South		
Front (CCP)	21' to building	
Rear/Western P/L	5' to buildings (proposed buildings adjacent to SDG&E) facility separated by an additional 15' landscape off-site landscape area between Del Prado South P/L and SDG&E block wall. Landscape area maintained by SDG&E.	
Side/North & South P/L	Approx. 30' from northern P/L and 42' from southern P/L to buildings	

8. Parking:

Proposed	Required
252 on-site	242

Garages: 226 covered provided in 113 two-car garages
Open: 26 open spaces (15 open north and 11 open south)

Required: 242 total based on number of bedrooms and guest spaces
2 bed – 1.75 spaces x 46 units = 80
3 bed – 2 spaces x 67 units = 134
214 resident spaces

28 guest spaces for 113 units at 1:4 ratio
Note: On-street spaces may be counted towards providing guest spaces on non-circulation elements streets. Brotherton road would provide up to 13 on-street spaces along the project frontage.

Street Parking: Up to 35 on-street parking spaces would be available along the project frontages (13 along Brotherton Rd. and 22 along Centre City Parkway). The final number for spaces will be contingent on the final improvement and striping design.

9. Open Space:

Provided	Required
62,024 SF common area	R-4 multi-family req. used for comparison
5,742 SF private area	200 SF per each unit plus 200 SF each bedroom over 1
67,766 SF Total Provided	81 units x 200 SF = 22,600 SF
	180 beds over 1 x 200 SF = 36,000 SF
	Total Required 58,600 SF

10. Landscaping: New ornamental landscaping to be provided around the project perimeter and throughout the project. Enhanced pedestrian concrete paving to be provided within selected areas throughout project. Ground mounted mechanical units visible from the public way would be screened by a low height wood/vinyl fence to match building trim elements.

11. Walls/Fencing: New 6-foot-high vinyl fencing to be installed along western boundary of Del Prado North. Existing masonry wall along eastern boundary to remain adjacent to SDG&E facility. Existing masonry wall along southern boundary of Del Prado South to remain. A decorative open fencing around pool area. Low 30"-foot-high decorative wall with pilasters (stucco finish) around select units fronting Brotherton Rd.

12. Signage: Del Prado North - low height curved wall (42" high seat wall with decorative pilasters, with decorative iron arch/sign feature up to approx. 10.5' overall height on top situated at the intersection). Del Prado South – Low height wall sign (3.5 feet in height at the driveway entrance). A separate sign permit would be required for any project identification in conformance with the City's Sign Ordinance. Any additional wall signage not approved as part of this Planned Development would be subject to the City's Sign Ordinance for multi-family residential projects. The final design, height and placement to ensure sight distance at the intersection and driveway entrance.

13. Trash: Individual trash bins will be provided for each unit and stored within the garages within a nook area.

14. Grading: On-site grading would be relatively minimal to include a combination of cut and fill with a retaining wall up to approximately 3' to 7' in height proposed towards the northwestern area of Del Prado North. Landscaped slopes up to 8 feet in height and retaining walls up to 6 feet in height are proposed along Centre City Parkway frontage. The project anticipated import of approx. 1,988 cubic yards on the southern site and export of approx. 3,964 cubic yards on the northern site. The Del Prado North buildings along the western boundary (adjacent to existing single-family development) will be situated at a lower elevation (ranging from approx. 2' to 9' lower).

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED
SUB15-0022 and -23, PHG15-0031, AZ15-0002, ENV15-0011

Master and Precise Development Plan

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor Area 'B.' The site also is located within the South Escondido Boulevard Neighborhood Plan, which is an overlay zone established for the South Escondido Corridor and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. The proposed overall density of the project would be approximately 23 du/ac (113 residential units/4.9 acres) and would be in conformance with the density requirements of the South Escondido Boulevard Neighborhood Plan of 24 du/ac. The General Plan allows for both mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Mixed-Use development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. While a density standard has not been adopted in the General Plan for exclusively residential development, it is expected the forthcoming update to the South Escondido Boulevard Neighborhood now underway will establish a lower density for exclusively residential development consistent with the current density provisions of the South Escondido Boulevard Neighborhood Plan.

2. The proposed infill residential project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form the promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. 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.

3. The design and improvement of the proposed planned development and subdivision is consistent with the General Plan and the South Escondido Boulevard Neighborhood Plan as noted above and detailed in the staff report. The proposed multi-family type development is permitted in the Centre City Parkway/Brotherton Road Target Area and the development is consistent with the development standards established for the South Escondido Boulevard Neighborhood Plan, except where noted and analyzed in this staff report.

4. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use and is well-integrated with the surrounding properties because adequate parking, access, on-site circulation, utilities, as well as appropriate setbacks from adjacent residential and commercial land-uses, and perimeter landscaping would be provided (as detailed in the staff report and Final Mitigated Negative Declaration). The residential project also would not be out of character for the area which contains other multi-story residential developments. The design of the project would be in conformance with the South Escondido Design Guidelines because the project would provide residential units with varying number of rooms and sizes to accommodate a wide range of needs (with ownership opportunities). The project includes a variety of amenities such as individual balconies for selected units, enhanced walkways and paving, and active and passive recreation/landscape features. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.

5. The proposed Master and Precise Development Plan would not cause deterioration of bordering land uses and the site is physically suitable for the proposed development because the subject parcels are relatively flat and extensive grading is not proposed. The proposed grading design would not result in any manufactured slopes or pads that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. The design of the project would be compatible with the variety of residential and commercial development surrounding the site and located along the commercial corridor. The Engineering Department indicated the project 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. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is located along a commercial corridor and not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features.

6. The overall design of the proposed planned development would produce an attractive residential development because the project contains a mix of townhome/condominium type units (with ownership opportunities) and landscape amenities that provide an appropriate transition between the adjacent residential and commercial land uses. The project is located in close proximity to other amenities such as public transit, parks and shopping. Although the buildings would be larger and taller than adjacent one- and two-story residential structures, the overall mass and height of the three-story units and compatibility with the surrounding neighborhood has been addressed through the use of multiple smaller building groups rather than fewer but larger buildings; architectural style and building materials similar to adjacent single- and multi-family development; varied building setbacks around the perimeter of the site and larger setbacks adjacent to residential uses; varied wall planes and roof lines; and perimeter fencing/walls and landscaping to provide the appropriate transition between the adjacent land uses.

7. The uses proposed have a beneficial effect not obtainable under existing zoning regulations because the project proposes an exclusively residential development within the South Escondido Boulevard Neighborhood Plan that would be more compatible with the surrounding neighborhood than a typical commercial project or higher density mixed-use development. The project must be processed through the Planned Development process in accordance with the South Escondido Boulevard Neighborhood Plan (Ord. 92-01 and planned developments may set their own development standards to encourage creative approaches to the use of land through variation in the siting of buildings and design that enhances the appearance and livability of the community. The proposed development proposes a variety of setbacks on all four sides of the two project components to correspond to the variety of adjacent land uses. The project would provide 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 because the findings of the environmental analysis (as demonstrated in ENV15-0011) are that the Initial Study identified effects related to biological resources, geology/soils, noise, cultural and tribal cultural resources that might be potentially significant. However, design and minimization measures, revisions in the project plans and/or mitigation measures provide mitigation to a point where potential impacts are reduced to less than a significant level. The City also has complied with the provisions of Assembly Bill 52 regarding consultation with the Native American Tribes and appropriate mitigation measures have been included to address potential impacts to tribal cultural resources.

Tentative Subdivision Maps (North and South)

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor Area 'B.' The site also is located within the South Escondido Boulevard Neighborhood Plan which is an overlay zone established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. The proposed overall density of the project would be approximately 23 du/ac (113 residential units/4.9 acres) and would be in conformance with the density requirements of the General Plan and South Escondido Boulevard Neighborhood Plan of 24 du/ac. The City General Plan allows for both mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Mixed-Use development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. While a density standard has not been adopted in the General Plan for exclusively residential development, it is expected the forthcoming update to the South Escondido Boulevard Neighborhood now underway will establish a lower density for exclusively residential development consistent with the current density provisions of the South Escondido Boulevard Neighborhood Plan.

2. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because 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 staff report and environmental document (ENV15-0011 2005-02). Perimeter landscaping, and fencing/walls would provide a buffer between the project site and adjacent uses.

3. The site is suitable for this residential type of development and density because the General Plan and South Escondido Boulevard Neighborhood Plan already allows for multi-story high density residential development. The site is relatively flat and extensive grading is not proposed. The design of the project would be compatible with the variety of residential and commercial zoning and development surrounding the site. The proposed project also would not result in a significant impact to biological or cultural resources because appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. Appropriate noise attenuation would be provided to the new units and open space areas.

4. The project would be compatible with the surrounding uses because the subject site is adjacent to a variety of commercial and residential developments of varying density and design. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. Appropriate noise attenuation would be provided for the new units.

5. The design of the residential map and the type of improvements are not likely to cause serious public health problems because the project would not degrade the levels of service on the adjoining streets or drainage systems. Adequate water and sewer could be provided to the site. The project would not cause substantial environmental damage and avoidably injure fish or wildlife or their habitat since appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level.

6. The design of the map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map because any existing easements and improvements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.

7. All of the requirements of the California Environmental Quality Act (CEQA) have been met because the findings of the environmental analysis (as demonstrated in ENV15-0011) are that the Initial Study identified effects related to biological resources, geology/soils, noise, cultural and tribal cultural resources that might be potentially significant. However, design and minimization measures, revisions in the project plans and/or mitigation measures provide mitigation to a point where potential impacts are reduced to less than a significant level. The City also has complied with the provisions of Assembly Bill 52 regarding consultation with the Native American Tribes and appropriate mitigation measures have been included to address potential impacts to tribal cultural resources.

8. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Lot sizes and subdivision configuration provides opportunities for passive/solar heating. Landscaping would provide passive cooling opportunities via shading of each unit.

9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will have been obtained prior to the recordation of the map.

10. The proposed map will not conflict with regional or local housing needs since all lots maintain all development standards of the applicable zone and observe the density of the General Plan and area plans.

11. The proposed map meets all of the requirements or conditions imposed by the Map Act and the Escondido Zoning Code, as detailed in the staff reports, the Escondido General Plan and above findings.

Neighborhood Plan Code Amendment and Zone Change

1. The public health, safety and welfare will not be adversely affected by the proposed Zone Change from CG (General Commercial) to PD-R (Planned Development-Residential) because the General Plan allows for mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). While mixed-use residential development within the Target Area is required to provide a minimum density of 30 dwelling units per acre, the project provides an overall density of 23 dwelling units per acre and there is no minimum density requirement for exclusively residential development. The proposed project would provide an appropriate transition from the lower density single-family residential development on the west, multi-family development on the southwest and adjacent commercial development to the north, south and east across Centre City Parkway. Adequate public services and access can be provided to the site. The project would not result in any significant impacts to the environment, as demonstrated in Final Mitigated Negative Declaration (MND).

2. The property involved is suitable for the uses permitted by the proposed PD-R zone because the General Plan and Neighborhood Plan for the parcels currently allow for multi-story residential development. The General Plan allows for exclusively residential development within the South Escondido Boulevard corridor subject to the Planned Development Zone. The project has been designed to be compatible with the mix of surrounding commercial and residential development through the use of appropriate grading, building design and orientation, setbacks, walls/fencing and perimeter landscaping.

3. The uses permitted by the proposed PD-R-zone would not be detrimental to surrounding properties because a mix of commercial and residential uses surround the project site and the proposed the PD-R 24 zone and amendment to the South Escondido Boulevard Neighborhood Plan to allow for an exclusively residential project would be in conformance with the Escondido General Plan. The scale of the project would be in substantial conformance with the general pattern of commercial and residential development within the area. The proposed change of zone would not result in a significant impact to the environment, nor impact existing services or degrade levels of-service to adjacent streets, as detailed in the staff report and environmental analysis.

4. The proposed zone change would not conflict with any specific plans for the area because the project would be in conformance with and Escondido General Plan which allows for exclusively residential development. The proposed amendment to the South Escondido Boulevard Neighborhood Plan is necessary to implement to provisions of the Escondido General Plan, as indicated in the staff report and above. The Planned Residential Development zoning designation is necessary to implement the project in conformance with the General Plan and South Escondido Boulevard requirements.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Del Prado North and South
SUB15-0022 and SUB15-0023, PHG15-0031

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 Community Development.

7. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. An Acoustical Analysis (Interior Noise Assessment) shall be submitted with the building plans for the project. Any measures recommended in the study shall be incorporated into the building plans with appropriate notes/specifications.

8. 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.

9. Three (3) copies of the tentative map, reflecting any modifications 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.

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

11. Copies of the CC&Rs shall be submitted to the Engineering Division and Planning Division for review and approval prior to Final Map and grading plans for the project. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, 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 vehicle. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established in accordance with Department of Real Estate requirements.

12. Prior to the Final Map approval and issuance of grading permits, a parking management plan shall be included with the CC&Rs which details any assigned spaces, on-site vehicular maintenance and guest parking.

13. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. Any major modifications to the exterior architectural building elements or lessening of the quality of the exterior design shall require approval by the Director of Community Development, and or the Planning Commission as may be recommended by the Director.

14. A separate sign permit would be required for any project identification in conformance with the City's Sign Ordinance. Any additional signage not included as part of this Planned Development would be subject to the City's Sign Ordinance for multi-family residential projects. The final location and design/height of the monument signs shall ensure appropriate sight distance is maintained at intersections and driveways, and signs are placed outside of the right-of-way, to the satisfaction of the Engineering Division.

15. Any 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. Appropriate decorative screening shall be placed around the ground-mounted units where visible from the exterior of the project.

16. A minimum of 252 on-site 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. On-street parking spaces along Brotherton Road may be counted towards meeting the guest spaces for the project, to the satisfaction of the Director of Community Development.

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

18. 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.

19. Balconies, patios and courtyards shall be kept in a neat and orderly manner. 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.

20. All new utilities shall be underground.

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

22. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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 $2,260.25 for a project with a Negative Declaration. In addition, these fees include an additional authorized County administrative handling fee of $50.00. 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.

23. The project shall be in compliance with all of the following mitigation measures, as well as the Air Quality, Geology/Soils, Greenhouse Gas, and Hazards and Hazardous Materials Design Measures identified in the Final MND:

BIO-1 Avoidance of Nesting Raptors.

To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the City shall enforce the following: 1. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey shall be conducted within 72 hours prior to the start of construction. The project applicant shall not be responsible for physically surveying off-site habitat where access is not permitted; the qualified biologist shall visually inspect these off-site areas with the aid of binoculars or a spotting scope.

BIO 2.

If any nesting raptors are present on or within 500 feet of the proposed project construction area, the project applicant shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Active nests within off-site areas where access is not permitted shall not be flagged or demarcated. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet, shall be required until the qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. The avoidance buffer may be reduced at the discretion of the qualified biologist and with written consent from the USFWS and CDFW. If the qualified biologist determines that a narrower buffer is warranted, the qualified biologist shall provide USFWS and CDFW with a written explanation as to why. Based on the submitted explanation, USFWS and CDFW would determine whether to allow the narrower buffer. Avoidance buffers for active nests within off-site areas where existing developments already occur shall not be required.

CUL-1

The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and

religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

CUL-2

Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

CUL-3

The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

CUL-4

During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

CUL-5

In the event that previously unidentified Tribal Cultural Resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

CUL- 6

If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

CUL-7

The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before

construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

CUL-8

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

CUL-9

If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any Tribal Cultural Resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

CUL-10

Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

GEO-1

Implementation of Geotechnical Recommendations. The site-specific Geotechnical Investigation includes a number of general and specific recommendations that shall be implemented in the design and construction of the proposed project to minimize (a) the potential for exposure to soils with corrosive properties and associated potential for deterioration and eventual failure of underground concrete and metal structures, and (b) the potential concern associated with expansive soils on site, as summarized herein. Corrosion recommendations that shall be implemented include, but are not limited to: (1) further testing by a firm that specializes in corrosion engineering to determine next steps associated with corrosive soils, if any. Expansive soils recommendations that shall be implemented include, but are not limited to: (1) removal of

unsuitable materials during site preparation and grading; (2) confirmation that fill material exhibits "very low" or "low" expansion potential (per CBC standards); and (3) testing of proposed fill materials for suitability (including expansion potential). Finally, site grading plans shall be reviewed by a qualified geotechnical consultant prior to final design submittal to determine if additional analysis and recommendations beyond those summarized above (and listed in full in the Geotechnical Investigation) are required. Any and all geotechnical recommendations shall be fully implemented in accordance with applicable industry/regulatory standards (e.g., the CBC requirements).

NOI-1

Interior Noise Attenuation. Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed residences that face Brotherton Road or S. Centre City Parkway where exterior noise levels are expected to exceed 60 CNEL to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. The analysis shall also assume a "windows-closed" condition and that vehicles on Centre City Parkway are traveling at 50 mph. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered. Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).

NOI-2

Vibration Attenuation. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, that results in a level that exceeds 80 VdB at off-site residences or 83 VdB at the off-site KinderCare childcare center. Operation of a vibratory roller or equivalent shall be avoided within 75 feet of any off-site residence or 60 feet of the off-site childcare center.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division in conjunction with the submittal of the Final Map and Grading Plans, and shall be equivalent or superior to the concept plan attached as exhibit(s) in the staff report(s). A plan check fee of will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in the City's Landscape Standards as well as the State Model Water Efficient Landscape Ordinance. 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. The landscape design for the storm water basins shall be a visual amenity for the project to include an appropriate variety of plants and features. The larger storm water feature located on Del Prado North shall include accent trees along the slope areas if the placement would not conflict with the storm water design/function. The two larger storm water features on Del Prado

South shall incorporate trees into the design where the placement does not conflict with any public utility easements/improvements.

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

5. 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.

6. 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.

7. 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0022, Del Prado North

GENERAL

1. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2. As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3. No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4. 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.

5. 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.
6. The project owner shall submit to the Planning Department 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2. The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

3. The project owner shall be responsible for construction of frontage improvements along Brotherton Road to Local Collector Street standards with modified curb returns and signing and striping as indicated on the project Tentative Map and to the satisfaction of the City Engineer. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards.

4. The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (width could be reduced to 32 feet where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along the easterly side of S. Centre City Parkway to the requirements of the City Engineer.

5. The project owner shall be required to modify the existing intersections of Brotherton Road with Centre City Parkway and S. Center City Parkway with signing, striping and southwest corner surface improvements in accordance with the project Tentative Map and to the requirements of the City Engineer.

6. City standard Street Lights shall be installed at project entrance, intersection of Brotherton Road with S. Centre City Parkway and along project frontages in accordance with the City Design Standards.

7. The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for intersections of Brotherton Road with Centre City Parkway and S. Centre City Parkway and along project's frontages on Brotherton Road and S. Centre City Parkway. Signing and striping design shall include a stop control for the east bound traffic on Brotherton Road at S. Centre City Parkway. The developer will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

8. All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

9. The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on Brotherton Road.

10. The project owner 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.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2. 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4. The project owner 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.

5. 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 (1) or more acres.

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

7. Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1. A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2. All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by Home Owners' Association. Provisions stating this shall be included in the CC&Rs.

3. All frontages landscaping along Brotherton Road and S. Centre City Parkway shall be maintained by Home Owners Association. Provisions stating this shall be included in the CC&Rs.

4. The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1. The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1. The project owner is required to design and construct an onsite/offsite public sewer system to serve the project in accordance with the City of Escondido Design Standards and to the requirements of the Utilities Engineer.

2. All sewer laterals within the project are private and shall be maintained by the home owners association.

CC&Rs

1. Copies of the CC&R's (along with the appropriate review fee) shall be submitted to the Engineering Division and Planning Department for approval prior to approval of the Final Map.

2. The project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, walls, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontages on Brotherton Road and S. Centre City Parkway by the Homeowners' Association.

4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5. The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6. The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Homeowners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

2. Necessary public utilities 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 to the requirements of the Utilities Engineer.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

4. The project owner 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. 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.

5. The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground. The project owner 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0023, Del Prado South

GENERAL

1 Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2 As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3 No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4 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.

5 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.

6 The project owner shall submit to the Planning Division 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Division verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1 Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2 The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (Width could be reduced to 32 where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along easterly side of S. Centre City Parkway to the requirements of City Engineer.

3 City standard Street Lights shall be installed at project entrance on S. Centre City Parkway and along the roadways in accordance with the City Design Standards.

4 The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for Brotherton Road. The project owner will be responsible for refreshing the existing intersection striping at Citracado Parkway and S. Centre City Parkway, if required by the City Engineer based on intersection striping condition prior to project completion. The project owner will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

5 All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

6 The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on S. Centre City Parkway.

7 The project owner 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 City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1 A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3 Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4 The project owner 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.

5 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 (1) or more acres.

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

7 Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1 A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2 All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by homeowners' association. Provisions stating this shall be included in the CC&Rs.

3 All frontages landscaping along S. Centre City Parkway and Brotherton Road shall be maintained by homeowners association. Provisions stating this shall be included in the CC&Rs.

4 The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1 The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2 All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1 The project owner is required to design and construct an onsite public sewer system in accordance with the City of Escondido Design Standards and to the requirements of Utilities Engineer. Any changes to the proposed sewer system design due to conflict with other utilities shall, be approved by the Utilities Engineer prior to submittal of final plans for review and approval.

2 All sewer laterals within the project are private and shall be maintained by the homeowners association.

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 project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and emergency access road and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3 CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontage on S. Centre City Parkway by the Homeowners' Association.

4 The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5 The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6 The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Home Owners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1 The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

2 All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

3 Necessary public utilities 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 to the requirements of Utilities Engineer.

4 All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

5 The project owner 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. 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.

6 The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground.

3. The project owner 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.

Jay Paul

From: John Schuler <jgschuler@gmail.com>
Sent: Saturday, March 05, 2016 4:07 PM
To: Jay Paul
Subject: Del Prado Planned Residential Development, ENV 15-0011

Hi Jay,

I reside at 440 W Citracado Parkway unit 41. My unit is located in the NE corner of the parcel. I am against the Del Prado development for the following reasons.

1. The density is too high. I live in Bernardo Hills condominiums. We have 56 units on approximately 6.5 acres of land. The proposed project has 113 units on just 4.89 acres. In other words, Bernardo Hills density is 8.6 units per acre and this proposed plan is for 23 units per acre. This is way too high. Is this allowed in the planning ordinances or is this Touchstone Communities outfit asking for a waiver?

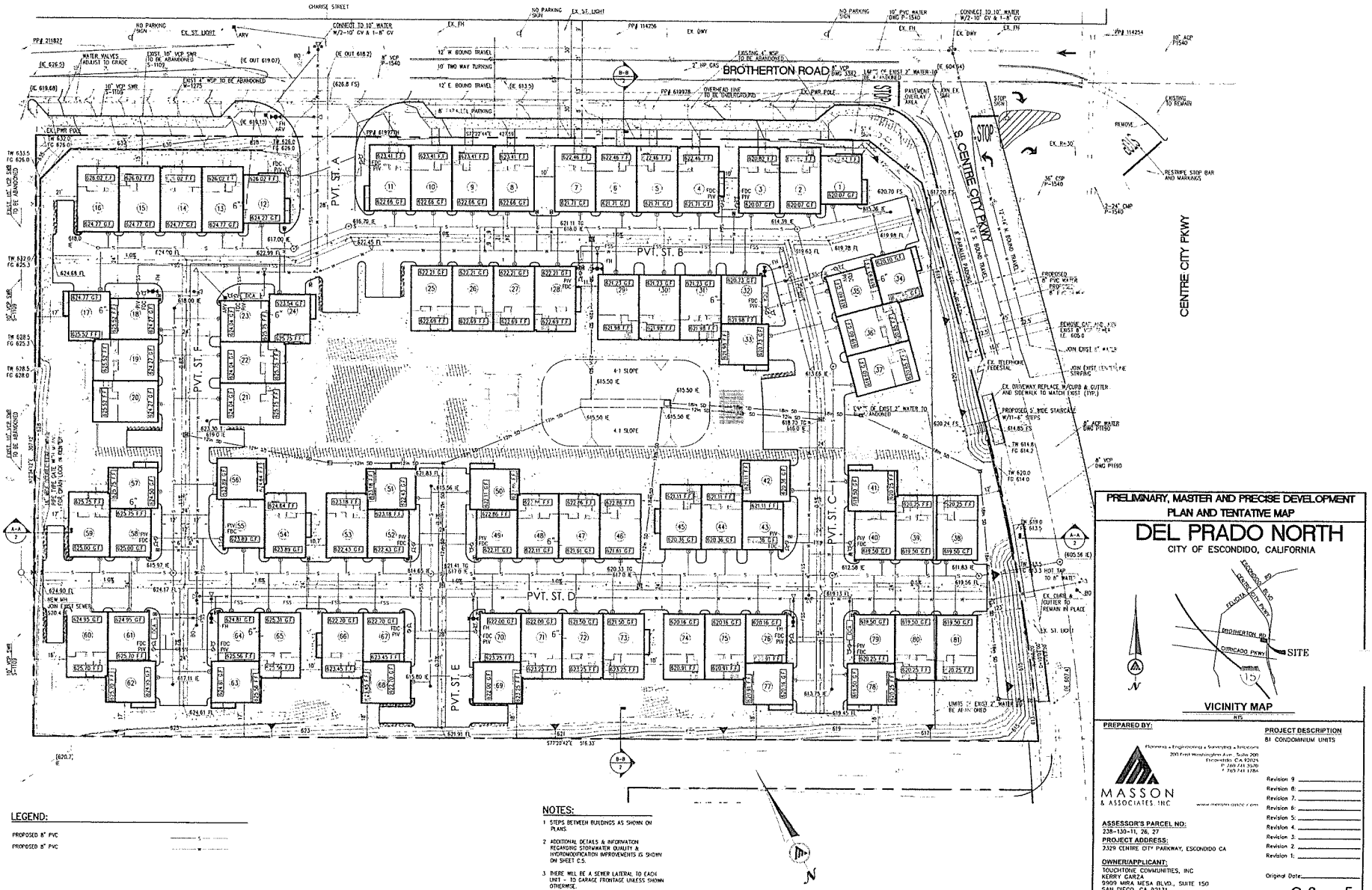
2. I demand that you redraw the map included in the flyer properly. What is not shown is the access road that runs parallel to the west side of Centre City Parkway. From Brotherton, Del Prado is only accessible by those going southbound on Centre City Parkway. This is no access for those going northbound on Centre City parkway unless they turn in on the access road at West Citracado Parkway. This is going to jam up the traffic in a intersection that wasn't designed to handle this additional traffic flow.

3. People that buy the units are idiots. Most of the units will face either a noisy road or a car wash. Those with a west facing view get to look at a power distribution grid. It sounds like a real nice place to live.

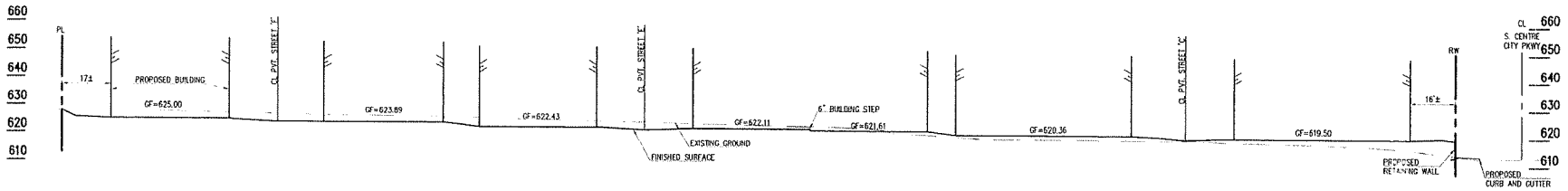
I suggest that reject this plan and ask Touchstone Communities to design a lower profile, less dense development that includes the costs of adding a new set of traffic lights at the Brotherton and Centre City parkway.

Regards,

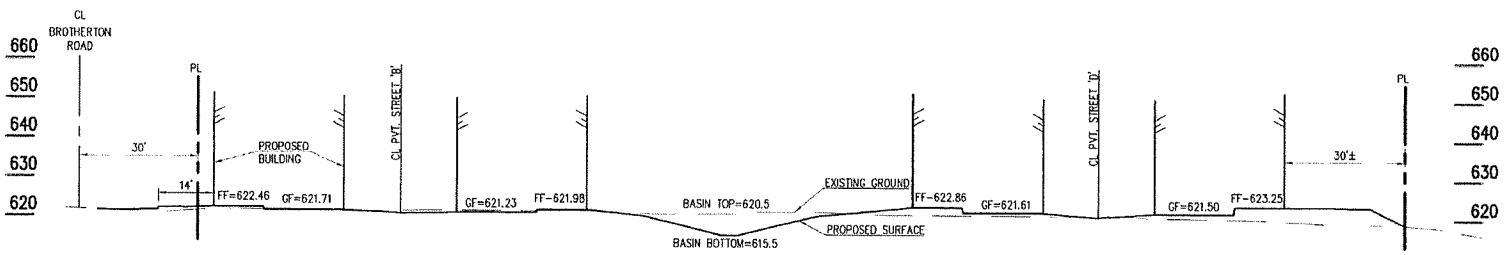
John Schuler
jgschuler@gmail.com
760 715 7186


BROTHERTON ROAD
CENTRE CITY PKWY
S. CENTRE CITY PKWY
PVT. ST. A
PVT. ST. B
PVT. ST. C
PVT. ST. D
PVT. ST. E
PVT. ST. F
CHARISE STREET
4:1 SLOPE
4:1 SLOPE
NO PARKING SIGN
EX. ST. LIGHT
EX. FH
EX. DWY
EX. PWR POLE
STOP
STOP SIGN
EX. TELEPHONE PEDESTAL
PROPOSED 5' SIDE STAIRCASE W/11-6" STEPS
REMOVE
RESTRIPE STOP BAR AND MARKINGS
EX. DRIVEWAY REPLACE W/CURB & GUTTER AND SIDEWALK TO MATCH EXIST (TYP.)
EX. CURB & GUTTER TO REMAIN IN PLACE
JOIN EXIST. CENTERLINE STRIPING
EX. R=30'
EX. ST. LIGHT
EXISTING TO REMAIN
36" CSP P=1540
12-24" CMP P=1540
10" ACP P=1540
8" ACP WATER DWG PI180
8" VCP DWG PI180
10" PVC WATER DWG P-1540
CONNECT TO 10" WATER W/2-10" GV & 1-8" GV
EXISTING 4" WCP TO BE ABANDONED
EXIST 4" WCP TO BE ABANDONED
EXIST 8" VCP SWR TO BE ABANDONED S-1109
EXIST 10" VCP SWR TO BE ABANDONED S-1109
EXIST 10" VCP SWR S-1109
WATER VALVES ADJUST TO GRADE
PPM 211822
PPM 114256
PPM 114254
PPM 619978
PPM 619277H
OVERHEAD LINE TO BE UNDERGROUND
PAVEMENT OVERLAY AREA
JOIN EX. S/H
12' W BOUND TRAVEL
10' TWO WAY TURNING
12' E BOUND TRAVEL
8' PARALLEL PARKING
11' S BOUND TRAVEL
11' N BOUND TRAVEL
PROPOSED 6" PVC WATER PROP 8" PVC WATER
REMOVE CAP AND JOIN EXIST 8" WATER LF 605.0
JOIN EXIST 8" WATER
EX. 8" WATER DWG 5382
EX. 2" WATER TO BE ABANDONED
EX. 4" WATER TO BE ABANDONED
HOT TAP TO 8" WATER
NEW MH JOIN EXIST SEWER
EX. 8" SEWER DWG 5382
EX. 8" SEWER DWG 5382
EX. 8" SEWER DWG 5382

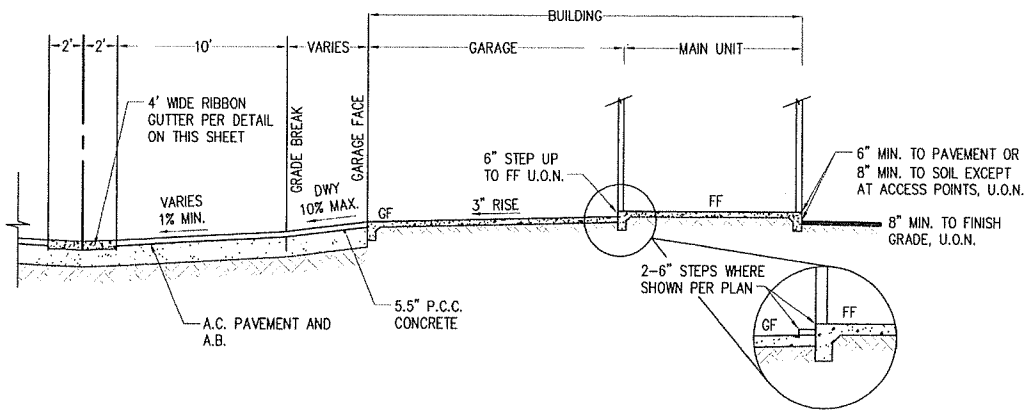
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023
NORTH



A-A / 3 SECTION A-A



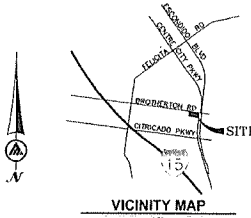
B-B / 3 SECTION B-B



TYPICAL GRADING SECTION

N.T.S.

SECTIONS AND DETAILS
DEL PRADO NORTH
CITY OF ESCONDIDO, CALIFORNIA



VICINITY MAP
NTS

PREPARED BY:
MASSON & ASSOCIATES, INC
Planning • Engineering • Surveying • Telecom
200 East Washington Ave., Suite 200
Escondido, CA 92025
P. 760.741.3570
F. 760.741.1704
www.masson-assoc.com

PROJECT DESCRIPTION
81 CONDOMINIUM UNITS

Revision 9:
Revision 8:
Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1:
Original Date:

ASSESSOR'S PARCEL NO:
238-130-11, 26, 27
PROJECT ADDRESS:
2329 CENTRE CITY PARKWAY, ESCONDIDO CA

OWNER/APPLICANT:
TOUCHTONE COMMUNITIES, INC
KERRY GARZA
9909 MIRA MESA BLVD., SUITE 150
SAN DIEGO, CA 92131
858-586-0414

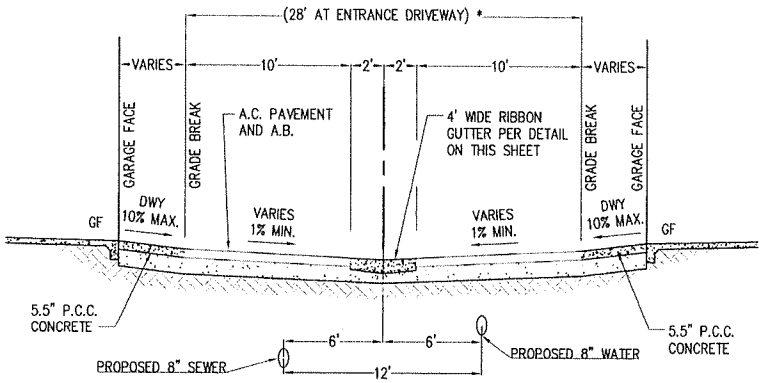
Sheet C-2 of 5

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023
NORTH

37

TENTATIVE DETAILS

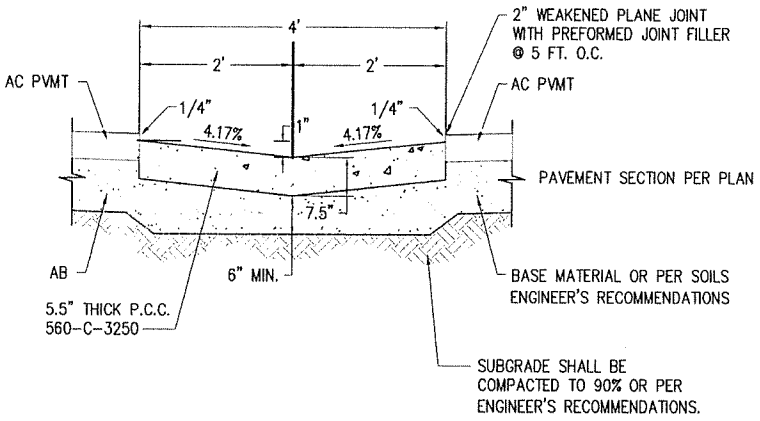
TD



TYPICAL STREET AND DRIVEWAY

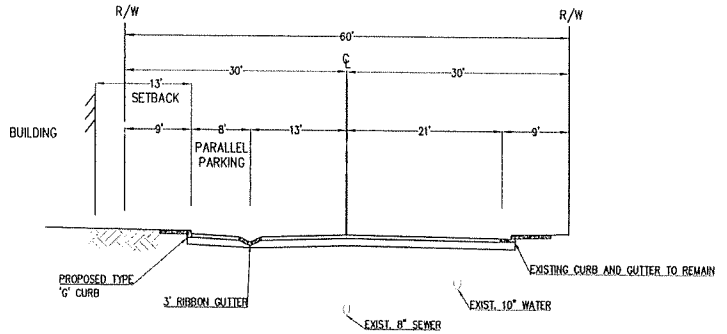
* GENERAL UTILITY AND EMERGENCY ACCESS EASEMENT

N.T.S.



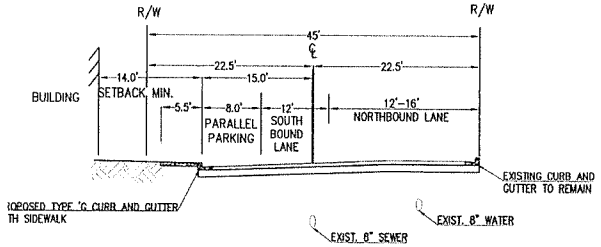
PCC RIBBON GUTTER

N.T.S.



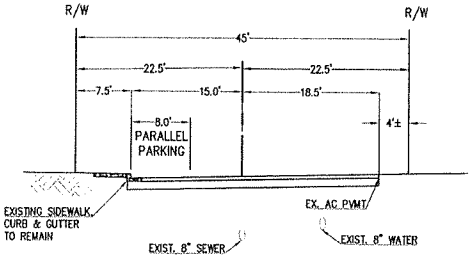
BROTHERTON ROAD SECTION

NTS



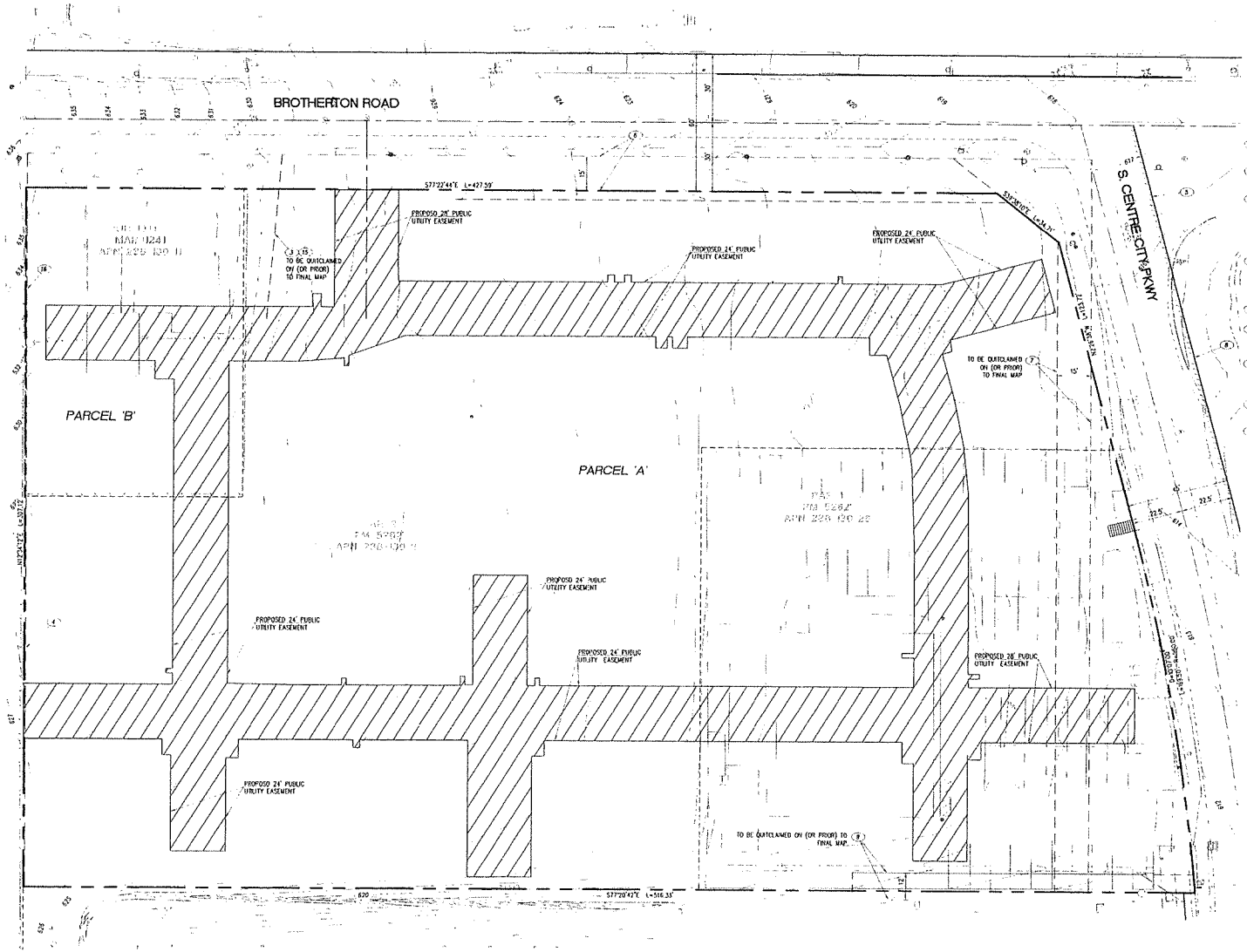
S. CENTRE CITY PARKWAY (FRONTAGE ROAD)

NTS



S. CENTRE CITY PARKWAY (FRONTAGE ROAD) SECTION

NTS



EASEMENTS AND NOTES:

SCHEDULE "B" EXCEPTIONS PER CHICAGO TITLE COMPANY 2ND AMENDED PRELIMINARY REPORT ORDER NUMBER 12003833-996-1150 DATED JULY 24, 2014

ITEM NUMBER SHOWN HEREON CORRESPONDS TO REPORT NUMBER

THE FOLLOWING MATTERS AFFECT PARCEL A

3. EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR POLES, WIRES AND INCIDENTAL PURPOSES, RECORDED JANUARY 17, 1945 IN BOOK 1806, PAGE 207, OF OFFICIAL RECORDS

4. EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR POLES, WIRES AND INCIDENTAL PURPOSES, RECORDED JULY 29, 1946 IN BOOK 2186, PAGE 427, OF OFFICIAL RECORDS

5. THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET, HIGHWAY, OR FREEWAY ABUTTING SAID LAND, SUCH RIGHTS HAVING BEEN RELINQUISHED BY THE DOCUMENT RECORDED DECEMBER 1, 1954 IN BOOK 5445, PAGE 325, OF OFFICIAL RECORDS

AFFECTS FREEWAY, PROVIDED, THAT SAID PROPERTY SHALL ABUT UPON AND HAVE ACCESS TO THE FRONTAGE ROAD WHICH WILL BE CONNECTED TO THE FREEWAY ONLY AT SUCH POINTS AS MAY BE ESTABLISHED BY PUBLIC AUTHORITY.

6. EASEMENT TO COUNTY OF SAN DIEGO FOR ROAD PURPOSES, RECORDED NOVEMBER 14, 1958 IN BOOK 7351, PAGE 189, OF OFFICIAL RECORDS

SAID INSTRUMENT ADDITIONALLY CONTAINS THE PRIVILEGE AND RIGHT TO EXTEND STRUCTURES AND EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS WHERE REQUIRED FOR THE CONSTRUCTION AND MAINTENANCE THEREOF.

