



NOVEMBER 18, 2015
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	Clay Phillips
CITY CLERK	Diane Halverson
CITY ATTORNEY	Jeffrey Epp
DIRECTOR OF COMMUNITY DEVELOPMENT	Jay Petrek
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.



Council Meeting Agenda

**November 18, 2015
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 LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))

Case Name: Shannon Dennis v. City of Escondido
Case No: 37-2014-00013400-CU-WT-NC

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

- a. **Property:** 2269 East Valley Parkway
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: American Heritage Charter Schools
Under Negotiation: Price and Terms of Agreement
- b. **Property:** A parcel on the north side of West Valley Parkway between City Hall and the California Center for the Arts, Escondido, APN 229-372-20
City Negotiator: Graham Mitchell, Assistant City Manager
Negotiating Parties: City of Escondido and Craig Clark
City of Escondido and Atwater Infrastructure Partners, LLC
Under Negotiation: Price and Terms of Agreement

c. **Property:** 3507 East Valley Parkway
 City Negotiator: Debra Lundy, Real Property Manager
 Negotiating Parties: Toscano, Jose J. Sr. Family Trust
 Under Negotiation: Price and Terms of Agreement

ADJOURNMENT



Council Meeting Agenda

**November 18, 2015
4:30 P.M. Meeting**

Escondido City Council

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

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 October 28, 2015 B) Regular Meeting of November 4, 2015**

4. **FISCAL YEAR 2013 STATE AND COMMUNITY CORRECTIONS POLICE GRANT - ADDITIONAL FUNDS AND BUDGET ADJUSTMENT -**

Request Council approve authorizing the Police Department to accept additional Fiscal Year 2013 State and Community Corrections Police Grant funds in the amount of \$69,400; 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)**

5. **STATE OF CALIFORNIA 9-1-1 FOR KIDS FUNDING AND BUDGET ADJUSTMENT -**

Request Council approve authorizing the Escondido Police Department to accept \$2,601.90 in funds from the State of California 9-1-1 Emergency Communications Office; 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. **FISCAL YEAR 2015-16 STATE OF CALIFORNIA CITIZENS' OPTIONS FOR PUBLIC SAFETY (COPS) PROGRAM GRANT AND BUDGET ADJUSTMENT -**

Request Council approve authorizing the Escondido Police Department to accept a Fiscal Year 2015-16 Citizens' Options for Public Safety (COPS) Program Grant in the amount of \$230,235; approve grant expenditures consistent with guidelines in AB 1913; 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)**

7. **FINAL MAP, ESCONDIDO TRACT 934, LOCATED AT 1207 NORTH GAMBLE STREET -**

Request Council approve the Final Map for Tract 934, a Five Lot Residential Subdivision located at 1207 North Gamble Street.

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

8. **NOTICE OF COMPLETION FOR FISCAL YEAR 2014-15 STREET MAINTENANCE PROJECT -**

Request Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the Fiscal Year 2014-15 Street Maintenance Project.

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

9. **EMPLOYMENT AGREEMENTS - CITY MANAGER AND CITY ATTORNEY -**

Request Council approve authorizing the Mayor and City Clerk to execute, on behalf of the City, an Employment Agreement with Graham Mitchell to serve as the City Manager, and a First Amendment to the Employment Agreement with Jeffrey Epp to continue serving as the City Attorney.

Staff Recommendation: **Approval (City Attorney's Office: Jeffrey Epp)**

RESOLUTION NO. 2015-205

10. AUTHORIZING A RIGHT-OF-WAY APPLICATION TO THE UNITED STATES DEPARTMENT OF INTERIOR FOR THE SAN PASQUAL UNDERGROUNDING PROJECT -

Request Council approve authorizing the City Manager or Director of Utilities to execute an application and other documents required for the San Pasqual Undergrounding Project.

Staff Recommendation: **Approval (City Attorney's Office: Jeffrey Epp)**

RESOLUTION NO. 2015-198

11. ACCEPTANCE OF DONATION FOR KIT CARSON PARK HOCKEY ARENA -

Request Council approve a donation of floor tiles for one of the Kit Carson Park hockey arenas. The proposed donation at the estimated cost for materials of \$60,000 will be made by San Diego Sports Foundation.

Staff Recommendation: **Approval (Community Services Department: Loretta 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.)

12. MODIFICATION TO THE MASTER AND PRECISE DEVELOPMENT PLAN FOR WESTFIELD NORTH COUNTY (PHG 15-0026) -

Approved on November 4, 2015 with a vote of 5/0

ORDINANCE NO. 2015-20R (Second Reading and Adoption)

13. EXTENSION OF THE ERTC DEVELOPMENT AGREEMENT (PHG 15-0017) -

Approved on November 4, 2015 with a vote of 4/0/1 (Masson abstained)

ORDINANCE NO. 2015-21 (Second Reading and Adoption)

PUBLIC HEARINGS

14. MASTER AND PRECISE DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP FOR THE DEVELOPMENT OF A MIXED-USE PROJECT IN THE PD-MU ZONE (PHG 15-0009, SUB 15-0008) -

Request Council approve the Master and Precise Development Plan and Tentative Parcel Map; adopt the environmental determination; approve the project as originally conditioned, which would eliminate the one condition requiring installation of an elevator that was added by the Planning Commission; and approve revising the financial details of the project and reaffirm the commitment of Affordable Housing funds.

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

A) RESOLUTION NO. 2015-194 B) RESOLUTION NO. 2015-204

C) ORDINANCE NO. 2015-23 (First Reading and Introduction)

FUTURE AGENDA

15. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the 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

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
November 25	-	-	No Meeting	-
December 2	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
December 9	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
December 16	-	-	No Meeting	-

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
October 28, 2015
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, October 28, 2015 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)

Attorney Jeffrey Epp requested the addition of one item to the agenda.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to add the following item to the Closed Session pursuant to Government Code section 54954.2(b)(2); that the need to take immediate action arose subsequent to the posting of the agenda and to recess to Closed Session. Motion carried unanimously.

ADDED ITEM:

Conference with Real Property Negotiator (Government Code §54956.8)

Considering real property purchase and terms of payment for real property at the intersection of East Valley Parkway and Lake Wohlford Road, in connection with the East Valley Widening Project. The particular piece of property is APN 240-301-09, and the owners are Peter and Eunice Jauregi. The City negotiator has been Debra Lundy.

I. PUBLIC EMPLOYEE APPOINTMENT (Government Code §54957)

- City Manager

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:48 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
October 28, 2015
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 4:50 p.m. on Wednesday, October 28, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:

Assad Saif led the Moment of Reflection.

FLAG SALUTE

Mayor Abed led the Flag Salute.

PRESENTATIONS:

SANDAG

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: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Jay Petrek, Community Development Director; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

Mayor Abed announced that the City Council unanimously approved hiring Graham Mitchell as City Manager upon retirement of current City Manager, Clay Phillips, on December 18, 2015.

ORAL COMMUNICATIONS

Kenneth P. Kestner, Escondido, requested information regarding his pending case with the Police Department.

CONSENT CALENDAR

MOTION: Moved by Councilmember Diaz 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 October 7, 2015**

4. RESOLUTION TO AUTHORIZE INITIATION OF AN OUT-OF-AGENCY SEWER SERVICE AGREEMENT, CASE NO. PHG 15-0034, 644 NORTH AVENUE -

Request Council approve authorizing an application to LAFCO for an Out-of-Agency Sewer Service Agreement for connection to the City's sewer; authorize staff to process an Irrevocable Offer of Annexation; and authorize execution of agreements with the property owners to implement the service. (File No. 0850-20)

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

RESOLUTION NO. 2015-185

5. UPDATE TO TRUCK ROUTES -

Request Council approve authorizing the City Engineer to update the traffic schedule for truck routes to add portions of Second Avenue and Washington Avenue, and remove Grand Avenue from the list of established truck routes. (File No. 1050-50)