7. EASEMENT TO THE CITY OF ESCONDIDO FOR SEWERS AND APPURTENANCES, RECORDED NOVEMBER 16, 1961 AS INSTRUMENT NO. 159205, OF OFFICIAL RECORDS

8. THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET, HIGHWAY, OR FREEWAY ABUTTING SAID LAND, SUCH RIGHTS HAVING BEEN RELINQUISHED BY THE DOCUMENT, RECORDED JANUARY 3, 1964 AS INSTRUMENT NO 1550, OF OFFICIAL RECORDS

9. EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES, INGRESS AND EGRESS PURPOSES, RECORDED APRIL 29, 1966 AS INSTRUMENT NO. 72457, OF OFFICIAL RECORDS

THE FOLLOWING MATTERS AFFECT PARCEL B

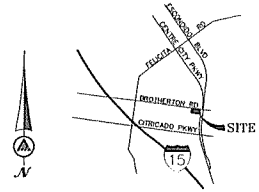
15. EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES, INGRESS AND EGRESS PURPOSES, RECORDED JANUARY 17, 1945 IN BOOK 1806, PAGE 207, OF OFFICIAL RECORDS. ***DOES NOT AFFECT PARCEL B***

16. EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY PUBLIC UTILITIES, INGRESS AND EGRESS PURPOSES, RECORDED JULY 29, 1946 IN BOOK 2186, PAGE 427, OF OFFICIAL RECORDS

EMCUMBRANCE MAP

DEL PRADO NORTH

CITY OF ESCONDIDO, CALIFORNIA



VICINITY MAP

NTS

PREPARED BY:

MASSON & ASSOCIATES, INC

Planning • Engineering • Surveying • Telecom

200 East Washington Ave Suite 205
Escondido, CA 92025
P 760.741.1520
F 760.741.1284

www.masson-assoc.com

PROJECT DESCRIPTION

81 CONDOMINIUM UNITS

ASSESSOR'S PARCEL NO:
238-130-11, 26, 27

PROJECT ADDRESS:
2329 CENTRE CITY PARKWAY, ESCONDIDO CA

OWNER/APPLICANT:
TOUCHTONE COMMUNITIES, INC
KERRY GARZA
9909 MIRA MESA BLVD., SUITE 150
SAN DIEGO, CA 92131
858-586-0414

Revision 9: _____
Revision 8: _____
Revision 7: _____
Revision 6: _____
Revision 5: _____
Revision 4: _____
Revision 3: _____
Revision 2: _____
Revision 1: _____

Original Date: _____

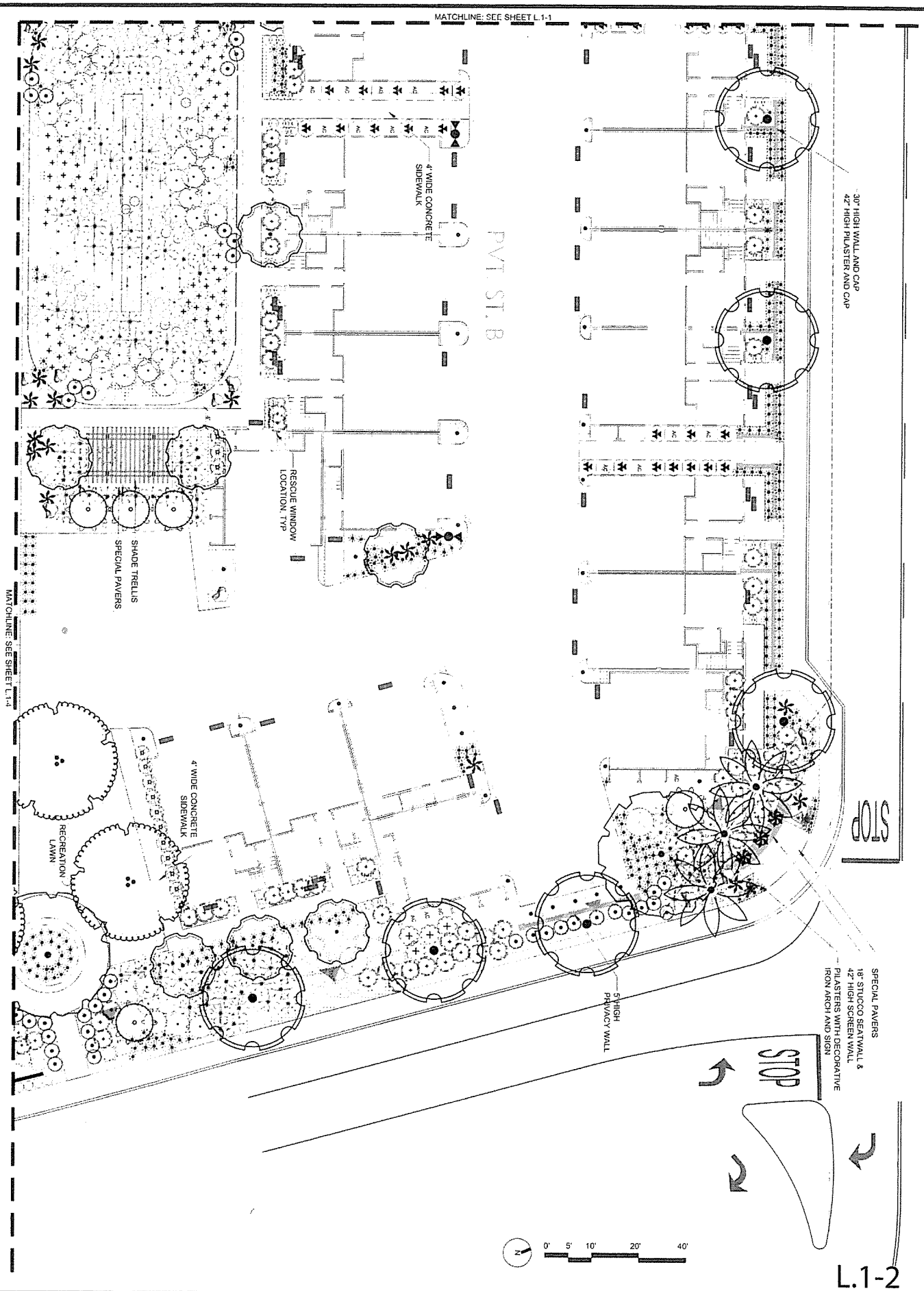
Sheet C-4 of 5

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023
NORTH

38

ENCUMBRANCE MAP

EM



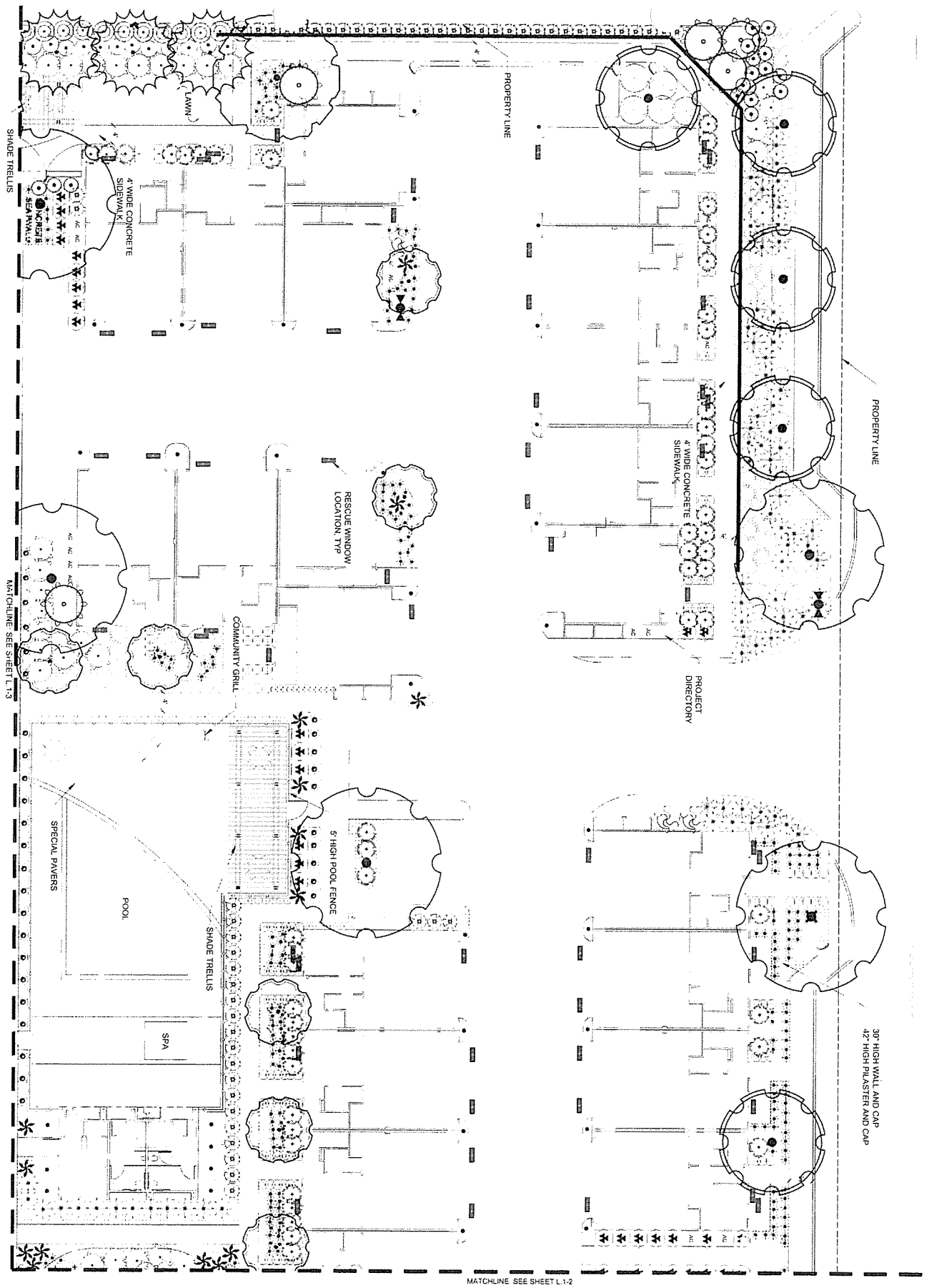
L.1-2

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

NORTH

PLP

PRELIMINARY LANDSCAPE



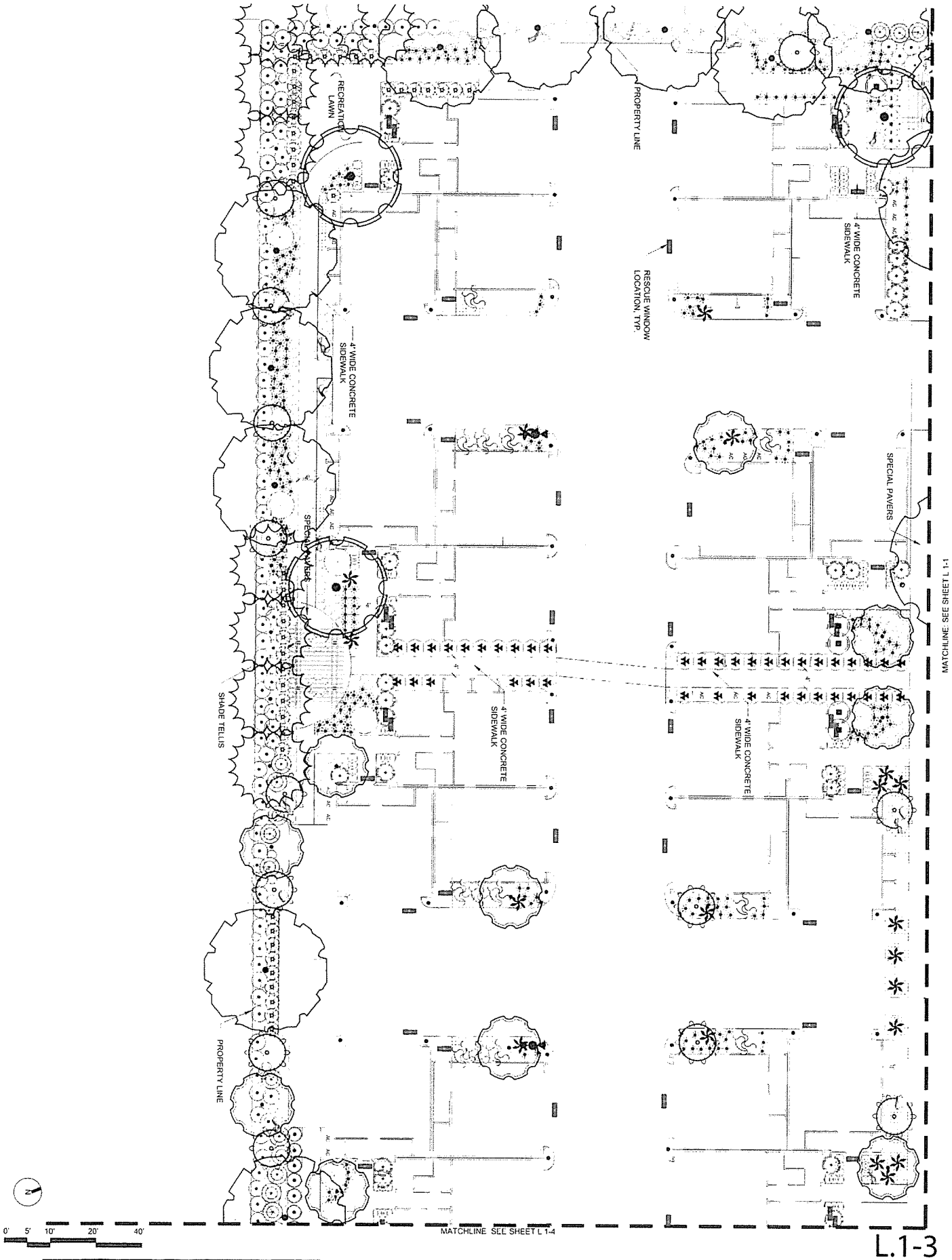
L.1-1

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

NORTH

PLP

PRELIMINARY LANDSCAPE



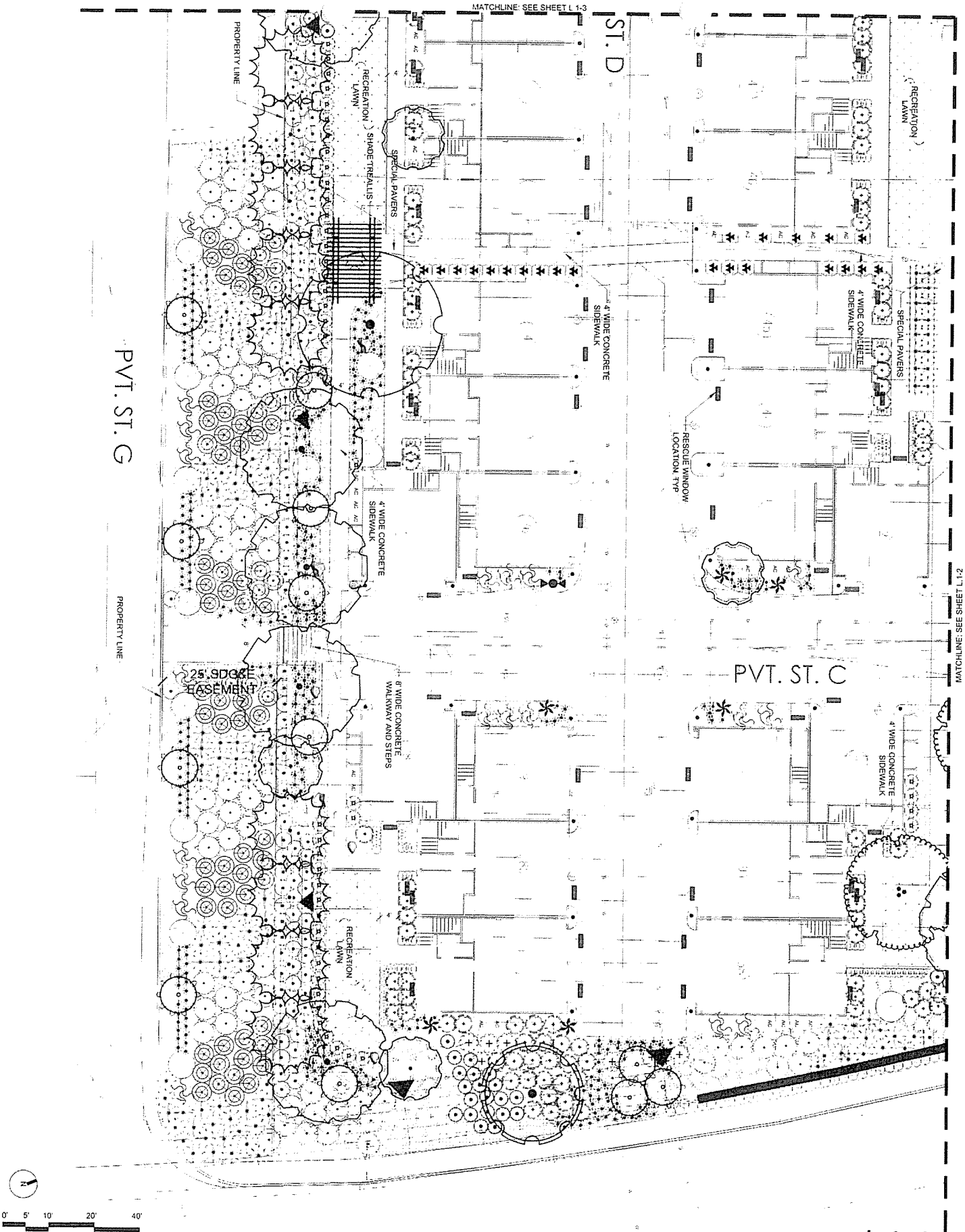
L.1-3

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

NORTH

PLP

PRELIMINARY LANDSCAPE



L.1-4

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

NORTH

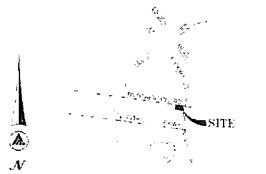
PLP

PRELIMINARY LANDSCAPE

PLANT LEGE.

	ABBREVIATION	SCIENTIFIC NAME	COMMON NAME	QUANTITY	SIZE	SPACING	REMARKS	WATER USE (ZA)	MATURE HEIGHT	MATURE WIDTH
	TREES									
	ARB-UNE	ARBUTUS UNEDO	STRAWBERRY TREE	25	24" BOX	PER PLAN	SINGLE TRUNK TREE FORM	LOW	8'-35'	8'-35'
	CER-DES	CERCIDIUM 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	8	24" BOX	PER PLAN		LOW	25'	30'
	RHU-LAN	RHUS LANCEA	AFRICAN SUMAC	15	24" BOX	PER PLAN		LOW	20'-30'	20'-35'
	PLA-RAC	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	3	24" BOX	PER PLAN	MULTI-TRUNK	MED	30'-80'	20'-50'
	PIN-ELD	PINUS ELDARICA	AFGHAN PINE	21	24" BOX	PER PLAN		LOW	30'-80'	15'-25'
	PIS-CHI	PISTACHIA CHINENSIS	CHINESE PISTACHE	6	24" BOX	PER PLAN		MED	30'-60'	30'-60'
	QUE-AGR	QUERCUS AGRIFOLIA	COAST LIVE OAK	17	24" BOX	PER PLAN	MULTI-TRUNK SPECIMEN	LOW	20'-70'	20'-70'
	WAS-FIL	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	3	16' B.T.H	PER PLAN	SKINNED	LOW	60'	20'
	VINES									
	BOU-SAN	BOUGAINVILLEA 'SAN DIEGO RED'	SAN DIEGO RED BOUGAINVILLEA	2	5 GAL	PER PLAN	REMOVE FROM STAKE AND ATTACH TO WALL	LOW	LOW	
	GROUNDCOVERS									
	ECH-ELE	ECHEVERIA ELEGANS	HEN AND CHICKS	242	4" POTS	12" O.C.		LOW	6"	12"
	ROS-HUN	ROSMARINUS OFF. 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	250	1 GAL	3' O.C.		LOW	1.5	3'-5
	SEN-MAN	SENECIO MANDRALISCAE	BLUE PICKLE	2037	1 GAL	12" O.C.		LOW	1	2
	BOULDERS:									
	24"-30" LANDSCAPE BOULDER PARTIALLY BURY PER DETAIL P-01			20						
	36"-48" LANDSCAPE BOULDER PARTIALLY BURY PER DETAIL P-01			31						
	NOTE: FURNISH AND INSTALL "DESERT SELECT" BOULDERS FROM SOUTHWEST BOULDER									
	1/4" COBBLE FROM SOUTHWEST BOULDER AND STONE, COLOR: IRONWOOD									
	SHRUBS									
	AGA-ATT	AGAVE ATTENUATA 'BOUTIN BLUE'	BOUTIN BLUE AGAVE	60	15 GAL	PER PLAN		LOW	5'	5'
	AGA-VIL	AGAVE VILMORINIANA 'TENTACLES'	OCTOPUS AGAVE	2	15 GAL	PER PLAN		LOW	3'-4'	3'-4'
	ALO-BLU	ALOE 'BLUE ELF'	BLUE ELF ALOE	459	1 GAL	PER PLAN		LOW	18"	2'
	ARC-SUN	ARCTOSTAPHYLOS 'SUNSET'	SUNSET MANZANITA	5	5 GAL	PER PLAN		LOW	4'-5'	4'-6'
	ASC-FAS	ASCLEPIAS FASCICULARIS	NARROW LEAF MILKWEED	28	1 GAL	PER PLAN		LOW	1.5'-3'	1'-2'
	ARI-PUR	ARISTIDA PURPUREA	PURPLE THREE AWN	1240	1 GAL	PER PLAN		LOW	2'	2'
	BAC-PIL	BACCHARIS PILULARIS 'PIEGON POINT'	DWARF COYOTE BRUSH	102	1 GAL	PER PLAN		LOW	6"-24"	6'
	BUL-FRU	BULBINE FRUTESCENS 'TINY TANGERINE'	TINY TANGERINE BULBINE	65	1 GAL	PER PLAN		LOW		1.5'
	CAL-CAL	CALLANDRA CALIFORNICA	BAJA FAIRY DUSTER	139	1GAL	PER PLAN		LOW	5'	5'-6'
	CAL-HAR	CALYLOPHUS HARTWEGII	SUNDROPS	401	1 GAL	PER PLAN		LOW	1'	2'
	CAL-JT	CALLISTEMON VIMINALIS 'LITTLE JOHN'	LITTLE JOHN BOTTLEBRUSH	168	5GAL	PER PLAN		LOW	3'	3'
	CEA-CON	CEANOTHUS 'CONCHA'	WILD LILAC	35	5 GAL	PER PLAN		LOW	6'-7'	6'-8'
	CIS-PUR	CISTUS X PURPUREUS	ORCHID ROCKROSE	12	5 GAL	PER PLAN		LOW	4'	4'
	ERE-BLU	EREMOPHILA HYGROPHANA 'BLUE BELLS'	BLUE BELLS EMU BUSH	64	5 GAL	PER PLAN		LOW	2'-3'	3'
	ERI-FAS	ERIOGONUM FASCICULATUM	CALIFORNIA BUCKWHEAT	242	1 GAL	PER PLAN		V LOW	1'-2'	4'
	EUP-MIL	EUPHORBIA MILII 'REDI-RED' HYBRID	RED EUPHORBIA	34	5 GAL	PER PLAN		LOW	2'	2'
	GAL-FIR	GALVEZIA SPECIOSA 'FIRECRACKER'	ISLAND BUSH SNAPDRAGON	87	1 GAL	PER PLAN		LOW	2'-3'	3'
	HET-ARB	HETEROMELES ARBUTIFOLIA	TOYON, CHRISTMAS BERRY	35	5 GAL	PER PLAN		LOW	6'-10'	6'-10'
	ILE-VOM	ILEX VOMITORIA 'NANA'	NANA YAUPON	240	5 GAL	PER PLAN		LOW	3'-5'	3'-5'
	JUN-PAT	JUNCUS PATENS	CALIFORNIA GRAY RUSH	85	1 GAL	PER PLAN		LOW	2'	2'
	LAN-NEW	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	114	1 GAL	PER PLAN		LOW	2'-3'	3'-4'
	LEY-CON	LEYMUS CONDENSATUS 'CANYON PRINCE'	BLUE LYME GRASS	325	1 GAL	PER PLAN		LOW	2'-3'	2'-3'
	MUH-RIG	MUHLENBERGIA RIGENS	DEER GRASS	41	1 GAL	PER PLAN		MED	4'	4'
	POD-MAC	PODOCARPUS MACROPHYLLUS 'MAKI'	SHRUBY YEW PINE	130	5 GAL	PER PLAN		MED	15'-25'	6'
	SAL-POZ	SALVIA CLEVELANDII 'POZO BLUE'	CLEVELAND SAGE	154	5 GAL	PER PLAN		LOW	3'-5'	5'-6'
	SAN-TR	SANSEVIERIA TRIFASCIATA	MOTHER-IN-LAWS TONGUE	12	1 GAL	PER PLAN		LOW	2'-3'	1'
	WES-WYN	WESTRINGIA FRUTICOSA 'WYNYABBIE GEM'	COAST ROSEMARY	36	15 GAL	PER PLAN		LOW	3'-6'	5'-10'

DEL PRADO SITE



VICINITY MAP

PREPARED BY:

PROJECT DESCRIPTION

ASSESSOR'S PARCEL NO

LEGAL DESCRIPTION:

OWNER/APPLICANT

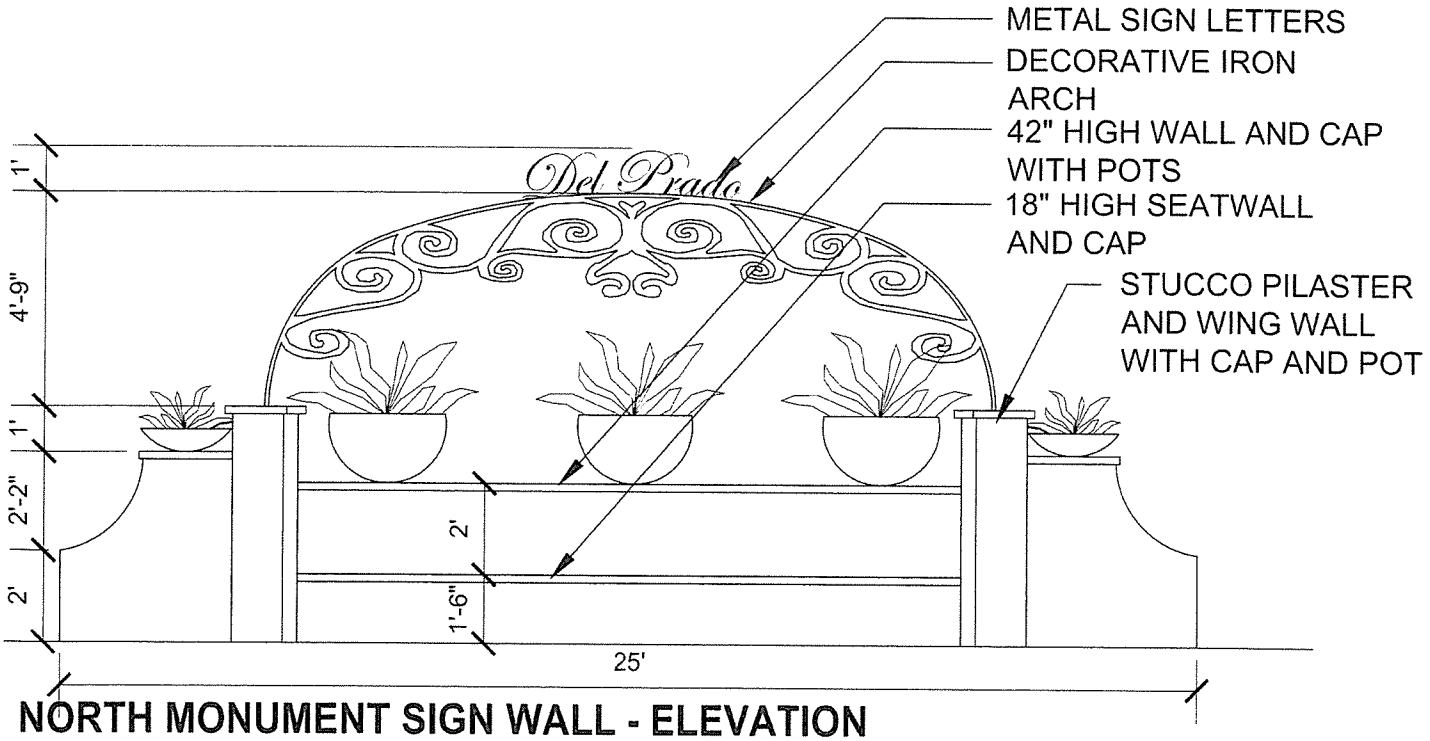
L-1-5 L-1-7

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

PL

LANDSCAPE LEGEND

NORTH MONUMENT SIGN WALL WITH DECORATIVE IRON ARCH ILLUSTRATION

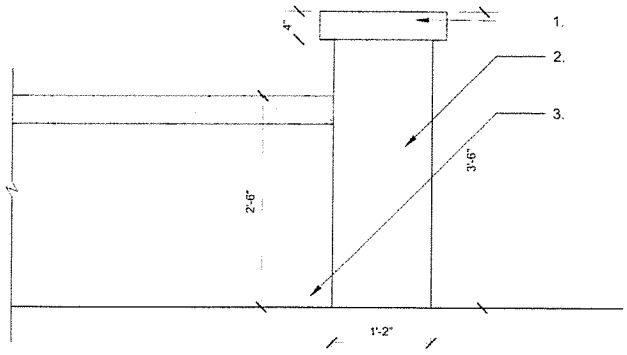


NORTH MONUMENT SIGN WALL - ELEVATION

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

R

RENDERING



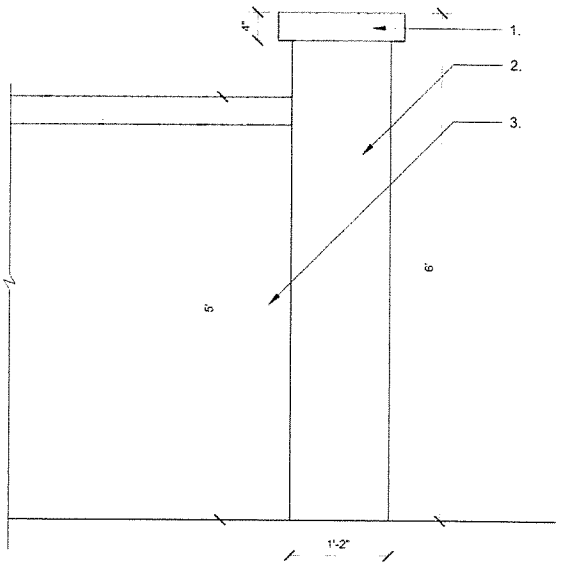
1. 4" THICK PRECAST CONCRETE CAP
2. CMU PILASTER AT END OF WALL WITH STUCCO FINISH
3. CMU WALL WITH STUCCO FINISH

NOTE: WALLS AND PILASTERS TO BE "EARTH TONE" COLORS TO MATCH THE RESIDENCES

30" HIGH WALL

DETAIL

C-01



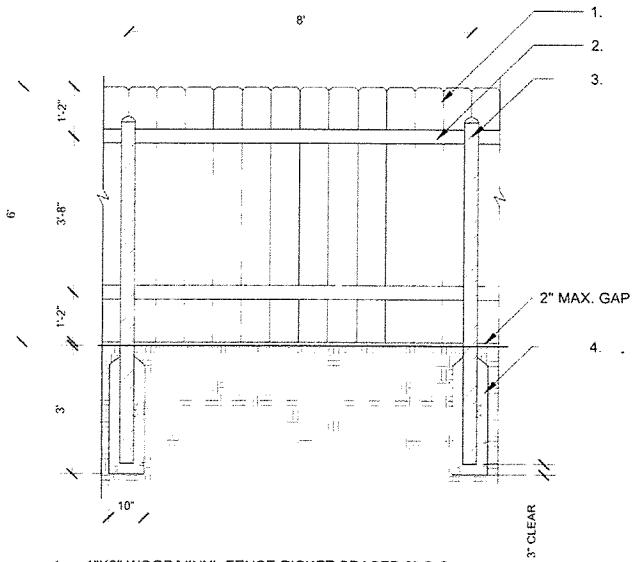
1. 4" THICK PRECAST CONCRETE CAP
2. CMU PILASTER AT END OF WALL WITH STUCCO FINISH
3. CMU WALL WITH STUCCO FINISH

NOTE: WALLS AND PILASTERS TO BE "EARTH TONE" COLORS TO MATCH THE RESIDENCES

5' HIGH PRIVACY WALL

DETAIL

C-02



1. 1"X8" WOOD/VINYL FENCE PICKET SPACED 8" O.C.
2. 2"X4" WOOD/VINYL STRINGER
3. 4" DIA. GALVANIZED STEEL FENCE POST SET IN CONC. FOOTING
4. CONCRETE FOOTING

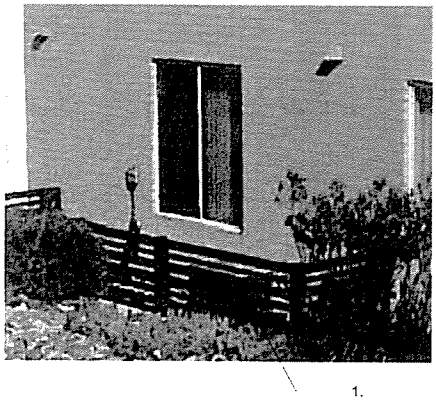
NOTE: WOOD / VINYL FENCES TO BE "EARTH TONE" COLORS TO MATCH THE RESIDENCES

WOOD/VINYL FENCE

DETAIL

SCALE: 1/2" = 1'-0"

C-03



1. WOOD A/C SCREEN

NOTE: WOOD A/C SCREENS TO BE "EARTH TONE" COLORS TO MATCH THE RESIDENCES

WOOD A/C SCREEN

DETAIL

C-04

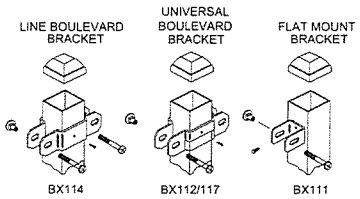
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

LD

LANDSCAPE DETAILS

NOTES:

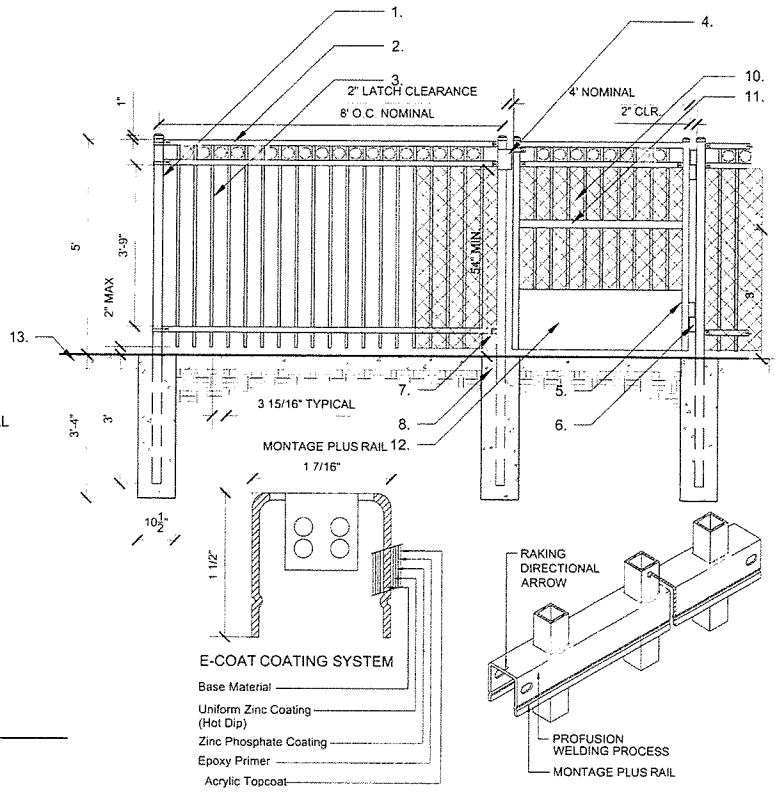
- ALL STEEL COMPONENTS SHALL BE COATED WITH PERMACOAT® THERMAL STRATIFICATION COATING PROCESS, COLOR: BLACK
- PROVIDE SHOP DRAWINGS FOR APPROVAL
- VALUE'S SHOWN ARE NOMINAL, INSTALL PER MANUFACTURER'S INSTRUCTIONS



BRACKET OPTIONS

1. 2-1/2" SQUARE X 14 GAUGE POST (3" SQUARE X 12 GA. FOR GATES)
2. 1-1/2" MONTAGE PLUS RAIL - SEE CROSS SECTION THIS SHEET
3. 3/4"SQUARE X 18 GAUGE PICKET
4. SELF LATCHING GATE LATCH WITH KEY CARD READER PER ELECTRICAL
5. GATE UPRIGHT - 1-3/4" X 14 GAUGE
6. SELF-CLOSING HEAVY DUTY HINGES (2)
7. BRACKET OPTIONS PER DETAIL THIS SHEET
8. CONCRETE FOOTING
9. ATTACH TO BUILDING OR WALLS WITH FLAT MOUNT BRACKETS (BX111)
10. STEEL MESH
11. GATE LATCH PANIC BAR
12. KICK PLATE
13. CONC. MOW CURB, SEE DETAIL 4 THIS SHEET

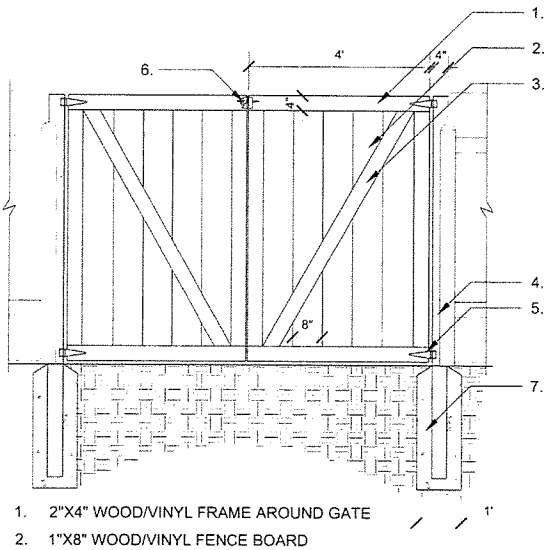
NOTE: STEEL VIEW FENCE AND GATES SHALL BE DARK BROWN OR BLACK



STEEL VIEW FENCE AND GATE

C-05

AMERISTAR - MONTAGE PLUS - MAJESTIC



1. 2"X4" WOOD/VINYL FRAME AROUND GATE
2. 1"X8" WOOD/VINYL FENCE BOARD
3. 2"X4" WOOD/VINYL DIAGONAL CROSS BEAM
4. 4"X4" WOOD/VINYL POST (SET HINGE SIDE WHEN STEEL VENCE POST IS SET, ATTACH HOUSE SIDE TO HOUSE)
5. GALVANIZED STEEL HINGE
6. GALVANIZED STEEL BOLT LATCH
7. CONCRETE FOOTING

NOTE: WOOD / VINYL GATE TO BE "EARTH TONE" COLORS TO MATCH THE RESIDENCES

WOOD/VINYL GATE

C-06

DETAIL

PROPOSED UNITS
81 UNITS

SITE AREA
3.44 AC

DENSITY
24 UNITS/ACRE

BUILDING HEIGHT
3 STORIES (35' - 9" OVERALL)

RESIDENTIAL PARKING SUMMARY

PROVIDED	= 177 STALLS
GUEST STALLS	= 16 STALLS
2-CAR GARAGES	= 162 STALLS
PARKING RATIO	= 2.20 STALLS/UNIT
ON-SITE PARKING	= 13 STALLS

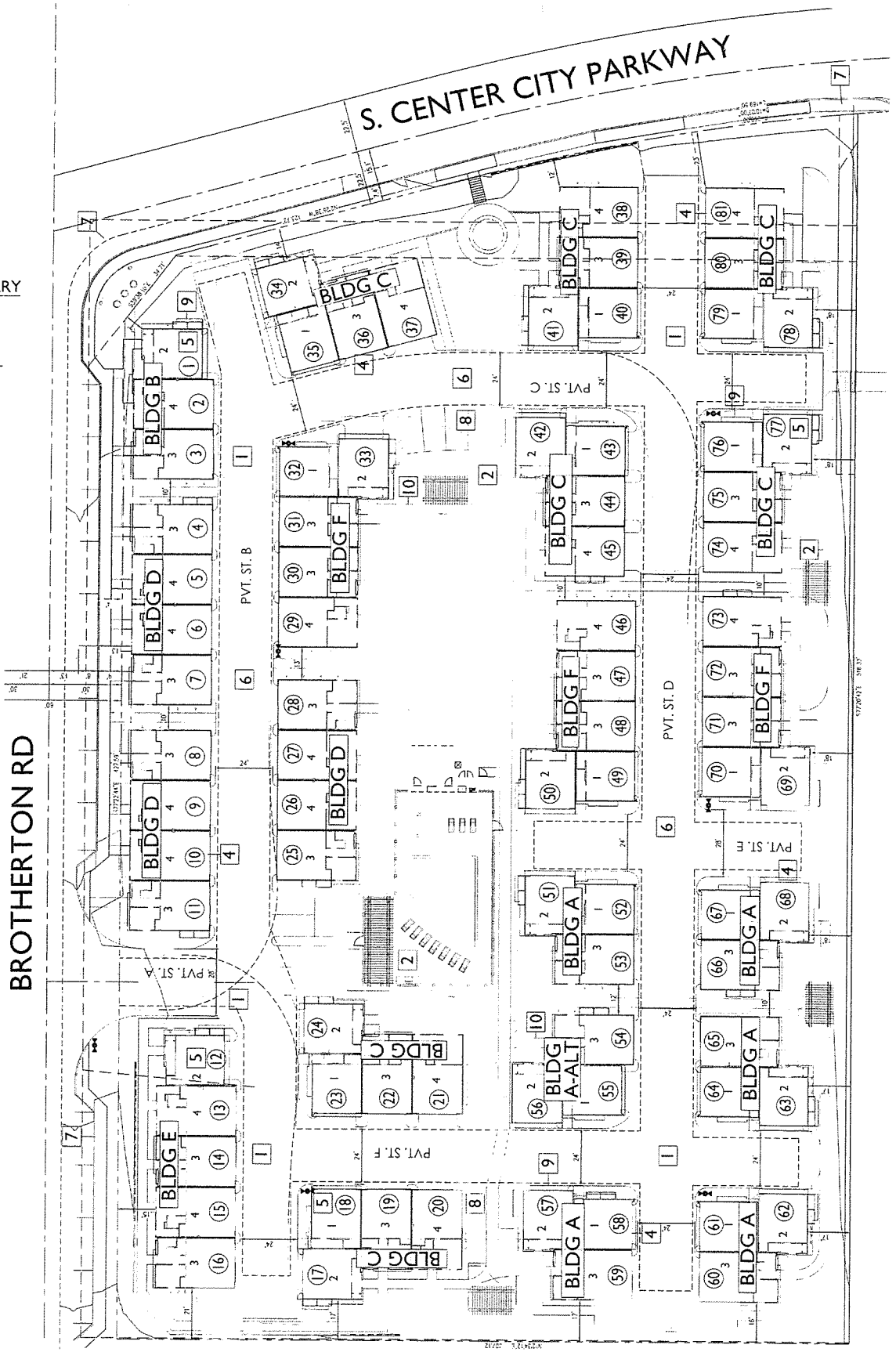
UNIT SUMMARY

PLAN 1 (2BD/2.5BA)	16 UNITS TOTAL
TOTAL	1,109 S.F.
GARAGE	440 S.F.
BALCONY	38 S.F.

PLAN 2 (2BD/2.5BA)	18 UNITS TOTAL
TOTAL	1,183 S.F.
GARAGE	425 S.F.
BALCONY	52 S.F.

PLAN 3 (3BD/3.5BA)	28 UNITS TOTAL
TOTAL	1,378 S.F.
GARAGE	422 S.F.
BALCONY	64 S.F.

PLAN 4 (3BD/2.5BA)	19 UNITS TOTAL
TOTAL	1,584 S.F.
GARAGE	422 S.F.
BALCONY	41 S.F.



CONCEPTUAL SITE PLAN

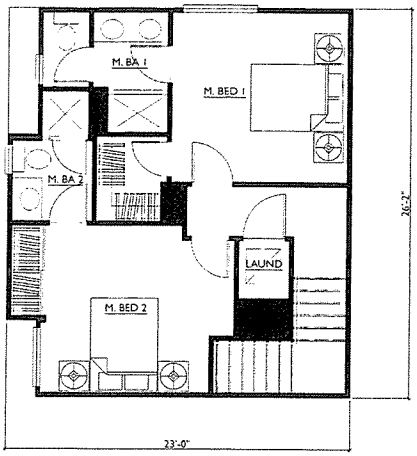
DEL PRADO NORTH - 81 3-STORY ROW TOWN HOMES

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

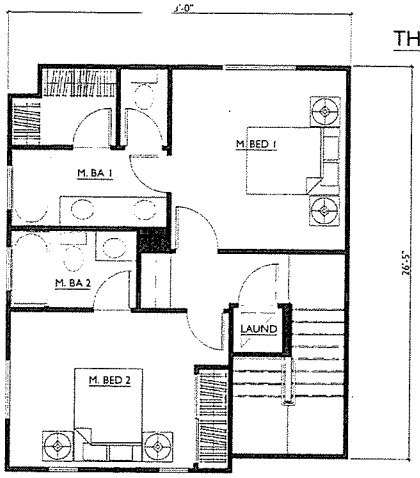
NORTH

SP
SITE PLAN

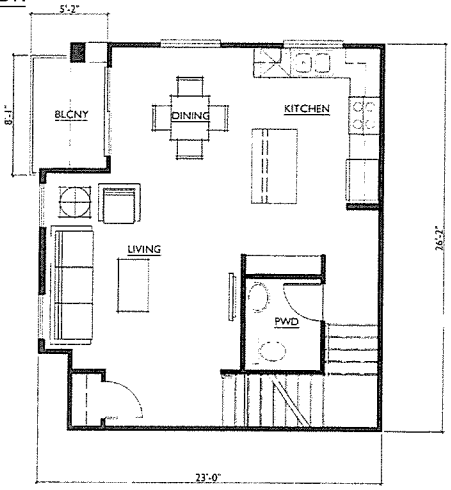
THIRD FLOOR



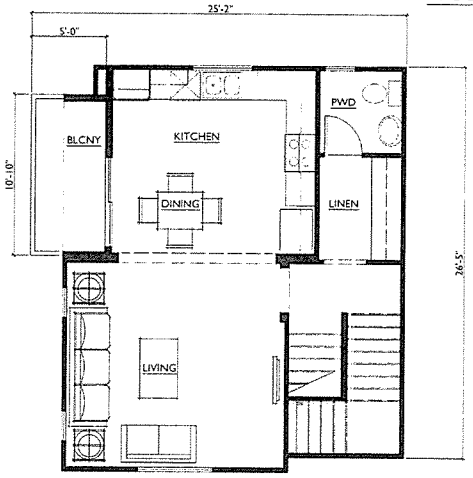
THIRD FLOOR



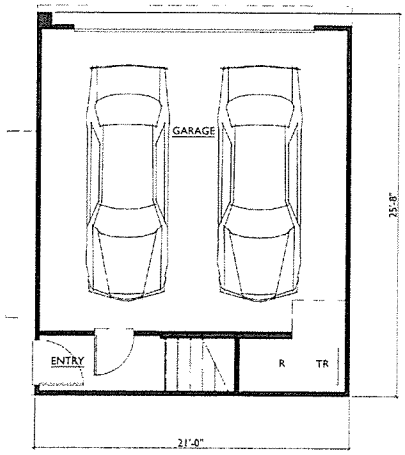
SECOND FLOOR



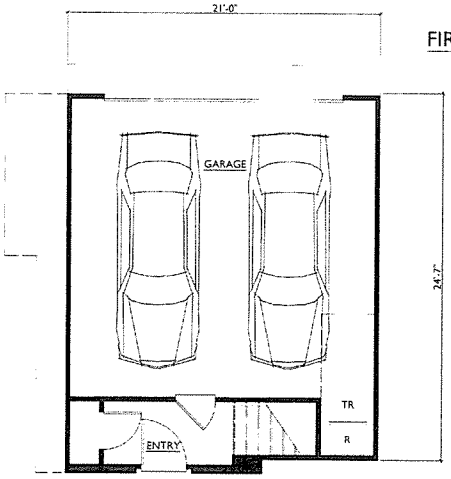
SECOND FLOOR



FIRST FLOOR



FIRST FLOOR



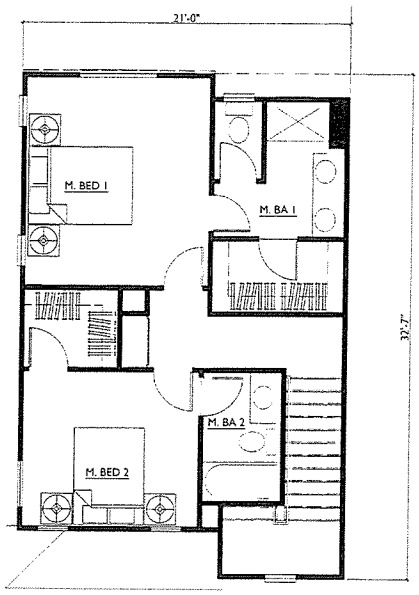
PLAN 1:	2BD/2.5BA		
1ST FLR -	48 S.F.	BALCONY-	38 S.F.
2ND FLR-	523 S.F.	GARAGE-	440 S.F.
3RD FLR-	538 S.F.		
TOTAL NET	1,109 S.F.		

PLAN 2:	2BD/2.5BA		
1ST FLR -	66 S.F.	BALCONY-	52 S.F.
2ND FLR-	554 S.F.	GARAGE-	425 S.F.
3RD FLR-	563 S.F.		
TOTAL NET	1,183 S.F.		

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

F

FLOOR PLANS 1 & 2



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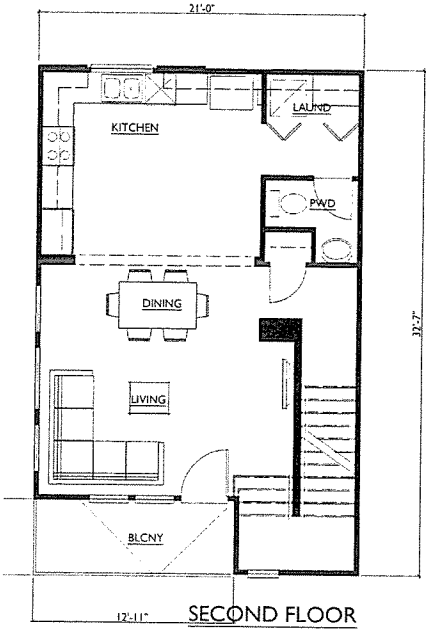
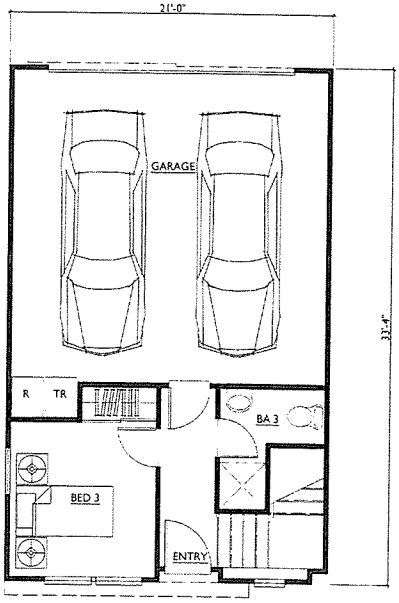
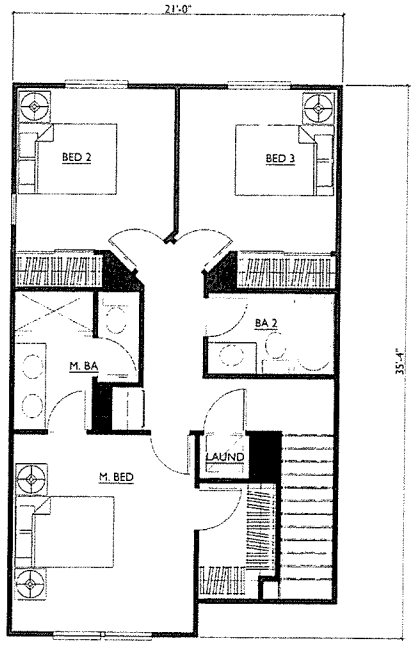


SECOND FLOOR



FIRST FLOOR

PLAN 3:	3BD/3.5BA		
1ST FLR -	236 S.F.	BALCONY-	64 S.F.
2ND FLR-	593 S.F.	GARAGE-	422 S.F.
3RD FLR-	549 S.F.		
TOTAL NET	1,378 S.F.		