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

RESOLUTION NO. 2015-184

6. NOTICE OF COMPLETION FOR ESCONDIDO TRACT SUB 12-0014, LOCATED AT 537 NORTH ELM STREET (SAN DIEGO HABITAT FOR HUMANITY) -

Request Council approve and accept the public improvements and authorize staff to file a Notice of Completion for Tract SUB 12-0014, located at 537 North Elm Street (San Diego Habitat for Humanity). (File No. 0800-10)

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

7. FIRST AMENDMENT TO LEASE AGREEMENT WITH CHARROS DE EL CABALLO PARK AT 3400 VALLEY CENTER ROAD (POR.) -

Request Council approve authorizing the Real Property Manager and City Clerk to execute a First Amendment to the Lease Agreement with Charros de El Caballo Park at 3400 Valley Center Road (Por.). **THIS ITEM IS CONTINUED FROM OCTOBER 21, 2015.** (File No. 0600-10 [A-3110])

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

RESOLUTION NO. 2015-181

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. CONDUCT A PUBLIC HEARING TO CONSIDER RESOLUTIONS OF NECESSITY FOR EMINENT DOMAIN FOR THE EAST VALLEY PARKWAY/VALLEY CENTER ROAD PROJECT - ASSESSOR PARCEL NUMBERS: 240-020-23 [SERRATO]; 240-011-01 [TOSCANO]; 240-011-03 [HEATH]; AND 240-301-09 [JAUREGUI] -

Request Council approve authorizing the eminent domain proceedings and direct the City Attorney to commence actions in the Superior Court for the purpose of acquiring said real property. **THIS ITEM IS CONTINUED FROM OCTOBER 21, 2015.** (File No. 0690-50)

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

A) RESOLUTION NO. 2015-176 B) RESOLUTION NO. 2015-177

C) RESOLUTION NO. 2015-178 D) RESOLUTION NO. 2015-179

Julie Procopio, Assistant Director of Public Works, presented the staff report, utilizing a PowerPoint presentation.

Matt Souttere, Assistant Engineer, was available to answer questions.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve authorizing the eminent domain proceedings and direct the City Attorney to commence actions in the Superior Court for the purpose of acquiring said real property and adopt Resolution No. 2015-176, Resolution No. 2015-177, Resolution No. 2015-178, and Resolution No. 2015-179. Motion carried unanimously.

CURRENT BUSINESS

9. FINANCIAL STATUS REPORT FOR FISCAL YEAR 2014/15 AND BUDGET ADJUSTMENT -

Request Council receive and file the annual financial status report for Fiscal Year 2014/15; approve a budget adjustment; authorize the use of General Fund Reserves of \$258,340 to fund FY 2014/15 purchase order carryover requests and to transfer \$131,000 to the Reidy Creek Golf Course to cover a year-end shortfall; and approve a reduction in the transfer of funds to the Recreation Fund from the General Fund in the amount of \$136,000. (File No. 0430-30)

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

RESOLUTION NO. 2015-174

Sheryl Bennett, Director of Administrative Services, introduced Joan Ryan, Assistant Director of Finance, Scott Peterson, Accountant, and Christina Holmes, Revenue Manager, who presented the staff report, utilizing a PowerPoint presentation.

Carlos Bonilla, Escondido, recommended keeping prices low to encourage golfing and to convert Reidy Creek Golf Course to executive style in order to lower maintenance costs.

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Masson to receive and file the annual financial status report for Fiscal Year 2014/15; approve a budget adjustment; authorize the use of General Fund Reserves of \$258,340 to fund FY 2014/15 purchase order carryover requests and to transfer \$131,000 to the Reidy Creek Golf Course to cover a year-end shortfall; and approve a reduction in the transfer of funds to the Recreation Fund from the General Fund in the amount of \$136,000 and adopt Resolution No. 2015-174. Motion carried unanimously.