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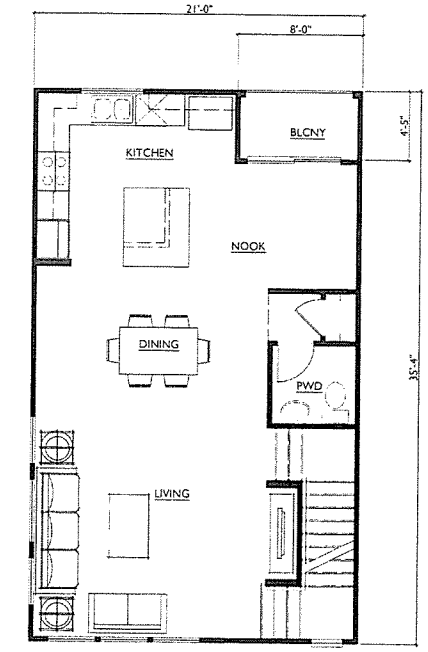
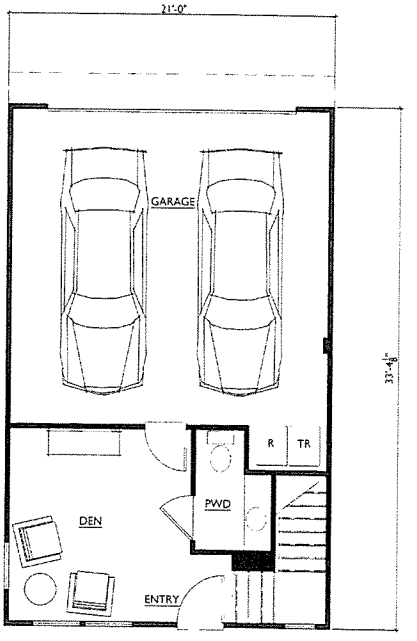


SECOND FLOOR



FIRST FLOOR

PLAN 4:	3BD/2.5BA		
1ST FLR -	242 S.F.	BALCONY-	41 S.F.
2ND FLR-	675 S.F.	GARAGE-	422 S.F.
3RD FLR-	667 S.F.		
TOTAL NET	1,584 S.F.		

PROPOSED PROJECT
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FLOOR PLANS 3&4

PROPOSED PROJECT
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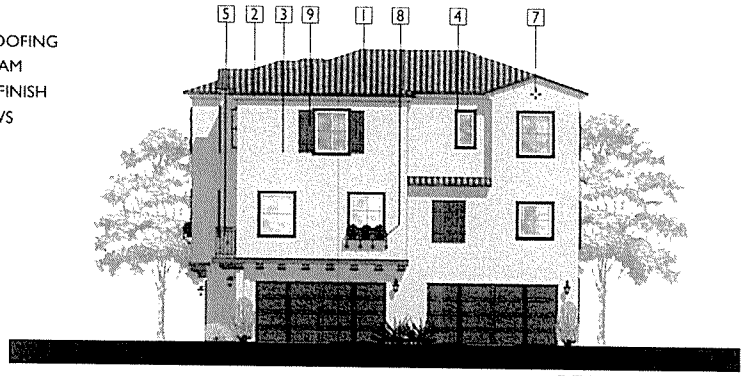
P&E

PLANS & ELEVATIONS BLDG A

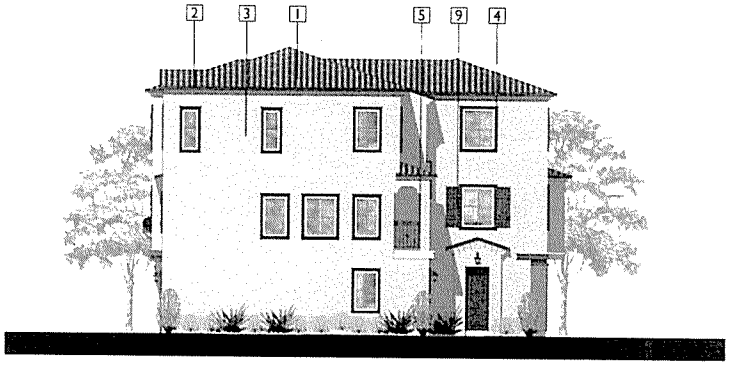
RIGHT ELEVATION

MATERIAL SCHEDULE

1	ROOF - CONCRETE CLASS 'S' TILE ROOFING
2	FASCIA - STUCCO OVER SHAPED FOAM
3	WALL - EXTERIOR STUCCO - SAND FINISH
4	TRIM - 2X @ DOORS AND WINDOWS
5	METAL RAILING
6	DECORATIVE METAL GRILLE
7	DECORATIVE GABLE ACCENT
8	DECORATIVE METAL POTSHELF
9	DECORATIVE SHUTTER
10	DECORATIVE METAL AWNIING

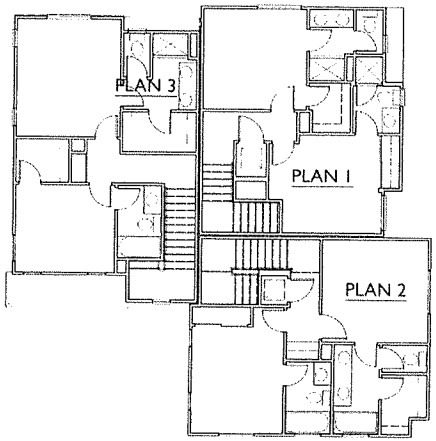


REAR ELEVATION

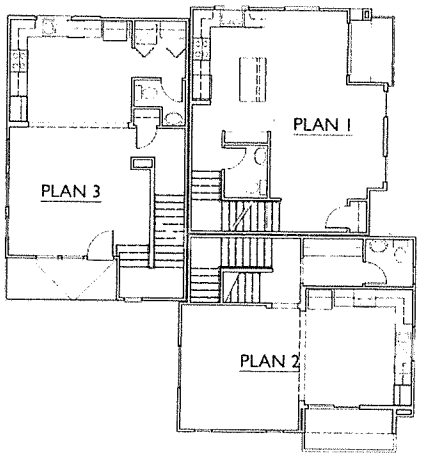


LEFT ELEVATION

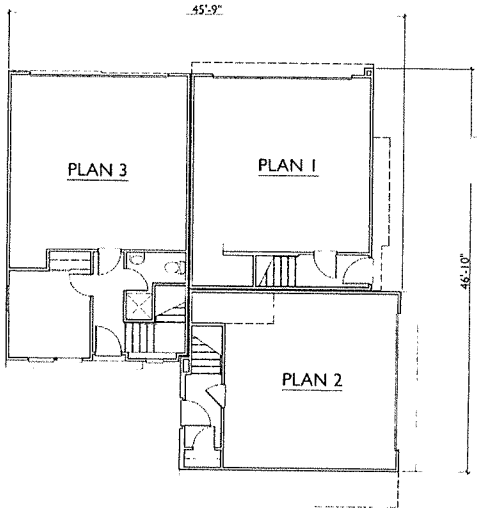
FRONT ELEVATION



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

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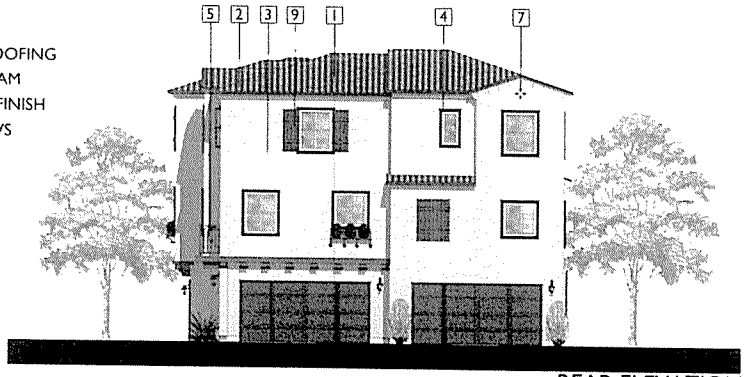
P&E

PLANS & ELEVATIONS BLDG A

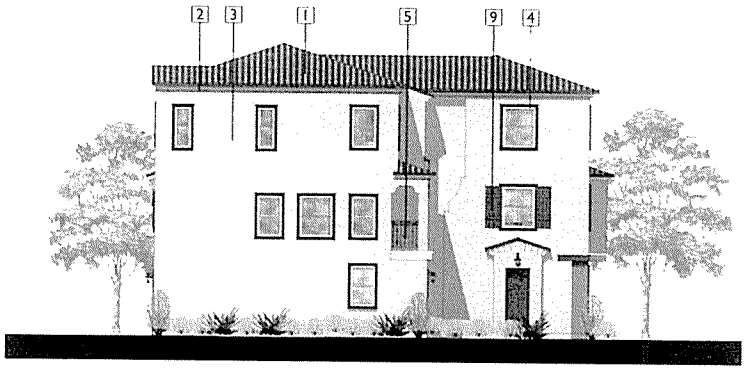
RIGHT ELEVATION

MATERIAL SCHEDULE

1	ROOF - CONCRETE CLASS 'S' TILE ROOFING
2	FASCIA - STUCCO OVER SHAPED FOAM
3	WALL - EXTERIOR STUCCO - SAND FINISH
4	TRIM - 2X @ DOORS AND WINDOWS
5	METAL RAILING
6	DECORATIVE METAL GRILLE
7	DECORATIVE GABLE ACCENT
8	DECORATIVE METAL POTSHELF
9	DECORATIVE SHUTTER
10	DECORATIVE METAL AWNIING

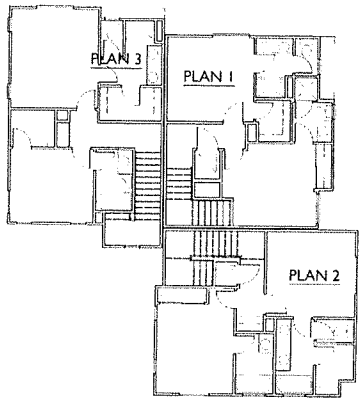


REAR ELEVATION

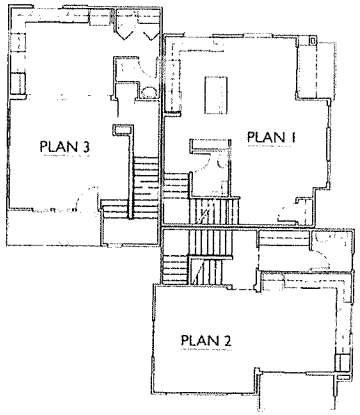


LEFT ELEVATION

FRONT ELEVATION



THIRD FLOOR



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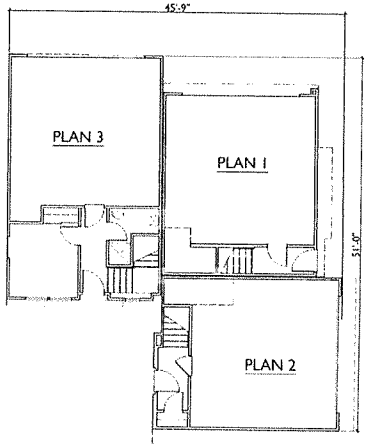
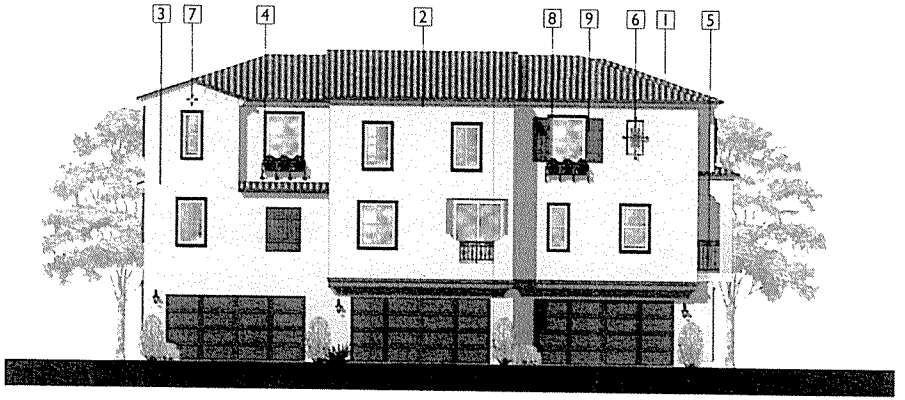


FIRST FLOOR

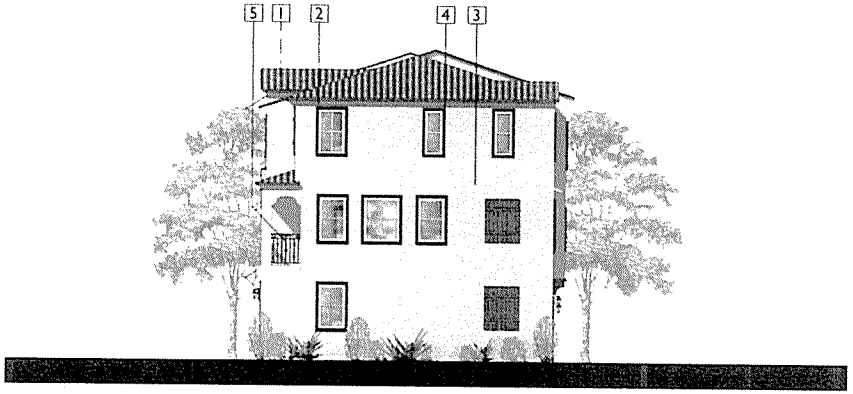
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

P&E

RIGHT ELEVATION



REAR ELEVATION

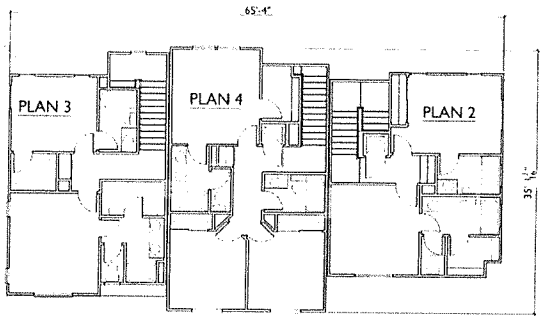


LEFT ELEVATION

FRONT ELEVATION

MATERIAL SCHEDULE

1	ROOF - CONCRETE CLASS 'S' TILE ROOFING	4	TRIM - 2X @ DOORS AND WINDOWS	7	DECORATIVE GABLE ACCENT	10	DECORATIVE METAL AWNIING
2	FASCIA - STUCCO OVER SHAPED FOAM	5	METAL RAILING	8	DECORATIVE METAL POTSHELF		
3	WALL - EXTERIOR STUCCO - SAND FINISH	6	DECORATIVE METAL GRILLE	9	DECORATIVE SHUTTER		



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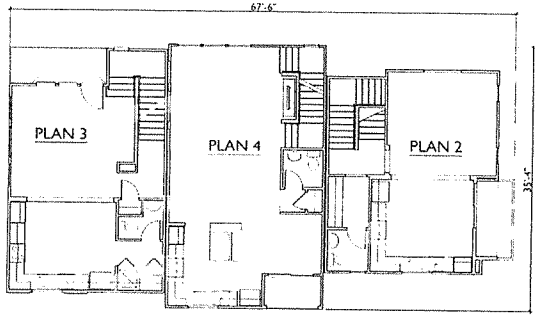
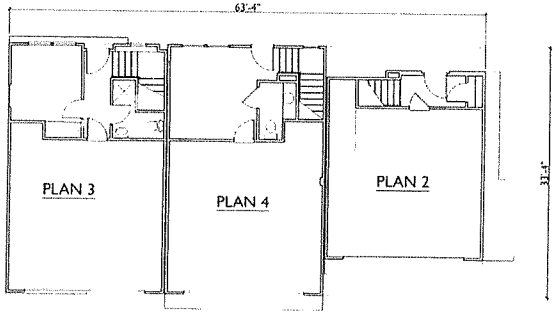


SECOND FLOOR



FIRST FLOOR

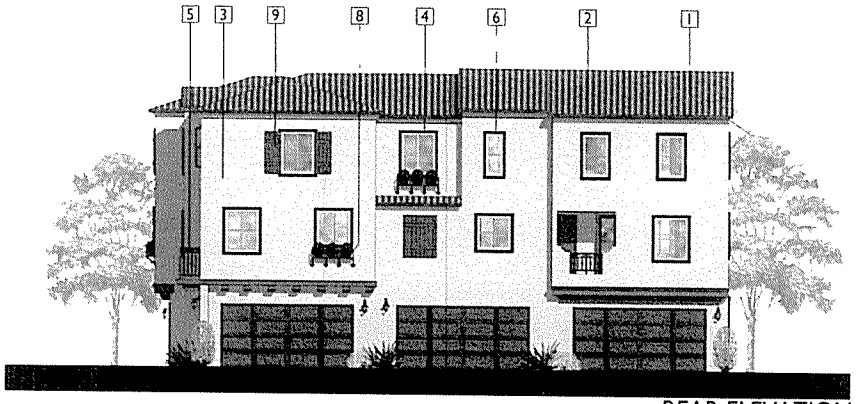
PLANS & ELEVATIONS BLDG B

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

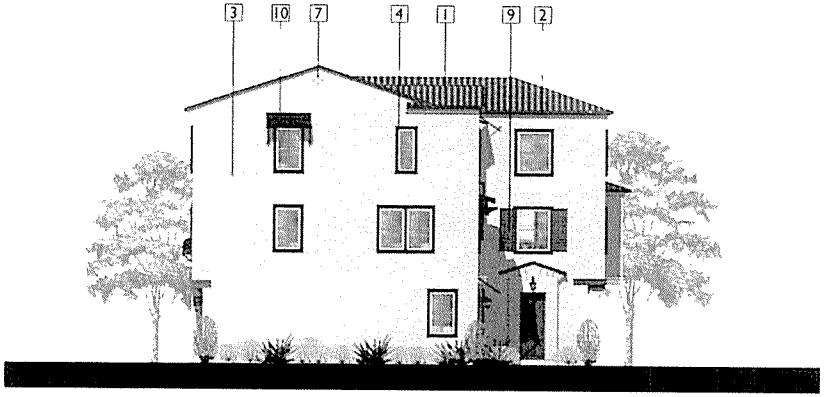
P&E

PLANS & ELEVATIONS BLDG C

RIGHT ELEVATION



REAR ELEVATION

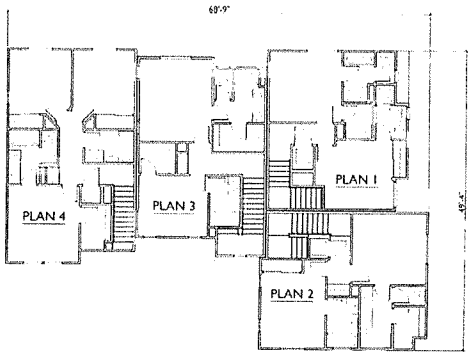


LEFT ELEVATION

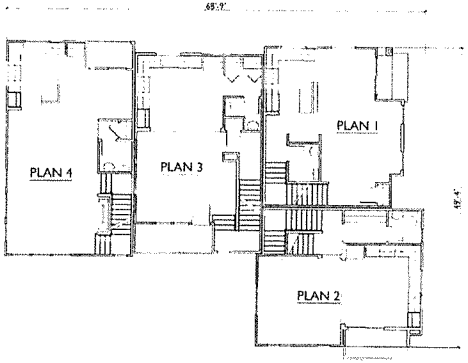
FRONT ELEVATION

MATERIAL SCHEDULE

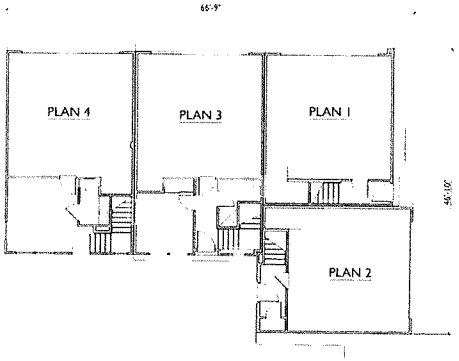
1	ROOF - CONCRETE CLASS 'S' TILE ROOFING	4	TRIM - 2X @ DOORS AND WINDOWS	7	DECORATIVE GABLE ACCENT	10	DECORATIVE METAL AWNIING
2	FASCIA - STUCCO OVER SHAPED FOAM	5	METAL RAILING	8	DECORATIVE METAL POTSHELF		
3	WALL - EXTERIOR STUCCO - SAND FINISH	6	DECORATIVE METAL GRILLE	9	DECORATIVE SHUTTER		



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

PROPOSED PROJECT
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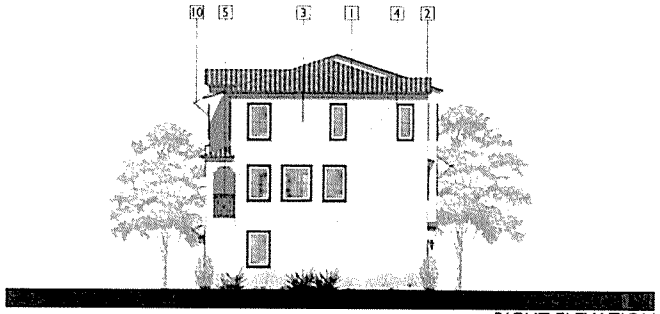
P&E

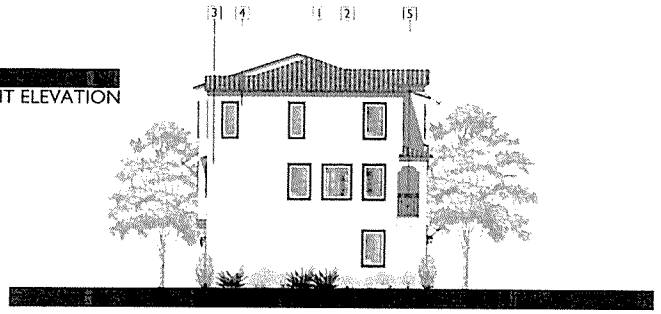
PLANS & ELEVATIONS BLDG D

REAR ELEVATION

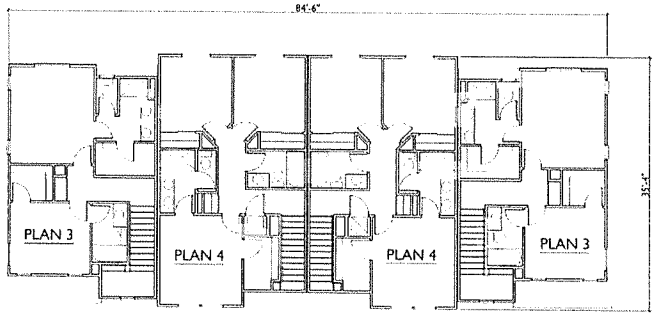
FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



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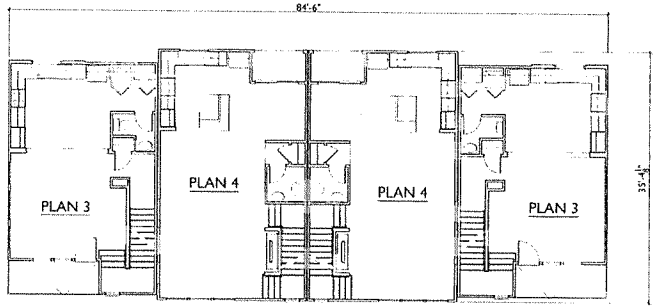
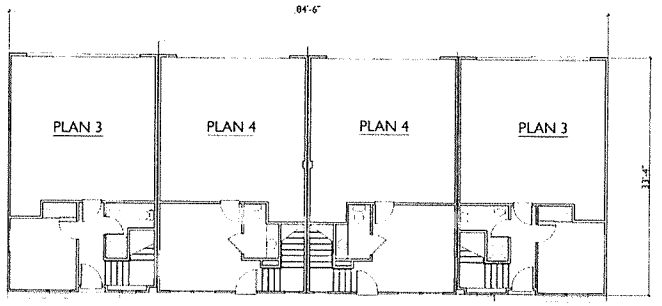


SECOND FLOOR



FIRST FLOOR

MATERIAL SCHEDULE

1	ROOF - CONCRETE CLASS 'S' TILE ROOFING
2	FASCIA - STUCCO OVER SHAPED FOAM
3	WALL - EXTERIOR STUCCO - SAND FINISH
4	TRIM - 2X @ DOORS AND WINDOWS
5	METAL RAILING
6	DECORATIVE METAL GRILLE
7	DECORATIVE GABLE ACCENT
8	DECORATIVE METAL POTSHELF
9	DECORATIVE SHUTTER
10	DECORATIVE METAL AWNIING

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

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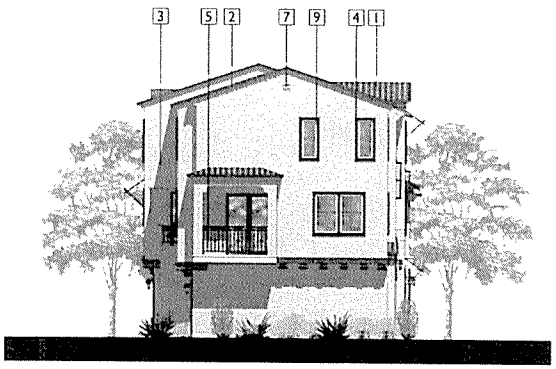
P&E

PLANS & ELEVATIONS BLDG E

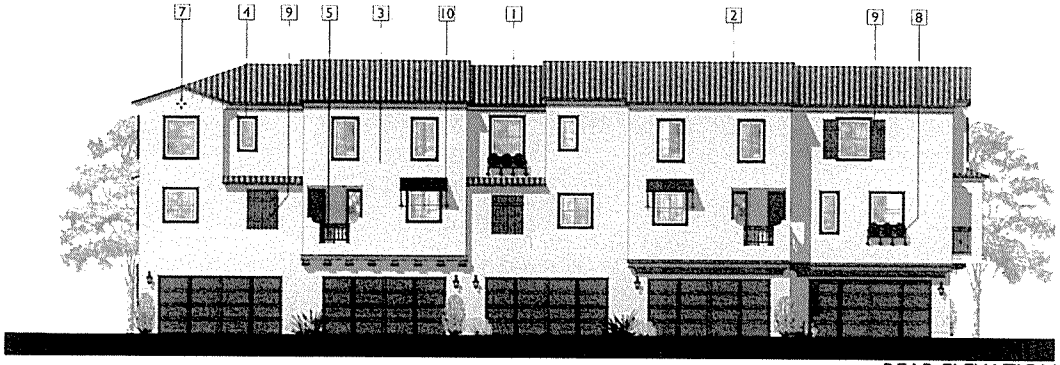
RIGHT ELEVATION



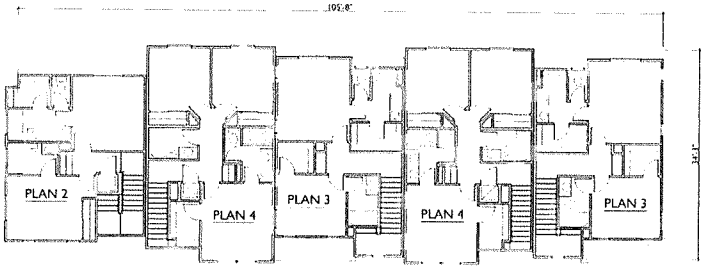
LEFT ELEVATION

MATERIAL SCHEDULE

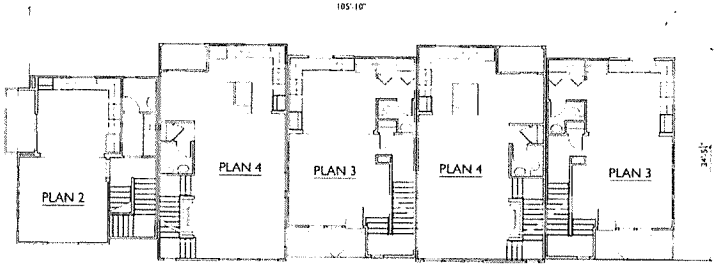
1	ROOF - CONCRETE CLASS 'S' TILE ROOFING
2	FASCIA - STUCCO OVER SHAPED FOAM
3	WALL - EXTERIOR STUCCO - SAND FINISH
4	TRIM - 2X @ DOORS AND WINDOWS
5	METAL RAILING
6	DECORATIVE METAL GRILLE
7	DECORATIVE GABLE ACCENT
8	DECORATIVE METAL POTSHELF
9	DECORATIVE SHUTTER
10	DECORATIVE METAL AWNIING



REAR ELEVATION

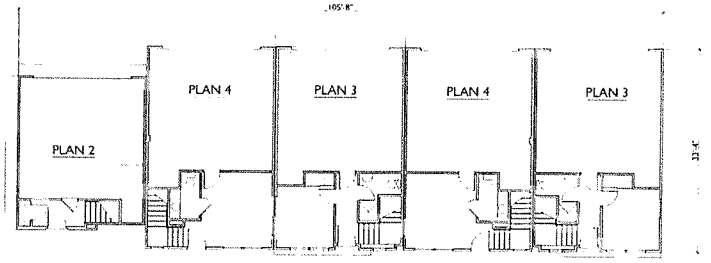


THIRD FLOOR



SECOND FLOOR

FRONT ELEVATION



FIRST FLOOR

PROPOSED PROJECT
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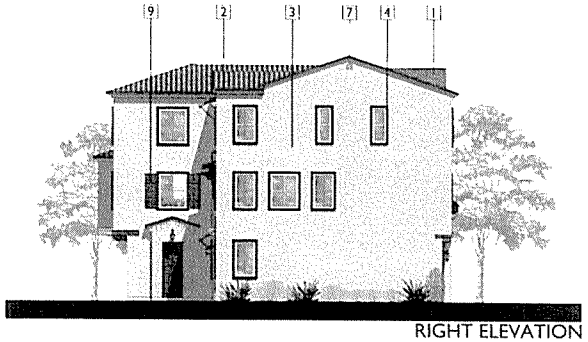
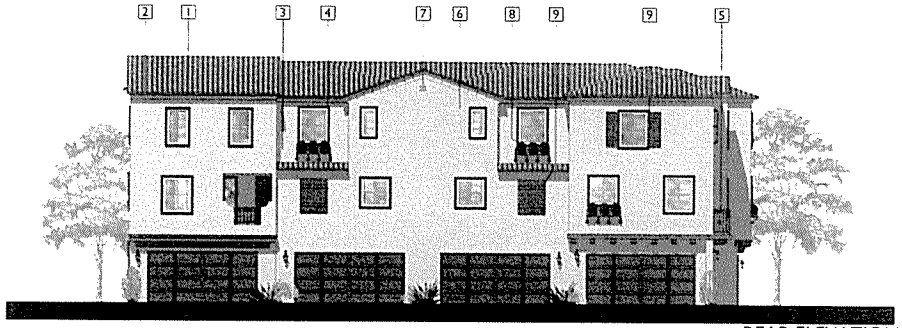
P&E

PLANS & ELEVATIONS BLDG F

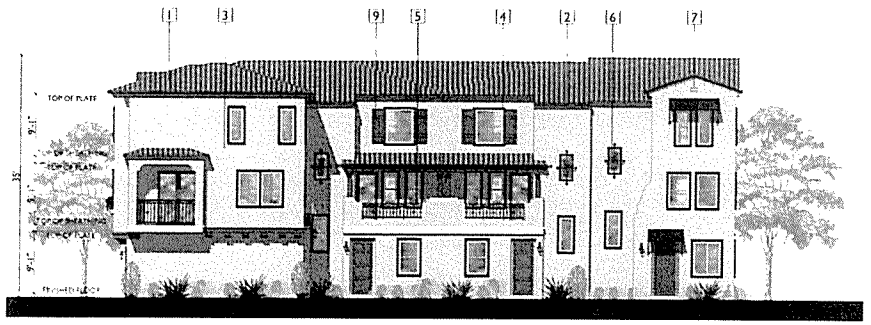


RIGHT ELEVATION



REAR ELEVATION

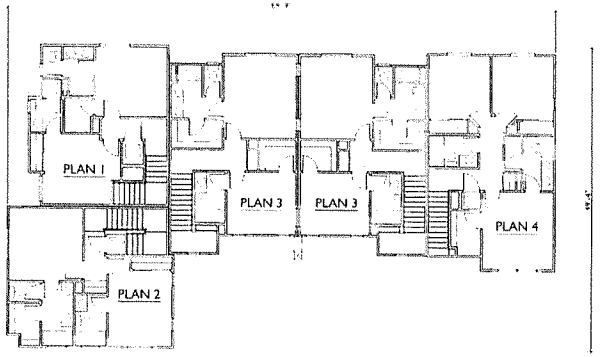
LEFT ELEVATION



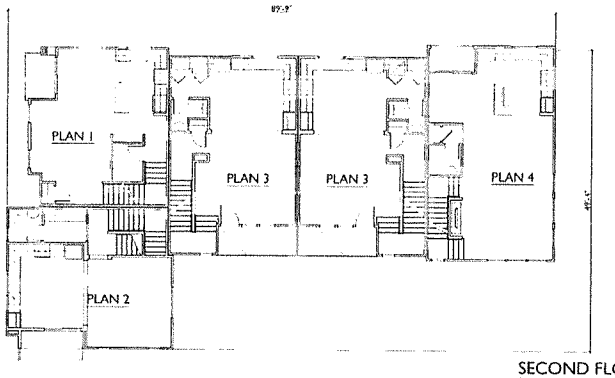
FRONT ELEVATION

MATERIAL SCHEDULE

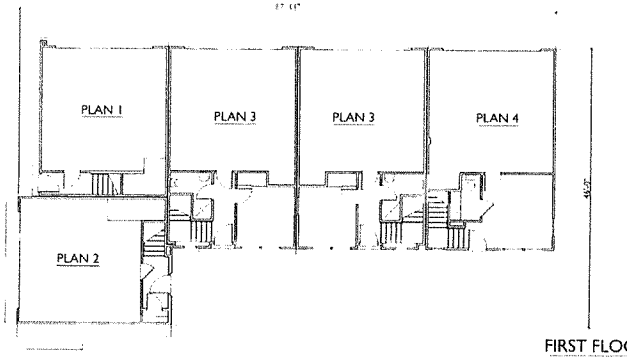
1	ROOF - CONCRETE CLASS 'S' TILE ROOFING	7	DECORATIVE GABLE ACCENT
2	FASCIA - STUCCO OVER SHAPED FOAM	8	DECORATIVE METAL POTSHELF
3	WALL - EXTERIOR STUCCO - SAND FINISH	9	DECORATIVE SHUTTER
4	TRIM - 2X @ DOORS AND WINDOWS	10	DECORATIVE METAL AWNIING
5	METAL RAILING		
6	DECORATIVE METAL GRILLE		



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

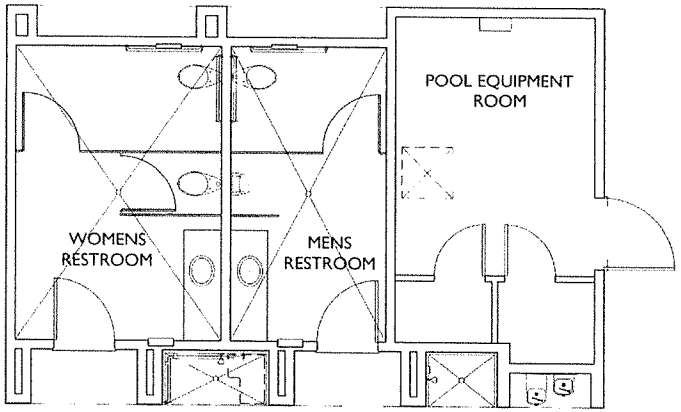
57

P&E

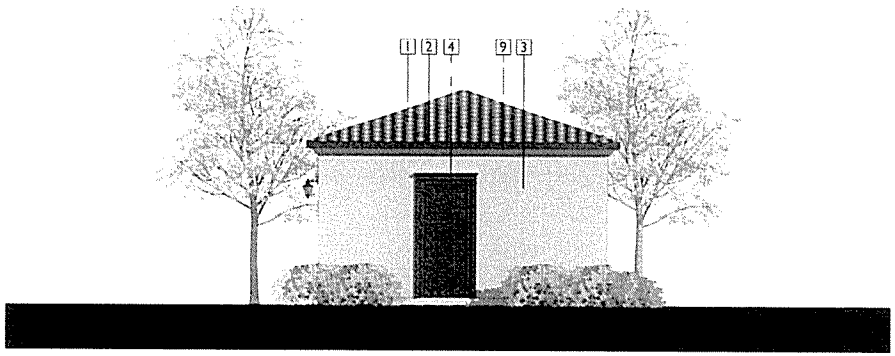
PLANS & ELEVATIONS POOL

MATERIAL SCHEDULE

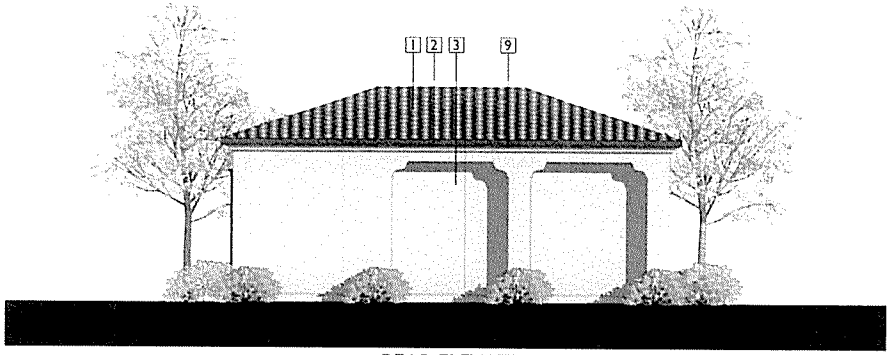
1	ROOF - CONCRETE CLASS 'S' TILE ROOFING
2	FASCIA - STUCCO OVER SHAPED FOAM
3	WALL - EXTERIOR STUCCO - SAND FINISH
4	TRIM - 2X @ DOORS AND WINDOWS
5	TILE VENEER
6	ADA COMPLIANT SHOWER
7	STANDARD SHOWER
8	ADA COMPLIANT DRINKING FOUNTAIN
9	SHAPED FOAM CORNICE



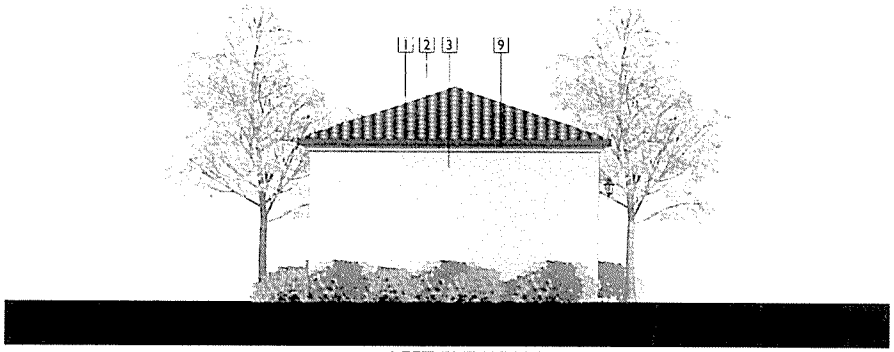
FLOOR PLAN



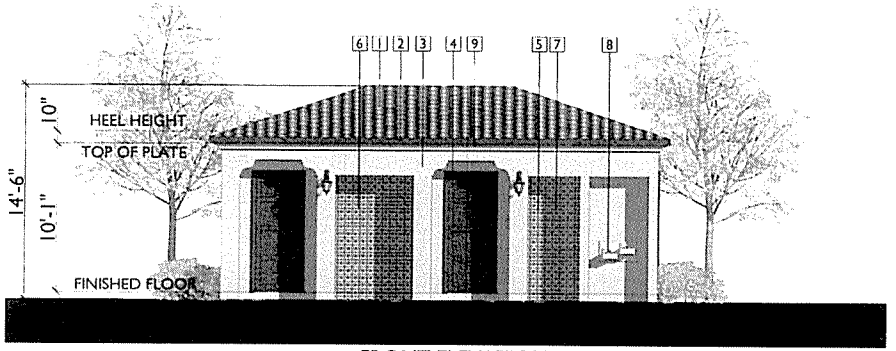
RIGHT ELEVATION



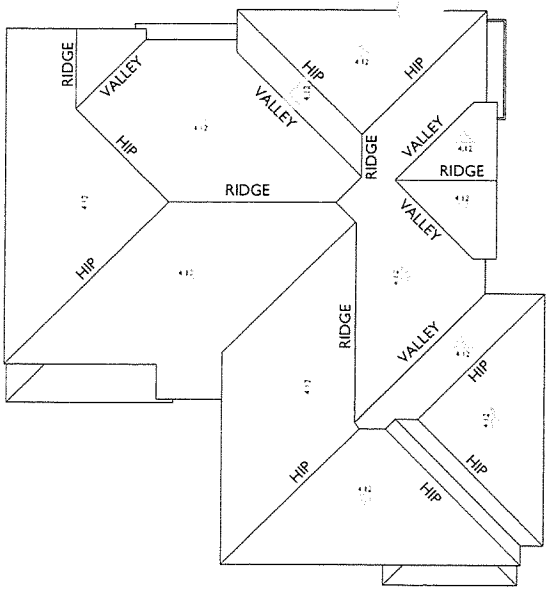
REAR ELEVATION



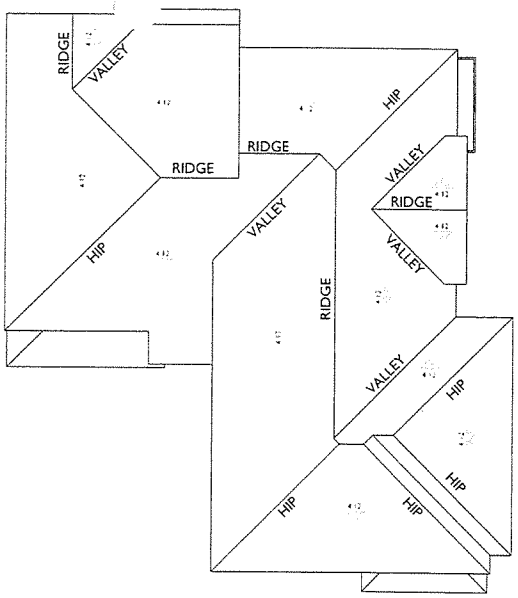
LEFT ELEVATION



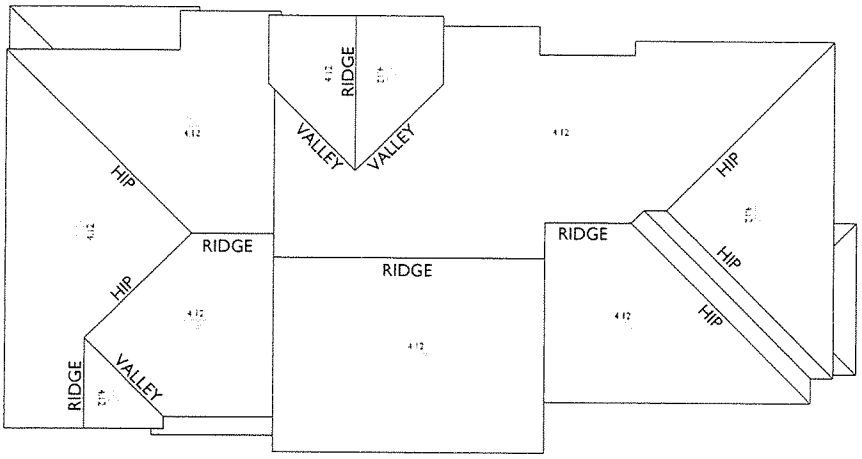
FRONT ELEVATION



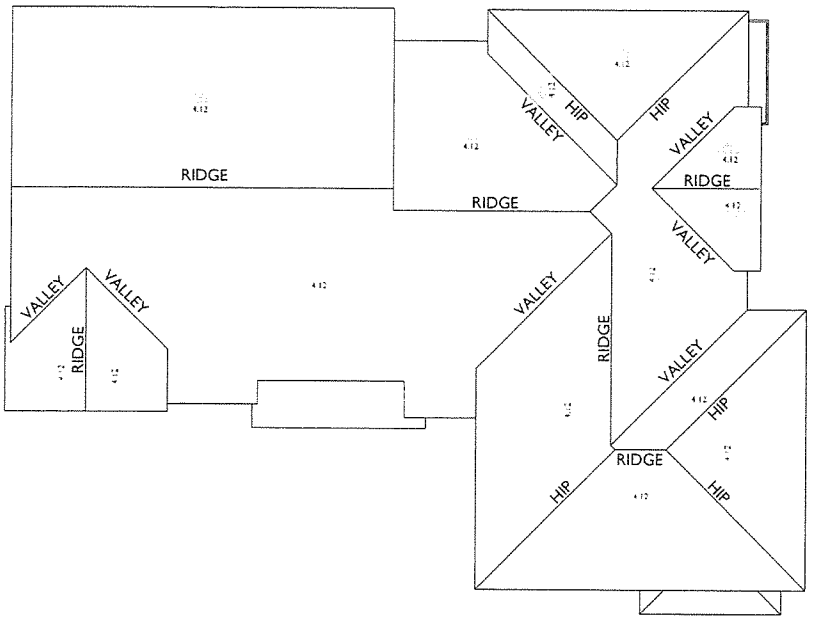
BUILDING A



BUILDING A-ALT



BUILDING B



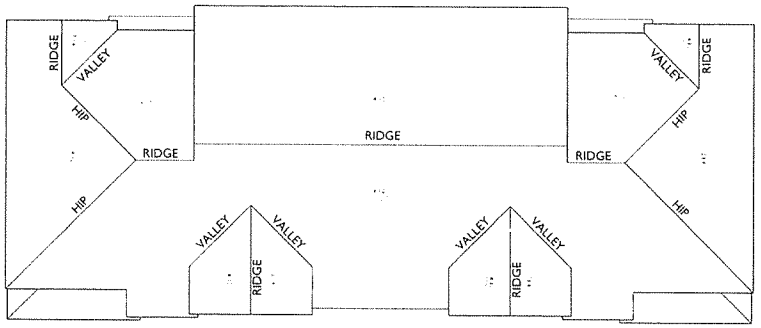
BUILDING C

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

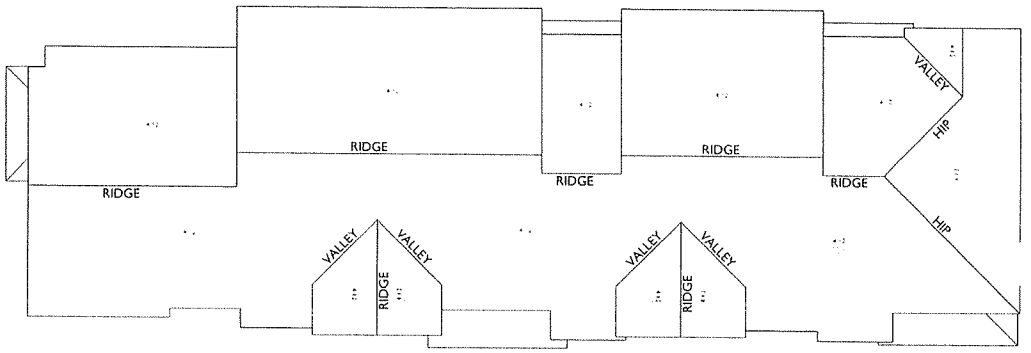
R

ROOF PLANS

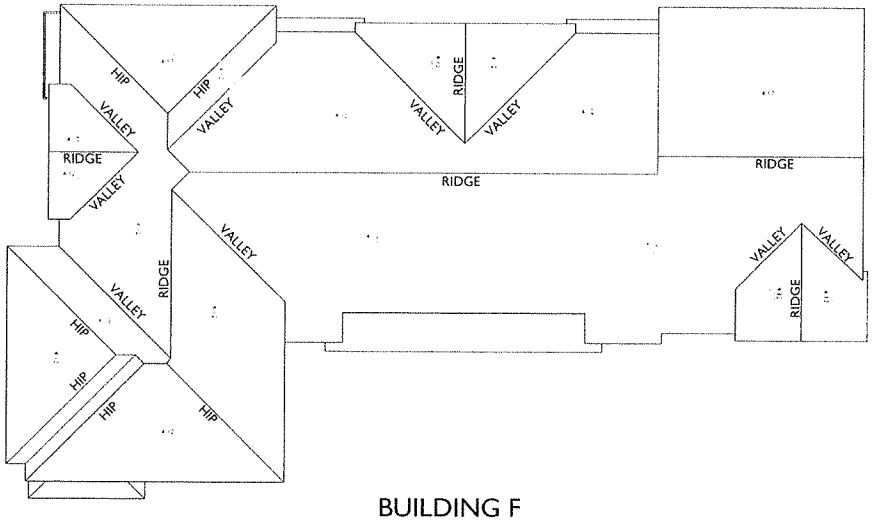
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023



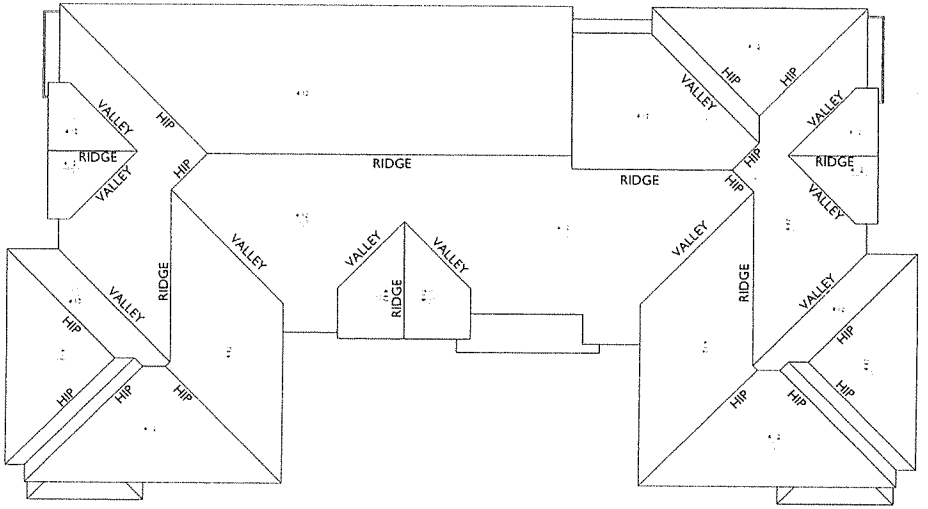
BUILDING D



BUILDING E



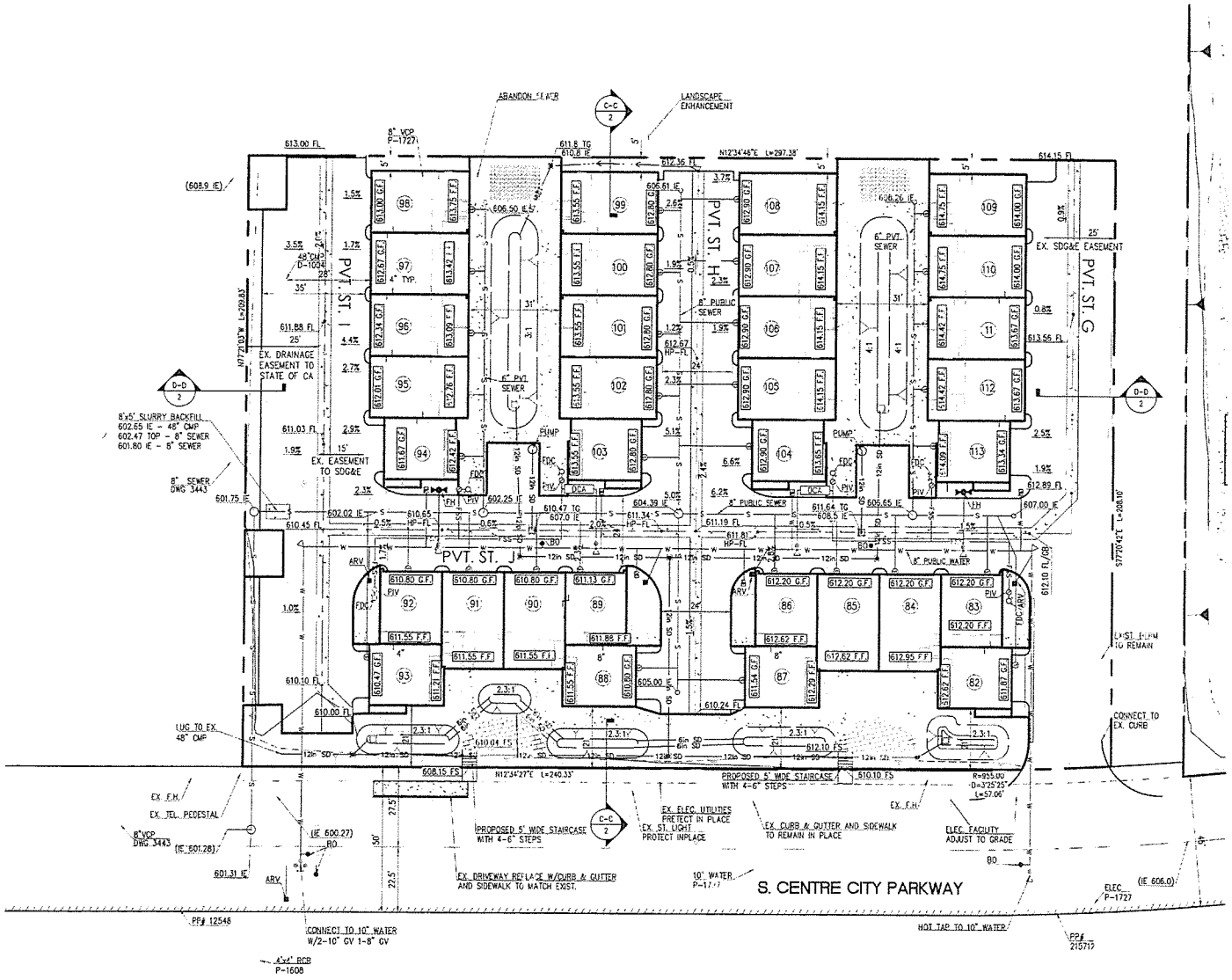
BUILDING F



BUILDING G

R

ROOF PLANS



NOTE

1. 4" STEPS BETWEEN BUILDING UNLESS NOTED OTHERWISE.
2. ADDITIONAL DETAILS & INFORMATION REGARDING STORMWATER QUALITY & HYDROMODIFICATION IMPROVEMENTS IS SHOWN ON SHEET C.5.
3. THERE WILL BE A SEWER LATERAL TO EACH UNIT – TO GARAGE FRONTAGE UNLESS SHOWN OTHERWISE.

LEGEND:

PROPOSED 8" PVC ——— S ———

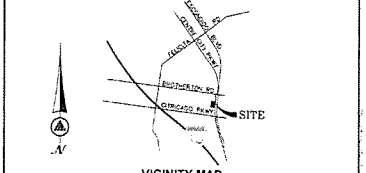
PROPOSED 8" PVC ——— W ———

NOTE: THERE SHALL BE NO TREES PLANTED WITHIN 15-FEET OF THE SEWER MAIN

PRELIMINARY, MASTER AND PRECISE DEVELOPMENT PLAN AND TENTATIVE MAP

DEL PRADO SOUTH

CITY OF ESCONDIDO, CALIFORNIA



PREPARED BY:

MASSON & ASSOCIATES, INC.

PROJECT DESCRIPTION
32 CONDOMINIUM UNITS

ASSESSOR'S PARCEL NO:
238-130-32 & 36

PROJECT ADDRESS:
2329 CENTRE CITY PARKWAY, ESCONDIDO CA

OWNER/APPLICANT:
TAYLOR MORRISON COMMUNITIES, INC
C/O JAY GARZA
9990 MIRA MESA BLVD., SUITE 150
SAN DIEGO, CA 92131
858-588-0474

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Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1:
Original Date:

Sheet C-3 of 5

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

SOUTH

TM

TENTATIVE MAP

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023
SOUTH

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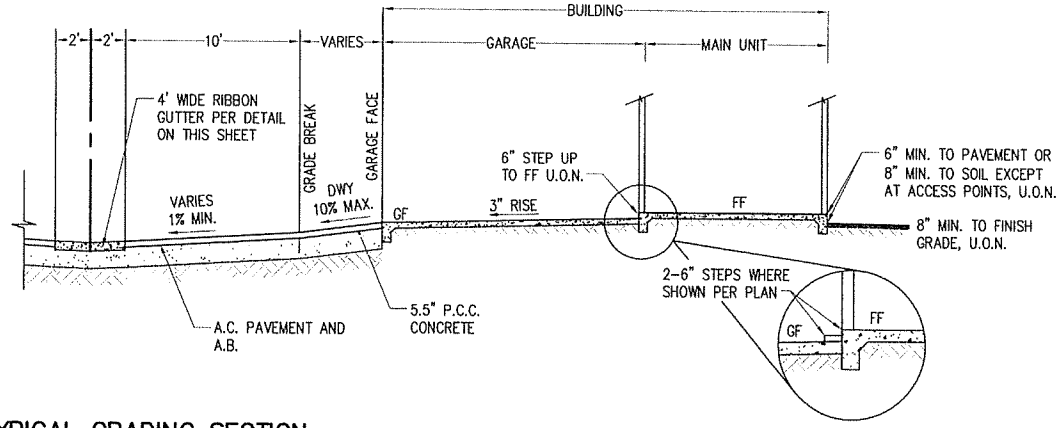
TS

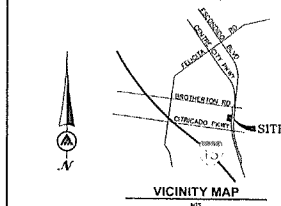
TENTATIVE SECTIONS



TYPICAL GRADING SECTION

N.T.S.

SECTIONS AND DETAILS
DEL PRADO SOUTH
CITY OF ESCONDIDO, CALIFORNIA



VICINITY MAP
NTS

PREPARED BY:
MASSON & ASSOCIATES INC

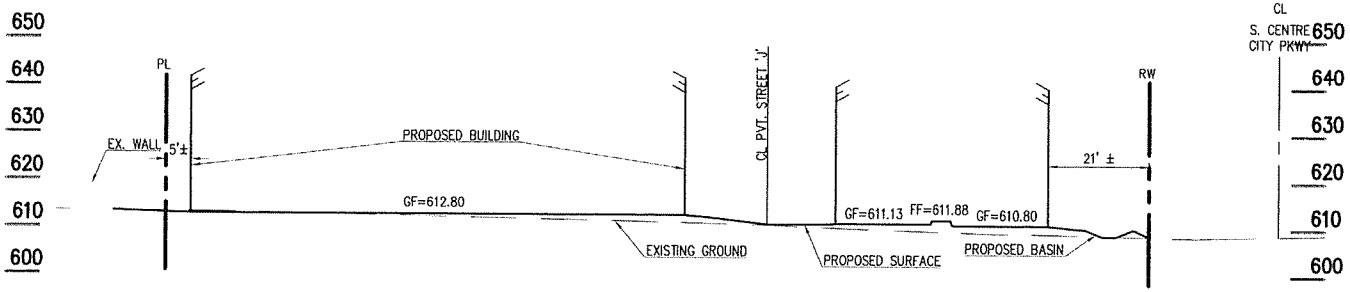
PROJECT DESCRIPTION
32 CONDOMINIUM UNITS

ASSESSOR'S PARCEL NO:
238-130-35 & 36

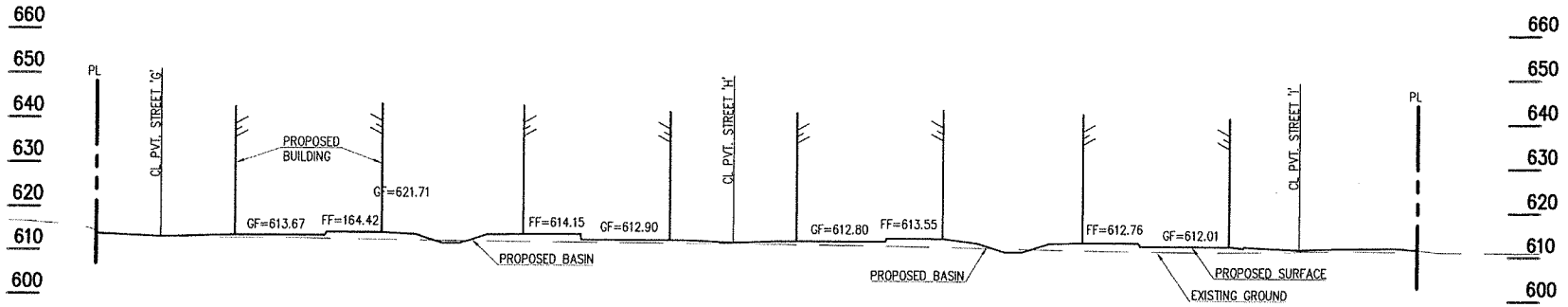
PROJECT ADDRESS:
2329 CENTRE CITY PARKWAY, ESCONDIDO CA

OWNER/APPLICANT:
TOUCHTONE COMMUNITIES, INC
KERRY GARZA
9309 MIRA MESA BLVD., SUITE 150
SAN DIEGO, CA 92131
858-586-0414

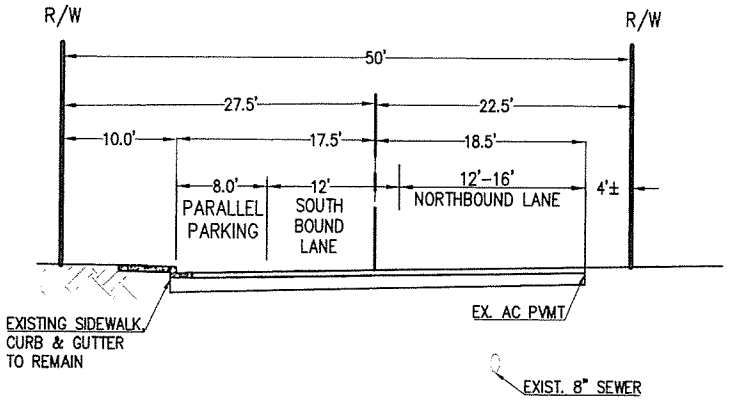
Revision 9:
Revision 8:
Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1:
Original Date:
Sheet C-2 of 5



C-C / 3 SECTION C-C

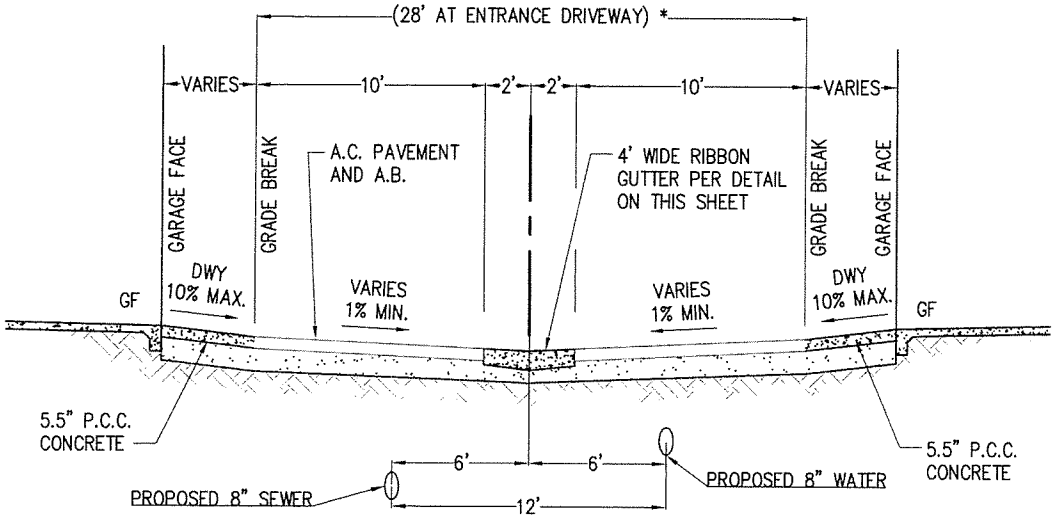


D-D / 3 SECTION D-D



S. CENTRE CITY PARKWAY (FRONTAGE ROAD)

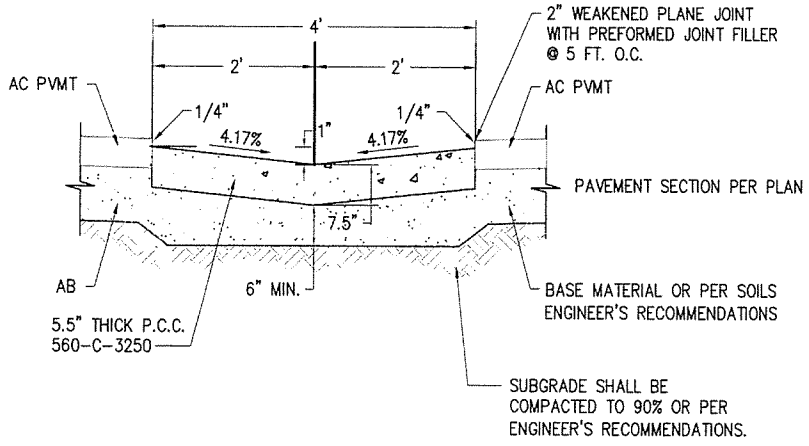
NTS



TYPICAL STREET AND DRIVEWAY

* GENERAL UTILITY AND EMERGENCY ACCESS EASEMENT

N.T.S.



PCC RIBBON GUTTER

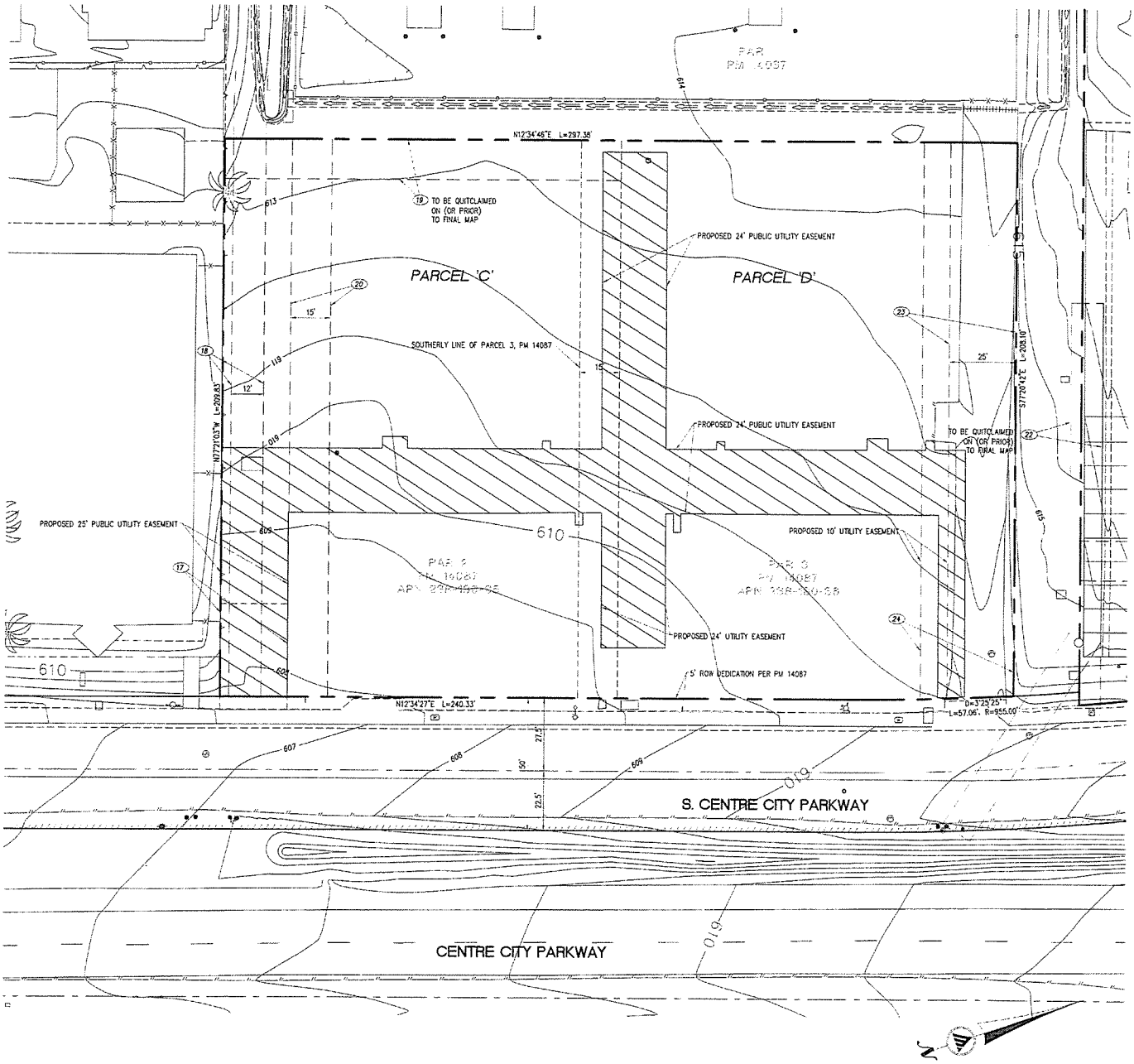
N.T.S.

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

SOUTH

TD

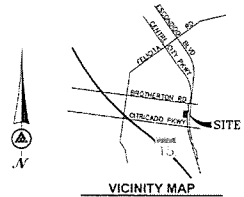
TENTATIVE DETAILS



EMCUMBRANCE MAP

DEL PRADO SOUTH

CITY OF ESCONDIDO, CALIFORNIA



VICINITY MAP

NTS

PREPARED BY:

MASSON & ASSOCIATES INC

PROJECT DESCRIPTION
32 CONDOMINIUM UNITS

ASSESSOR'S PARCEL NO:
238-130-33 & 34

PROJECT ADDRESS:
2329 CENTRE CITY PARKWAY, ESCONDIDO CA

OWNER/APPLICANT:
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KERRY GARZA
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Revision 2 _____
Revision 1 _____

Original Date _____

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EASEMENT INFORMATION:

SCHEDULE "B" EXCEPTIONS PER CHICAGO TITLE COMPANY 2ND AMENDED PRELIMINARY REPORT ORDER NUMBER 12203833-996-U50 DATED: JULY 24, 2014.

ITEM NUMBER SHOWN HEREON CORRESPONDS TO REPORT NUMBER

THE FOLLOWING MATTERS AFFECT PARCEL C:

(17) EASEMENT TO THE STATE OF CALIFORNIA FOR DRAINAGE DITCH PURPOSES, RECORDED JANUARY 8, 1965 AS INSTRUMENT NO. 3488, OF OFFICIAL RECORDS.

(18) EASEMENT TO THE CITY OF ESCONDIDO FOR DRAINAGE PIPELINE, RECORDED JANUARY 3, 1973 AS INSTRUMENT NO. 73-002316, OF OFFICIAL RECORDS.

(19) 15' EASEMENT TO THE CITY OF ESCONDIDO FOR PUBLIC SEWER & PRIVATE UTILITY & MAINTENANCE PER MAP 14087.

(20) EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY PUBLIC UTILITIES, INGRESS AND EGRESS PURPOSES, RECORDED FEBRUARY 3, 1992 AS INSTRUMENT NO. 1992-0056972, OF OFFICIAL RECORDS.

THE FOLLOWING MATTERS AFFECT PARCEL D:

(22) EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY PUBLIC UTILITIES, INGRESS AND EGRESS PURPOSES, RECORDED APRIL 29, 1966 AS INSTRUMENT NO. 72414, OF OFFICIAL RECORDS. *** DOES NOT AFFECT PARCEL "D" - AFFECTS PARCEL "A" ***

(23) EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY PUBLIC UTILITIES, INGRESS AND EGRESS PURPOSES, RECORDED FEBRUARY 3, 1992 AS INSTRUMENT NO. 1992-0056968, OF OFFICIAL RECORDS.

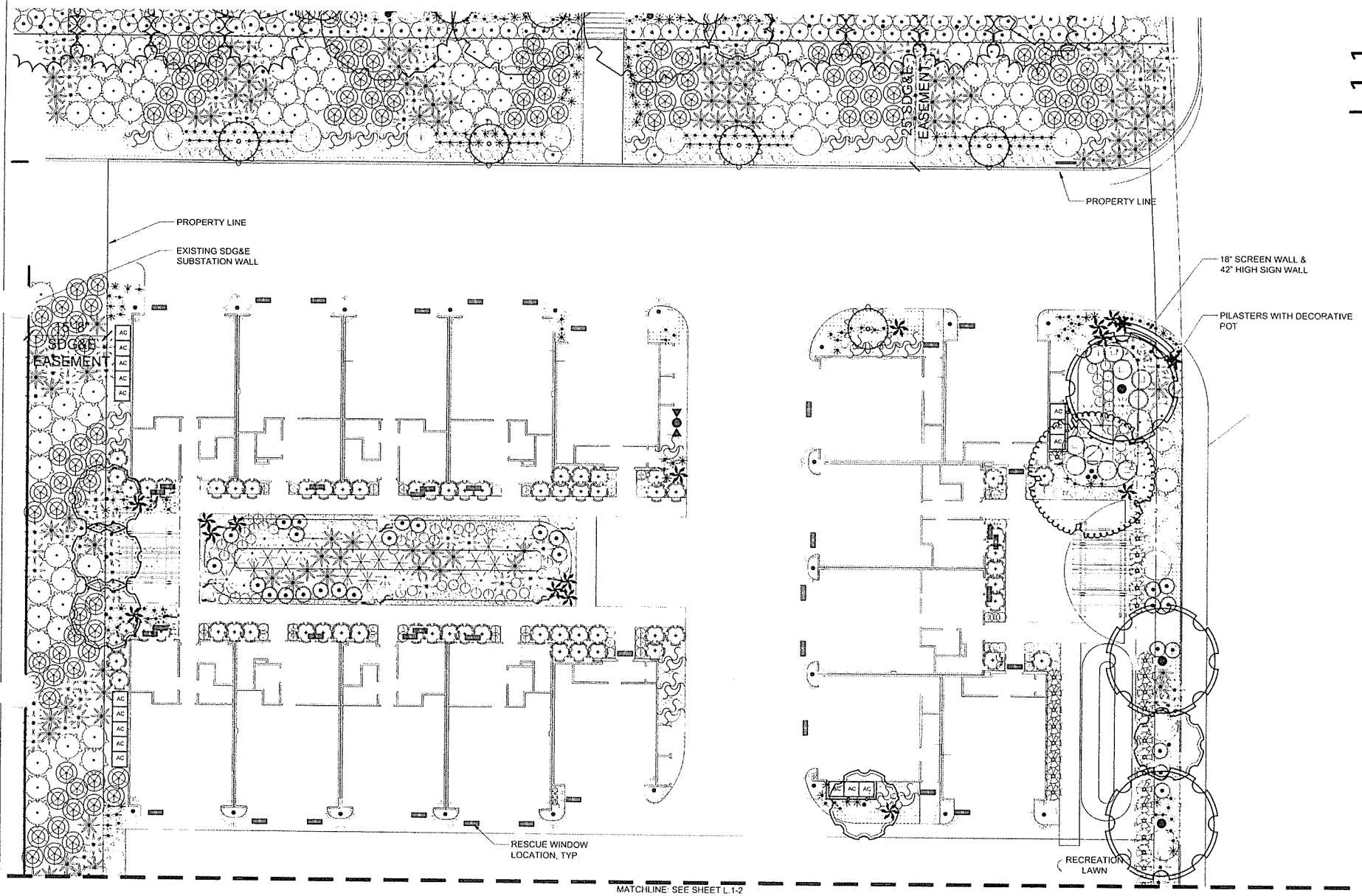
(24) EASEMENT FOR ROAD AND PUBLIC UTILITY RESERVED BY DEED RECORDED DECEMBER 26, 2002 AS INSTRUMENT NO. 2002-1184788, OF OFFICIAL RECORDS.

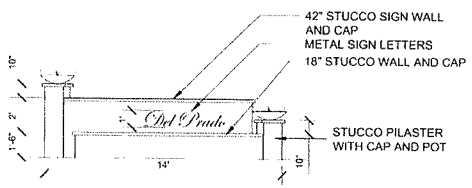
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

SOUTH

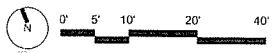
EM

ENCUMBRANCE MAP





SOUTH MONUMENT SIGN WALL - ELEVATION



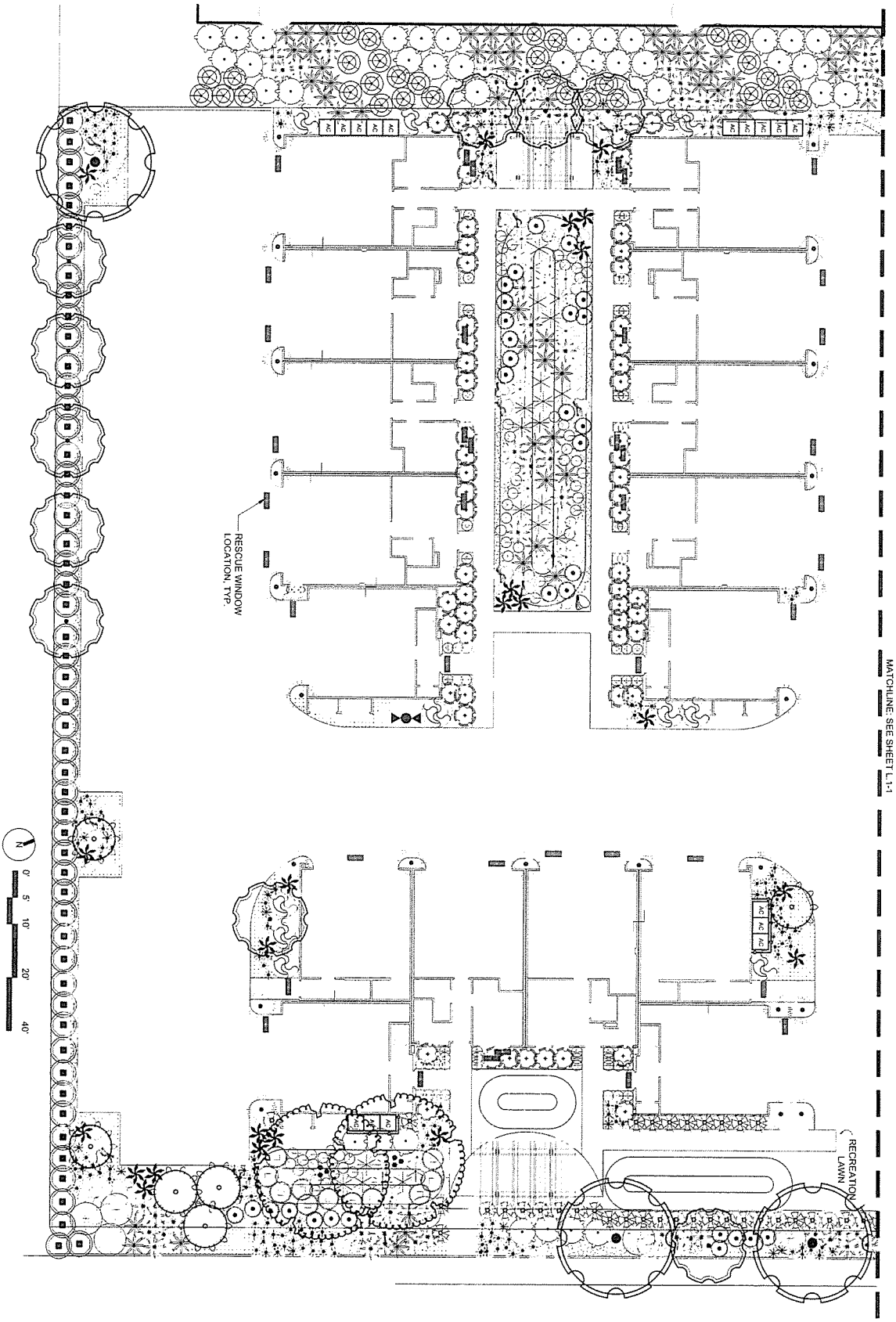
L.1-1

PLP

PRELIMINARY LANDSCAPE PLAN

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023
SOUTH

64



L.1-2

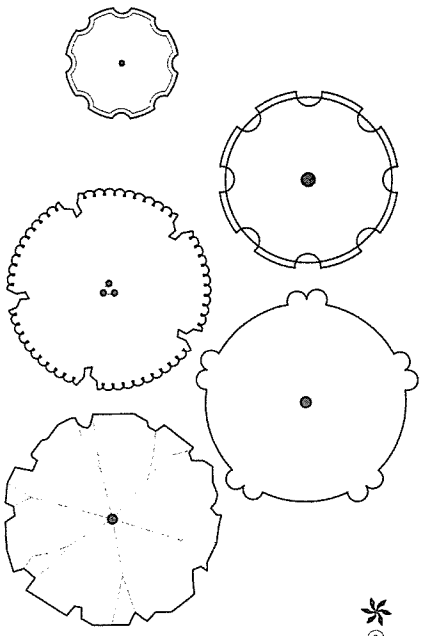
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

SOUTH

PLP

PRELIMINARY LANDSCAPE PLAN

PLANT LEGEND



ABBREVIATION	SCIENTIFIC NAME	COMMON NAME	QUANTITY	SIZE	SPACING	REMARKS	WATER USE (Z4)	MATURE HEIGHT	MATURE WIDTH
TREES									
ARB-UNE	ARBUTUS UNEDO	STRAWBERRY TREE	15	24" BOX	PER PLAN	SINGLE TRUNK TREE FORM	LOW	6'-35'	6'-35'
RHU-LAN	RHUS LANCEA	AFRICAN SUMAC	6	24" BOX	PER PLAN		LOW	20'-30'	20'-35'
PLA-RAC	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	3	24" BOX	PER PLAN	MULTI-TRUNK	MED	30'-80'	20'-50'
PIS-CHI	PISTACHIA CHINENSIS	CHINESE PISTACHE	4	24" BOX	PER PLAN		MED	30'-60'	30'-60'
QUE-AGR	QUERCUS AGRIFOLIA	COAST LIVE OAK	X	24" BOX	PER PLAN	MULTI-TRUNK SPECIMEN	LOW	20'-70'	20'-70'
SHRUBS									
AGA-ATT	AGAVE ATTENUATA 'BOUTIN BLUE'	BOUTIN BLUE AGAVE	40	15 GAL.	PER PLAN		LOW	5'	5'
ALO-BLU	ALOE 'BLUE ELF'	BLUE ELF ALOE	127	1 GAL	PER PLAN		LOW	18"	2'
ARC-SUN	ARCTOSTAPHYLOS 'SUNSET'	SUNSET MANZANITA	53	5 GAL.	PER PLAN		LOW	4'-5'	4'-6'
ARI-PUR	ARISTIDA PURPUREA	PURPLE THREE AWN	292	1 GAL	PER PLAN		LOW	2'	2'
BAC-PIL	BACCHARIS PILULARIS 'PIEGON POINT'	DWARF COYOTE BRUSH	76	1 GAL	PER PLAN		LOW	8"-24"	6'
CAL-CAL	CALLIANDRA CALIFORNICA	BAJA FAIRY DUSTER	6	1 GAL.	PER PLAN		LOW	5'	5'-6'
CAL-HAR	CALYLOPHUS HARTWEGII	SUNDROPS	79	1 GAL	PER PLAN		LOW	1'	2'
CAL-LIT	CALLISTEMON VIMINALIS 'LITTLE JOHN'	LITTLE JOHN BOTTLEBRUSH	66	5 GAL.	PER PLAN		LOW	3'	3'
CEA-CON	CEANOTHUS 'CONCHA'	WILD LILAC	9	5 GAL.	PER PLAN		LOW	6'-7'	6'-8'
ERE-BLU	EREMOPHILA HYGROPHANA 'BLUE BELLS'	BLUE BELLS EMU BUSH	57	5 GAL.	PER PLAN		LOW	2'-3'	3'
HET-ARB	HETEROMELES ARBUTIFOLIA	TOYON, CHRISTMAS BERRY	7	5 GAL	PER PLAN		LOW	6'-10'	6'-10'
ILE-VOM	ILEX VOMITORIA 'NANA'	NANA YAUPON	126	5 GAL	PER PLAN		LOW	3'-5'	3'-5'
JUN-PAT	JUNCUS PATENS	CALIFORNIA GRAY RUSH	132	1 GAL.	PER PLAN		LOW	2'	2'
LEY-CON	LEYMUS CONDENSATUS 'CANYON PRINCE'	BLUE LYME GRASS	204	1 GAL.	PER PLAN		LOW	2'-3'	2'-3'
MUH-RIG	MUHLENBERGIA RIGENS	DEER GRASS	68	1 GAL.	PER PLAN		MED	4'	4'
POD-MAC	PODOCARPUS MACROPHYLLUS 'MAKI'	SHRUBY YEW PINE	44	5 GAL	PER PLAN		MED	15'-25'	6'
RIB-VIB	RIBES VIBURNIFOLIUM	EVERGREEN CURRENT	21	1GAL	PER PLAN		MED	3'-6'	12'
SAL-POZ	SALVIA CLEVELANDII 'POZO BLUE'	CLEVELAND SAGE	68	5 GAL	PER PLAN		LOW	3'-5'	5'-8'
SAN-TRI	SANSEVIERIA TRIFASCIATA	MOTHER-IN-LAWS TONGUE	6	1 GAL	PER PLAN		LOW	2'-3'	1'
WES-WYN	WESTRINGIA FRUTICOSA 'WYNYABBIE GEM'	COAST ROSEMARY	22	15 GAL	PER PLAN		LOW	3'-6'	5'-10'
GROUNDCOVERS									
ECH-ELE	ECHEVERIA ELEGANS	HEN AND CHICKS	195	4" POTS	12" O.C		LOW	8"	12"
ROS-HUN	ROSMARINUS OFF 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	53	1 GAL	3' O.C		LOW	1.5'	3'-5'
SEN-MAN	SENECIO MANDRALISCAE	BLUE PICKLE	838	1 GAL	12" O.C.		LOW	1'	2'
BOULDERS:									
30"-36" LANDSCAPE BOULDER	PATIALLY BURY PER DETAIL P-03		11						
36"-48" LANDSCAPE BOULDER	PATIALLY BURY PER DETAIL P-03		14						

NOTE FURNISH AND INSTALL 'DESERT SELECT' BOULDERS FROM SOUTHWEST BOULDER

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

PL

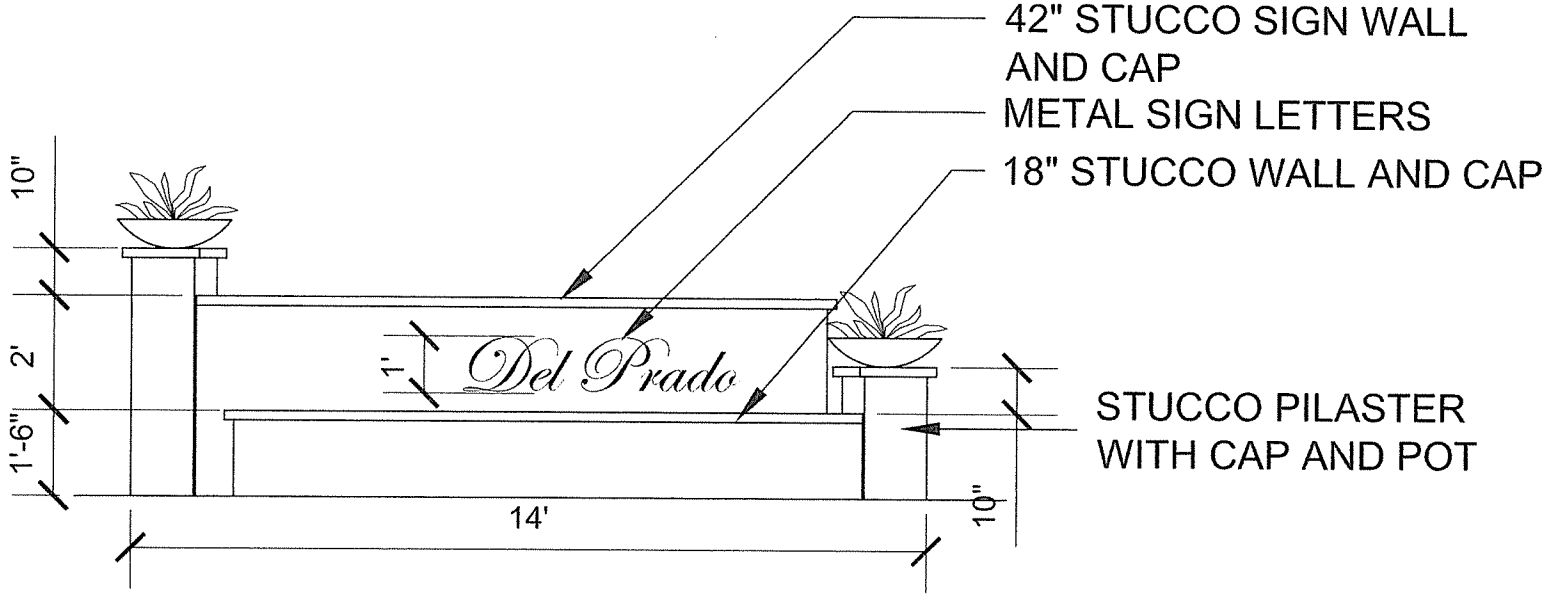
LANDSCAPE LEGEND

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

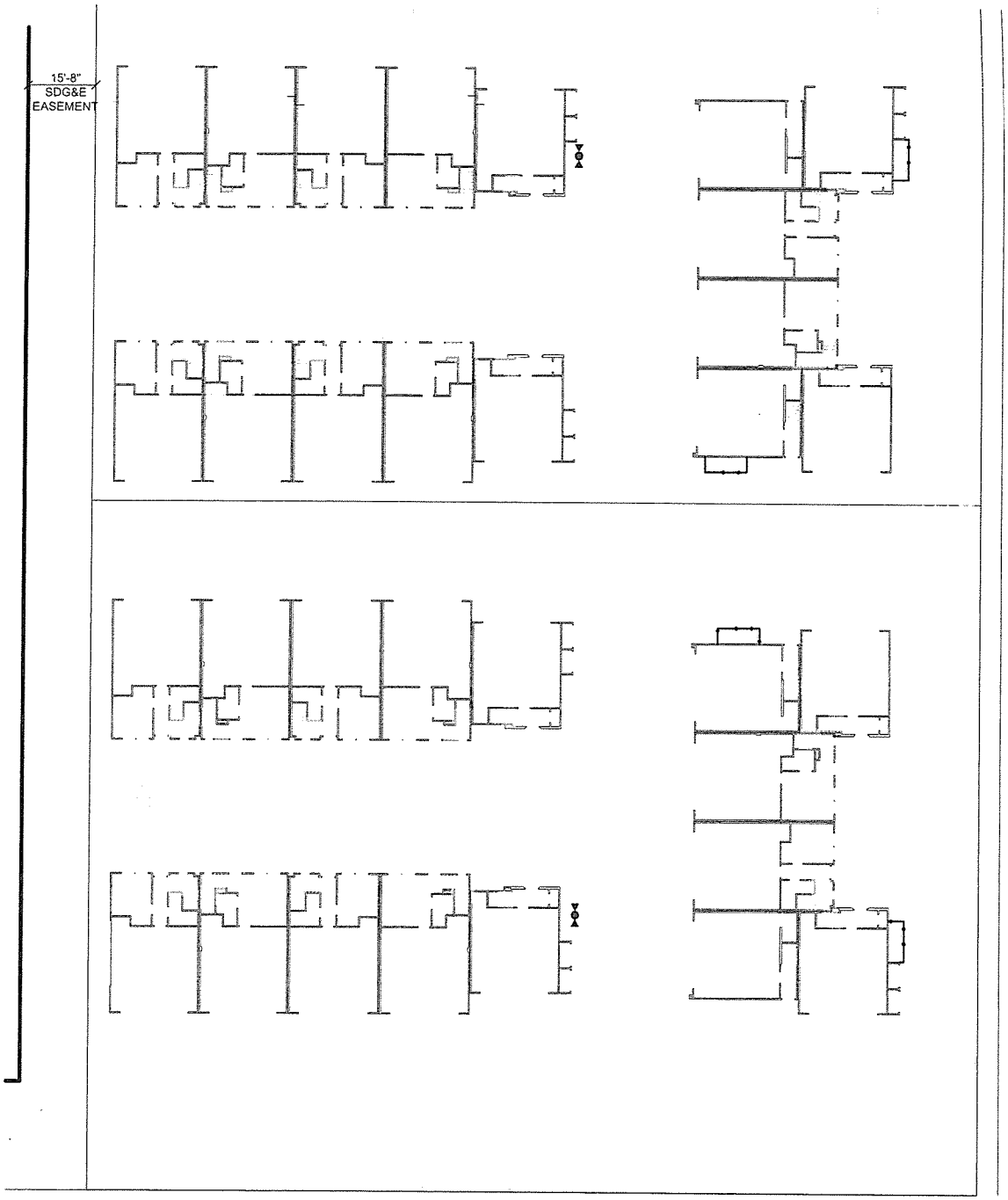
SOUTH

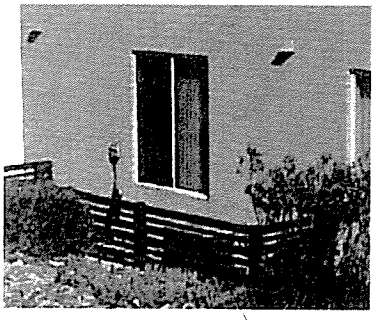
E

ELEVATION - SOUTH MONUMENT



SOUTH MONUMENT SIGN WALL - ELEVATION





1. WOOD OR VINYL FENCE TO SCREEN MECHANICAL UNITS

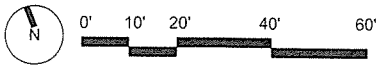
NOTE: WOOD A/C SCREENS TO BE "EARTH TONE" COLORS TO MATCH THE RESIDENCES

WOOD/VINYL SCREEN FENCE

DETAIL

FENCE PLAN
LEGEND

WOOD A/C SCREEN



PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

SOUTH

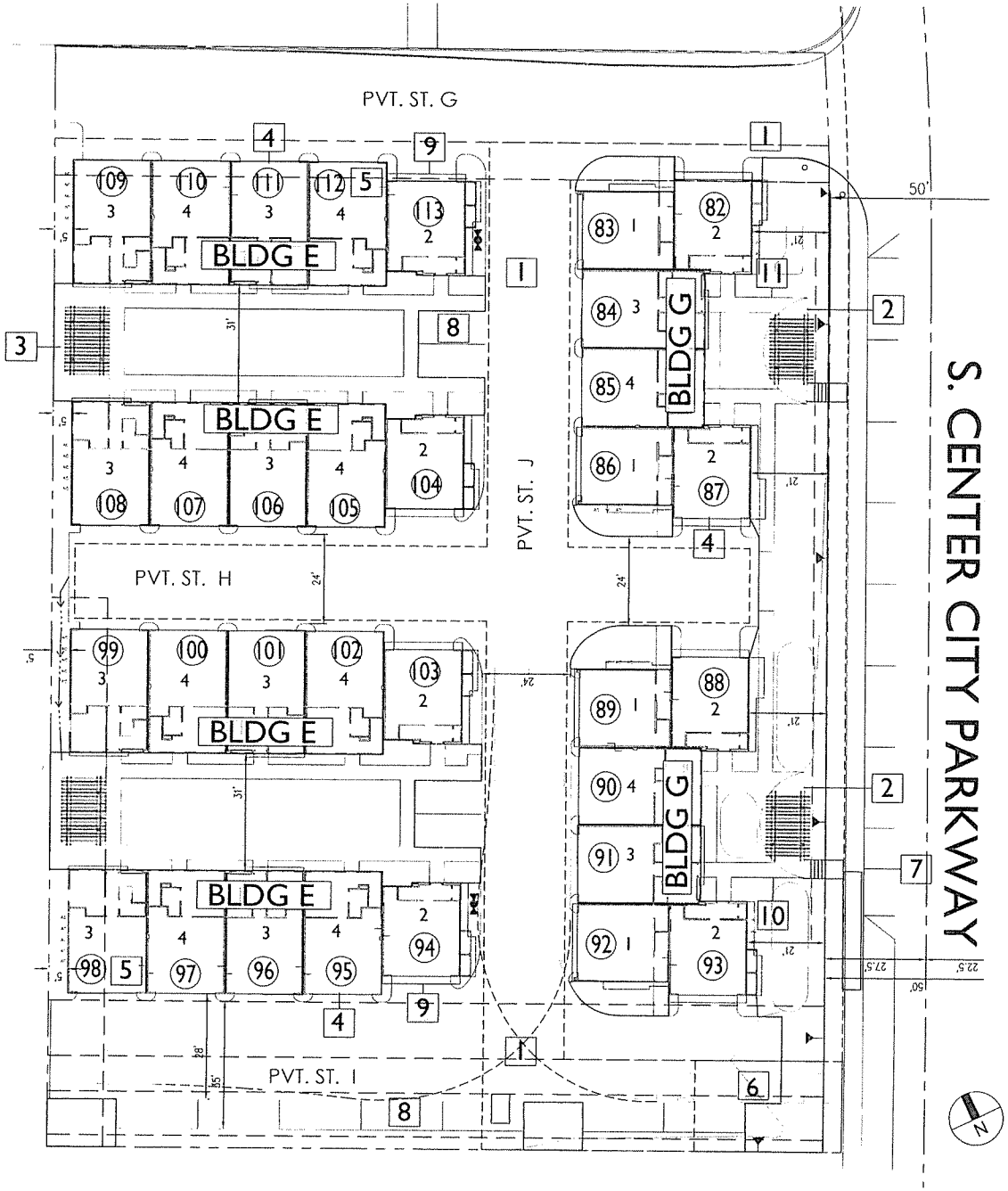
LD

LANDSCAPE DETAILS

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023
SOUTH

69

SP
SITE PLAN



PROPOSED UNITS	32 UNITS
SITE AREA	1.43 AC
DENSITY	23 UNITS/ACRE
BUILDING HEIGHT	3 STORIES (35' - 9" OVERALL)

RESIDENTIAL PARKING SUMMARY

PROVIDED	= 75 STALLS
GUEST STALLS	= 11 STALLS
2-CAR GARAGES	= 64 STALLS
PARKING RATIO	= 2.34 STALLS/UNIT

UNIT SUMMARY

PLAN 1 (2BD/2.5BA)	4 UNITS TOTAL
TOTAL	1,109 S.F.
GARAGE	440 S.F.
BALCONY	38 S.F.

PLAN 2 (2BD/2.5BA)	8 UNITS TOTAL
TOTAL	1,183 S.F.
GARAGE	425 S.F.
BALCONY	52 S.F.

PLAN 3 (3BD/3.5BA)	10 UNITS TOTAL
TOTAL	1,378 S.F.
GARAGE	422 S.F.
BALCONY	64 S.F.

PLAN 4 (3BD/2.5BA)	10 UNITS TOTAL
TOTAL	1,584 S.F.
GARAGE	422 S.F.
BALCONY	41 S.F.

DEL PRADO SOUTH
32 3-STORY ROW TOWN HOMES

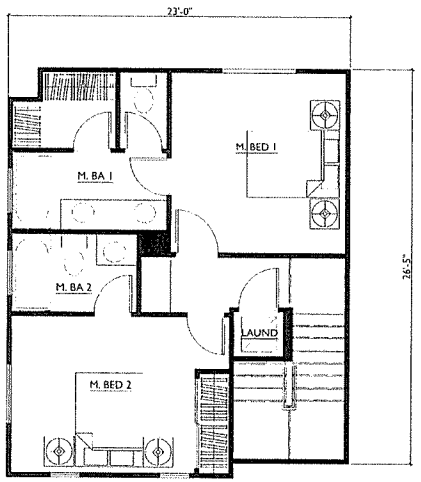
OCTOBER 30, 2015

SCALE: 0 20 40 80

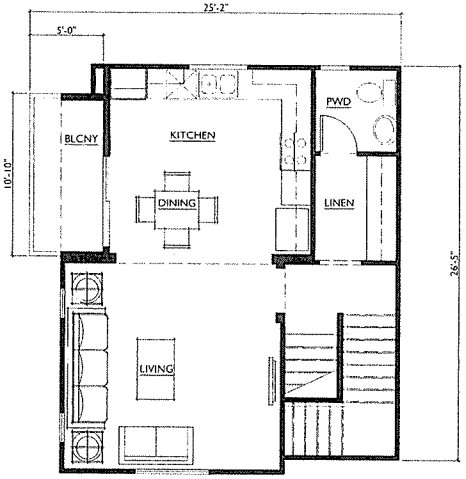
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

F

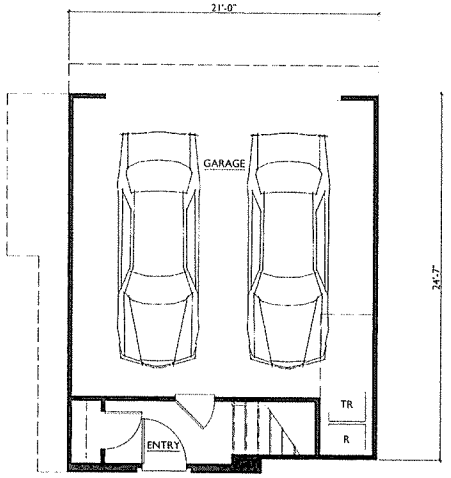
FLOOR PLANS 1 & 2



THIRD FLOOR

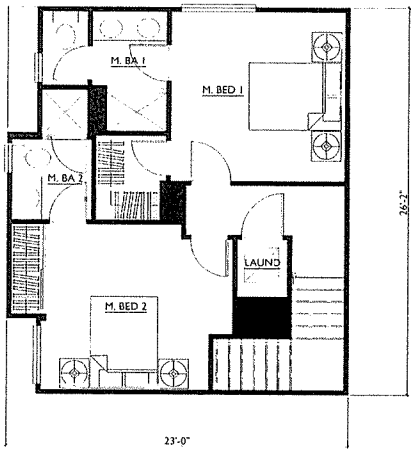


SECOND FLOOR



FIRST FLOOR

PLAN 2:	2BD/2.5BA
1ST FLR -	66 S.F.
2ND FLR-	554 S.F.
3RD FLR-	563 S.F.
TOTAL NET	1,183 S.F.
BALCONY-	52 S.F.
GARAGE-	425 S.F.



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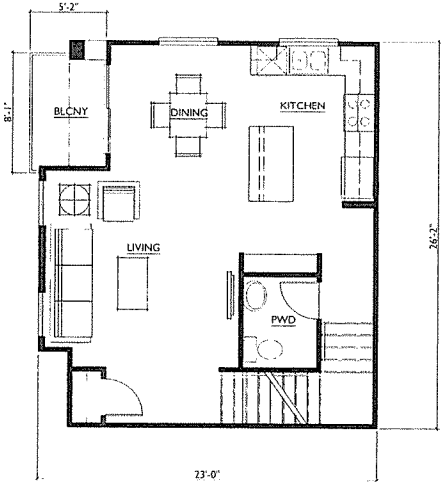

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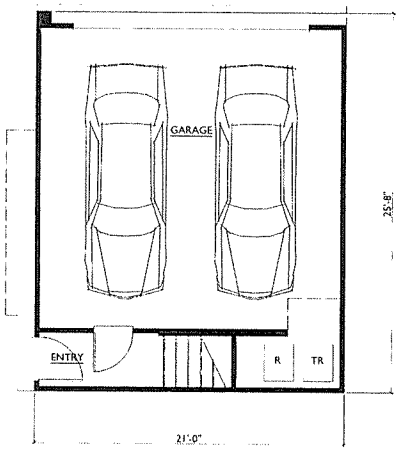


FIRST FLOOR

PLAN 1:	2BD/2.5BA
1ST FLR -	48 S.F.
2ND FLR-	523 S.F.
3RD FLR-	538 S.F.
TOTAL NET	1,109 S.F.
BALCONY-	38 S.F.
GARAGE-	440 S.F.

DEL PRADO SOUTH

32 3-STORY ROW TOWN HOMES

OCTOBER 30, 2015

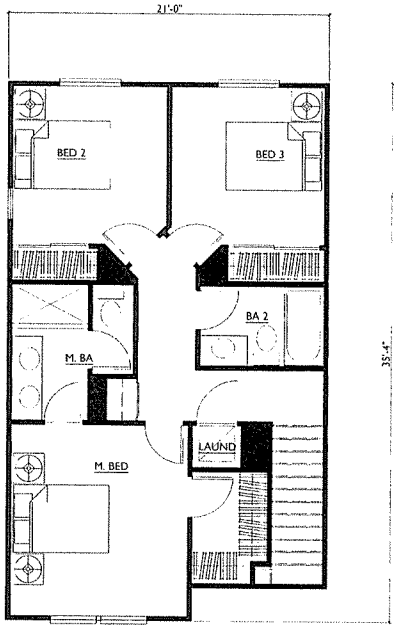
SCALE: 0 4 8 16

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

74

F

FLOOR PLANS 3&4



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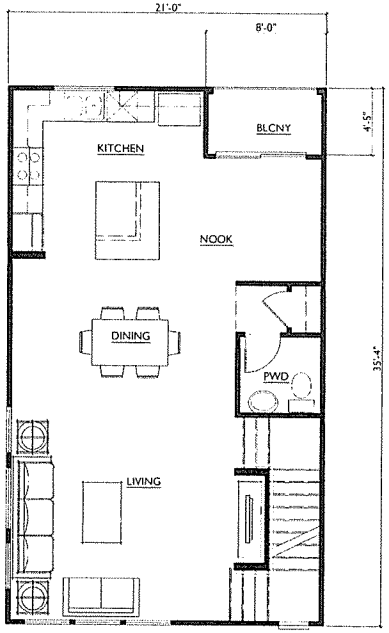
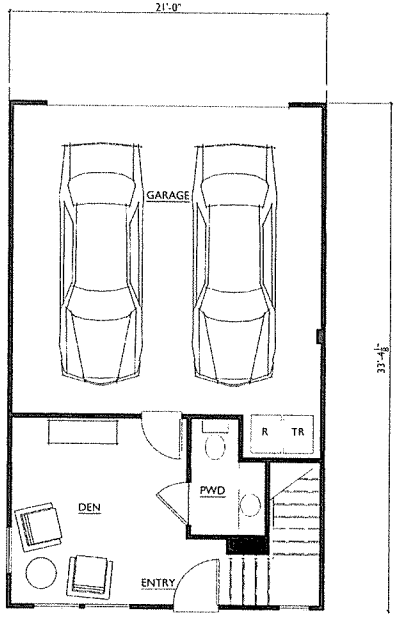
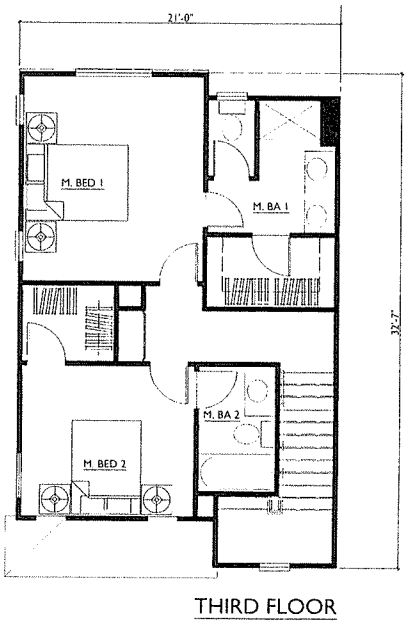


SECOND FLOOR



FIRST FLOOR

PLAN 4:	3BD/2.5BA
IST FLR -	242 S.F.
2ND FLR-	675 S.F.
3RD FLR-	667 S.F.
TOTAL NET	1,584 S.F.
BALCONY-	41 S.F.
GARAGE-	422 S.F.



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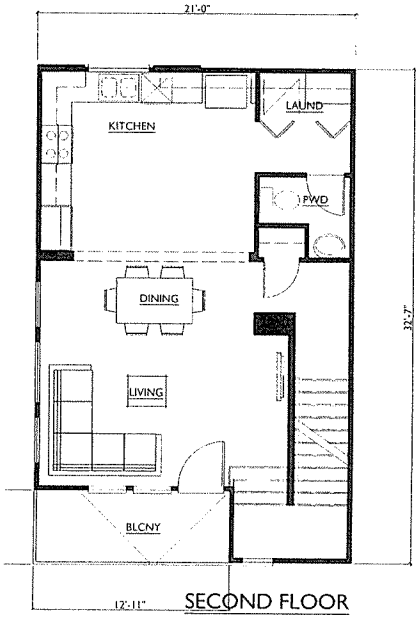

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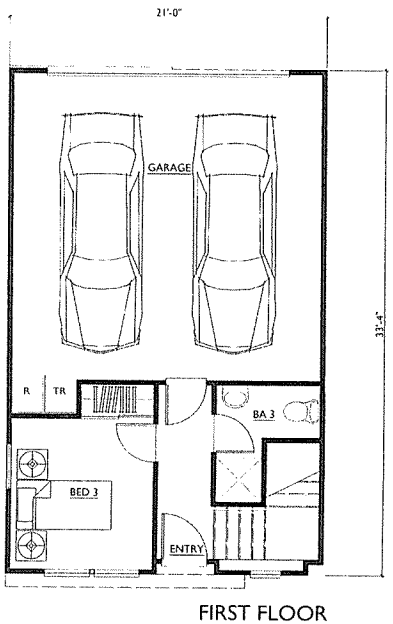


FIRST FLOOR

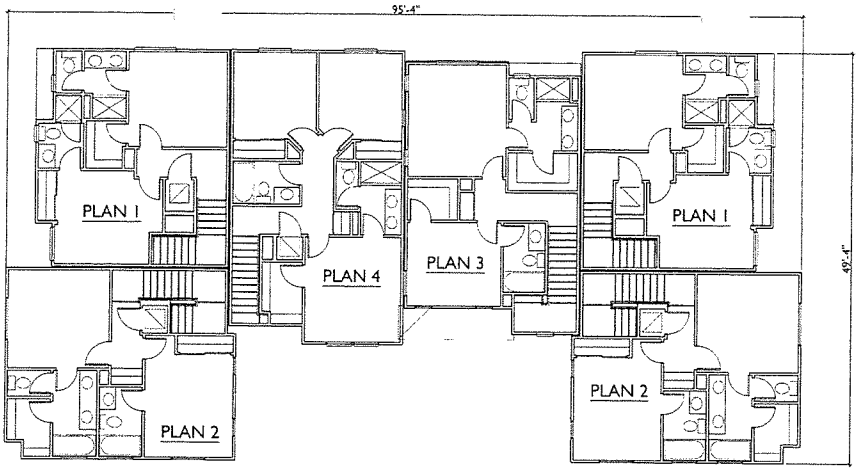
PLAN 3:	3BD/3.5BA
IST FLR -	236 S.F.
2ND FLR-	593 S.F.
3RD FLR-	549 S.F.
TOTAL NET	1,378 S.F.
BALCONY-	64 S.F.
GARAGE-	422 S.F.

DEL PRADO SOUTH

32 3-STORY ROW TOWN HOMES

OCTOBER 30, 2015

SCALE: 0 4 8 16



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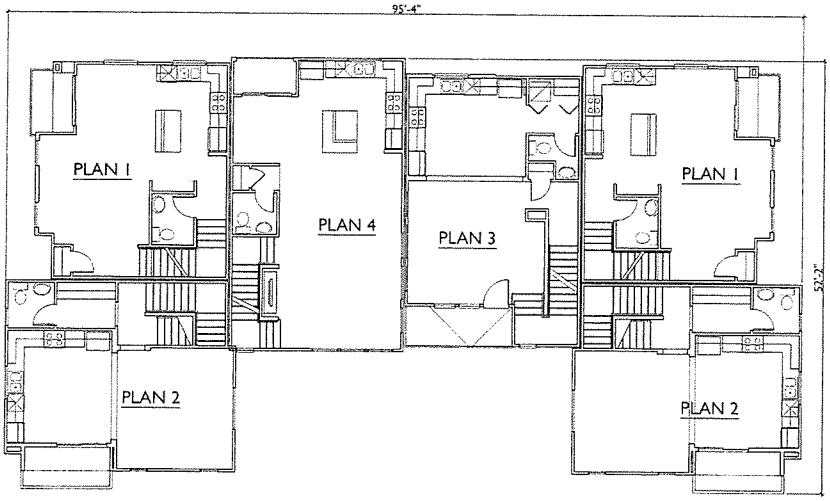

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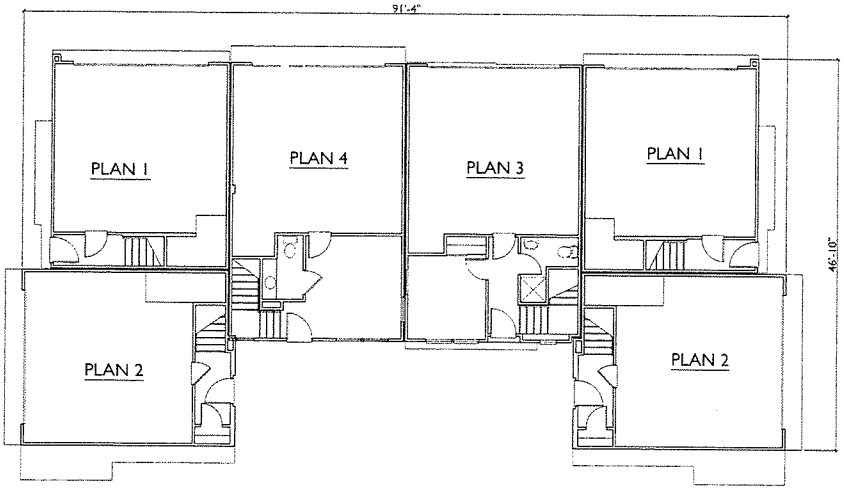


FIRST FLOOR

DEL PRADO SOUTH - 32 3-STORY ROW TOWN HOMES

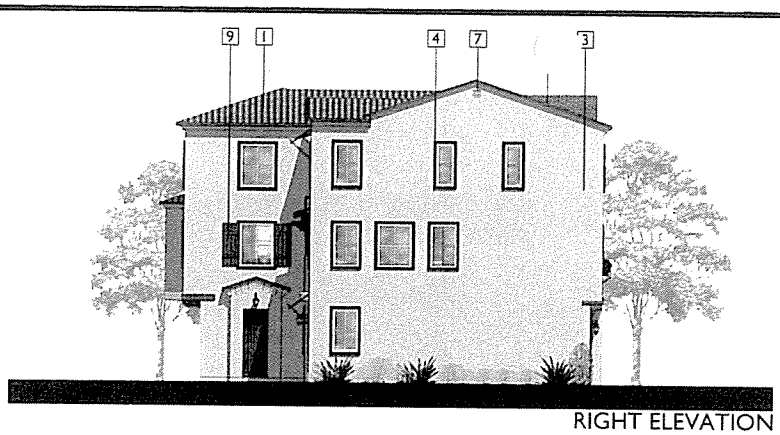
OCTOBER 30, 2015

SCALE: 0 8 16 24

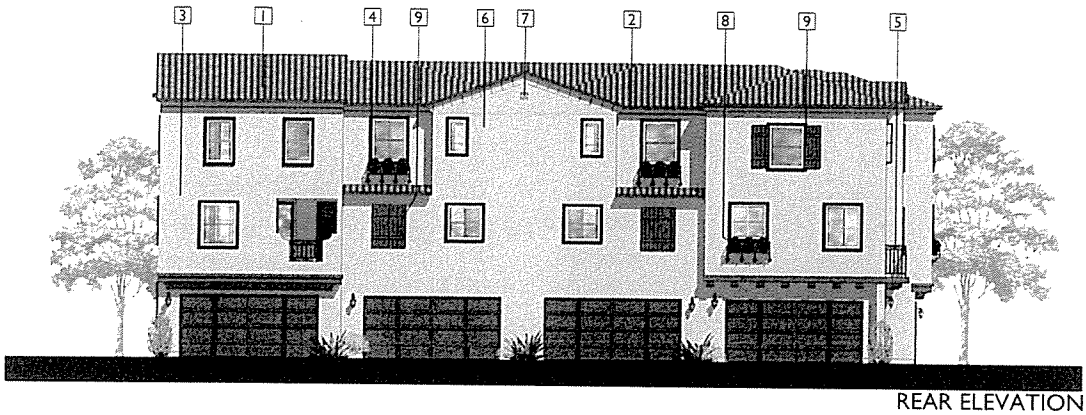
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

FP

FLOOR PLANS BLDG G



RIGHT ELEVATION



REAR ELEVATION

MATERIAL SCHEDULE

1	ROOF - CONCRETE CLASS 'S' TILE ROOFING
2	FASCIA - STUCCO OVER SHAPED FOAM
3	WALL - EXTERIOR STUCCO - SAND FINISH
4	TRIM - 2X @ DOORS AND WINDOWS
5	METAL RAILING
6	DECORATIVE METAL GRILLE
7	DECORATIVE GABLE ACCENT
8	DECORATIVE METAL POTSHELF
9	DECORATIVE SHUTTER
10	DECORATIVE METAL AWNIING

LEFT ELEVATION

FRONT ELEVATION

DEL PRADO SOUTH - 32 3-STORY ROW TOWN HOMES

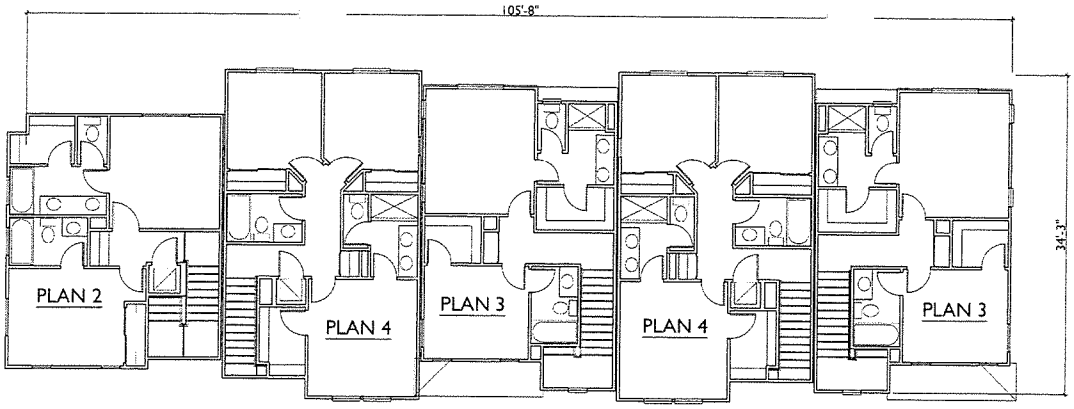
OCTOBER 30, 2015

SCALE: 0 8 16 24

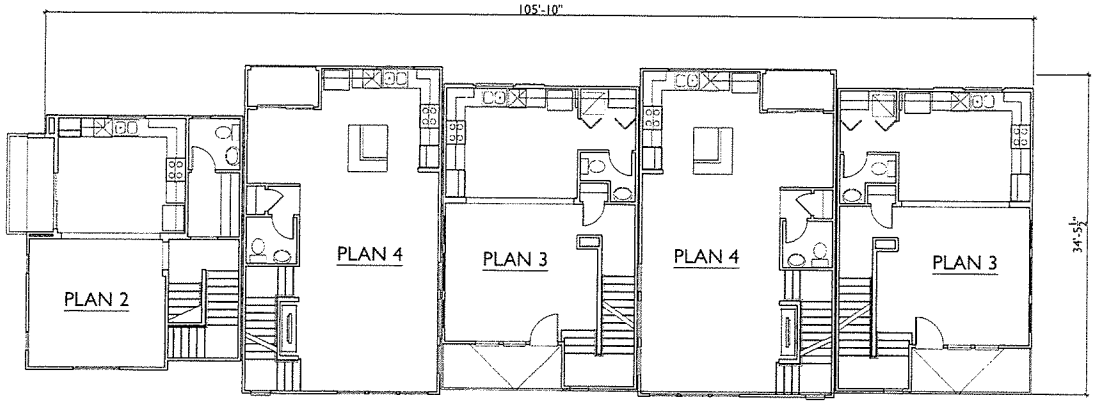
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

E

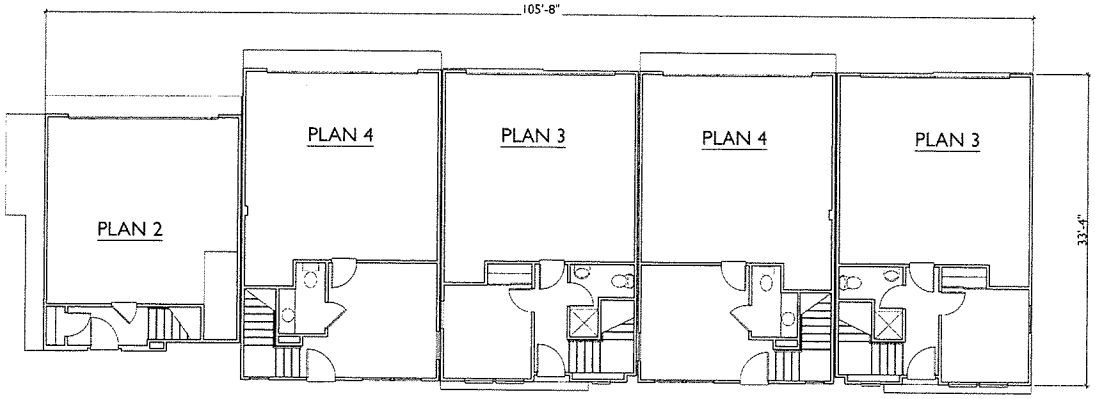
ELEVATIONS BLDG G



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

DEL PRADO SOUTH - 81 3-STORY ROW TOWN HOMES

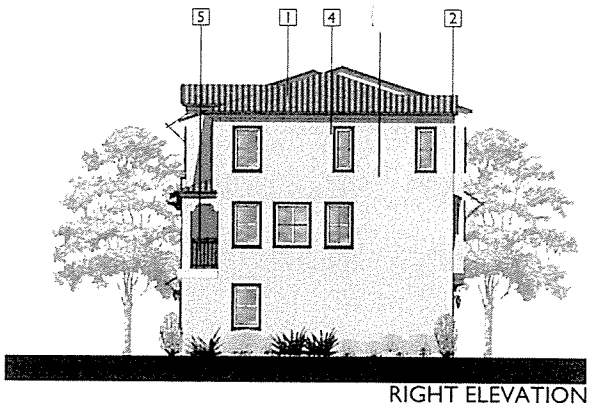
OCTOBER 30, 2015

SCALE: 0 8 16 24

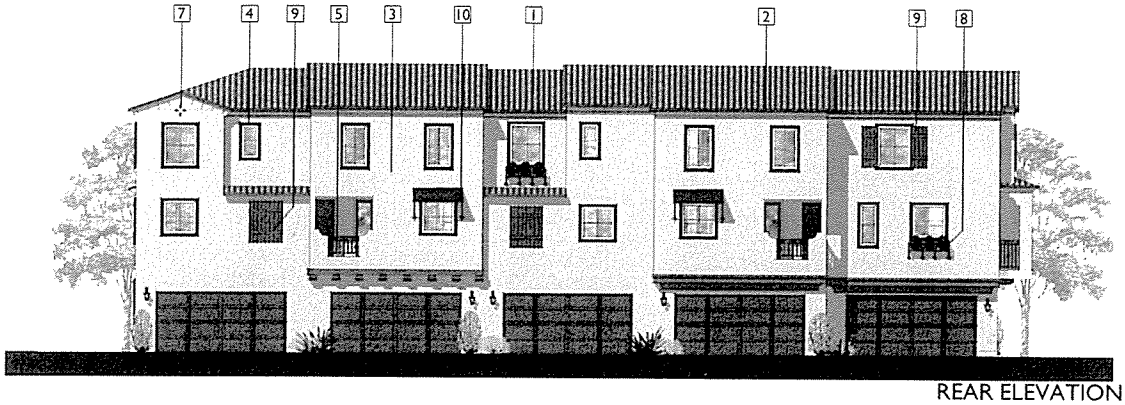
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

FP

FLOOR PLAN BLDG E



RIGHT ELEVATION



REAR ELEVATION

MATERIAL SCHEDULE

1 ROOF - CONCRETE CLASS 'S' TILE ROOFING
2 FASCIA - STUCCO OVER SHAPED FOAM
3 WALL - EXTERIOR STUCCO - SAND FINISH
4 TRIM - 2X @ DOORS AND WINDOWS
5 METAL RAILING
6 DECORATIVE METAL GRILLE
7 DECORATIVE GABLE ACCENT
8 DECORATIVE METAL POTSHELF
9 DECORATIVE SHUTTER
10 DECORATIVE METAL AWNIING

LEFT ELEVATION

FRONT ELEVATION

DEL PRADO SOUTH - 81 3-STORY ROW TOWN HOMES

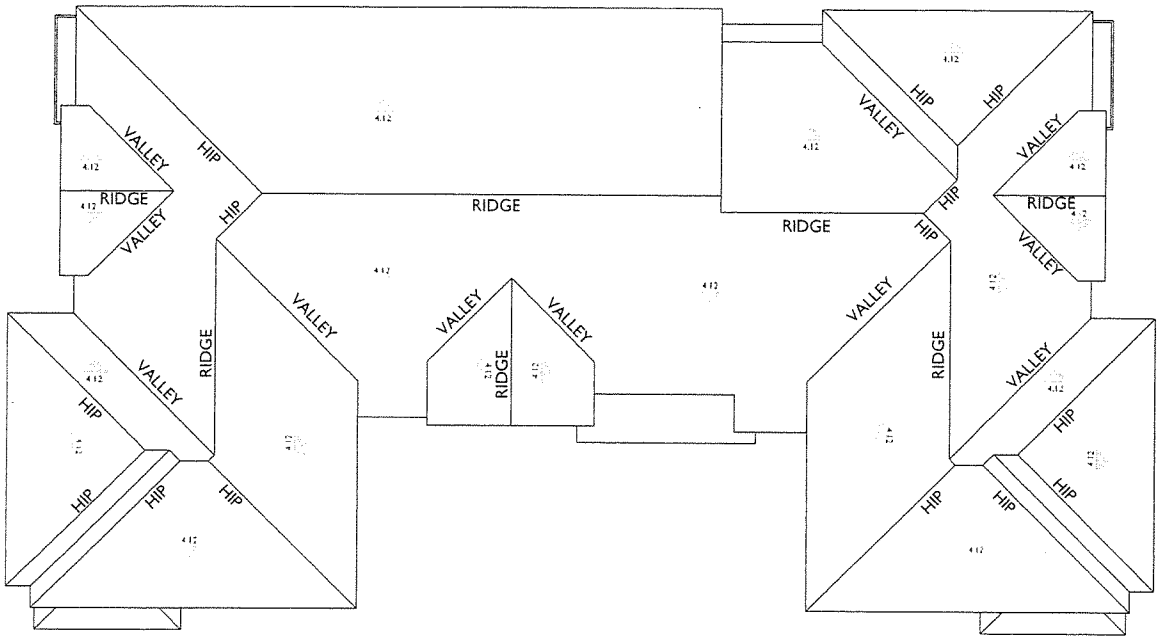
OCTOBER 30, 2015

SCALE: 0 8 16 24

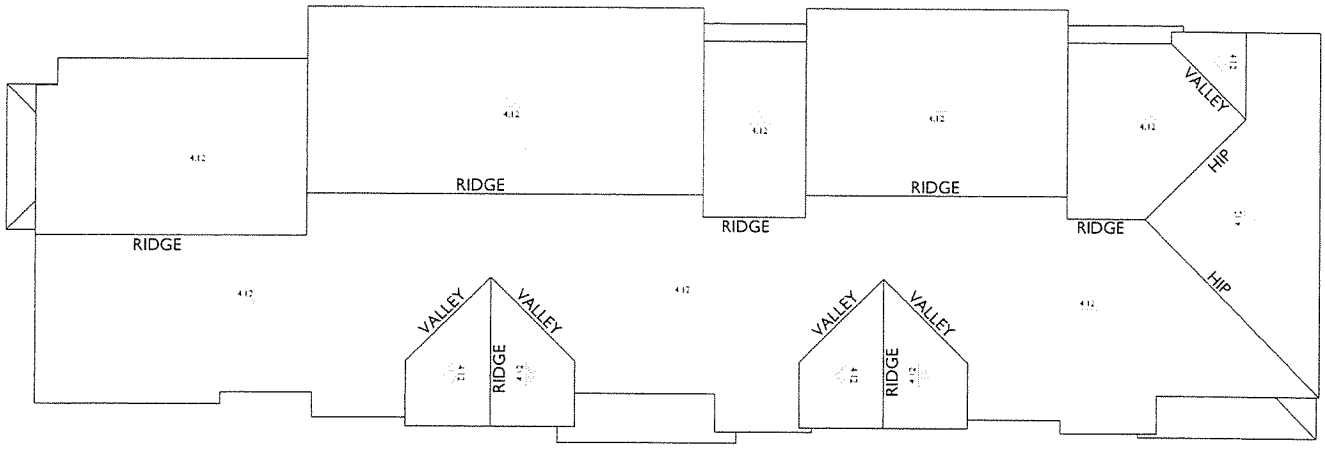
PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

E

ELEVATIONS BLDG E



BUILDING G



SCALE: 0 8 16 24

BUILDING E

DEL PRADO SOUTH - 32 3-STORY ROW TOWN HOMES

OCTOBER 30, 2015

PROPOSED PROJECT
SUB 15-0022/SUB 15-0023

R P

ROOF PLAN

Agenda Item No.: 11
Date: May 11, 2016

RESOLUTION NO. 2016-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A ONE-LOT TENTATIVE SUBDIVISION MAP WITH 81 RESIDENTIAL CONDOMINIUM UNITS

Case No. SUB15-0022 (Del Prado North)

WHEREAS, on April 12, 2016, the Planning Commission considered and recommended denial of the application for a proposed one-lot Tentative Subdivision Map for the development of 81 residential air-space condominium-townhome units on approximately 3.47-acres of land (identified as Del Prado North) generally located on the southwestern corner of South Centre City Parkway and Brotherton Road, addressed as 2329 S. Centre City Parkway (APNs 238-130-11, -26 and -27), more particularly described and depicted in Exhibit "C" and incorporated by this reference; and

WHEREAS, the City Council has reviewed the request for the Tentative Subdivision Map, and has reviewed and considered the Mitigated Negative Declaration (Case No. ENV15-0011) prepared for the project, and has determined the project would not have any significant impacts to the environment because all project related impacts have been mitigated; 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 considered the request, the staff report, the recommendations of the Planning Commission 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 overturn the decision of the Planning Commission and approve said Tentative Subdivision Map as reflected 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 Mitigated Negative Declaration, 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 because all previously identified impacts have been mitigated to less than a significant level.

3. That the Findings of Fact, attached as Exhibit "A" and incorporated by this reference, are hereby made by this City Council, and represent the City Council's careful consideration of the record, different findings made by the Planning Commission and evidence received since the time of the Planning Commission hearing. The findings of this City Council on Exhibit "A" shall be the final and determinative Findings of Fact on this matter.

4. That upon consideration of the Findings, 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

Subdivision Map (Case No. SUB15-0022) as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval and Mitigation Monitoring Report Program set forth as Exhibit “B” and incorporated by this reference.

5. That this Tentative Subdivision Map shall be null and void unless a Final Map, conforming to the Tentative Subdivision Map and all required conditions, is filed within 36 months of the effective date of the companion Ordinance 2016-05 approval, or unless an Extension of Time is granted pursuant to Section 66452.6 of the California Government Code.

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

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido’s Development Fee Inventory on file in both the Community Development 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
SUB15-0022 and SUB15-0023

Tentative Subdivision Maps (North and South)

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor Area 'B.' The site also is located within the South Escondido Boulevard Neighborhood Plan which is an overlay zone established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. The proposed overall density of the project would be approximately 23 du/ac (113 residential units/4.9 acres) and would be in conformance with the density requirements of the General Plan and South Escondido Boulevard Neighborhood Plan of 24 du/ac. The City General Plan allows for both mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Mixed-Use development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. While a density standard has not been adopted in the General Plan for exclusively residential development, it is expected the forthcoming update to the South Escondido Boulevard Neighborhood now underway will establish a lower density for exclusively residential development consistent with the current density provisions of the South Escondido Boulevard Neighborhood Plan.

2. The design and improvement of the proposed subdivision(s) and corresponding planned development is consistent with the General Plan and the South Escondido Boulevard Neighborhood Plan as noted above and detailed in the staff reports prepared for the project. The proposed multi-family type development is permitted in the Centre City Parkway/Brotherton Road Target Area and the development is consistent with the development standards established for the South Escondido Boulevard Neighborhood Plan, except where noted and analyzed in this staff report. The project includes a Master and Precise Development Plan and Amendment to the South Escondido Neighborhood Plan to allow for the exclusively residential project. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use and is well-integrated with its surroundings near residentially and commercially developed properties because adequate parking, access, on-site circulation, utilities, as well as appropriate setbacks and perimeter landscaping would be provided (as detailed in the staff report and Final Mitigated Negative Declaration). The residential project also would not be out of character for the area which contains other multi-story residential developments. The design of the project would be in conformance with the South Escondido Design Guidelines because the project would provide residential units with varying number of rooms and sizes to accommodate a wide range of housing needs (with ownership opportunities). The project includes a variety of amenities such as individual balconies for selected units, enhanced walkways and paving, and active and passive recreation/landscape features. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.

3. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because 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 elevations that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. Perimeter landscaping, and fencing/walls would provide a buffer between the project site and adjacent uses.

4. The site is suitable for this residential type of development and density because the General Plan and South Escondido Boulevard Neighborhood Plan already allows for multi-story high density residential development. The site is relatively flat and extensive grading is not proposed. The project would be compatible with the surrounding uses because the subject site is adjacent to a variety of commercial and residential developments of varying density and design. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. Appropriate noise attenuation would

be provided for the new units. The proposed project also would not result in a significant impact to biological or cultural resources because appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level.

5. The design of the residential map and the type of improvements are not likely to cause serious public health problems because the project would not degrade the levels of service on the adjoining streets or drainage systems. Adequate water and sewer could be provided to the site. The project would not cause substantial environmental damage and avoidably injure fish or wildlife or their habitat because appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level.

6. The design of the map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map because any existing easements and improvements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.

7. All of the requirements of the California Environmental Quality Act (CEQA) have been met because the findings of the environmental analysis (as demonstrated in ENV15-0011) are that the Initial Study identified effects related to biological resources, geology/soils, noise, cultural and tribal cultural resources that might be potentially significant. However, design and minimization measures, revisions in the project plans and/or mitigation measures provide mitigation to a point where potential impacts are reduced to less than a significant level. The City also has complied with the provisions of Assembly Bill 52 regarding consultation with the Native American Tribes and appropriate mitigation measures have been included to address potential impacts to tribal cultural resources.

8. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Lot sizes and the subdivision configuration provides opportunities for passive/solar heating. Landscaping would provide passive cooling opportunities via shading of each unit.

9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code (Chapter 33 Zoning) will have been obtained prior to the recordation of the map.

10. The proposed map and associated planned development will not conflict with regional or local housing the proposed infill residential project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. 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. All lots would maintain all development standards of the applicable zone (in accordance with Article 19, Planned Development) and observe the density of the General Plan and area plans, as noted in the sections above.

11. The proposed map meets all of the requirements or conditions imposed by the Map Act and the Escondido Zoning Code, as detailed in the staff reports, the Escondido General Plan and above findings.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Del Prado North and South
SUB15-0022 and SUB15-0023, PHG15-0031

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 Community Development.

7. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. An Acoustical Analysis (Interior Noise Assessment) shall be submitted with the building plans for the project. Any measures recommended in the study shall be incorporated into the building plans with appropriate notes/specifications.

8. 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.
9. Three (3) copies of the tentative map, reflecting any modifications 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.

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

11. Copies of the CC&Rs shall be submitted to the Engineering Division and Planning Division for review and approval prior to Final Map and grading plans for the project. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, 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 vehicle. Any storage shall not restrict the

parking of vehicles within the garage. A homeowners' association shall be established in accordance with Department of Real Estate requirements.

12. Prior to the Final Map approval and issuance of grading permits, a parking management plan shall be included with the CC&Rs which details any assigned spaces, on-site vehicular maintenance and guest parking.

13. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. Any major modifications to the exterior architectural building elements or lessening of the quality of the exterior design shall require approval by the Director of Community Development, and or the Planning Commission as may be recommended by the Director.

14. A separate sign permit would be required for any project identification in conformance with the City's Sign Ordinance. Any additional signage not included as part of this Planned Development would be subject to the City's Sign Ordinance for multi-family residential projects. The final location and design/height of the monument signs shall ensure appropriate sight distance is maintained at intersections and driveways, and signs are placed outside of the right-of-way, to the satisfaction of the Engineering Division.

15. Any 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. Appropriate decorative screening shall be placed around the ground-mounted units where visible from the exterior of the project.

16. A minimum of 252 on-site 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. On-street parking spaces along Brotherton Road may be counted towards meeting the guest spaces for the project, to the satisfaction of the Director of Community Development.

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

18. 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.

19. Balconies, patios and courtyards shall be kept in a neat and orderly manner. 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.

20. All new utilities shall be underground.

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

22. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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 $2,260.25 for a project with a Negative Declaration. In addition, these fees include an additional authorized County administrative handling fee of $50.00. 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.

23. The Master and Precise Development Plan approvals shall expire concurrently with the expiration of the companion tentative subdivision map(s), unless an extension of time is granted.

24. The project shall be in compliance with all of the following mitigation measures, as well as the Air Quality, Geology/Soils, Greenhouse Gas, and Hazards and Hazardous Materials Design Measures identified in the Final MND:

BIO-1 Avoidance of Nesting Raptors.

To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the City shall enforce the following: 1. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey shall be conducted within 72 hours prior to the start of construction. The project applicant shall not be responsible for physically surveying off-site habitat where access is not permitted; the qualified biologist shall visually inspect these off-site areas with the aid of binoculars or a spotting scope.

BIO 2.

If any nesting raptors are present on or within 500 feet of the proposed project construction area, the project applicant shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Active nests within off-site areas where access is not permitted shall not be flagged or demarcated. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet, shall be required until the qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. The avoidance buffer may be reduced at the discretion of the qualified biologist and with written consent from the USFWS and CDFW. If the qualified biologist determines that a narrower buffer is warranted, the qualified biologist shall provide USFWS and CDFW with a written explanation as to why. Based on the submitted explanation, USFWS and CDFW would determine whether to allow the narrower buffer. Avoidance buffers for active nests within off-site areas where existing developments already occur shall not be required.

CUL-1

The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and

religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

CUL-2

Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

CUL-3

The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

CUL-4

During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

CUL-5

In the event that previously unidentified Tribal Cultural Resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

CUL- 6

If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

CUL-7

The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before

construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

CUL-8

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

CUL-9

If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any Tribal Cultural Resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

CUL-10

Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

GEO-1

Implementation of Geotechnical Recommendations. The site-specific Geotechnical Investigation includes a number of general and specific recommendations that shall be implemented in the design and construction of the proposed project to minimize (a) the potential for exposure to soils with corrosive properties and associated potential for deterioration and eventual failure of underground concrete and metal structures, and (b) the potential concern associated with expansive soils on site, as summarized herein. Corrosion recommendations that shall be implemented include, but are not limited to: (1) further testing by a firm that specializes in corrosion engineering to determine next steps associated with corrosive soils, if any. Expansive soils recommendations that shall be implemented include, but are not limited to: (1) removal of

unsuitable materials during site preparation and grading; (2) confirmation that fill material exhibits "very low" or "low" expansion potential (per CBC standards); and (3) testing of proposed fill materials for suitability (including expansion potential). Finally, site grading plans shall be reviewed by a qualified geotechnical consultant prior to final design submittal to determine if additional analysis and recommendations beyond those summarized above (and listed in full in the Geotechnical Investigation) are required. Any and all geotechnical recommendations shall be fully implemented in accordance with applicable industry/regulatory standards (e.g., the CBC requirements).

NOI-1

Interior Noise Attenuation. Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed residences that face Brotherton Road or S. Centre City Parkway where exterior noise levels are expected to exceed 60 CNEL to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. The analysis shall also assume a "windows-closed" condition and that vehicles on Centre City Parkway are traveling at 50 mph. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered. Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).

NOI-2

Vibration Attenuation. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, that results in a level that exceeds 80 VdB at off-site residences or 83 VdB at the off-site KinderCare childcare center. Operation of a vibratory roller or equivalent shall be avoided within 75 feet of any off-site residence or 60 feet of the off-site childcare center.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division in conjunction with the submittal of the Final Map and Grading Plans, and shall be equivalent or superior to the concept plan attached as exhibit(s) in the staff report(s). A plan check fee of will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in the City's Landscape Standards as well as the State Model Water Efficient Landscape Ordinance. 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. The landscape design for the storm water basins shall be a visual amenity for the project to include an appropriate variety of plants and features. The larger storm water feature located on Del Prado North shall include accent trees along the slope areas if the placement would not conflict with the storm water design/function. The two larger storm water features on Del Prado

South shall incorporate trees into the design where the placement does not conflict with any public utility easements/improvements.

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

5. 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.

6. 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.

7. 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0022, Del Prado North

GENERAL

1. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2. As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3. No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4. 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.

5. 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.
6. The project owner shall submit to the Planning Department 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal

and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2. The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

3. The project owner shall be responsible for construction of frontage improvements along Brotherton Road to Local Collector Street standards with modified curb returns and signing and striping as indicated on the project Tentative Map and to the satisfaction of the City Engineer. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards.

4. The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (width could be reduced to 32 feet where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along the easterly side of S. Centre City Parkway to the requirements of the City Engineer.

5. The project owner shall be required to modify the existing intersections of Brotherton Road with Centre City Parkway and S. Center City Parkway with signing, striping and southwest corner surface improvements in accordance with the project Tentative Map and to the requirements of the City Engineer.

6. City standard Street Lights shall be installed at project entrance, intersection of Brotherton Road with S. Centre City Parkway and along project frontages in accordance with the City Design Standards.

7. The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for intersections of Brotherton Road with Centre City Parkway and S. Centre City Parkway and along project's frontages on Brotherton Road and S. Centre City Parkway. Signing and striping design shall include a stop control for the east bound traffic on Brotherton Road at S. Centre City Parkway. The developer will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

8. All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

9. The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on Brotherton Road.

10. The project owner 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.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2. 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4. The project owner 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.

5. 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 (1) or more acres.

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

7. Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1. A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite

cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2. All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by Home Owners' Association. Provisions stating this shall be included in the CC&Rs.

3. All frontages landscaping along Brotherton Road and S. Centre City Parkway shall be maintained by Home Owners Association. Provisions stating this shall be included in the CC&Rs.

4. The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1. The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1. The project owner is required to design and construct an onsite/offsite public sewer system to serve the project in accordance with the City of Escondido Design Standards and to the requirements of the Utilities Engineer.

2. All sewer laterals within the project are private and shall be maintained by the home owners association.

CC&Rs

1. Copies of the CC&R's (along with the appropriate review fee) shall be submitted to the Engineering Division and Planning Department for approval prior to approval of the Final Map.

2. The project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, walls, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontages on Brotherton Road and S. Centre City Parkway by the Homeowners' Association.

4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5. The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6. The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Homeowners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

2. Necessary public utilities 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 to the requirements of the Utilities Engineer.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

4. The project owner 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. 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.

5. The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground. The project owner 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0023, Del Prado South

GENERAL

1 Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2 As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3 No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4 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.

5 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.

6 The project owner shall submit to the Planning Division 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Division verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1 Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal

and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2 The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (Width could be reduced to 32 where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along easterly side of S. Centre City Parkway to the requirements of City Engineer.

3 City standard Street Lights shall be installed at project entrance on S. Centre City Parkway and along the roadways in accordance with the City Design Standards.

4 The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for Brotherton Road. The project owner will be responsible for refreshing the existing intersection striping at Citracado Parkway and S. Centre City Parkway, if required by the City Engineer based on intersection striping condition prior to project completion. The project owner will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

5 All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

6 The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on S. Centre City Parkway.

7 The project owner 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 City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1 A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3 Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4 The project owner 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.

5 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 (1) or more acres.

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

7 Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1 A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2 All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by homeowners' association. Provisions stating this shall be included in the CC&Rs.

3 All frontages landscaping along S. Centre City Parkway and Brotherton Road shall be maintained by homeowners association. Provisions stating this shall be included in the CC&Rs.

4 The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1 The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2 All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1 The project owner is required to design and construct an onsite public sewer system in accordance with the City of Escondido Design Standards and to the requirements of Utilities Engineer. Any changes to the proposed sewer system design due to conflict with other utilities shall, be approved by the Utilities Engineer prior to submittal of final plans for review and approval.

2 All sewer laterals within the project are private and shall be maintained by the homeowners association.

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 project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and emergency access road and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3 CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontage on S. Centre City Parkway by the Homeowners' Association.

4 The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5 The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6 The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Home Owners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

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1 The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

2 All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

3 Necessary public utilities 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 to the requirements of Utilities Engineer.

4 All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

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REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install

new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground.

3. The project owner 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.

Mitigation Monitoring Reporting Program

PROJECT NAME: Del Prado North and South
PROJECT DESCRIPTION: 113 Unit Condominium-Townhome Project
Tentative Subdivision Maps, Master and Precise Development Plan

NEG .NEC. NO. ENV15-0011
ASSOC. CASE NOs.: SUB15-0022 and -23
PHG15-0031
APPROVAL BODY/DATE: City Council
PROJECT MANAGER: Jay Paul, Assoc. Planner
(760) 839-4537

PROJECT LOCATION: 2329 S. Centre City Parkway (APNs 238-130-11, -26, -27 -35 and -36)
(Note: address and APNs will change with Recordation of Maps and issuance of building permits)
CONTACT PERSON: Brian Nestoroff (Touchstone Communities)
PHONE NUMBER: (858) 248-4952

Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTATION	CERTIFIED INTIAL/DATE	COMMENTS
Biology Prior to site grading/clearing	BIO-1 Avoidance of Nesting Raptors. To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the City shall enforce the following: 1. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey shall be conducted within 72 hours prior to the start of construction. The project applicant shall not be responsible for physically surveying off-site habitat where access is not permitted; the qualified biologist shall visually inspect these off-site areas with the aid of binoculars or a spotting scope.	Biology III. No. 1	Applicant/Developer Project Biologist Planning Div.		
Biology Prior to grading/construction	BIO 2. If any nesting raptors are present on or within 500 feet of the proposed project construction area, the project applicant shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Active nests within off-site areas	Biology III. No. 2	Applicant/Developer Project Biologist Planning Div. Field Eng.		

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	where access is not permitted shall not be flagged or demarcated. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet, shall be required until the qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. The avoidance buffer may be reduced at the discretion of the qualified biologist and with written consent from the USFWS and CDFW. If the qualified biologist determines that a narrower buffer is warranted, the qualified biologist shall provide USFWS and CDFW with a written explanation as to why. Based on the submitted explanation, USFWS and CDFW would determine whether to allow the narrower buffer. Avoidance buffers for active nests within off-site areas where existing developments already occur shall not be required.				
Cultural Prior to approval of grading plans/permits	CUL-1 The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.	Cultural IV. No. 1	Applicant/Developer Planning Div.		
Cultural Prior to approval of grading plans and issuance of grading permit	CUL-2 Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.	Cultural IV. No. 2	Applicant/Developer Planning Div.		

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Cultural Prior to site grading/clearing	CUL-3 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.	Cultural IV. No. 3	Applicant/Developer Project Archaeologist Monitor Planning Div.		
Cultural During site grading grading/clearing	CUL-4 During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.	Cultural IV. No. 4	Applicant/Developer Project Archaeologist Monitor Planning Div. Field Eng.		
Cultural During site grading/clearing should resource be discovered	CUL-5 In the event that previously unidentified Tribal Cultural Resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.	Cultural IV. No. 5	Applicant/Developer Project Archaeologist Monitor Planning Div. Field Eng		
Cultural During site grading/clearing should resources be discovered	CUL- 6 If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.	Cultural IV. No. 6	Applicant/Developer Project Archaeologist Monitor Planning Div.		
Cultural During site grading/clearing should resource be discovered	CUL-7 The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been	Cultural IV. No. 7	Applicant/Developer Project Archaeologist Monitor Planning Div.		

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	discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.				
Cultural During site grading/clearing should any remains be discovered	CUL-8 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.	Cultural IV. No. 8	Applicant/Developer San Diego Co. Coroner's Office Project Archaeologist Monitor Planning Div.		
Cultural During site grading/clearing should any remains be discovered	CUL-9 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does	Cultural IV. No. 9	Applicant/Developer Project Archaeologist Monitor		

	not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any Tribal Cultural Resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.				
Cultural Prior to release of grading bond	CUL-10 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources	Cultural IV. No. 10	Applicant/Developer Project Archaeologist Engineering Div./Field Engineering Planning Div.		
Geology and Soils Prior to approval of grading plans/permits. Incorporation of recommendations into plans.	GEO-1 Implementation of Geotechnical Recommendations. The site-specific Geotechnical Investigation includes a number of general and specific recommendations that shall be implemented in the design and construction of the proposed project to minimize (a) the potential for exposure to soils with corrosive properties and associated potential for deterioration and eventual failure of underground concrete and metal structures, and (b) the potential concern associated with expansive soils on site, as summarized herein. Corrosion recommendations that shall be implemented include, but are not limited to: (1) further testing by a firm that specializes in corrosion engineering to determine next steps associated with corrosive soils, if any. Expansive soils recommendations that shall be implemented include, but are not limited to: (1) removal of unsuitable materials during site preparation and grading; (2) confirmation that fill material exhibits "very low" or "low" expansion potential (per CBC standards); and (3) testing of proposed fill materials for suitability (including expansion potential). Finally, site grading plans shall be reviewed by a	Geology V. No. 1	Applicant/Developer Project Engineer Engineering Div. Planning Div.		

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	qualified geotechnical consultant prior to final design submittal to determine if additional analysis and recommendations beyond those summarized above (and listed in full in the Geotechnical Investigation) are required. Any and all geotechnical recommendations shall be fully implemented in accordance with applicable industry/regulatory standards (e.g., the CBC requirements).				
Noise Prior to issuance of building permit	NOI-1 Interior Noise Attenuation. Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed residences that face Brotherton Road or S. Centre City Parkway where exterior noise levels are expected to exceed 60 CNEL to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. The analysis shall also assume a "windows-closed" condition and that vehicles on Centre City Parkway are traveling at 50 mph. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered. Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).	Noise XI. No. 1	Applicant/Developer Project Architect Building Div. Planning Div.		
Noise Operational during grading/construction	NOI-2 Vibration Attenuation. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, that results in a level that exceeds 80 VdB at off-site residences or 83 VdB at the off-site KinderCare childcare center. Operation of a vibratory roller or equivalent shall be avoided within 75 feet of any off-site residence or 60 feet of the off-site childcare center.	Noise IX. No. 2	Applicant/Developer Const. Contractor Field Engineering		

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CODE COMPLIANCE

Ongoing monitoring to ensure compliance with all mitigation measures, conditions of approval, operational requirements, standards, codes and regulations.	Project Applicant City of Escondido Planning Division Wildlife Agencies	Public Works Dept. Code Enforcement Div. Police Dept.	Building Dept. City Attorney Fire Dept.
Enforcement of the project conditions, mitigation measures, codes, standards and regulations are handled through inspection and evaluation procedures by the above mentioned City Departments and upon failure to comply with the conditions, the project may be referred to the Planning Commission for review and possible modification or revocation of the permit.	City of Escondido		

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EXHIBIT "C"

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SUB15-0022, SUB15-0023
PHG15-0031, AZ15-0002
Property Description

Del Prado North:

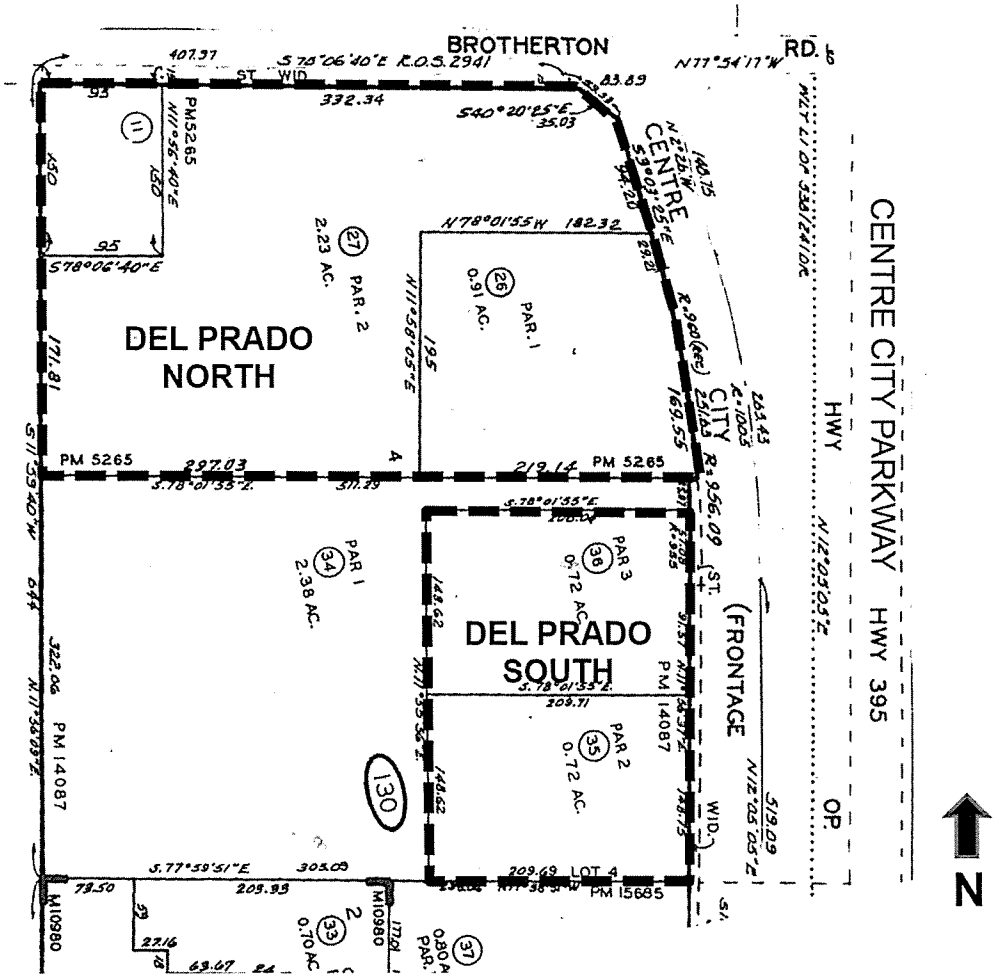
Parcels 1 and 2 of Parcel Map No. 5265 in the City of Escondido, County of San Diego (APNs 238-130-26 and -27)

The northerly 150 feet of the westerly 95 feet of that portion of the north half of Lot 4, in Block 29 of Homeland Acres Addition to Escondido No. 2 according to Map thereof No. 1241 (APN 238-130-11)

Del Prado South:

Parcel 2 of Escondido Parcel Map No. 82-24 according to Parcel Map No. 14087, together with the southerly 15.00 feet of Parcel 3 of Parcel Map 14087 (APN 238-130-35).

Parcel 3 of Escondido Parcel Map No. 82-34 according to Parcel Map No. 14087 (APN 238-130-36)



RESOLUTION NO. 2016-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A ONE-LOT TENTATIVE SUBDIVISION MAP WITH 32 RESIDENTIAL CONDOMINIUM UNITS

Case No. SUB15-0023 (Del Prado South)

WHEREAS, on April 12, 2016, the Planning Commission considered and recommended denial of the application for a proposed one-lot Tentative Subdivision Map for the development of 32 residential air-space condominium-townhome units on approximately 1.4-acres of land (identified as Del Prado South) generally located on the western side of South Centre City Parkway, south of Brotherton Road, (APNs 238-130-35 and -36), more particularly described and depicted in Exhibit "C" and incorporated by this reference; and

WHEREAS, the City Council has reviewed the request for the Tentative Subdivision Map, and has reviewed and considered the Mitigated Negative Declaration (Case No. ENV15-0011) prepared for the project, and has determined the project would not have any significant impacts to the environment because all project related impacts have been mitigated; 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 considered the request, the staff report, the recommendations of the Planning Commission 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 overturn the decision of the Planning Commission and approve said Tentative Subdivision Map as reflected 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 Mitigated Negative Declaration, 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 because all previously identified impacts have been mitigated to less than a significant level.

3. That the Findings of Fact, attached as Exhibit "A" and incorporated by this reference, are hereby made by this City Council, and represent the City Council's careful consideration of the record, different findings made by the Planning Commission and evidence received since the time of the Planning Commission hearing. The findings of this City Council on Exhibit "A" shall be the final and determinative Findings of Fact on this matter.

4. That upon consideration of the Findings, 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 reverses the decision of the Planning Commission and approves the Tentative

Subdivision Map (Case No. SUB15-0023) as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval and Mitigation Monitoring Report Program set forth as Exhibit “B” and incorporated by this reference.

5. That this Tentative Subdivision Map shall be null and void unless a Final Map, conforming to the Tentative Subdivision Map and all required conditions, is filed within 36 months of the effective date of the companion Ordinance 2016-05 approval, or unless an Extension of Time is granted pursuant to Section 66452.6 of the California Government Code.

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

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido’s Development Fee Inventory on file in both the Community Development 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
SUB15-0022 and SUB15-0023

Tentative Subdivision Maps (North and South)

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor Area 'B.' The site also is located within the South Escondido Boulevard Neighborhood Plan which is an overlay zone established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. The proposed overall density of the project would be approximately 23 du/ac (113 residential units/4.9 acres) and would be in conformance with the density requirements of the General Plan and South Escondido Boulevard Neighborhood Plan of 24 du/ac. The City General Plan allows for both mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Mixed-Use development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. While a density standard has not been adopted in the General Plan for exclusively residential development, it is expected the forthcoming update to the South Escondido Boulevard Neighborhood now underway will establish a lower density for exclusively residential development consistent with the current density provisions of the South Escondido Boulevard Neighborhood Plan.

2. The design and improvement of the proposed subdivision(s) and corresponding planned development is consistent with the General Plan and the South Escondido Boulevard Neighborhood Plan as noted above and detailed in the staff reports prepared for the project. The proposed multi-family type development is permitted in the Centre City Parkway/Brotherton Road Target Area and the development is consistent with the development standards established for the South Escondido Boulevard Neighborhood Plan, except where noted and analyzed in this staff report. The project includes a Master and Precise Development Plan and Amendment to the South Escondido Neighborhood Plan to allow for the exclusively residential project. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use and is well-integrated with its surroundings near residentially and commercially developed properties because adequate parking, access, on-site circulation, utilities, as well as appropriate setbacks and perimeter landscaping would be provided (as detailed in the staff report and Final Mitigated Negative Declaration). The residential project also would not be out of character for the area which contains other multi-story residential developments. The design of the project would be in conformance with the South Escondido Design Guidelines because the project would provide residential units with varying number of rooms and sizes to accommodate a wide range of housing needs (with ownership opportunities). The project includes a variety of amenities such as individual balconies for selected units, enhanced walkways and paving, and active and passive recreation/landscape features. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.

3. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because 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 elevations that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. Perimeter landscaping, and fencing/walls would provide a buffer between the project site and adjacent uses.

4. The site is suitable for this residential type of development and density because the General Plan and South Escondido Boulevard Neighborhood Plan already allows for multi-story high density residential development. The site is relatively flat and extensive grading is not proposed. The project would be compatible with the surrounding uses because the subject site is adjacent to a variety of commercial and residential developments of varying density and design. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. Appropriate noise attenuation would

be provided for the new units. The proposed project also would not result in a significant impact to biological or cultural resources because appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level.

5. The design of the residential map and the type of improvements are not likely to cause serious public health problems because the project would not degrade the levels of service on the adjoining streets or drainage systems. Adequate water and sewer could be provided to the site. The project would not cause substantial environmental damage and avoidably injure fish or wildlife or their habitat because appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level.

6. The design of the map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map because any existing easements and improvements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.

7. All of the requirements of the California Environmental Quality Act (CEQA) have been met because the findings of the environmental analysis (as demonstrated in ENV15-0011) are that the Initial Study identified effects related to biological resources, geology/soils, noise, cultural and tribal cultural resources that might be potentially significant. However, design and minimization measures, revisions in the project plans and/or mitigation measures provide mitigation to a point where potential impacts are reduced to less than a significant level. The City also has complied with the provisions of Assembly Bill 52 regarding consultation with the Native American Tribes and appropriate mitigation measures have been included to address potential impacts to tribal cultural resources.

8. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Lot sizes and the subdivision configuration provides opportunities for passive/solar heating. Landscaping would provide passive cooling opportunities via shading of each unit.

9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code (Chapter 33 Zoning) will have been obtained prior to the recordation of the map.

10. The proposed map and associated planned development will not conflict with regional or local housing the proposed infill residential project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. 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. All lots would maintain all development standards of the applicable zone (in accordance with Article 19, Planned Development) and observe the density of the General Plan and area plans, as noted in the sections above.

11. The proposed map meets all of the requirements or conditions imposed by the Map Act and the Escondido Zoning Code, as detailed in the staff reports, the Escondido General Plan and above findings.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Del Prado North and South
SUB15-0022 and SUB15-0023, PHG15-0031

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 Community Development.

7. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. An Acoustical Analysis (Interior Noise Assessment) shall be submitted with the building plans for the project. Any measures recommended in the study shall be incorporated into the building plans with appropriate notes/specifications.

8. 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.
9. Three (3) copies of the tentative map, reflecting any modifications 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.

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

11. Copies of the CC&Rs shall be submitted to the Engineering Division and Planning Division for review and approval prior to Final Map and grading plans for the project. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, 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 vehicle. Any storage shall not restrict the

parking of vehicles within the garage. A homeowners' association shall be established in accordance with Department of Real Estate requirements.

12. Prior to the Final Map approval and issuance of grading permits, a parking management plan shall be included with the CC&Rs which details any assigned spaces, on-site vehicular maintenance and guest parking.

13. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. Any major modifications to the exterior architectural building elements or lessening of the quality of the exterior design shall require approval by the Director of Community Development, and or the Planning Commission as may be recommended by the Director.

14. A separate sign permit would be required for any project identification in conformance with the City's Sign Ordinance. Any additional signage not included as part of this Planned Development would be subject to the City's Sign Ordinance for multi-family residential projects. The final location and design/height of the monument signs shall ensure appropriate sight distance is maintained at intersections and driveways, and signs are placed outside of the right-of-way, to the satisfaction of the Engineering Division.

15. Any 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. Appropriate decorative screening shall be placed around the ground-mounted units where visible from the exterior of the project.

16. A minimum of 252 on-site 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. On-street parking spaces along Brotherton Road may be counted towards meeting the guest spaces for the project, to the satisfaction of the Director of Community Development.

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

18. 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.

19. Balconies, patios and courtyards shall be kept in a neat and orderly manner. 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.

20. All new utilities shall be underground.

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

22. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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 $2,260.25 for a project with a Negative Declaration. In addition, these fees include an additional authorized County administrative handling fee of $50.00. 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.

23. The Master and Precise Development Plan approvals shall expire concurrently with the expiration of the companion tentative subdivision map(s), unless an extension of time is granted.

24. The project shall be in compliance with all of the following mitigation measures, as well as the Air Quality, Geology/Soils, Greenhouse Gas, and Hazards and Hazardous Materials Design Measures identified in the Final MND:

BIO-1 Avoidance of Nesting Raptors.

To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the City shall enforce the following: 1. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey shall be conducted within 72 hours prior to the start of construction. The project applicant shall not be responsible for physically surveying off-site habitat where access is not permitted; the qualified biologist shall visually inspect these off-site areas with the aid of binoculars or a spotting scope.

BIO 2.

If any nesting raptors are present on or within 500 feet of the proposed project construction area, the project applicant shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Active nests within off-site areas where access is not permitted shall not be flagged or demarcated. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet, shall be required until the qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. The avoidance buffer may be reduced at the discretion of the qualified biologist and with written consent from the USFWS and CDFW. If the qualified biologist determines that a narrower buffer is warranted, the qualified biologist shall provide USFWS and CDFW with a written explanation as to why. Based on the submitted explanation, USFWS and CDFW would determine whether to allow the narrower buffer. Avoidance buffers for active nests within off-site areas where existing developments already occur shall not be required.

CUL-1

The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and

religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

CUL-2

Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

CUL-3

The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

CUL-4

During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

CUL-5

In the event that previously unidentified Tribal Cultural Resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

CUL- 6

If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

CUL-7

The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before

construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

CUL-8

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

CUL-9

If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any Tribal Cultural Resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

CUL-10

Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

GEO-1

Implementation of Geotechnical Recommendations. The site-specific Geotechnical Investigation includes a number of general and specific recommendations that shall be implemented in the design and construction of the proposed project to minimize (a) the potential for exposure to soils with corrosive properties and associated potential for deterioration and eventual failure of underground concrete and metal structures, and (b) the potential concern associated with expansive soils on site, as summarized herein. Corrosion recommendations that shall be implemented include, but are not limited to: (1) further testing by a firm that specializes in corrosion engineering to determine next steps associated with corrosive soils, if any. Expansive soils recommendations that shall be implemented include, but are not limited to: (1) removal of

unsuitable materials during site preparation and grading; (2) confirmation that fill material exhibits "very low" or "low" expansion potential (per CBC standards); and (3) testing of proposed fill materials for suitability (including expansion potential). Finally, site grading plans shall be reviewed by a qualified geotechnical consultant prior to final design submittal to determine if additional analysis and recommendations beyond those summarized above (and listed in full in the Geotechnical Investigation) are required. Any and all geotechnical recommendations shall be fully implemented in accordance with applicable industry/regulatory standards (e.g., the CBC requirements).

NOI-1

Interior Noise Attenuation. Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed residences that face Brotherton Road or S. Centre City Parkway where exterior noise levels are expected to exceed 60 CNEL to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. The analysis shall also assume a "windows-closed" condition and that vehicles on Centre City Parkway are traveling at 50 mph. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered. Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).

NOI-2

Vibration Attenuation. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, that results in a level that exceeds 80 VdB at off-site residences or 83 VdB at the off-site KinderCare childcare center. Operation of a vibratory roller or equivalent shall be avoided within 75 feet of any off-site residence or 60 feet of the off-site childcare center.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division in conjunction with the submittal of the Final Map and Grading Plans, and shall be equivalent or superior to the concept plan attached as exhibit(s) in the staff report(s). A plan check fee of will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in the City's Landscape Standards as well as the State Model Water Efficient Landscape Ordinance. 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. The landscape design for the storm water basins shall be a visual amenity for the project to include an appropriate variety of plants and features. The larger storm water feature located on Del Prado North shall include accent trees along the slope areas if the placement would not conflict with the storm water design/function. The two larger storm water features on Del Prado

South shall incorporate trees into the design where the placement does not conflict with any public utility easements/improvements.

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

5. 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.

6. 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.

7. 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0022, Del Prado North

GENERAL

1. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2. As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3. No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4. 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.

5. 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.
6. The project owner shall submit to the Planning Department 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal

and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2. The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

3. The project owner shall be responsible for construction of frontage improvements along Brotherton Road to Local Collector Street standards with modified curb returns and signing and striping as indicated on the project Tentative Map and to the satisfaction of the City Engineer. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards.

4. The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (width could be reduced to 32 feet where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along the easterly side of S. Centre City Parkway to the requirements of the City Engineer.

5. The project owner shall be required to modify the existing intersections of Brotherton Road with Centre City Parkway and S. Center City Parkway with signing, striping and southwest corner surface improvements in accordance with the project Tentative Map and to the requirements of the City Engineer.

6. City standard Street Lights shall be installed at project entrance, intersection of Brotherton Road with S. Centre City Parkway and along project frontages in accordance with the City Design Standards.

7. The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for intersections of Brotherton Road with Centre City Parkway and S. Centre City Parkway and along project's frontages on Brotherton Road and S. Centre City Parkway. Signing and striping design shall include a stop control for the east bound traffic on Brotherton Road at S. Centre City Parkway. The developer will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

8. All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

9. The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on Brotherton Road.

10. The project owner 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.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2. 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4. The project owner 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.

5. 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 (1) or more acres.

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

7. Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1. A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite

cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2. All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by Home Owners' Association. Provisions stating this shall be included in the CC&Rs.

3. All frontages landscaping along Brotherton Road and S. Centre City Parkway shall be maintained by Home Owners Association. Provisions stating this shall be included in the CC&Rs.

4. The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1. The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1. The project owner is required to design and construct an onsite/offsite public sewer system to serve the project in accordance with the City of Escondido Design Standards and to the requirements of the Utilities Engineer.

2. All sewer laterals within the project are private and shall be maintained by the home owners association.

CC&Rs

1. Copies of the CC&R's (along with the appropriate review fee) shall be submitted to the Engineering Division and Planning Department for approval prior to approval of the Final Map.

2. The project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, walls, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontages on Brotherton Road and S. Centre City Parkway by the Homeowners' Association.

4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5. The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6. The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Homeowners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

2. Necessary public utilities 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 to the requirements of the Utilities Engineer.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

4. The project owner 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. 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.

5. The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground. The project owner 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0023, Del Prado South

GENERAL

1 Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2 As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3 No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4 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.

5 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.

6 The project owner shall submit to the Planning Division 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Division verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1 Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal

and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2 The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (Width could be reduced to 32 where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along easterly side of S. Centre City Parkway to the requirements of City Engineer.

3 City standard Street Lights shall be installed at project entrance on S. Centre City Parkway and along the roadways in accordance with the City Design Standards.

4 The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for Brotherton Road. The project owner will be responsible for refreshing the existing intersection striping at Citracado Parkway and S. Centre City Parkway, if required by the City Engineer based on intersection striping condition prior to project completion. The project owner will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

5 All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

6 The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on S. Centre City Parkway.

7 The project owner 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 City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1 A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3 Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4 The project owner 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.

5 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 (1) or more acres.

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

7 Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1 A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2 All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by homeowners' association. Provisions stating this shall be included in the CC&Rs.

3 All frontages landscaping along S. Centre City Parkway and Brotherton Road shall be maintained by homeowners association. Provisions stating this shall be included in the CC&Rs.

4 The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1 The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2 All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1 The project owner is required to design and construct an onsite public sewer system in accordance with the City of Escondido Design Standards and to the requirements of Utilities Engineer. Any changes to the proposed sewer system design due to conflict with other utilities shall, be approved by the Utilities Engineer prior to submittal of final plans for review and approval.

2 All sewer laterals within the project are private and shall be maintained by the homeowners association.

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 project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and emergency access road and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3 CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontage on S. Centre City Parkway by the Homeowners' Association.

4 The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5 The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6 The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Home Owners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1 The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

2 All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

3 Necessary public utilities 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 to the requirements of Utilities Engineer.

4 All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

5 The project owner 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. 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.

6 The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install

new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground.

3. The project owner 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.

Mitigation Monitoring Reporting Program

PROJECT NAME: Del Prado North and South
PROJECT DESCRIPTION: 113 Unit Condominium-Townhome Project
Tentative Subdivision Maps, Master and Precise Development Plan

NEG .NEC. NO. ENV15-0011
ASSOC. CASE NOs.: SUB15-0022 and -23
PHG15-0031
APPROVAL BODY/DATE: City Council
PROJECT MANAGER: Jay Paul, Assoc. Planner
(760) 839-4537

PROJECT LOCATION: 2329 S. Centre City Parkway (APNs 238-130-11, -26, -27 -35 and -36)
(Note: address and APNs will change with Recordation of Maps and issuance of building permits)
CONTACT PERSON: Brian Nestoroff (Touchstone Communities)
PHONE NUMBER: (858) 248-4952

Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTATION	CERTIFIED INTIAL/DATE	COMMENTS
Biology Prior to site grading/clearing	BIO-1 Avoidance of Nesting Raptors. To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the City shall enforce the following: 1. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey shall be conducted within 72 hours prior to the start of construction. The project applicant shall not be responsible for physically surveying off-site habitat where access is not permitted; the qualified biologist shall visually inspect these off-site areas with the aid of binoculars or a spotting scope.	Biology III. No. 1	Applicant/Developer Project Biologist Planning Div.		
Biology Prior to grading/construction	BIO 2. If any nesting raptors are present on or within 500 feet of the proposed project construction area, the project applicant shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Active nests within off-site areas	Biology III. No. 2	Applicant/Developer Project Biologist Planning Div. Field Eng.		

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	where access is not permitted shall not be flagged or demarcated. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet, shall be required until the qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. The avoidance buffer may be reduced at the discretion of the qualified biologist and with written consent from the USFWS and CDFW. If the qualified biologist determines that a narrower buffer is warranted, the qualified biologist shall provide USFWS and CDFW with a written explanation as to why. Based on the submitted explanation, USFWS and CDFW would determine whether to allow the narrower buffer. Avoidance buffers for active nests within off-site areas where existing developments already occur shall not be required.				
Cultural Prior to approval of grading plans/permits	CUL-1 The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.	Cultural IV. No. 1	Applicant/Developer Planning Div.		
Cultural Prior to approval of grading plans and issuance of grading permit	CUL-2 Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.	Cultural IV. No. 2	Applicant/Developer Planning Div.		

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Cultural Prior to site grading/clearing	CUL-3 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.	Cultural IV. No. 3	Applicant/Developer Project Archaeologist Monitor Planning Div.		
Cultural During site grading grading/clearing	CUL-4 During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.	Cultural IV. No. 4	Applicant/Developer Project Archaeologist Monitor Planning Div. Field Eng.		
Cultural During site grading/clearing should resource be discovered	CUL-5 In the event that previously unidentified Tribal Cultural Resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.	Cultural IV. No. 5	Applicant/Developer Project Archaeologist Monitor Planning Div. Field Eng		
Cultural During site grading/clearing should resources be discovered	CUL- 6 If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.	Cultural IV. No. 6	Applicant/Developer Project Archaeologist Monitor Planning Div.		
Cultural During site grading/clearing should resource be discovered	CUL-7 The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been	Cultural IV. No. 7	Applicant/Developer Project Archaeologist Monitor Planning Div.		

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	discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.				
Cultural During site grading/clearing should any remains be discovered	CUL-8 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.	Cultural IV. No. 8	Applicant/Developer San Diego Co. Coroner's Office Project Archaeologist Monitor Planning Div.		
Cultural During site grading/clearing should any remains be discovered	CUL-9 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does	Cultural IV. No. 9	Applicant/Developer Project Archaeologist Monitor		

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	not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any Tribal Cultural Resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.				
Cultural Prior to release of grading bond	CUL-10 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources	Cultural IV. No. 10	Applicant/Developer Project Archaeologist Engineering Div./Field Engineering Planning Div.		
Geology and Soils Prior to approval of grading plans/permits. Incorporation of recommendations into plans.	GEO-1 Implementation of Geotechnical Recommendations. The site-specific Geotechnical Investigation includes a number of general and specific recommendations that shall be implemented in the design and construction of the proposed project to minimize (a) the potential for exposure to soils with corrosive properties and associated potential for deterioration and eventual failure of underground concrete and metal structures, and (b) the potential concern associated with expansive soils on site, as summarized herein. Corrosion recommendations that shall be implemented include, but are not limited to: (1) further testing by a firm that specializes in corrosion engineering to determine next steps associated with corrosive soils, if any. Expansive soils recommendations that shall be implemented include, but are not limited to: (1) removal of unsuitable materials during site preparation and grading; (2) confirmation that fill material exhibits "very low" or "low" expansion potential (per CBC standards); and (3) testing of proposed fill materials for suitability (including expansion potential). Finally, site grading plans shall be reviewed by a	Geology V. No. 1	Applicant/Developer Project Engineer Engineering Div. Planning Div.		

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	qualified geotechnical consultant prior to final design submittal to determine if additional analysis and recommendations beyond those summarized above (and listed in full in the Geotechnical Investigation) are required. Any and all geotechnical recommendations shall be fully implemented in accordance with applicable industry/regulatory standards (e.g., the CBC requirements).				
Noise Prior to issuance of building permit	NOI-1 Interior Noise Attenuation. Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed residences that face Brotherton Road or S. Centre City Parkway where exterior noise levels are expected to exceed 60 CNEL to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. The analysis shall also assume a "windows-closed" condition and that vehicles on Centre City Parkway are traveling at 50 mph. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered. Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).	Noise XI. No. 1	Applicant/Developer Project Architect Building Div. Planning Div.		
Noise Operational during grading/construction	NOI-2 Vibration Attenuation. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, that results in a level that exceeds 80 VdB at off-site residences or 83 VdB at the off-site KinderCare childcare center. Operation of a vibratory roller or equivalent shall be avoided within 75 feet of any off-site residence or 60 feet of the off-site childcare center.	Noise IX. No. 2	Applicant/Developer Const. Contractor Field Engineering		

Resolution No. 2016-67
Exhibit B
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CODE COMPLIANCE

Ongoing monitoring to ensure compliance with all mitigation measures, conditions of approval, operational requirements, standards, codes and regulations.	Project Applicant City of Escondido Planning Division Wildlife Agencies	Public Works Dept. Code Enforcement Div. Police Dept.	Building Dept. City Attorney Fire Dept.
Enforcement of the project conditions, mitigation measures, codes, standards and regulations are handled through inspection and evaluation procedures by the above mentioned City Departments and upon failure to comply with the conditions, the project may be referred to the Planning Commission for review and possible modification or revocation of the permit.	City of Escondido		

Resolution No. 2016-67
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EXHIBIT "C"

Resolution No. 2016-67
Exhibit C
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SUB15-0022, SUB15-0023
PHG15-0031, AZ15-0002
Property Description

Del Prado North:

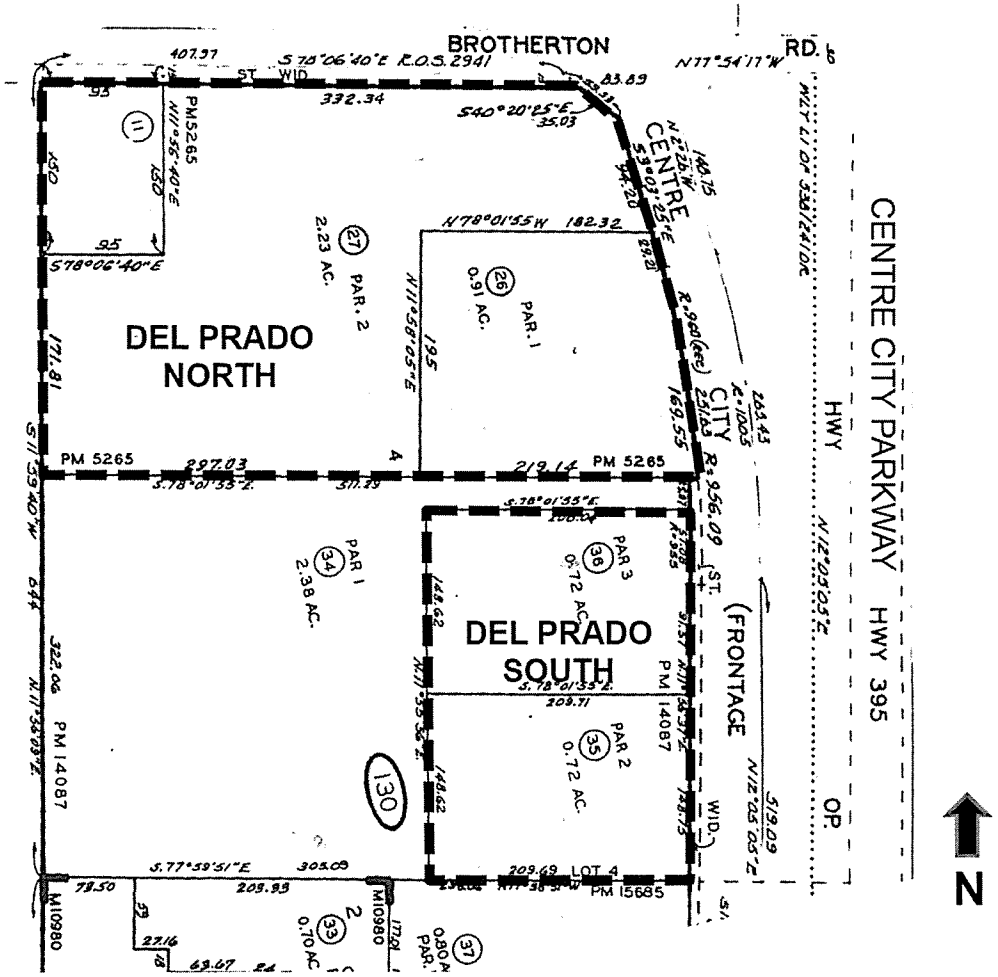
Parcels 1 and 2 of Parcel Map No. 5265 in the City of Escondido, County of San Diego (APNs 238-130-26 and -27)

The northerly 150 feet of the westerly 95 feet of that portion of the north half of Lot 4, in Block 29 of Homeland Acres Addition to Escondido No. 2 according to Map thereof No. 1241 (APN 238-130-11)

Del Prado South:

Parcel 2 of Escondido Parcel Map No. 82-24 according to Parcel Map No. 14087, together with the southerly 15.00 feet of Parcel 3 of Parcel Map 14087 (APN 238-130-35).

Parcel 3 of Escondido Parcel Map No. 82-34 according to Parcel Map No. 14087 (APN 238-130-36)



ORDINANCE NO. 2016-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MASTER AND PRECISE DEVELOPMENT PLAN, ZONE CHANGE FROM CG TO PD-R 24 AND AN AMENDMENT TO THE SOUTH ESCONDIDO BOULEVARD NEIGHBORHOOD PLAN FOR APPROXIMATELY 4.9 ACRES OF LAND GENERALLY LOCATED ON THE WESTERN SIDE OF SOUTH CENTRE CITY PARKWAY AND SOUTH OF BROTHERTON ROAD, ADDRESSED AS 2329 S. CENTRE CITY PARKWAY

Planning Case Nos.: PHG15-0031 and AZ15-0002

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That proper notices of a public hearing have been given and a public hearing has been held before the City Council on this issue.

SECTION 2. That on April 26, 2016, the Planning Commission recommended denial of the proposed Master and Precise Development Plan to develop 113 residential condominium units, Zone Change from CG (General Commercial) to PD-R 24 (Planned Development–Residential, up to 24 dwelling units per acre), and an Amendment to the South Escondido Boulevard Neighborhood Plan to allow a residential development without a mixed-use component on the approximately 4.9-acre subject site.

SECTION 3. As the final decision making body on this matter, the City Council has made findings in Resolutions 2016-66 and 2016-67, and determined to reverse the decision of the Planning Commission.

SECTION 4. That the City Council has reviewed and considered the Mitigated Negative Declaration (City File No. ENV15-0011) and Mitigation Monitoring Report Program and has determined that all environmental issues associated with the project have been addressed and no significant environmental impacts will result from approving the project.

SECTION 5. That upon consideration of the Findings/Factors to be Considered, attached as Exhibit "A" and incorporated by this reference, the staff report, Planning Commission recommendation, and all public testimony presented at the hearing held on this project, and notwithstanding the Planning Commission determination, this City Council finds this Master and Precise Development Plan, Zone Change and Amendment to the South Escondido Boulevard Neighborhood Plan is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 6. That the Zone District Map of the City of Escondido is hereby amended by reclassifying the real property described and depicted on Exhibit "C" from CG to PD-R 24.

SECTION 7. That Section 6. Uses and Structures, of the South Escondido Boulevard Neighborhood Plan is hereby amended to include the following language:

(f) *Residential development without a commercial component may be permitted on the 4.9-acre property located on the southwestern corner of Brotherton Road and S. Centre City Parkway (APNs 238-130-11, -26, -27, -35 and -36), and shall be processed in accordance with the planned development process specified in Article 19 of the Escondido Zoning Code. The density of any project shall be a*

maximum of 24 dwelling units per acre and the maximum height shall be three stories.

SECTION 8. That the City Council desires at this time and deems it to be in the best public interest to approve the requested Master and Precise Development Plan to develop 113 residential condominium units subject to the Conditions of Approval and Mitigation Monitoring Report attached as Exhibit "B," on approximately 4.9 acres of land located on the eastern side of South Centre City Parkway and southern side of Brotherton Road, addressed as 2329 S. Centre City Parkway, more particularly described and depicted in the attached Exhibit "C," both of which are attached to this Ordinance and are incorporated by this reference.

SECTION 9. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be prepared in accordance with Government Code section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED
PHG15-0031, AZ15-0002

Master and Precise Development Plan

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor Area 'B.' The site also is located within the South Escondido Boulevard Neighborhood Plan, which is an overlay zone established for the South Escondido Corridor and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. The proposed overall density of the project would be approximately 23 du/ac (113 residential units/4.9 acres) and would be in conformance with the density requirements of the South Escondido Boulevard Neighborhood Plan of 24 du/ac. The General Plan allows for both mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Mixed-Use development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. While a density standard has not been adopted in the General Plan for exclusively residential development, it is expected the forthcoming update to the South Escondido Boulevard Neighborhood now underway will establish a lower density for exclusively residential development consistent with the current density provisions of the South Escondido Boulevard Neighborhood Plan.

2. The proposed infill residential project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. 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.

3. The design and improvement of the proposed planned development and subdivision is consistent with the General Plan and the South Escondido Boulevard Neighborhood Plan as noted above and detailed in the staff reports prepared for the project. The proposed multi-family type development is permitted in the Centre City Parkway/Brotherton Road Target Area and the development is consistent with the development standards established for the South Escondido Boulevard Neighborhood Plan, except where noted and analyzed in this staff report.

4. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use and is well-integrated with its surroundings near residentially and commercially developed properties because adequate parking, access, on-site circulation, utilities, as well as appropriate setbacks and perimeter landscaping would be provided (as detailed in the staff report and Final Mitigated Negative Declaration). The residential project also would not be out of character for the area which contains other multi-story residential developments. The design of the project would be in conformance with the South Escondido Design Guidelines because the project would provide residential units with varying number of rooms and sizes to accommodate a wide range of housing needs (with ownership opportunities). The project includes a variety of amenities such as individual balconies for selected units, enhanced walkways and paving, and active and passive recreation/landscape features. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.

5. The proposed Master and Precise Development Plan would not cause deterioration of bordering land uses and the site is physically suitable for the proposed development because the subject parcels are relatively flat and extensive grading is not proposed. The proposed grading design would not result in any manufactured slopes or pads that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. The design of the project would be compatible with the variety of residential and commercial development surrounding the site and located along the commercial corridor.

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

6. The overall design of the proposed planned development would produce an attractive residential development because the project contains a mix of townhome/condominium type units (with ownership opportunities) and landscape amenities that provide an appropriate transition between the adjacent residential and commercial land uses. Although the buildings would be larger and taller than adjacent one- and two-story residential structures, the overall mass and height of the three-story units and compatibility with the surrounding neighborhood has been addressed through the use of multiple smaller building groups rather than fewer but larger buildings; architectural style and building materials similar to adjacent single- and multi-family development; varied building setbacks around the perimeter of the site and larger setbacks adjacent to residential uses; varied wall planes and roof lines; and perimeter fencing/walls and landscaping to provide the appropriate transition between the adjacent land uses.

7. The uses proposed have a beneficial effect not obtainable under existing zoning regulations because the project proposes an exclusively residential development within the South Escondido Boulevard Neighborhood Plan that would be more compatible with the surrounding neighborhood than a typical commercial project or higher density mixed-use development. The project must be processed through the Planned Development process in accordance with the South Escondido Boulevard Neighborhood Plan (Ord. 92-01 and planned developments may set their own development standards to encourage creative approaches to the use of land through variation in the siting of buildings and design that enhances the appearance and livability of the community. The proposed development proposes a variety of setbacks on all four sides of the two project components to correspond to the variety of adjacent land uses. The project would provide 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 because the findings of the environmental analysis (as demonstrated in ENV15-0011) are that the Initial Study identified effects related to biological resources, geology/soils, noise, cultural and tribal cultural resources that might be potentially significant. However, design and minimization measures, revisions in the project plans and/or mitigation measures provide mitigation to a point where potential impacts are reduced to less than a significant level. The City also has complied with the provisions of Assembly Bill 52 regarding consultation with the Native American Tribes and appropriate mitigation measures have been included to address potential impacts to tribal cultural resources.

Neighborhood Plan Code Amendment and Zone Change

1. The public health, safety and welfare will not be adversely affected by the proposed Zone Change from CG (General Commercial) to PD-R (Planned Development-Residential) because the General Plan allows for mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). While mixed-use residential development within the Target Area is required to provide a minimum density of 30 dwelling units per acre, the project provides an overall density of 23 dwelling units per acre and there is no minimum density requirement for exclusively residential development. The proposed project would provide an appropriate transition from the lower density single-family residential development on the west, multi-family development on the southwest and adjacent commercial development to the north, south and east across Centre City Parkway. Adequate public services and access can be provided to the site. The project would not result in any significant impacts to the environment, as demonstrated in Final Mitigated Negative Declaration (MND).

2. The property involved is suitable for the uses permitted by the proposed PD-R zone because the General Plan and Neighborhood Plan for the parcels currently allow for multi-story residential development. The General Plan allows for exclusively residential development within the South Escondido Boulevard corridor subject to the Planned Development Zone. The project has been designed to be compatible with the mix of

surrounding commercial and residential development through the use of appropriate grading, building design and orientation, setbacks, walls/fencing and perimeter landscaping.

3. The uses permitted by the proposed PD-R-zone would not be detrimental to surrounding properties because a mix of commercial, utility, multi- and single-family residential uses surround the project site. The proposed PD-R 24 zone and amendment to the South Escondido Boulevard Neighborhood Plan to allow for an exclusively residential project would be in conformance with the Escondido General Plan as detailed in the sections above. The scale of the project would be in substantial conformance with the general pattern of commercial and residential development within the area. The proposed change of zone would not result in a significant impact to the environment, nor impact existing services or degrade levels of-service to adjacent streets, as detailed in the staff report and environmental analysis (ENV15-0011).

4. The proposed zone change would not conflict with any specific plans for the area because the project would be in conformance with and Escondido General Plan which allows for exclusively residential development. The proposed amendment to the South Escondido Boulevard Neighborhood Plan is necessary to implement to provisions of the Escondido General Plan, as indicated in the staff report and above. The Planned Residential Development zoning designation is necessary to implement the project in conformance with the General Plan and South Escondido Boulevard requirements. The proposal to allow an exclusively residential project in this location would be appropriate because this type of development would serve as an appropriate transition between the mix of commercial, utility and commercial uses. An exclusively residential development at this location would provide an additional catalyst for future residential, mixed-use and commercial development to support the General Plan goals and vision along this corridor.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Del Prado North and South
SUB15-0022 and SUB15-0023, PHG15-0031

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 Community Development.

7. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. An Acoustical Analysis (Interior Noise Assessment) shall be submitted with the building plans for the project. Any measures recommended in the study shall be incorporated into the building plans with appropriate notes/specifications.

8. 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.
9. Three (3) copies of the tentative map, reflecting any modifications 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.

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

11. Copies of the CC&Rs shall be submitted to the Engineering Division and Planning Division for review and approval prior to Final Map and grading plans for the project. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, 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 vehicle. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established in accordance with Department of Real Estate requirements.

12. Prior to the Final Map approval and issuance of grading permits, a parking management plan shall be included with the CC&Rs which details any assigned spaces, on-site vehicular maintenance and guest parking.

13. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. Any major modifications to the exterior architectural building elements or lessening of the quality of the exterior design shall require approval by the Director of Community Development, and or the Planning Commission as may be recommended by the Director.

14. A separate sign permit would be required for any project identification in conformance with the City's Sign Ordinance. Any additional signage not included as part of this Planned Development would be subject to the City's Sign Ordinance for multi-family residential projects. The final location and design/height of the monument signs shall ensure appropriate sight distance is maintained at intersections and driveways, and signs are placed outside of the right-of-way, to the satisfaction of the Engineering Division.

15. Any 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. Appropriate decorative screening shall be placed around the ground-mounted units where visible from the exterior of the project.

16. A minimum of 252 on-site 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. On-street parking spaces along Brotherton Road may be counted towards meeting the guest spaces for the project, to the satisfaction of the Director of Community Development.

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

18. 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.

19. Balconies, patios and courtyards shall be kept in a neat and orderly manner. 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.

20. All new utilities shall be underground.

21. Appropriate backup/kicker areas shall be provided at the terminus of drive isles. These area shall be identified on the grading and site plans.
22. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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 $2,260.25 for a project with a Negative Declaration. In addition, these fees include an additional authorized County administrative handling fee of $50.00. 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.

23. The Master and Precise Development Plan approvals shall expire concurrently with the expiration of the companion tentative subdivision map(s), unless an extension of time is granted.

24. The project shall be in compliance with all of the following mitigation measures, as well as the Air Quality, Geology/Soils, Greenhouse Gas, and Hazards and Hazardous Materials Design Measures identified in the Final MND:

BIO-1 Avoidance of Nesting Raptors.

To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the City shall enforce the following: 1. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey shall be conducted within 72 hours prior to the start of construction. The project applicant shall not be responsible for physically surveying off-site habitat where access is not permitted; the qualified biologist shall visually inspect these off-site areas with the aid of binoculars or a spotting scope.

BIO 2.

If any nesting raptors are present on or within 500 feet of the proposed project construction area, the project applicant shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Active nests within off-site areas where access is not permitted shall not be flagged or demarcated. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet, shall be required until the qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. The avoidance buffer may be reduced at the discretion of the qualified biologist and with written consent from the USFWS and CDFW. If the qualified biologist determines that a narrower buffer is warranted, the qualified biologist shall provide USFWS and CDFW with a written explanation as to why. Based on the submitted explanation, USFWS and CDFW would determine whether to allow the narrower buffer. Avoidance buffers for active nests within off-site areas where existing developments already occur shall not be required.

CUL-1

The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols

and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

CUL-2

Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

CUL-3

The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

CUL-4

During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

CUL-5

In the event that previously unidentified Tribal Cultural Resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

CUL- 6

If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

CUL-7

The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the

amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

CUL-8

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

CUL-9

If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any Tribal Cultural Resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

CUL-10

Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

GEO-1

Implementation of Geotechnical Recommendations. The site-specific Geotechnical Investigation includes a number of general and specific recommendations that shall be implemented in the design and construction of the proposed project to minimize (a) the potential for exposure to soils with corrosive properties and associated potential for deterioration and eventual failure of underground concrete and metal structures, and (b) the potential concern associated with expansive soils on site, as summarized herein. Corrosion recommendations that shall be implemented include, but are not limited to: (1) further testing by a firm that specializes in corrosion engineering to determine next steps associated with corrosive soils, if any. Expansive

soils recommendations that shall be implemented include, but are not limited to: (1) removal of unsuitable materials during site preparation and grading; (2) confirmation that fill material exhibits "very low" or "low" expansion potential (per CBC standards); and (3) testing of proposed fill materials for suitability (including expansion potential). Finally, site grading plans shall be reviewed by a qualified geotechnical consultant prior to final design submittal to determine if additional analysis and recommendations beyond those summarized above (and listed in full in the Geotechnical Investigation) are required. Any and all geotechnical recommendations shall be fully implemented in accordance with applicable industry/regulatory standards (e.g., the CBC requirements).

NOI-1

Interior Noise Attenuation. Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed residences that face Brotherton Road or S. Centre City Parkway where exterior noise levels are expected to exceed 60 CNEL to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. The analysis shall also assume a "windows-closed" condition and that vehicles on Centre City Parkway are traveling at 50 mph. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered. Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).

NOI-2

Vibration Attenuation. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, that results in a level that exceeds 80 VdB at off-site residences or 83 VdB at the off-site KinderCare childcare center. Operation of a vibratory roller or equivalent shall be avoided within 75 feet of any off-site residence or 60 feet of the off-site childcare center.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division in conjunction with the submittal of the Final Map and Grading Plans, and shall be equivalent or superior to the concept plan attached as exhibit(s) in the staff report(s). A plan check fee of will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in the City's Landscape Standards as well as the State Model Water Efficient Landscape Ordinance. 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. The landscape design for the storm water basins shall be a visual amenity for the project to include an appropriate variety of plants and features. The larger storm water feature located on Del Prado North shall include accent trees along the slope areas if the placement would not

conflict with the storm water design/function. The two larger storm water features on Del Prado South shall incorporate trees into the design where the placement does not conflict with any public utility easements/improvements.

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

5. 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.

6. 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.

7. 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0022, Del Prado North

GENERAL

1. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2. As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3. No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4. 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.

5. 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.
6. The project owner shall submit to the Planning Department 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal

and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2. The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

3. The project owner shall be responsible for construction of frontage improvements along Brotherton Road to Local Collector Street standards with modified curb returns and signing and striping as indicated on the project Tentative Map and to the satisfaction of the City Engineer. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards.

4. The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (width could be reduced to 32 feet where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along the easterly side of S. Centre City Parkway to the requirements of the City Engineer.

5. The project owner shall be required to modify the existing intersections of Brotherton Road with Centre City Parkway and S. Center City Parkway with signing, striping and southwest corner surface improvements in accordance with the project Tentative Map and to the requirements of the City Engineer.

6. City standard Street Lights shall be installed at project entrance, intersection of Brotherton Road with S. Centre City Parkway and along project frontages in accordance with the City Design Standards.

7. The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for intersections of Brotherton Road with Centre City Parkway and S. Centre City Parkway and along project's frontages on Brotherton Road and S. Centre City Parkway. Signing and striping design shall include a stop control for the east bound traffic on Brotherton Road at S. Centre City Parkway. The developer will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

8. All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

9. The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on Brotherton Road.

10. The project owner 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.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2. 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4. The project owner 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.

5. 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 (1) or more acres.

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

7. Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1. A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite

cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2. All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by Home Owners' Association. Provisions stating this shall be included in the CC&Rs.

3. All frontages landscaping along Brotherton Road and S. Centre City Parkway shall be maintained by Home Owners Association. Provisions stating this shall be included in the CC&Rs.

4. The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1. The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1. The project owner is required to design and construct an onsite/offsite public sewer system to serve the project in accordance with the City of Escondido Design Standards and to the requirements of the Utilities Engineer.

2. All sewer laterals within the project are private and shall be maintained by the home owners association.

CC&Rs

1. Copies of the CC&R's (along with the appropriate review fee) shall be submitted to the Engineering Division and Planning Department for approval prior to approval of the Final Map.

2. The project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, walls, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontages on Brotherton Road and S. Centre City Parkway by the Homeowners' Association.

4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5. The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6. The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Homeowners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector
Brotherton Road	Unclassified Local Collector

All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

2. Necessary public utilities 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 to the requirements of the Utilities Engineer.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

4. The project owner 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. 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.

5. The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground. The project owner 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.

ENGINEERING CONDITIONS OF APPROVAL
SUB 15-0023, Del Prado South

GENERAL

1 Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement Plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a grading bond for all grading, landscaping and private improvements (not including the buildings) prior to approval of the Grading/Private Improvement Plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2 As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.

3 No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.

4 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.

5 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.

6 The project owner shall submit to the Planning Division 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified by the Planning Division verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1 Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal

and Director of Community Development, and shall be shown on the Grading/Private Improvement Plans.

2 The project owner shall construct public and private street improvements for the following streets:

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

The project owner shall be responsible for construction of frontage improvements along S. Centre City Parkway to Local Collector Street standards to provide for minimum 36 feet of roadway width (Width could be reduced to 32 where existing power poles are in conflict with improvements). A curb shall be installed along the easterly edge of the roadway. Required improvements shall include upgrading or remove and reconstruction of existing roadway section to Local Collector standards. The project owner is required to stabilize all disturbed areas along easterly side of S. Centre City Parkway to the requirements of City Engineer.

3 City standard Street Lights shall be installed at project entrance on S. Centre City Parkway and along the roadways in accordance with the City Design Standards.

4 The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for Brotherton Road. The project owner will be responsible for refreshing the existing intersection striping at Citracado Parkway and S. Centre City Parkway, if required by the City Engineer based on intersection striping condition prior to project completion. The project owner will be responsible for removal of all existing signing and striping, pavement rehabilitation to allow for new signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

5 All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. A Homeowners Association will be responsible for the maintenance of all onsite streets.

6 The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project access on S. Centre City Parkway.

7 The project owner 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 City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1 A site grading and erosion control plan shall be approved by the Engineering Division. 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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.

2 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

3 Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4 The project owner 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.

5 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 (1) or more acres.

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

7 Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

1 A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.

2 All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by homeowners' association. Provisions stating this shall be included in the CC&Rs.

3 All frontages landscaping along S. Centre City Parkway and Brotherton Road shall be maintained by homeowners association. Provisions stating this shall be included in the CC&Rs.

4 The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

1 The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of the Utilities Engineer.

2 All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

SEWER

1 The project owner is required to design and construct an onsite public sewer system in accordance with the City of Escondido Design Standards and to the requirements of Utilities Engineer. Any changes to the proposed sewer system design due to conflict with other utilities shall, be approved by the Utilities Engineer prior to submittal of final plans for review and approval.

2 All sewer laterals within the project are private and shall be maintained by the homeowners association.

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 project owner shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and emergency access road and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3 CC&Rs shall make provisions for maintenance of frontage landscaping, irrigation, fencing, and retaining walls along project frontage on S. Centre City Parkway by the Homeowners' Association.

4 The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.

5 The CC&Rs must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home Owners' Association when repair or replacement of private utilities is done.

6 The CC&Rs must state that (if stamped concrete or pavers are used in the private street) the Home Owners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1 The project owner shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

STREET	CLASSIFICATION
S. Centre City Parkway	Local Collector

2 All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

3 Necessary public utilities 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 to the requirements of Utilities Engineer.

4 All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

5 The project owner 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. 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.

6 The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install

new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be $50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. 69 KV lines are exempt from undergrounding, however, all other SDG&E lines and other utility companies lines occupying the same poles will be subject to undergrounding.

2. All new dry utilities to serve the project shall be constructed underground.

3. The project owner 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.

Mitigation Monitoring Reporting Program

PROJECT NAME: Del Prado North and South
PROJECT DESCRIPTION: 113 Unit Condominium-Townhome Project
Tentative Subdivision Maps, Master and Precise Development Plan

NEG .NEC. NO. ENV15-0011
ASSOC. CASE NOs.: SUB15-0022 and -23
PHG15-0031
APPROVAL BODY/DATE: City Council
PROJECT MANAGER: Jay Paul, Assoc. Planner
(760) 839-4537

PROJECT LOCATION: 2329 S. Centre City Parkway (APNs 238-130-11, -26, -27 -35 and -36)
(Note: address and APNs will change with Recordation of Maps and issuance of building permits)
CONTACT PERSON: Brian Nestoroff (Touchstone Communities)
PHONE NUMBER: (858) 248-4952

Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTATION	CERTIFIED INTIAL/DATE	COMMENTS
Biology Prior to site grading/clearing	BIO-1 Avoidance of Nesting Raptors. To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the City shall enforce the following: 1. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey shall be conducted within 72 hours prior to the start of construction. The project applicant shall not be responsible for physically surveying off-site habitat where access is not permitted; the qualified biologist shall visually inspect these off-site areas with the aid of binoculars or a spotting scope.	Biology III. No. 1	Applicant/Developer Project Biologist Planning Div.		
Biology Prior to grading/construction	BIO 2. If any nesting raptors are present on or within 500 feet of the proposed project construction area, the project applicant shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Active nests within off-site areas	Biology III. No. 2	Applicant/Developer Project Biologist Planning Div. Field Eng.		

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	where access is not permitted shall not be flagged or demarcated. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet, shall be required until the qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. The avoidance buffer may be reduced at the discretion of the qualified biologist and with written consent from the USFWS and CDFW. If the qualified biologist determines that a narrower buffer is warranted, the qualified biologist shall provide USFWS and CDFW with a written explanation as to why. Based on the submitted explanation, USFWS and CDFW would determine whether to allow the narrower buffer. Avoidance buffers for active nests within off-site areas where existing developments already occur shall not be required.				
Cultural Prior to approval of grading plans/permits	CUL-1 The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.	Cultural IV. No. 1	Applicant/Developer Planning Div.		
Cultural Prior to approval of grading plans and issuance of grading permit	CUL-2 Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.	Cultural IV. No. 2	Applicant/Developer Planning Div.		

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Cultural Prior to site grading/clearing	CUL-3 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.	Cultural IV. No. 3	Applicant/Developer Project Archaeologist Monitor Planning Div.		
Cultural During site grading grading/clearing	CUL-4 During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.	Cultural IV. No. 4	Applicant/Developer Project Archaeologist Monitor Planning Div. Field Eng.		
Cultural During site grading/clearing should resource be discovered	CUL-5 In the event that previously unidentified Tribal Cultural Resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.	Cultural IV. No. 5	Applicant/Developer Project Archaeologist Monitor Planning Div. Field Eng		
Cultural During site grading/clearing should resources be discovered	CUL- 6 If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.	Cultural IV. No. 6	Applicant/Developer Project Archaeologist Monitor Planning Div.		
Cultural During site grading/clearing should resource be discovered	CUL-7 The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been	Cultural IV. No. 7	Applicant/Developer Project Archaeologist Monitor Planning Div.		

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	discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.				
Cultural During site grading/clearing should any remains be discovered	CUL-8 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.	Cultural IV. No. 8	Applicant/Developer San Diego Co. Coroner's Office Project Archaeologist Monitor Planning Div.		
Cultural During site grading/clearing should any remains be discovered	CUL-9 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does	Cultural IV. No. 9	Applicant/Developer Project Archaeologist Monitor		

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	not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any Tribal Cultural Resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.				
Cultural Prior to release of grading bond	CUL-10 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources	Cultural IV. No. 10	Applicant/Developer Project Archaeologist Engineering Div./Field Engineering Planning Div.		
Geology and Soils Prior to approval of grading plans/permits. Incorporation of recommendations into plans.	GEO-1 Implementation of Geotechnical Recommendations. The site-specific Geotechnical Investigation includes a number of general and specific recommendations that shall be implemented in the design and construction of the proposed project to minimize (a) the potential for exposure to soils with corrosive properties and associated potential for deterioration and eventual failure of underground concrete and metal structures, and (b) the potential concern associated with expansive soils on site, as summarized herein. Corrosion recommendations that shall be implemented include, but are not limited to: (1) further testing by a firm that specializes in corrosion engineering to determine next steps associated with corrosive soils, if any. Expansive soils recommendations that shall be implemented include, but are not limited to: (1) removal of unsuitable materials during site preparation and grading; (2) confirmation that fill material exhibits "very low" or "low" expansion potential (per CBC standards); and (3) testing of proposed fill materials for suitability (including expansion potential). Finally, site grading plans shall be reviewed by a	Geology V. No. 1	Applicant/Developer Project Engineer Engineering Div. Planning Div.		

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	qualified geotechnical consultant prior to final design submittal to determine if additional analysis and recommendations beyond those summarized above (and listed in full in the Geotechnical Investigation) are required. Any and all geotechnical recommendations shall be fully implemented in accordance with applicable industry/regulatory standards (e.g., the CBC requirements).				
Noise Prior to issuance of building permit	NOI-1 Interior Noise Attenuation. Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed residences that face Brotherton Road or S. Centre City Parkway where exterior noise levels are expected to exceed 60 CNEL to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. The analysis shall also assume a "windows-closed" condition and that vehicles on Centre City Parkway are traveling at 50 mph. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered. Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).	Noise XI. No. 1	Applicant/Developer Project Architect Building Div. Planning Div.		
Noise Operational during grading/construction	NOI-2 Vibration Attenuation. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, that results in a level that exceeds 80 VdB at off-site residences or 83 VdB at the off-site KinderCare childcare center. Operation of a vibratory roller or equivalent shall be avoided within 75 feet of any off-site residence or 60 feet of the off-site childcare center.	Noise IX. No. 2	Applicant/Developer Const. Contractor Field Engineering		

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CODE COMPLIANCE

Ongoing monitoring to ensure compliance with all mitigation measures, conditions of approval, operational requirements, standards, codes and regulations.	Project Applicant City of Escondido Planning Division Wildlife Agencies	Public Works Dept. Code Enforcement Div. Police Dept.	Building Dept. City Attorney Fire Dept.
Enforcement of the project conditions, mitigation measures, codes, standards and regulations are handled through inspection and evaluation procedures by the above mentioned City Departments and upon failure to comply with the conditions, the project may be referred to the Planning Commission for review and possible modification or revocation of the permit.	City of Escondido		

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EXHIBIT "C"

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SUB15-0022, SUB15-0023
PHG15-0031, AZ15-0002
Property Description

Del Prado North:

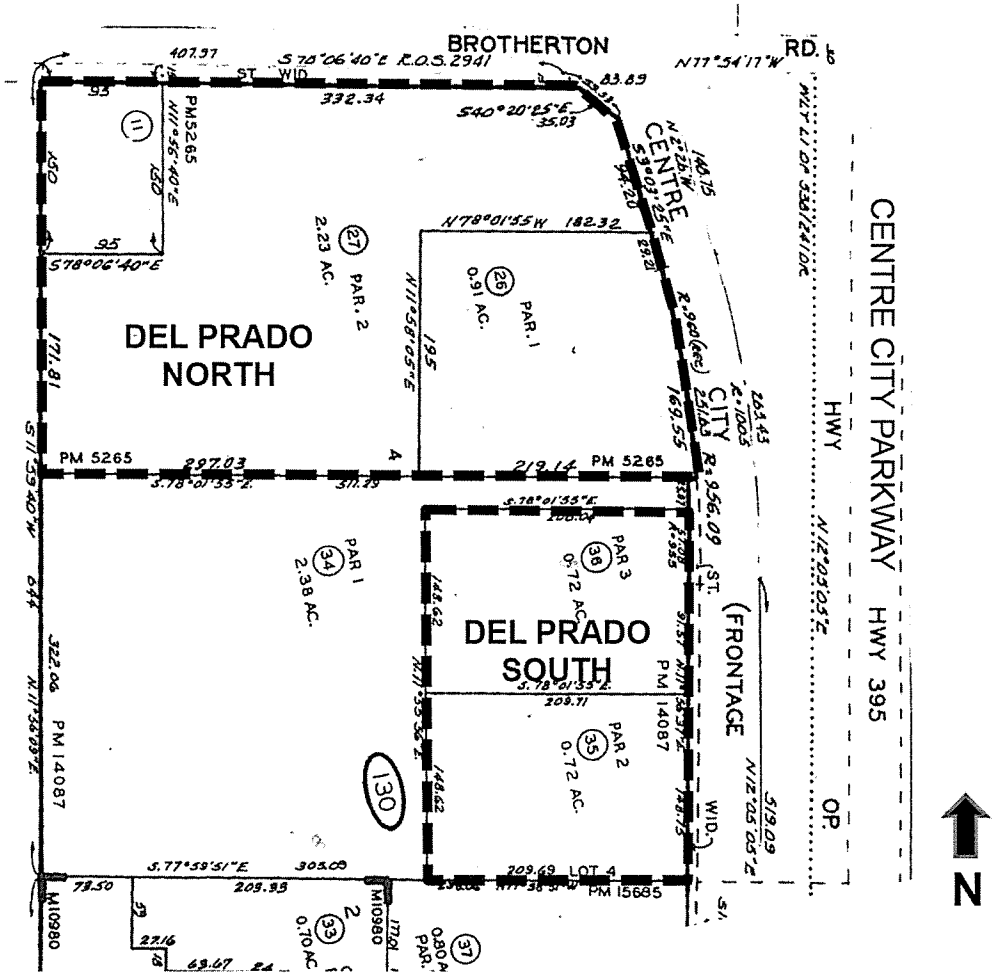
Parcels 1 and 2 of Parcel Map No. 5265 in the City of Escondido, County of San Diego (APNs 238-130-26 and -27)

The northerly 150 feet of the westerly 95 feet of that portion of the north half of Lot 4, in Block 29 of Homeland Acres Addition to Escondido No. 2 according to Map thereof No. 1241 (APN 238-130-11)

Del Prado South:

Parcel 2 of Escondido Parcel Map No. 82-24 according to Parcel Map No. 14087, together with the southerly 15.00 feet of Parcel 3 of Parcel Map 14087 (APN 238-130-35).

Parcel 3 of Escondido Parcel Map No. 82-34 according to Parcel Map No. 14087 (APN 238-130-36)



ESCONDIDO
City of Choice

CITY COUNCIL

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

Agenda Item No.: 12
Date: May 11, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Michelle Geller, Management Analyst II

SUBJECT: Memorandum of Understanding with the City of Escondido and the Cities of Carlsbad, Oceanside, San Marcos and Vista for Continued Funding of an Agreement with the San Diego Regional Economic Development Corporation for "Innovate 78"; and Approval of Consulting Agreement between the City of Escondido and the San Diego Regional Economic Development Corporation

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-51, approving a Memorandum of Understanding (MOU) with the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista; and authorizing continued funding for Escondido's share of the agreement with San Diego Regional Economic Development Corporation (EDC) to continue the work of the "Innovate 78" regional economic development initiative. It is also requested that City Council adopt Resolution No. 2016-52, approving a Consulting Agreement between the City of Escondido and the EDC to establish the City of Escondido as the contract administrator for the five cities during the next two-year period.

FISCAL ANALYSIS:

Funding for Escondido's participation, of up to $40,000 annually for "Innovate 78", is available through the proposed Fiscal Year 2016-2017 budget.

PREVIOUS ACTION:

On March 19, 2014, the City Council authorized the Mayor to execute a Memorandum of Understanding (MOU) for business retention and attraction cooperation between the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista.

On June 18, 2014, the City Council adopted Resolution No. 2014-77 approving a Memorandum of Understanding between the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista for funding of an agreement with the San Diego Regional Economic Development Corporation to oversee a regional economic development initiative focused on business retention, expansion and attraction.

BACKGROUND:

The cities of Carlsbad, Escondido, Oceanside, San Marcos and Vista have been working together over the past few years on a collaborative initiative to promote economic development opportunities along the 78

Corridor. This work has culminated in the creation of the "Innovate 78" regional brand, focused on business retention, expansion and attraction and workforce development. Just within the last year, the five cities have collectively supported over 100 companies, impacted over 7,800 jobs and seen the vacancy rate in industrial and office properties move from 10.7 percent to 7.3 percent. Other notable accomplishments include holding industry roundtables in the manufacturing, diagnostics and communications industries and launching the data dashboard on *www.Innovate78.com*, which quantifies the economic health and demography of the region.

The five cities have selected the San Diego Regional Economic Development Corporation (EDC) to continue to provide the required services.[1] The EDC is unique in that it has a robust economic development program which it executes for the entire San Diego region including strong connections with the region's largest employers, business retention and expansion protocols and data resources to highlight San Diego's business community. As such, the EDC was considered a sole source for this type of work and chosen by the five cities to carry out the work plan of the "Innovate 78" initiative beginning in 2014.

As set forth in the Scope of Work (Attachment A) and Additional Services and Tactics (Attachment B), management of the contract with the EDC shifts on a rotating basis. The City of Carlsbad is managing the contract for the current two-year period, which ends in June 2016. The City of Escondido's contract management period will run from June 2016 to June 2018. Each city will contribute an equal financial share for the EDC deliverables, based on the terms outlined in the attached memorandum of understanding (MOU), which is attached to Resolution No. 2016-51 as "Exhibit 1." Per the MOU, the length of the proposed contract is two years and each city agrees to contribute $50,000 ($25,000 annually) for the base scope of work with an option for additional services and tactics up to $26,000 ($13,000 annually). The City of Escondido will collect the funds and make the required payments to EDC as outlined in Resolution No. 2016-52. The total cost for the two-year service agreement is $380,000 for which the EDC agrees to complete the items in the Scope of Work and optional items in the Additional Services and Tactics.

Staff recommends approval of the attached resolutions: Resolution No. 2016-51 which authorizes the City Manager to execute the MOU with the five cities, and Resolution No. 2016-52, which authorizes the Mayor and City Clerk to execute the agreement with the EDC, to continue the work of the "Innovate 78" regional economic development initiative.

Respectfully submitted,

Michelle Geller

Michelle Geller
Management Analyst II

[1] Escondido Municipal Code section 10-126 provides that professional services may be sole sourced when only one firm can readily provide the service.

SCOPE OF WORK

The five North County cities of Carlsbad, Escondido, Oceanside, San Marcos and Vista have requested input from the San Diego Regional Economic Development Corporation (EDC) relative to the execution, coordination and implementation of the "North County Economic Development Collaborative".

Looking to gain greater economies of scale and better leverage existing resources, the North County collaborative would have access to the full resources of the 18 person staff of the EDC. To oversee delivery of the program the five North County Cities would be provided with the leadership of EDC's Executive Management Team, including the President & CEO, Chief Operating Officer and Vice President of Economic Development. In addition, the five North County cities would have the full engagement of the core economic development team of EDC to execute the program.

To further support coordination and implementation of the program, EDC will commit a full-time employee and dedicated economic development professional to carry out the day to day activities of the North County Economic Development Collaborative. EDC will also provide two representatives from the North County Cities to serve on the EDC Board.

To help facilitate this work, the dedicated economic development professional, EDC Executive Management Team and EDC Economic Development Team will focus on these functions:

1. Plan, Develop, Coordinate & Execute the North County 78 Corridor Economic Development Strategy and Programs.
    a. Coordinate the North County Cities economic development staff in the development and execution of the region wide economic development plan; known as an "Annual Program of Work". Annual Program of Work will address issues of significant concern and opportunity to North County businesses.
    b. EDC will complete a regional assessment of North County's economic drivers, needs of businesses, the region's talent retention and attraction issues, global competitiveness priorities, base realignment and/or closure concerns, and desired outcomes from each of the North County cities so as to develop the Annual Program of Work. The EDC will present its Annual Program of Work and past year's successes to each City Council annually.
    c. Quarterly communication by a representative of the EDC Executive Management Team with the five North County Mayors and respective city economic development staff.
    d. EDC will provide report on their performance related to the Annual Program of Work metrics to the North County partners on a monthly basis and/or as requested.

2. EDC will make recommendations associated with implementation of the new North County economic development brand "Innovate78", material development, target audience selection and advertising placement.

a. EDC will work with the North County Cities to execute key strategies, which increase the "Innovate78" brand visibility and adoption by businesses and stakeholders within and outside of the region.
b. Any costs related to the creation of printed materials, websites and other necessary materials will be outside of the scope of the contract and it is expected that each city will contribute to costs in an equal share once reviewed and approved and become an amendment to this agreement (reference Section 2(b): Additional Work).

3. EDC will lead and assist in business retention and recruitment in the North County area.
    a. EDC will target delivery of comprehensive services to retain companies in the North County who may be threatening to leave the region, or expand in the region. The dedicated position and EDC economic development team will identify key corporate decision makers and steward delivery of timely, comprehensive proposals to companies at risk of leaving the region, relocating or expanding locally. The EDC will organize "red teams" with the North County Cities, industry associations, sub-regional economic development organizations and other service providers to leverage resources where necessary to retain, expand or attract the company.
    b. EDC's full economic development team will work to identify qualified businesses for recruitment to the North County area in coordination with the North County Cities.
    c. The dedicated position will work to maintain collaborative relationships with local trade associations, sub-regional economic development agencies and municipal departments across San Diego County to garner sector-specific information and support.
    d. EDC will provide monthly updates of companies threatening to leave, looking to expand and / or looking to relocate into the region for elected officials and community leaders to better understand the perspective and decision making process of corporate interests.
    e. EDC will provide a quarterly economic snapshot electronically of the region's strengths to elected officials, community leaders and media as requested by the North County Cities.

Additional Services and Tactics

Tactics

To provide a sense of the strategies and tactics that would be deployed in executing the scope of work (Exhibit A), EDC, after consulting with the economic development managers and directors of the five cities proposes the following tactics. All tactics are subject to change with the approval of the City of Escondido based on current and future needs of cities and North County Economic Development Collaborative.

Economic Development

Expand business outreach/project work – EDC will increase the number of companies that receive economic development services. With city coordination and new reporting mechanisms put in place over the past year, EDC will increase engagement with company specific projects. EDC will also increase focus on companies with a presence or interest in multiple cities along the corridor.

Expand partner engagement – Along with the five cities, EDC will increase engagement of other corridor business/economic development organizations.

Training – EDC will help facilitate/coordinate trainings for relevant staff within the five cities to further drive synergies in how support is provided to companies. These courses may be administered through organizations like CALED or other providers. (Additional costs may apply.) Examples may include customer service training, etc.

Policy support – Where applicable, EDC will provide support on policy initiatives, such as water, power and infrastructure.

Talent development – EDC will increase engagement with the 78 Corridor on regional talent development/alignment strategies. This could be manifested in programs such as Link2, which creates greater direct connectivity between key industry companies and university students

Marquee city initiatives – EDC will work to elevate specific city strategies/projects to a 78 Corridor wide level to increase collaboration and support between cities for projects that would provide benefit/impact across the corridor.

***Specific research** – EDC will recommend and execute specific research studies that would elevate the five cities ability to support key industries through quantifying industry size, identifying issues, and recommending actionable means of support.

***Economic gardening** –EDC would identify strategies and execute tactics to create an ecosystem conducive to entrepreneurial growth that leverages assets across the corridor.

Brand Exposure

Expand brand exposure, like social media, newsletter output, etc. – EDC has already committed staff resources to these activities and will continue to develop/enhance the online presence of the Innovate78 brand.

***Additional brand exposure in other US Metros** – EDC will strategically develop targeted exposure opportunities to increase brand visibility in other major US metros. These metros will have synergies with the 78 Corridor that create an opportunity for attraction of companies and/or talent.

***Signage** – With focuses shifting to brand visibility and adoption, EDC would pursue the creation of Innovate78 signage along the corridor.
***Protocol items** – EDC will work to develop strategic protocol gifts and giveaway items that would provide a long term, effective representation of Innovate78.
***Marquee event** – In partnership with the five cities and 78 Corridor business/economic development organizations, EDC will execute a branded marquee event.
(Note: * indicates items outlined in Additional Services section of this document.)

Additional Services
Some tactics listed above and notated with an asterisk are outside the contract scope of work and may require funding through an additional services agreement. EDC proposes funding for additional services, which amounts to of $65,000/year ($13,000 per city, per year).

The additional services breakdown model forecast (subject to change) may be:

Website Maintenance and Hosting **$5,000**
Site maintenance and incremental updates

Videography **$10,000**
Continued production of company videos and for regional promotion

Promotion(s) in other US Metros **$10,000**
Events or promotions to take place in other cities or college campuses to draw attention to the 78 Corridor that could lead to attraction of companies and/or talent. Can be co-sponsored by 78 corridor companies to increase impact, without increasing cost

Economic Research Funding **$10,000**
Annual economic impact study of a key 78 Corridor industry, such as ICT

Collateral/Item Development **$5,000**
Further promotional material and/or updates to hard creative, protocol Items, or signage to increase visibility and exposure to the brand

Event Sponsorships/Costs **$10,000**
Sponsorships or hosting of particular regional or external events that will afford the opportunity to promote the initiative with a targeted audience

Economic Gardening **$5,000**
Costs related to implementation of entrepreneur support strategies, such as sponsoring the formation of an Innovate78 entrepreneur network

Contracted Services** **$10,000**
Based on the expertise and demonstrated business connectedness of other organizations along the 78 Corridor, EDC may sub-contract certain measurable tactics that would greatly increase brand exposure in the business community and engage the other organization in such a way that promotes greater synergy and positive impact on 78 Corridor key industries.

***Payments to a subcontracted organization based on measurable performance, such as hosting 4 industry roundtables, co-hosting marquee event, conducting outlook surveys of 100 businesses in key industries. Any sub-contractor agreement would be agreed upon by the North County Economic Development Collaborative prior to entering any contract.*

Total: $65,000

RESOLUTION NO. 2016-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF ESCONDIDO AND THE CITIES OF CARLSBAD, OCEANSIDE, SAN MARCOS AND VISTA FOR FUNDING OF AN AGREEMENT WITH THE SAN DIEGO REGIONAL ECONOMIC DEVELOPMENT COUNCIL TO CONTINUE THE "INNOVATE 78" COLLABORATIVE ECONOMIC DEVELOPMENT INITIATIVE

WHEREAS, the cities of Carlsbad, Escondido, Oceanside, San Marcos and Vista ("78 Corridor Cities") have been participating in an economic development collaborative model called "Innovate 78" to promote economic development opportunities along the 78 Corridor; and

WHEREAS, to facilitate that goal, the 78 Corridor Cities selected the San Diego Regional Economic Development Corporation ("EDC") as the organization best suited to provide the required services; and

WHEREAS, to continue the work of the "Innovate 78" economic development initiative, the 78 Corridor Cities have designated the City of Escondido to contract with the San Diego Regional Economic Development Corporation ("EDC") for the required services as set forth in Resolution No. 2016-52 and incorporated by this reference; and

WHEREAS, in turn, each City will contribute an equal financial share for the EDC work effort, based on the terms outlined in the attached Memorandum of Understanding ("MOU"), which is attached as Exhibit "1," and incorporated by this reference; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said MOU;

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 Manager and City Clerk are authorized to execute, on behalf of the City, the MOU. A copy of the MOU is attached to this Resolution as Exhibit "1" and incorporated by this reference.

MEMORANDUM OF UNDERSTANDING BY AND AMONG THE CITIES OF CARLSBAD, ESCONDIDO, OCEANSIDE, SAN MARCOS AND VISTA FOR FUNDING OF THE INNOVATE 78 ECONOMIC DEVELOPMENT INITIATIVE

This Memorandum of Understanding ("MOU") is made and entered into on _____ ___, 2016 by and among the cities of Carlsbad, Escondido, Oceanside, San Marcos and Vista (individually "City" and collectively, "78 Corridor Cities" or "Cities").

RECITALS

A. The 78 Corridor Cities contracted with the San Diego Regional Economic Development Corporation ("EDC") in July of 2014 to provide the required services to roll-out the regional branding effort, Innovate78, and to promote economic development opportunities within the 78 Corridor region.

B. To continue the Innovate 78 Economic Development Initiative, the 78 Corridor Cities want the City of Escondido to contract with EDC for the required services. In turn, each City will contribute an equal financial share to compensate EDC based on the terms set forth in this MOU.

C. The City of Escondido has engaged the EDC for the Innovate 78 Economic Development Initiative pursuant to a services agreement ("EDC Services Agreement"), which is attached hereto as Exhibit 1 and incorporated herein by this reference. The work to be provided by EDC is set forth in a Scope of Work which is attached as Exhibit A to the EDC Services Agreement ("Scope of Work").

NOW, THEREFORE, in consideration of these recitals and the mutual covenants contained herein, the five Cities agree as follows:

1. EDC Services Agreement

(A) The Cities acknowledge that EDC and the City of Carlsbad have effectively executed the first two-year EDC Services Agreement on behalf of the 78 Corridor Cities. The 78 Corridor Cities want to execute a second two-year agreement dated as of June 30, 2016, which will become effective upon the complete execution of this MOU by each of the five Cities. The second Two Year Services Agreement with EDC will be managed by the City of Escondido. Performance of the EDC Services Agreement is intended to result in furthering the Innovate 78 Economic Development

Initiative as described in the EDC Services Agreement and its attachments. For that work, EDC will receive an annual total base contract amount of One Hundred and Twenty Five Thousand ($125,000) plus an additional annual services amount of Sixty Five Thousand Dollars ($65,000) to provide deliverables, for a total two year contract amount of Three Hundred Eighty Thousand ($380,000.00) over the two year contract length or One Hundred Ninety Thousand ($190,000) annually, assuming the full expense allotment is used ("Contract Price").

(B) The City of Escondido makes no representation regarding the completeness, or quality of the work that EDC will produce under the EDC Services Agreement. In directing EDC pursuant to the EDC Services Agreement, the City of Escondido will, when reasonably possible, provide direction based on the consensus of all Cities. If consensus is not obtained after a consultation period with all 78 Corridor Cities of Thirty Days (30) days has elapsed, and if the Cities have not acted collectively to amend or terminate this MOU or the EDC Services Agreement, the City of Escondido reserves the right to provide direction to EDC to assure that its efforts are not stopped, stalled or otherwise delayed.

2. Cooperative Efforts

For EDC to successfully carry out the scope of work for the Innovate 78 Economic Development Initiative, each 78 Corridor City must: (1) provide EDC with information about the city, its community, its businesses, and its other attributes; (2) make available to EDC representatives from city government, civic groups, business groups and others comprising the city; (3) identify venues within the city for meetings, (4) participate in meetings with EDC and other 78 Corridor Cities for the development and refinement of elements of the Innovate 78 Economic Development Initiative; and (5) otherwise participate in the development of the Innovate 78 Economic Development Initiativein the manner described in the Scope of Work.

3. Payments for Funding the EDC Services Agreement

(A) To fund the EDC Services Agreement, each City will allocate and pay on July 1 to the City of Escondido a sum of Thirty-eight Thousand ($38,000), representing one-fifth of the Contract Price ("City Contract Share") each year over the two year contract length. The City of Escondido will hold the City Contribution for each City, including the City of Escondido, and collectively use those City Contributions to make payments due to EDC under the EDC Services Agreement.

(B) Should it be determined that a change in the Scope of Work is advisable which will require additional funds beyond the base Contract Price or the Additional Services price as detailed in the Scope of Work, the City of Escondido shall notify the 78 Corridor Cities of the additional services ("Additional Services") and the price for those services ("Supplemental Cost"). With that notice, the City of Escondido will provide the 78 Corridor Cities with a proposed Addendum to the EDC Services Agreement ("Services Agreement Addendum") describing the Additional Services to be provided at the Supplemental Cost. Based on those materials, each 78 Corridor City will be asked to execute an addendum to this MOU ("MOU Addendum") to enable the City of Escondido to fund the Additional Services. Should each 78 Corridor City execute the MOU Addendum, then within ten (10) days thereafter: (1) each 78 Corridor City shall transfer to the City of Escondido a sum equal to one-fifth of the Supplemental Cost; and (2) the City of Escondido will execute the Services Agreement Addendum.

(C) Following the completion or termination of the EDC Services Agreement, the City of Escondido shall determine if any amount is left unexpended from the collective City Contributions and shall return to each 78 Corridor City a sum equal to one-fifth of that amount.

4. TRADEMARK AND COPYRIGHT OF WORKS

The 78 Corridor Cities recognize that EDC will generate graphics, taglines and other materials ("Works") which may require a trademark, copyright, or similar registry to be protected under Federal or State law, which shall be obtained by EDC, or its subcontractor, for the benefit of the 78 Corridor Cities. The 78 Corridor Cities acknowledge that each, as an owner of a trademark, will responsible to police infringing uses of its trademark. If the 78 Corridor Cities do not enforce its trademark rights or otherwise fail to maintain quality control over the trademark (i.e. a naked license), trademark rights may be lost. This is also true regarding the responsibility to police infringing uses of their copyrights. The 78 Corridor Cities agree that they will reasonably police their intellectual property rights and promptly take reasonable steps to prevent infringing and unauthorized use of their trademarks and copyrights. Upon learning of a potential infringement or unauthorized use, the 78 Corridor Cities shall meet, discuss and select an appropriate course of action to reasonably prevent infringement or unauthorized use of their intellectual property rights.

5. MISCELLANEOUS

(A) The terms of this MOU are intended by the parties as a final expression of their agreement with respect to such terms as are included in this MOU and may not be

contradicted by evidence of any prior or contemporaneous agreement. This MOU specifically supersedes any prior written or oral agreement between the parties.

(B) This MOU may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment on the date first above written.

CITY OF VISTA

By:_____
Patrick Johnson, City Manager

ATTEST:
Kathy Valdez, City Clerk

By:_____

APPROVED AS TO FORM:
Darold Pieper, City Attorney

By:_____

CITY OF ESCONDIDO

By:_____
Graham Mitchell, City Manager

ATTEST:
Diane Halverson, City Clerk

By:_____

APPROVED AS TO FORM:
Jeffrey R. Epp, City Attorney

By:_____

(Signatures continue on next page).

CITY OF OCEANSIDE

By:_____
Michelle Skaggs Lawrence , City Manager

ATTEST:
Zach Beck, City Clerk

By:_____

APPROVED AS TO FORM:
John Mullen, City Attorney

By:_____

CITY OF SAN MARCOS

By:_____
Jack Griffin, City Manager

ATTEST:
Phillip Scollick, City Clerk

By:_____

APPROVED AS TO FORM:
Helen Holmes Peak, City Attorney

By:_____

CITY OF CARLSBAD

By:_____
Kevin Crawford, City Manager

ATTEST:
Barbara Engleson, City Clerk

By:_____

APPROVED AS TO FORM:
Celia A. Brewer, City Attorney

By:_____

Agenda Item No.: 12
Date: May 11, 2016

RESOLUTION NO. 2016-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE EXECUTION OF A CONSULTING AGREEMENT WITH THE CITY OF ESCONDIDO AND SAN DIEGO REGIONAL ECONOMIC DEVELOPMENT COUNCIL TO CONTINUE THE "INNOVATE 78" COLLABORATIVE ECONOMIC DEVELOPMENT INITIATIVE

WHEREAS, the cities of Carlsbad, Escondido, Oceanside, San Marcos and Vista ("78 Corridor Cities") have been participating in an economic development collaborative model called "Innovate 78" to promote economic development opportunities along the 78 Corridor; and

WHEREAS, to facilitate that goal, the 78 Corridor Cities selected the San Diego Regional Economic Development Corporation ("EDC") as the organization best suited to provide the required services; and

WHEREAS, to continue the work of the "Innovate 78" economic development initiative, the 78 Corridor Cities have designated the City of Escondido to enter into a Consulting Agreement with the San Diego Regional Economic Development Corporation ("EDC") for the required services as set forth in "Attachment A" and "Attachment B" of the Consulting Agreement attached to this Resolution and incorporated by this reference; and

WHEREAS, in turn, each City will contribute an equal financial share for the EDC work effort, based on the terms outlined in Resolution No. 2016-51 and incorporated by this reference; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the Consulting Agreement between the City of Escondido and the EDC;

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 Mayor and City Clerk are authorized to execute, on behalf of the City, the Consulting Agreement. A copy of the Consulting Agreement is attached to this Resolution as Exhibit "1" and incorporated by this reference.

CITY OF ESCONDIDO
CONSULTING AGREEMENT

This Agreement is made this _____ day of _____,

Between: CITY OF ESCONDIDO
a Municipal Corporation
201 N. Broadway
Escondido, California 92025
Attn: Michelle Geller
(760) 839-4587
("CITY")

And: San Diego Regional Economic Development Corporation
530 B Street, Suite 700
San Diego, California 92101
Attn: Mark Cafferty
(619) 234-8484
("CONSULTANT")

Witness that whereas:

A. It has been determined to be in the CITY's best interest to retain the professional services of a consultant to continue the "Innovate 78" economic development initiative in collaboration with the cities of Carlsbad, Oceanside, San Marcos and Vista for the next two years; and

B. The CONSULTANT is considered competent to perform the necessary professional services for CITY;

NOW, THEREFORE, it is mutually agreed by and between CITY and CONSULTANT as follows:

1. Services. The CONSULTANT will furnish all of the services as described in "Attachment A" and additional services as described in "Attachment B", which are attached and incorporated by this reference.

2. Compensation. The CITY will pay the CONSULTANT in accordance with the conditions specified in "Attachment A – Scope of Work" an annual sum $125,000, plus an additional annual services amount of $65,000 as specified in "Attachment B – Additional Services and Tactics", for a total two-year contract amount of $380,000 over the two-year contract length or $190,000 annually, assuming the full expense allotment is used. Any breach of this Agreement will relieve CITY from the obligation to pay CONSULTANT, if CONSULTANT has not corrected the breach after CITY provides notice and a reasonable time to correct it. If this Agreement is amended at any time,

additional compensation of CONSULTANT contained in subsequent amendment(s) shall not exceed a cumulative total of twenty-five percent (25%) of the maximum payment provided for in this Section 2.

3. Scope of Compensation. The CONSULTANT will be compensated for performance of tasks specified in "Attachment A" and "Attachment B" only. No compensation will be provided for any other tasks without specific prior written consent from the CITY.

4. Duties. CONSULTANT will be responsible for the professional quality, technical accuracy, timely completion, and coordination of all reports and other services furnished by the CONSULTANT under this Agreement, except that the CONSULTANT will not be responsible for the accuracy of information supplied by the CITY.

5. Personnel. The performance of services under this Agreement by certain professionals is significant to the CITY. CONSULTANT will assign the persons listed on "Attachment C," which is attached and incorporated by this reference, to perform the Services described in Paragraph 1, and will not add or remove persons from the list without the prior written consent of the CITY. If no designation is made, then CONSULTANT may not assign services without obtaining the advance written consent of the CITY. CONSULTANT will not subcontract any tasks under this Agreement without obtaining the advance written consent of the CITY.

6. Termination. Either CONSULTANT or the CITY may terminate this Agreement with thirty (30) days advance written notice.

7. City Property. All original documents, drawings, electronic media, and other material prepared by CONSULTANT under this Agreement immediately becomes the exclusive property of the CITY, and may not be used by CONSULTANT for any other purpose without prior written consent of the CITY.

8. Insurance.

   a. The CONSULTANT shall secure and maintain at its own cost, for all operations, the following insurance coverage, unless reduced by the City Attorney:

      (1) General liability insurance. Occurrence basis with minimum limits of $1,000,000 each occurrence, $2,000,000 General Aggregate, and $1,000,000 Products/Completed Operations Aggregate; and

      (2) Automobile liability insurance of $1,000,000 combined single-limit per accident for bodily injury and property damage, unless waived as provided in 8(b) below; and

      (3) Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship; and

      (4) Errors and Omissions professional liability insurance with minimum coverage of $1,000,000.

   b. It is the parties' understanding that the use of a motor vehicle is not a primary subject of this Agreement. CONSULTANT acknowledges that operating a motor vehicle is outside the scope of this Agreement and occurs only at the convenience of the CONSULTANT. A waiver of automobile liability insurance is only effective if both sets of initials appear below, otherwise such insurance is required.

Acknowledged by CONSULTANT _____

Waiver appropriate by CITY _____

c. Each insurance policy required above must be acceptable to the City Attorney.

(1) Each policy must provide for written notice within no more than thirty (30) days if cancellation or termination of the policy occurs. Insurance coverage must be provided by an A.M. Best's A- rated, class V carrier or better, admitted in California, or if non-admitted, a company that is not on the Department of Insurance list of unacceptable carriers.

(2) All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.

(3) Both the General Liability and the Automobile Liability policies must name the CITY specifically as an additional insured under the policy on a separate endorsement page. The CITY includes its officials, employees, and volunteers. The endorsement must be ISO Form CG 20 10 11 85 edition or its equivalent for General Liability endorsements and CA 20 01 for Automobile Liability endorsements.

(4) The General Liability policy must include coverage for bodily injury and property damage arising from CONSULTANT's work, including its on-going operations and products-completed operations hazard.

(5) The General Liability policy must be primary and noncontributory and any insurance maintained by CITY is excess.

c. In executing this Agreement, CONSULTANT agrees to have completed insurance documents on file with the CITY within fourteen (14) days after the date of execution. Failure to comply with insurance requirements under this Agreement will be a material breach of this Agreement, resulting in immediate termination at CITY's option.

9. Indemnification. CONSULTANT (which in this paragraph 9 includes its agents, employees and subcontractors, if any) agrees to indemnify, defend, and hold harmless the CITY from all claims, lawsuits, damages, judgments, loss, liability, or expenses, including attorneys' fees, for any of the following:

a. Any claim of liability arising out of the negligence or any acts or omissions of CONSULTANT in the performance of this Agreement;
b. Any personal injuries, property damage or death that CONSULTANT may sustain while using CITY-controlled property or equipment, while participating in any activity sponsored by the CITY, or from any dangerous condition of property; or
c. Any injury or death which results or increases by any action taken to medically treat CONSULTANT.

10. Anti-Assignment Clause. The CONSULTANT may not assign, delegate or transfer any interest or duty under this Agreement without advance written approval of the CITY, and any attempt to do so will immediately render this entire Agreement null and void. Unless CONSULTANT assigns this entire Agreement, including all rights and duties herein, to a third party with the CITY'S written consent, CONSULTANT shall be the sole payee under this Agreement. Any and all payments made pursuant to the terms of this Agreement are otherwise not assignable.

11. Costs and Attorney's Fees. In the event that legal action is required to enforce the terms and conditions of this Agreement, the prevailing party will be entitled to reasonable attorneys' fees and costs.

12. Independent Contractor. CONSULTANT is an independent contractor and no agency or employment relationship, either express or implied, is created by the execution of this Agreement.

13. Merger Clause. This Agreement and its Attachments are the entire understanding of the parties, and there are no other terms or conditions, written or oral, controlling this matter. In the event of any conflict between the provisions of this Agreement and any of its Attachments, the provisions of this Agreement must prevail.

14. Anti-Waiver Clause. None of the provisions in this Agreement will be waived by CITY because of previous failure to insist upon strict performance, nor will any provision be waived by CITY because any other provision has been waived, in whole or in part.

15. Severability. The invalidity in whole or in part of any provision of this Agreement will not void or affect the validity of any other provisions of this Agreement.

16. Choice of Law. This Agreement is governed by the laws of the State of California. Venue for all actions arising from this Agreement must be exclusively in the state or federal courts located in San Diego County, California.

17. Multiple Copies of Agreement/Counterparts. Multiple copies and/or counterparts of this Agreement may be executed, including duplication by photocopy or by computerized scanning device. Each duplicate will be deemed an original with the same effect as if all the signatures were on the same instrument. However, the parties agree that the Agreement on file in the office of the Escondido City Clerk is the copy of the Agreement that shall take precedence should any differences exist among copies or counterparts of the document.

18. Provisions Cumulative. The foregoing provisions are cumulative and in addition to and not in limitation of any other rights or remedies available to the CITY.

19. Notices to Parties. Any statements, communications or notices to be provided pursuant to this Agreement must be sent to the attention of the persons indicated below. Each party agrees to promptly send notice of any changes of this information to the other party, at the address first above written.

20. Business License. The CONSULTANT is required to obtain a City of Escondido Business License prior to execution of this Agreement.

21. Compliance with Applicable Laws, Permits and Licenses. CONSULTANT shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, and rules in effect during the term of this Agreement. CONSULTANT shall obtain any and all licenses, permits, and authorizations necessary to perform services set forth in this Agreement. Neither CITY, nor any elected nor appointed boards, officers, officials, employees, or agents of CITY shall be liable, at law or in equity, as a result of any failure of CONSULTANT to comply with this section.

22. Immigration Reform and Control Act of 1986. CONSULTANT shall keep itself informed of and comply with the Immigration Reform and Control Act of 1986. CONSULTANT affirms that as an employer in the State of California, all new employees must produce proof of eligibility to work in the United States within the first three days of employment and that only employees legally eligible to work in the United States will be employed on this public project. CONSULTANT agrees to comply with such provisions before commencing and continuously throughout the performance of this Agreement.

IN WITNESS WHEREOF, the parties below are authorized to act on behalf of their organizations, and have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

Date:_____ _____
Sam Abed
Mayor

Date:_____ _____
Diane Halverson
City Clerk

SAN DIEGO REGIONAL EDC

Date:_____ _____
Mark Cafferty, President and CEO

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
JEFFREY R. EPP, City Attorney

By: _____

THE CITY OF ESCONDIDO DOES NOT DISCRIMINATE AGAINST QUALIFIED PERSONS WITH DISABILITIES.

SCOPE OF WORK

The five North County cities of Carlsbad, Escondido, Oceanside, San Marcos and Vista have requested input from the San Diego Regional Economic Development Corporation (EDC) relative to the execution, coordination and implementation of the "North County Economic Development Collaborative".

Looking to gain greater economies of scale and better leverage existing resources, the North County collaborative would have access to the full resources of the 18 person staff of the EDC. To oversee delivery of the program the five North County Cities would be provided with the leadership of EDC's Executive Management Team, including the President & CEO, Chief Operating Officer and Vice President of Economic Development. In addition, the five North County cities would have the full engagement of the core economic development team of EDC to execute the program.

To further support coordination and implementation of the program, EDC will commit a full-time employee and dedicated economic development professional to carry out the day to day activities of the North County Economic Development Collaborative. EDC will also provide two representatives from the North County Cities to serve on the EDC Board.

To help facilitate this work, the dedicated economic development professional, EDC Executive Management Team and EDC Economic Development Team will focus on these functions:

1. Plan, Develop, Coordinate & Execute the North County 78 Corridor Economic Development Strategy and Programs.
    a. Coordinate the North County Cities economic development staff in the development and execution of the region wide economic development plan; known as an "Annual Program of Work". Annual Program of Work will address issues of significant concern and opportunity to North County businesses.
    b. EDC will complete a regional assessment of North County's economic drivers, needs of businesses, the region's talent retention and attraction issues, global competitiveness priorities, base realignment and/or closure concerns, and desired outcomes from each of the North County cities so as to develop the Annual Program of Work. The EDC will present its Annual Program of Work and past year's successes to each City Council annually.
    c. Quarterly communication by a representative of the EDC Executive Management Team with the five North County Mayors and respective city economic development staff.
    d. EDC will provide report on their performance related to the Annual Program of Work metrics to the North County partners on a monthly basis and/or as requested.

2. EDC will make recommendations associated with implementation of the new North County economic development brand "Innovate78", material development, target audience selection and advertising placement.

a. EDC will work with the North County Cities to execute key strategies, which increase the "Innovate78" brand visibility and adoption by businesses and stakeholders within and outside of the region.
b. Any costs related to the creation of printed materials, websites and other necessary materials will be outside of the scope of the contract and it is expected that each city will contribute to costs in an equal share once reviewed and approved and become an amendment to this agreement (reference Section 2(b): Additional Work).

3. EDC will lead and assist in business retention and recruitment in the North County area.
    a. EDC will target delivery of comprehensive services to retain companies in the North County who may be threatening to leave the region, or expand in the region. The dedicated position and EDC economic development team will identify key corporate decision makers and steward delivery of timely, comprehensive proposals to companies at risk of leaving the region, relocating or expanding locally. The EDC will organize "red teams" with the North County Cities, industry associations, sub-regional economic development organizations and other service providers to leverage resources where necessary to retain, expand or attract the company.
    b. EDC's full economic development team will work to identify qualified businesses for recruitment to the North County area in coordination with the North County Cities.
    c. The dedicated position will work to maintain collaborative relationships with local trade associations, sub-regional economic development agencies and municipal departments across San Diego County to garner sector-specific information and support.
    d. EDC will provide monthly updates of companies threatening to leave, looking to expand and / or looking to relocate into the region for elected officials and community leaders to better understand the perspective and decision making process of corporate interests.
    e. EDC will provide a quarterly economic snapshot electronically of the region's strengths to elected officials, community leaders and media as requested by the North County Cities.

Additional Services and Tactics

Tactics

To provide a sense of the strategies and tactics that would be deployed in executing the scope of work (Exhibit A), EDC, after consulting with the economic development managers and directors of the five cities proposes the following tactics. All tactics are subject to change with the approval of the City of Escondido based on current and future needs of cities and North County Economic Development Collaborative.

Economic Development

Expand business outreach/project work – EDC will increase the number of companies that receive economic development services. With city coordination and new reporting mechanisms put in place over the past year, EDC will increase engagement with company specific projects. EDC will also increase focus on companies with a presence or interest in multiple cities along the corridor.

Expand partner engagement – Along with the five cities, EDC will increase engagement of other corridor business/economic development organizations.

Training – EDC will help facilitate/coordinate trainings for relevant staff within the five cities to further drive synergies in how support is provided to companies. These courses may be administered through organizations like CALED or other providers. (Additional costs may apply.) Examples may include customer service training, etc.

Policy support – Where applicable, EDC will provide support on policy initiatives, such as water, power and infrastructure.

Talent development – EDC will increase engagement with the 78 Corridor on regional talent development/alignment strategies. This could be manifested in programs such as Link2, which creates greater direct connectivity between key industry companies and university students

Marquee city initiatives – EDC will work to elevate specific city strategies/projects to a 78 Corridor wide level to increase collaboration and support between cities for projects that would provide benefit/impact across the corridor.

***Specific research** – EDC will recommend and execute specific research studies that would elevate the five cities ability to support key industries through quantifying industry size, identifying issues, and recommending actionable means of support.

***Economic gardening** –EDC would identify strategies and execute tactics to create an ecosystem conducive to entrepreneurial growth that leverages assets across the corridor.

Brand Exposure

Expand brand exposure, like social media, newsletter output, etc. – EDC has already committed staff resources to these activities and will continue to develop/enhance the online presence of the Innovate78 brand.

***Additional brand exposure in other US Metros** – EDC will strategically develop targeted exposure opportunities to increase brand visibility in other major US metros. These metros will have synergies with the 78 Corridor that create an opportunity for attraction of companies and/or talent.

***Signage** – With focuses shifting to brand visibility and adoption, EDC would pursue the creation of Innovate78 signage along the corridor.
***Protocol items** – EDC will work to develop strategic protocol gifts and giveaway items that would provide a long term, effective representation of Innovate78.
***Marquee event** – In partnership with the five cities and 78 Corridor business/economic development organizations, EDC will execute a branded marquee event.
(Note: * indicates items outlined in Additional Services section of this document.)

Additional Services
Some tactics listed above and notated with an asterisk are outside the contract scope of work and may require funding through an additional services agreement. EDC proposes funding for additional services, which amounts to of $65,000/year ($13,000 per city, per year).

The additional services breakdown model forecast (subject to change) may be:

Website Maintenance and Hosting **$5,000**
Site maintenance and incremental updates

Videography **$10,000**
Continued production of company videos and for regional promotion

Promotion(s) in other US Metros **$10,000**
Events or promotions to take place in other cities or college campuses to draw attention to the 78 Corridor that could lead to attraction of companies and/or talent. Can be co-sponsored by 78 corridor companies to increase impact, without increasing cost

Economic Research Funding **$10,000**
Annual economic impact study of a key 78 Corridor industry, such as ICT

Collateral/Item Development **$5,000**
Further promotional material and/or updates to hard creative, protocol Items, or signage to increase visibility and exposure to the brand

Event Sponsorships/Costs **$10,000**
Sponsorships or hosting of particular regional or external events that will afford the opportunity to promote the initiative with a targeted audience

Economic Gardening **$5,000**
Costs related to implementation of entrepreneur support strategies, such as sponsoring the formation of an Innovate78 entrepreneur network

Contracted Services** **$10,000**
Based on the expertise and demonstrated business connectedness of other organizations along the 78 Corridor, EDC may sub-contract certain measurable tactics that would greatly increase brand exposure in the business community and engage the other organization in such a way that promotes greater synergy and positive impact on 78 Corridor key industries.

***Payments to a subcontracted organization based on measurable performance, such as hosting 4 industry roundtables, co-hosting marquee event, conducting outlook surveys of 100 businesses in key industries. Any sub-contractor agreement would be agreed upon by the North County Economic Development Collaborative prior to entering any contract.*

Total: $65,000

San Diego Economic Development Corporation Personnel

- Matthew Sanford | Director, Economic Development
- Bree Burris | Communications Coordinator
- Sean Barr | Senior Vice President, Economic Development
- Sarah Lubeck | Manager, Communications
- Kirby Brady | Director, Research
- Jesse Gipe | Manager, Economic Development

ESCONDIDO
City of Choice

CITY COUNCIL

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

Agenda Item No.: 13
Date: May 11, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Christopher W. McKinney, Utilities Director

SUBJECT: Approval of Change Orders for the Recycled Water Easterly Main Extension Project (Broadway to Citrus)

RECOMMENDATION:

The Utilities Department requests that the City Council adopt Resolution No. 2016-64, authorizing change orders to the contract with MNR Construction, Inc. not to exceed $200,000. The new contract amount will be $7,789,880.01.

FISCAL ANALYSIS:

Funds are available in CIP No. 801201, Recycled Water Easterly Main Extension project.

PREVIOUS ACTION:

On September 24, 2014, the City Council adopted Resolution No. 2014-145, awarding a Public Improvement Agreement to MNR Construction, Inc. for the construction of the initial phase of the Recycled Water Easterly Main Extension project in the amount of $6,276,000.

On October 7, 2015, the City Council adopted Resolution 2015-169, authorizing a budget adjustment and authorizing the Director of Utilities to execute change orders for the Recycled Water Easterly Main Extension project bringing the total contract amount to $7,589,880.01.

BACKGROUND:

The Recycled Water Easterly Main Extension project includes installing two pipelines along the northern side of the Escondido Creek between Broadway and Citrus Avenue. The project consists of 13,800 linear feet (LF) of 15-inch PVC brine gravity pipeline and 13,783-LF of 24-inch ductile iron, recycled water pipeline. This project is a part of the first phase of the Recycled Water and Potable Reuse Program. It will deliver recycled water to agricultural land in the eastern portion of the City's water service area.

The following examples describe the types of conflicts and unforeseen conditions that have been encountered so far during the construction of the project.

Unforeseen Debris:
The contractor has made great progress installing the recycled and brine pipelines. However, they have encountered remnant construction debris buried from years past along the Escondido Creek Channel for approximately 2,000 feet. This material consists of concrete curb and gutter chunks, rebar, rocks and boulders, masonry bricks, and large, lathed granite slabs. This debris has cost the contractor time due to the hand digging required to expose the material. Removing and reinstalling trench shoring shields multiple times to access the large pieces of debris has also caused delays.

Utility Conflicts:
During their trench excavation work, the contractor discovered that some of the utilities which were marked and potholed had excessively-poured, concrete thrust blocks around them. The excess concrete conflicted with the proposed alignment. Therefore, the crew had to hand-dig underneath the utility, and then hand-chip enough of the excess concrete to allow the pipelines to be installed beside or underneath the existing utility. At some locations, the recycled water pipeline had to be lowered, and thus required a blow-off assembly. This also meant over-excavating the trench sidewalls to create an offset to accommodate the blow-off piping and valve assembly.

Differing Site Conditions:
The contractor encountered unclassified backfill material that was silt-like in nature and deemed unsuitable for backfill purposes. This cohesion-less material unraveled during the excavation process, causing the trench width to spread and creating more trench-volume to backfill. The contractor was able to stabilize the trench, shore it for safety, and resume with installation of the pipelines. Additional sand slurry was required to backfill the trench to fill the cavities created due to unraveling.

Coordination Delay Efforts:
The contractor had scheduled the work for the proposed tie-in to the existing recycled water pipeline at Broadway and Woodward Avenue. This required temporarily discontinuing the recycled water supply to Rincon del Diablo Municipal Water District. However, Sempra purchases recycled water from Rincon for cooling purposes at a nearby substation, and depending upon the time of year, cooling is critical to their process. Therefore, Sempra required a nine-day notification to adjust their process so that the service disconnect would be less disruptive to their system. This requirement caused a delay in the contractor's schedule. As a cost savings to the City, the construction management team requested the contractor to re-sequence his previously scheduled task to include the nine-day notification period so that they could negotiate a fair and reasonable cost for the delay.

DETAILS CONCERNING CHANGE ORDERS

Construction is ongoing and should be completed by the end of June 2016. There is approximately 1,500-LF of pipeline installation to be completed (approximately 11 percent of the entire alignment). The overall project is approximately 87 percent completed. The construction management team and the contractor have successfully negotiated all change orders from the Field Order Allowance budget, leaving a balance of $400. Jointly, they have expressed great concern for encountering more unsuitable material along the remaining 1,500-LF of pipeline installation.

Approved Change Orders for the Recycled Water Easterly Main Extension project would mitigate any future change orders arising from unforeseen circumstances, as well as costs for future haul export work associated with the debris removal. Approval would also provide the necessary funds to pay for such unforeseen events in a timely manner and avoid the costly decision to stop the contractor's progress due to insufficient funds.

Respectfully submitted,

Angela Morrow
Deputy Director of Utilities, Construction & Engineering

Agenda Item No.: 13
Date: May 11, 2016

RESOLUTION NO. 2016-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF UTILITIES TO EXECUTE, ON BEHALF OF THE CITY, CHANGE ORDERS FOR THE RECYCLED WATER EASTERLY MAIN EXTENSION PROJECT

WHEREAS, the Recycled Water Easterly Main Extension project ("Project") includes installing both a brine gravity pipeline and a recycled water pipeline as the first phase of the Recycled Water and Potable Reuse program; and

WHEREAS, on September 24, 2014, through resolution 2014-145, the City Council authorized the award of a Public Improvement Agreement with MNR Construction, Inc. in the amount of $6,276,000; and

WHEREAS, on October 7, 2015, through resolution 2015-169, the City Council authorized the Director of Utilities to execute change orders to the Public Improvement Agreement with MNR Construction, Inc. bringing the total contract value to $7,589,880.01 to fund change orders to continue the Project; and

WHEREAS, the unforeseen and differing site conditions resulting from buried concrete, rebar, rocks, boulders, masonry bricks and lathed granite slabs, unclassified backfill material, thickly poured concrete thrust blocks, unmarked utility conflicts, and inaccurate as-built records, have resulted in additional project costs; and

WHEREAS, the City Council recognizes that approval of change orders for the Project is required to continue and complete construction; and

WHEREAS, the Utilities Director recommends authorization of change orders to the contract with MNR Construction, Inc. in the amount of $200,000 bringing the total contract value to $7,789,880.01 to complete the Project; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said amendment;

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 hereby approves the execution of the change orders to the contract with MNR Construction, Inc.

ESCONDIDO
City of Choice

FUTURE CITY COUNCIL AGENDA ITEMS
May 5, 2016

AGENDA ITEMS AND COUNCIL MEETING DATES ARE SUBJECT TO CHANGE. CHECK WITH THE CITY CLERK'S OFFICE AT 839-4617

May 18, 2016
4:30 p.m. Town Hall Meeting

May 25, 2016
4:30 p.m.

	PRESENTATIONS
	Retirement of Chief Lowry
	CONSENT CALENDAR
	Purchase of Self-Contained Breathing Apparatus (M. Lowry) *The City has been awarded a total of $548,370 from the Assistance to Firefighter Grant Program for the purchase of Self-Contained Breathing Apparatus (SCBA). Purchasing the SCBAs through the Cooperative Purchasing Fire Rescue GPO allows the City to expedite the proposal process while complying with state and federal laws that require government entities to go through a competitive procurement process.*
	First Quarter 2016 Treasurer's Report (K. Hugins) *In accordance with the City's Investment Policy, the City Treasurer is required to submit an investment report to the City Council for review on a quarterly basis. The report will include the type of investment, issuer, date of maturity, par value, book value, and market value for each security held by the City.*
	Budget Adjustments for Improvements Required to Obtain County Permits to Operate the Sports Center Concession Stand at Kit Carson Park (J. Masterson/D. Lundy) *The concession stand at the Sports Center in Kit Carson Park is under lease agreement for sale of prepackaged food items. The County requires additional improvements to the restrooms adjoining the concession stand in order to issue the permit for the Lessee to operate. There is a balance of $85,564 available in the Adult Softball Concession budget. It is anticipated that the Sports Center improvements will cost no more than $15,000.*
	Budget Adjustments for Cricket Wireless Communications Facilities Decommissioning at Six Locations (J. Masterson/D. Lundy) *Cricket was purchased by AT&T and has terminated five of its leases with the City, with a sixth site to follow, due to redundancies in service areas. Cricket paid the City $15,000 per site to walk away without physically removing its equipment. All six sites will yield the City $90,000 in walk-away fees. In turn, the City has contracted with Tricom Networks to remove the equipment at a cost of $56,890. The Recreation Fund will net $27,960. The General Reserve Fund will net %5,150. The lost rental revenue has been accounted for in the Fiscal Year 2016/17 budget.*

CONSENT CALENDAR Continued

California Statewide Communities Development Authority (CSCDA) Open Property Assessed Clean Energy Program (PACE)
(J. Masterson)

The CSCDA Open PACE enables property owners to finance permanently fixed renewable energy, energy efficiency, water efficiency, and seismic strengthening improvements as well as electric vehicle charging infrastructure.

Bid Award for the Fiscal Year 2015/2016 Street Rehabilitation and Maintenance Project
(E. Domingue)

This single project will complete both rehabilitation and maintenance work as part of the City's annual pavement maintenance and rehabilitation program. Work for this project involves replacement of broken curb and sidewalk, patching and replacement of broken pavement, installation of new pedestrian ramps, application of seal coats, and add striping of bike lanes to conform to the City's Bicycle Master Plan.

Final Engineer's Report for the City of Escondido Landscape Maintenance District Zones 1 through 38 for Fiscal year 2016/2017
(E. Domingue)

Adoption of Resolution 2016-69 is the final step in the annual review process for the Engineer's Report and assessments for Zones 1 through 38 of the City of Escondido Landscape Maintenance District for FY 2016/2017.

PUBLIC HEARINGS

Short-Form Rent Review Board Hearing for City Owned Lots at Escondido Views Mobile Home Park
(B. Martin)

The application meets all the eligibility criteria for submittal of a short-form rent increase application. The amount requested covers a 24-month period of consideration from December 31, 2013 to December 31, 2015. Seventy-five percent of the change in the Consumer Price Index for the period is 2.822%. The average space rent for the five spaces owned by the City of Escondido is $401.82. The average requested increase per space is approximately $11.34.

Short-Form Rent Review Board Hearing for City Owned Lots at Mountain Shadows Mobile Home Park
(B. Martin)

The application meets all the eligibility criteria for submittal of a short-form rent increase application. The amount requested covers a 24-month period of consideration from December 31, 2013 to December 31. 2015. Seventy-five percent of the change in the Consumer Price Index for the period is 2.822%. The average space rent for the 25 spaces owned by the City of Escondido is $340.52. The average requested increase per space is approximately $9.61.

	PUBLIC HEARINGS Continued
	Appeal of Planning Commission Decision to Deny a Conditional Use Permit (PHG 15-0021) (B. Martin) *The Planning Commission denied the Conditional Use Permit on April 26, 2016 (vote 5-0-1 Cohen abstained). The proposed MF/RO facility is part of a larger proposed expansion of Escondido recycled water (RW) distribution to serve eastern and northern agricultural land. The City has been expanding the recycled water conveyance system over the past several years to provide a more dependable and sustainable water supply to be less dependent on imported water. The City Council authorized the Recycled Water Easterly Main Extension project currently underway to expand the City's existing recycled water pipeline system to deliver recycled water to customers located east of downtown Escondido. This project originally was conceptualized as part of the City's Potable Water Reuse Program identified in the Recycled Water Master Plan.*
	CURRENT BUSINESS
	WORKSHOP
	Findings of the Hydraulic Study of Escondido Creeks to Support the Development of an Alternative Compliance Program (C. McKinney) *This study was authorized by the City Council on May 20, 2015. The study has been completed and staff has reviewed the report. A presentation will be made on the findings and staff's suggested approach to implementing projects. Direction is sought from Council.*
	Future Agenda Items (D. Halverson)

City Manager's WEEKLY UPDATE to City Council

May 4, 2016

FOOTGOLF COMES TO ESCONDIDO

Popular around the world, FootGolf is the fun, fast-paced sport of soccer and golf! Plan to attend the FootGolf Grand Opening at the City's Reidy Creek Golf Course – the fun, fast-paced sport of soccer and golf! It will be held on Saturday, May 7th at Reidy Creek Golf Course, 2300 North Broadway, Escondido and will include:

- 9 a.m. ribbon cutting ceremony with the Escondido City Council
- Introduction to the game of FootGolf by Head Professional, Erik Agnew
- Contests and giveaways sponsored by FootGolf San Diego
- Bring your family, friends and team!
- Special two-for-one pricing to play FootGolf all day!

Come try this fun, easy-to-play game for all ages and skill levels. For JC Golf FootGolf at Reidy Creek, contact: Erik Agnew at (760) 740-2450 or EAgnew@jcresorts.com.

ECONOMIC DEVELOPMENT

The U.S. Department of Labor reports that last year there were more new jobs added in California then in Texas and Florida combined. For more information visit: http://www.bls.gov/news.release/pdf/laus.pdf).

SPECIAL EVENTS

- Celebrate Jesus – Escondido // final event in the series
  Friday, May 6th at 7 p.m.
  Grape Day Park

- International Mother's Day
  Saturday, May 7th from 10 a.m. – 6:00 p.m.
  Grape Day Park
  Multicultural event celebrating mothers from around the world.

- For information about activities taking place in Escondido, please visit www.visitescondido.com

COMMUNITY DEVELOPMENT

Planning

Major Projects Update

Commercial / Office:

1. Escondido Research and Technology Center – East (ERTC) – *No change from the following update reported last week*: This is a 72,000 square foot medical office building proposed on the east side of Citracado Parkway across from Palomar Medical Center located at 2130 Citracado Parkway. A grading permit has been issued by the Engineering Division. Building plans have been submitted for plan check. The Planning Division has approved a second set of corrected grading plans. The applicant has recently requested to install a temporary paved parking lot in this area to serve the hospital. It is anticipated that a grading plan with defined storm water treatment area(s) will be submitted soon for Planning and Engineering review.

2. Escondido Research and Technology Center – West (ERTC) – This is a 144,000 sq. ft. development involving two medical office buildings proposed on the west side of Citracado Parkway across from Palomar Medical Center located at 2097 – 2175 Citracado Parkway. A grading permit has been issued by the Engineering Division. The Planning Division has approved the building plans submitted for plan check. A tentative parcel map (TPM) for office condominiums is in process to allow the sale of individual office suites to medical providers. Conditions of approval for the TPM are being finalized and approval is expected soon.

3. Centerpointe 78 Commercial – *No change from the following update reported last week:* This project is a 45,650 sq. ft. supermarket and restaurant located at 925 N. Broadway. The project was approved by the Planning Commission on November 10, 2015. The project was approved by the City Council on December 9, 2015. Staff is waiting for submittal of a revised storm water plan that incorporates recent changes in regulations and is working with the property owner regarding obtaining permits to demolish the existing structure.

4. Westfield Theater – *No change from the following update reported last week:* This project is a 10-auditorium movie theater totaling 57,600 sq. ft. located on the north side of the Westfield Mall. The project was approved by the City Council on November 4, 2015.

5. Felicita Development, LLC – *No change from the following update reported last week:* This project is a 140-unit hotel, and a gas station or office/residential care facility at the southeast corner of Felicita Rd. and Gamble Lane. The applicant and staff met with the architect to discuss building elevations, 5-story height limitations and site design issues given the existing wetland constraints on the property. Additional technical analysis and coordination is needed to address traffic, biology, water and sewer service, geotechnical and storm water concerns, along with a market study for the proposed uses. The applicant met with the wild life agencies and is responding to technical studies needed to complete the application. Tribal consultations are underway.

6. Springhill Suites – *No change from the following update reported last week*: This project is a 105-suite hotel totaling 73,300 sq. ft. located at 200 La Terraza Drive involving 4 stories, a small conference room and an enlarged lobby for serving continental breakfast. A revised set of grading plans have been approved and grading has begun for the parking lot on the adjacent office property which shares a driveway access. Landscaping plans were submitted for review, and department comments are being finalized. Building plans have gone through three reviews with Esgil.

7. BMW Dealership – *No change from the following update reported last week:* A Precise Plan application to expand the existing dealership showroom an additional approximately 4,000 square feet and enhance the building façade at 1557 Auto Park Way was approved by the Planning Commission on October 13, 2015. A demolition permit to remove portions of the existing structure has been issues. The project is under construction.

8. Escondido Auto Park Association – *No change from the following update reported last week:* The association is proposing to upgrade the existing electronic message sign along I-15. On September 23, 2015, the Economic Development Subcommittee considered a request by the association to enter into an agreement with the City for reimbursement of a portion of the cost of the upgraded sign and expressed support for a five-year agreement based on anticipated public benefit of additional sales tax revenue. Staff has received information for processing.

9. Ford-Hyundai Dealership Expansion – An expansion involving approximately 13,000 sq. ft. of showroom buildings and 6,700 sq. ft. wash/detail building at 1717-1919 Auto Park Way was approved by the Planning Commission on June 23, 2015. Grading has commenced, the sign plans have been approved, and the Planning and Engineering Divisions have signed off on the building plans.

10. Trafalgar Square – Aldi Market – This renovation of the Trafalgar Square shopping center includes demolition of the northern shop building and the northern portion of the western building to prepare a site for the construction of an 18,088 square foot, freestanding building for Aldi Market. The plot plan was approved by the Planning Division in June of 2015. Grading and landscape plans have also been approved and grading has commenced on the site. Issuance of the building permit has been withheld pending FEMA approval of a conditional letter of map revision (CLOMR) for the grading design that elevates the building above the flood limits for the adjacent Escondido Creek. FEMA approval was received on May 4, 2016, and all city departments have now authorized issuance of the building permit.

Industrial

1. Escondido Disposal Inc. – *No change from the following update reported last week:* The CUP modification to expand the existing facility was approved by the Planning Commission on August 25, 2015. The project has completed its post-approval plan check process; staff has approved the grading and landscape plans. The County has notified the City that the

applicant has made its application to the State permitting agency. Storm drain issues improvements that extend through the site are under construction. A revised site plan with updated parking and circulation has been submitted for staff review. Staff is determining the adequacy of the storm water basins. Building plans were received for Phases I and III.

2. StorQuest – *No change from the following update reported last week*: This proposed project at 220 W. Mission Avenue involves a 102,500 sq. ft. development with 4-stories, 3 in-line shops and a small office in conjunction with a public storage facility. Correspondence has been mailed to the applicant regarding initial comments and the need for additional information to complete the application. The applicant has been working with staff to modify the vehicle circulation pattern and parking at the front of the building and has indicated that revised plans could be resubmitted as early as this week.

3. Victory Industrial Development – *No change from the following update reported last week*: This project involves two industrial buildings totaling 91,000 sq. ft. (one building 55,500 sq. ft., second building 35,500 sq. ft.) located at 2005 Harmony Grove Road and a zone change from residential to Planned Industrial consistent with the updated General Plan. Revised maps and technical studies have been submitted for review. Design review has been completed and the project is progressing through the environmental review phase including coordinating revisions to the traffic study.

4. Micro-Filtration Reverse Osmosis – The proposed project involves a Conditional Use Permit (CUP) for the development of a new city facility at 2512 E. Washington Avenue to provide advanced treatment for Title 22 quality recycled water produced at the City of Escondido's Hale Avenue Resource Recovery Facility (HARRF) for agricultural uses. The facility would be sized for a total production capacity of 2.0 million gallons per day (mgd) and consists of two separate buildings (one building 14,440 sq. ft., second building 21,775 sq. ft.) that would contain a variety of equipment, pumps, electrical, control and storage rooms. Underground storage tanks (90,000 gallon feed tank, 163,000 gallon inter-process tank, and a 970,000 gallon product storage tank) are also included. Public environmental review commenced concluded on April 6, 2016. The Planning Commission recommended denial of the proposed Conditional Use Permit on April 26, 2016. The Utilities Department has filed an appeal of that decision with the City Clerk. It is anticipated the City Council will consider the appeal on May 25, 2016.

5. Wastewater Collections Yard Expansion – The project involves development of 1.8 acres of a larger, approximately 15.4-acre site for the construction of a new wastewater collections yard and maintenance facility for the City's Hale Avenue Resource Recovery Facility (HARRF) at 1521 S. Hale Avenue. The proposed facilities will consist of three separate pre-fabricated metal buildings 3,735 sq. ft. - 5,670 sq. ft. for collections; work bays and workshops for regular maintenance of vehicles and equipment. The project would require the processing of a Conditional Use Permit (CUP) and rezone. Public environmental review commenced on March 22, 2016 and concluded on April 20, 2016. A Planning Commission

hearing has been scheduled for May 10, 2016 with a City Council hearing anticipated in June.

Institutional

1. John Paul the Great Catholic University – *No change from the following update reported last week:* A Conditional Use Permit to expand the campus and student enrollment at 155 W. Grand Avenue was approved by the Planning Commission on December 8, 2015. The proposal includes improvements to the former H. Johnson Building at 131 S. Broadway for studio and classroom space, and the former bank at 200 W. Grand Avenue for administrative offices and a student resource center. The proposed expansion would also increase the student enrollment from 300 to 1,200 students over the next several years. Staff has confirmed the availability of water and sewer connections. Staff recently met with the University President regarding potential future expansion plans beyond those previously approved.

2. Calvin Christian Middle/High School – *No change from the following update reported last week:* The project is an expansion involving a 15,500 SF auditorium, multi-use conference center, classrooms, terraces and walkways located at 2000 N. Broadway. The grading plans have been approved and a building permit was issued on April 11, 2016.

3. Escondido United Reformed Church – *No change from the following update reported last week:* The project is an expansion for a phased, multi-year, master construction/development plan for a new 12,250 SF two-story sanctuary, conversion of existing buildings to a social hall, demolition of an existing social hall/classroom building (approx. 4,620 SF) and construction of approximately 5,250 SF for a nursery, multi-purpose room, classrooms for Sunday school and other associated activities, and bathrooms, and an enclosed 1,835 SF central Atrium/Narthex at 1864 N. Broadway. Building plans have been submitted for review and comment for portions of project, revised architectural designs for the sanctuary have been submitted for review; the grading plans have been approved.

Residential

1. Oak Creek (NUW) – *No change from the following update reported last week:* This project is a 65-unit single family development located at the southeastern corner of Felicita Road and Hamilton Lane. The LAFCO Board unanimously approved the annexation on October 5, 2015. Staff has returned documents to LAFCO memorializing their action that included final paperwork to be completed prior to annexation recordation.

2. Amanda Estates (NUW) – *No change from the following update reported last week:* This project is a 22-unit single family development on Amanda Lane. The LAFCO Board approved the reorganization (annexation) at their meeting on August 3, 2015. Staff has returned documents to LAFCO memorializing their action that included final paperwork to be completed prior to annexation recordation.

3. Pradera – *No change from the following update reported last week:* This project consists of a 70-unit single family development located at the northeastern corner of Ash Street and Lehner Avenue. Grading and construction are underway. Three, two-story model homes have been completed and the model complex opened to the public on January 30, 2016. An additional two-story model (Plan 5) has been added to the unit mix and will soon be under construction. A single-story unit will be marketed with this development, but no model home for the single-story unit will be constructed. The developer obtained building permits for the first and second phases involving 16 units and those phases are under construction. Plans for a third and fourth phase have been submitted for review, bringing the total number of units built or under construction to 36.

4. KB Homes/ Lexington (Zenner) - The project is a 40-unit, single-family development at the northeastern corner of Lehner Avenue and Vista Avenue. The applicant has submitted the final map, improvement plans and grading plans for staff review and approval. Staff has approved the home designs and plans for constructing an off-site model complex on three separate parcels near the project are nearing completion for staff approval. A permit has been issued for the model home sales trailer. Proposed street names have been released by the Planning Division for review and concurrence by other agencies.

5. Stella Park Condominiums – This project is a 65-unit townhome Planned Development located at 2516 S. Escondido Blvd. The Planning Commission recommended denial of the proposal on March 22, 2016. The City Council considered the recommendation of the Planning Commission and approved the project on April 27, 2016, based on conformance with the General Plan.

6. Wohlford – *No change from the following update reported last week:* This project is a 55-unit single family development located on Bear Valley Parkway east of Encino Drive. Staff has reviewed submittals and technical reports from the applicant. A Specific Alignment Plan for Bear Valley Parkway detailing the proposed roadway design is under review. The Cultural Resources study has been completed and is being reviewed by staff and the EIR consultant. The consultant has reviewed the applicant's other technical reports and has provided comments for revisions and has commenced by-weekly status meetings as the document preparation gets underway. Preparation of the project EIR is on schedule.

7. Latitude II – *No change from the following update reported last week:* This project is a 112-unit multi-family development, located at the northeastern corner of Centre City Parkway and Washington Avenue, and approved by the City Council on August 19, 2015. A Final Subdivision Map has been submitted for review. The applicant will be submitting a boundary adjustment for a property exchange with the adjacent motel owner. Grading plans are nearing approval. Comments have been provided regarding the architectural plans that have been submitted for plan check. The CC&Rs and landscaping plans have been submitted for review.

8. Canyon Grove Estates (Tract 932) – *No change from the following update reported last week:* This project is a 179-lot single family residential development on the north side of Vista Avenue east of Conway Drive. Staff approved the substantial conformance determination for the revised tentative map and continues to coordinate with the applicant on the Precise Plan application for final architectural design and landscaping. The applicant has concluded the purchase of mitigation credits at Daley Ranch, and is pursuing acquisitions needed for offsite improvements. A grading permit has been issued and contractors are clearing the site in areas slated for development. The applicant is coordinating the plan review for off-site street improvements on Ash Street with the County's Department of Public Works.

9. Safari Highlands – This project is a 550-unit single family development located east of the Rancho San Pasqual community and north of the San Diego Safari Park. The project involves 1,100 acres including annexation and Sphere of Influence update for a master planned community with parks, trails, recreation center, fire station, open space, on-site sewer facility for treating a portion of the on-site wastewater for irrigation purposes. Planning and Engineering extensions of staff have been funded by the applicant and retained to assist the City in processing the project. Staff met with a representative of the Fish and Wildlife Department to discuss the project. Other outreach efforts have included City of San Diego, San Diego Zoo Safari Park representatives, public agencies and surrounding residents. The City Council approved the consultant contract for preparing the EIR on March 23, 2016. The consultant, Michael Baker International, has now been authorized to start work on the EIR. More information about this project is on line at: http://www.escondido.org/safari-highlands-ranch-specific-plan.aspx

10. High Pointe (Palos Vista Neighborhood 3) – *No change from the following update reported last week:* This project is a custom-home development with 39 estate lots accessed from Mesa Rock Road. Staff has prepared a bond and fee letter based on the proposed grading and landscape plans, and has sent it to the applicant.

11. Paseo Escondido – *No change from the following update reported last week:* This project is a mixed-use 122-unit multi-family planned development at the southeastern corner of Ash Street and Washington Ave. The proposed project consists of 26 one-bedroom and 96 two-bedroom apartments in three four-story buildings, and two 5,000 SF commercial buildings (10,000 SF total) oriented around an outdoor plaza. Additional submittals are required to complete the application and the applicant has completed coring and sampling as part of soils analysis. The applicant has been advised to meet with and SDGE planner regarding the overhead utility lines.

12. Del Prado (former Woody's site) – This project is a 113-unit townhome-style Planned Development located at the southwestern corner of Brotherton Road and the Centre City Parkway frontage road. The project includes a recreational facility, pool, and open space areas. Staff worked through various site design and utility issues with the applicant prior to

scheduling the project for a public hearing. The Planning Commission recommended denial of the project on April 12, 2016. The City Council will consider the project on May 11, 2016.

13. Solutions for Change – This project is a Planned Development application for 33 affordable multi-family units. It was approved by the Planning Commission on October 13, 2015, and by the City Council on November 18, 2015. Building plans have been submitted for review and approved by Esgil (contracted plan check firm). Staff has preliminarily accepted minor redesign efforts to meet construction costs and is working with the applicant to ensure state financing remains available for the project. The funding for the property acquisition has been completed. A demolition permit for the existing structures on the site has been issued. The building permit is ready to be issued once the fee deferral agreement is signed and additional bonding is in place.

14. 701 San Pasqual Valley Rd – *No change from the following update reported last week:* This project is a 19-unit single family development located at 1201 E. 5th Avenue (formerly Tract 898) on 7.2 acres. The application is under review and a letter detailing additional comments and submittal requirements was forwarded to the applicant.

15. Veterans Village of San Diego – *No change from the following update reported last week:* This project is a mixed-use development involving a 54-unit affordable multi-family residential apartment project for military veterans and their families. It includes on-site administration office, business center, club house and other support spaces for the residents; and a small commercial component to support training opportunities offered at the facility at 1556 S. Escondido Boulevard. Building plans have been submitted for review and comment; the grading plans and landscaping plans have been approved.

16. Escondido Gateway – This project is a mixed-use development involving 126 residential units within three, 4-5 story buildings with indoor and outdoor recreational areas and an opportunity for a small (1,000 sq. ft.) commercial/flex space on 2.6 acres (48 dwelling units/acre) located at 700 W. Grand Avenue (former Police Station) across the street from the Escondido Transit Center. Plans were submitted for the project involving a Specific Plan Amendment, Tentative Map, Planned Development and Development Agreement. Revised plans from the applicant intended to address earlier staff comments were submitted to the Planning Division on May 2 and distributed to the other departments for review.

17. City Plaza – *No change from the following update reported last week*: This long dormant, partially constructed mixed-use development at the southeastern corner of South Escondido Boulevard and Third Avenue now has new ownership. The new owners have met with city staff and indicated they quickly plan to start constructing the 65-unit apartment project as originally approved. The project consists of a three-story building with 51,200 SF of residential area and 4,100 SF of commercial area and two levels of parking. The building permits will need to be reissued and the applicant is coordinating that process with the Building Official.

Building Division:

1. The Building Department issued 69 permits with a total valuation of $361,012.

2. 20 photovoltaic permits were issued for the week. The Building Division has issued 464 solar permits this year compared to 285 issued for the same time last year.

3. The Building Department staff had another busy week. Inspectors averaged 31 inspections per day with 21 inspections on Friday. Our building counter staff was also busy, averaging 36 counter sign-ins per day and 33 on Friday. 45 customers came to the building counter on Wednesday.

4. The temporary sales trailer plan for KB Homes was submitted for review this week.

5. Plans were submitted for a new single family home at 1135 E. 3rd Ave.

6. The Taco Bell at 627 N Escondido Blvd is requesting a final inspection for their new buildings.

7. The 76-unit apartment complex at 2416 S Escondido is requesting final inspection and occupancy for Building # 2. Building # 3 is scheduling for inspection next week.

8. The Solutions for Change affordable housing project at 1560 S Escondido Blvd is ready for permit issuance with Engineering approval.

9. A notice was posted at the building counter requesting that contractors present any residential solar revisions to the building inspector at the time of inspection in lieu of submitting revisions at the building counter. This change of policy was implemented due to the increase and frequency of solar revisions.

Code Enforcement:

1. As of April 19, 2016, the total number of open code enforcement cases is 453 cases. During the prior week, 71 new cases were opened, and 67 cases were closed, with a backlog of an additional 68 cases not yet opened for assignment and investigation.

2. There were 44 illegal signs confiscated during the weekend.

3. Last week the Business License Division issued 16 new licenses and received 37 new applications, in addition to 184 renewals.

CAPITAL IMPROVEMENTS

Kit Carson Hockey Rink Improvements:

The roof vent installation has been completed on one of the hockey rink buildings. The remaining 10 roof vent units will be installed by the close of work Friday, May 6.

Grape Day Park Playground:
The contractor has begun to install irrigation systems for the project. The repair to the Vinehenge structure which is located within the foot print of the new project has not begun.

Future Capital Improvements:

FY 15/16 Street Rehabilitation and Maintenance Project:
Bids for this project are due May 5. Staff will seek City Council's authorization to award at the May 25th meeting, and anticipates that construction will begin in early to late June 2016.

Private Development

Bear Valley Parkway between Boyle Avenue and San Pasqual Valley Road (County Project):
The installation of the irrigation system is continuing this week along Bear Valley Parkway from Idaho Avenue to Lloyd Place to the north. The last section of old Bear Valley Parkway had concrete curb installed for the median curb from Suburban Hills Drive south to San Pasqual Valley Road. The installation of the concrete median curb completes this item of work at 3,916' installed. The traffic signal contractor is continuing to work on the new signal for the Boyle Avenue intersection.

2412 South Escondido Boulevard:
No changes from the following update reported last week: This project is nearing completion with the first of three building released for occupancy.

Pradera - Lennar Communities:

Base asphalt pavement was placed on Monday of this week along street "C". The testing of the new water main is continuing this week for street "C ".
Plan reviews and approvals continued on this project as follows:

- The Precise Grading plans and Improvement plans for Street "B" were returned to the engineer on April 29th.
- The 2nd submittal of the Final Maps for Streets "A" & "B" was made on April 22nd and are being reviewed by the City's consultant.
- The Precise Grading plans for Street "C" are now ready to be submitted on mylar with very minor changes.
- The revision to the Model Home Landscape plans was approved on April 28th.

Lexington Model Homes - KB Homes:
The contractor is installing sewer laterals for the new model home sites this week.

Plan reviews and approvals continued on this project as follows**:**

- The 2nd submittal of the grading plans for the Model Homes was made on April 18th.

Rincon del Diablo 8" & 12" Water Main Construction:
The contractor has completed all surface restoration along the project route. The testing of the new water main is continuing this week.

Tract 932 - Canyon Grove Shea Homes Community:
The mass grading of the site continues this week, with the work force concentrating on the extension of Vista Avenue.
Plan reviews and approvals continued on this project as follows**:**

- A Final Bond and Fee Letter was issued on April 20th.
- The City accepted the onsite R/W dedication last week and sent it for recording.
- The 4th submittal of the onsite improvement plans was made on April 29th and will hopefully be approved by the end of this week.

San Diego Gas & Electric gas main replacement Ash Street:
Pot holing of the utilities has been completed, with construction of the new pipeline to begin this week.

Private Development –Current Plan Review

Tract SUB14-0002 – Lexington by KB Homes (Zenner):
This project is a 40-lot residential subdivision located primarily along Vista Ave and Lehner Ave and this project will cul-de-sac Lehner Avenue and also will vacate an unnamed and untraveled public R/W when developed. KB Homes has acquired this project and has just begun to process the final engineering. KB Homes has also purchased 3 existing vacant lots that they are developing as their model homes (see above) for this project.

- The 1st submittal of the Rough Grading plans, Improvement plans, Storm Water and Drainage Reports, and the Final Map were made on March 29th and this first review should be returned to the engineer this week.

Tract SUB15-0003 – Latitude II Condominiums by a Lyon Homes Partnership:
This project is a 112-unit residential condominium subdivision located at the N/E corner of Centre City Parkway and Washington Ave. The primary access to the project will be via a new entrance off of Centre City Pkwy. Also this project will construct a large box culvert storm drain to route existing storm water flows through the project. There are a few private and public easement quitclaims and a property swap that must be completed to build the project as planned.

- The 2nd check of the Traffic Signal Modification plan for the Washington Ave and Centre City Parkway intersection widening will be returned to the engineer this week.
- The 1st review of the CC&Rs was completed last week.

Solutions for Change Housing:
This project is a 3-story 34-unit low income/transitional housing project located on S. Escondido Blvd. just south of 15th Ave. This project also has a small commercial office space component that will be subdivided off by "air space" Parcel Map for tax financing reasons.

- The 3rd submittal of the improvement plans will be completed this week.

- The Engineering review fees and cash clean-up deposit were paid last week, but the bonding for the public improvements still needs to happen prior to approval of the improvement plans or release of the Building Permit.

Tract 877 – Bernardo Ave. – Ambient Communities
This project is a 13-lot single-family residential project located at the cul-de-sac end of the Bernardo Avenue/ I-15 frontage road and will extend it and reconstruct the emergency access gate further south. The project was recently reactivated and revised to meet new storm water standards and optimize the site grading.

- The 1st submittal of the whole revised final engineering package was made on April 19th and will be reviewed by mid-May.

PUBLIC SAFETY

Police:

Incidents

- 4/25/2016, Officer Spinos was at Palomar Medical Center when he noticed a suspect wanted in a robbery. The suspect was taken into custody without incident and booked into the Vista Detention Facility for robbery.

- On 4/26/2016, patrol officers assisted the Fire Department with traffic control and evacuations for a fire alarm in the 1600 block of E. Valley Pkwy.

- On 4/28/2016, Detective Rodelo witnessed two gang members tinkering with the ignition of a vehicle. The vehicle fled the area when officers attempted to stop it. The pursuit lasted a short while until the two suspects abandoned the vehicle and fled on foot. The suspects were not located but additional information was developed to identify the suspects. The investigation in ongoing.

- On 04/30/2016, Officer Fidel located a wanted suspect walking down the street in the 900 block of Erica St. The suspect was taken into custody without incident. The suspect was booked into the Vista Detention Facility for spousal abuse and robbery.

Events

- On 4/28/2016, Chief Craig Carter was recognized as a Distinguished Citizen by the Boy Scout during a luncheon at the California Center for the Arts.

- On 4/30/2016, Officers from the Escondido Police Department assisted San Diego Star PAL with Draft Day 2016 at Qualcomm Stadium. Children, three years old and up, were led through the course by Charger's personnel and officers from the Escondido Police Department. At the end of the day, more than a hundred children went through the course. The officers that participated in the event were Officer Adan Martinez, Officer Thomas Lussenden, Detective Marco Sevilla and Lieutenant Al Owens.

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