WORKSHOP

10. 2015/16 CITY COUNCIL ACTION PLAN - FISCAL MANAGEMENT -

Request Council provide direction regarding the Fiscal Management goal of determining the appropriate size of Reserves for the City's General Fund based on an analysis of risk factors defined by the Government Finance Officers' Association. (File No. 0610-90)

Staff Recommendation: **Provide Direction (Finance Department: Sheryl Bennett)**

Sheryl Bennett, Director of Administrative Services, and Joan Ryan, Assistant Director of Finance, presented the staff report, utilizing a PowerPoint presentation.

COUNCIL DIRECTION: Council directed staff to evaluate appropriate reserve levels using a risk factor analysis.

FUTURE AGENDA

11. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the 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 the Borders Committee and Go Global San Diego's data; reported that the San Diego Water Authority will tour the Lake Hodges pump house and Olivenhein Dam.

Mayor Abed reported on SANDAG's discussion of potential Quality of Life tax; the Boy Scouts of America honored Chief Carter for the 2015 Distinguished Citizens Award.

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 6:09 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
November 4, 2015
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, November 4, 2015 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 Masson and Seconded by Councilmember Diaz to recess to Closed Session. Motion carried unanimously.

I. 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 California Center for the Arts, Escondido, APN 229-372-20
- City Negotiator:** Graham Mitchell, Assistant City Manager
- Negotiating Parties:** The City of Escondido and Craig Clark
- Under Negotiation:** Price and Terms of Agreement

II. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code §54957)

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:00 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
November 4, 2015
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, November 4, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:

Tolu Peters led the Moment of Reflection.

FLAG SALUTE

Mayor Abed led the Flag Salute.

PROCLAMATIONS:

Escondido Shines Day

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: Clay Phillips, City Manager; Michael McGuinness, Assistant City Attorney; Jay Petrek, Community Development Director; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

Kenneth P. Kestner, Escondido, believes his residence is being monitored.

CONSENT CALENDAR

MOTION: Moved by Councilmember Gallo 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: Regular Meeting of October 21, 2015**
- 4. APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR MICHAEL DEANDA -**
Request Council approve the California Public Employees' Retirement System Industrial Disability Retirement for Police Officer Michael DeAnda. (File No. 0170-57)

Staff Recommendation: **Approval (Human Resources Department: Sheryl Bennett)**

RESOLUTION NO. 2015-197

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. MODIFICATION TO THE MASTER AND PRECISE DEVELOPMENT PLAN FOR WESTFIELD NORTH COUNTY (PHG 15-0026) -

Request Council approve a Business Enhancement Zone project, involving a Modification to the Master Development Plan and a new Precise Development Plan to construct a multiplex movie theater and outdoor plaza in the former "duck pond" area behind Westfield North County Mall. The project also includes a modification to the mall's master sign program, to replace an existing seven foot tall monument sign at the southwestern corner of Beethoven Drive and East Via Rancho Parkway with a new 28-foot pylon sign to display major tenant names, and to locate signs on the new theater building. (File No. 0800-40)

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

ORDINANCE NO. 2015-20 (First Reading and Introduction)

Bill Martin, Assistant Director of Planning, presented the staff report, utilizing a PowerPoint presentation.

Kim Brewer, Vice President of Westfield Development, shared positive development updates about the center.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve a Business Enhancement Zone project, involving a Modification to the Master Development Plan and a new Precise Development Plan to construct a multiplex movie theater and outdoor plaza in the former "duck pond" area behind Westfield North County Mall. The project also includes a modification to the mall's master sign program, to replace an existing seven foot tall monument sign at the southwestern corner of Beethoven Drive and East Via Rancho Parkway with a new 28-foot pylon sign to display major tenant names, and to locate signs on the new theater building and introduce Ordinance No. 2015-20. Motion carried unanimously.

6. EXTENSION OF THE ERTC DEVELOPMENT AGREEMENT (PHG 15-0017) -

Request Council approve extending the term of the existing Development Agreement (Planning Case No. 2001-01-DA/CZ/GPA/SPA) between JRM-ERTC I, a California limited partnership, and the City of Escondido for an additional ten years for the development of the Escondido Research and Technology Center and public benefits.(File No. 0800-40)

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

ORDINANCE NO. 2015-21 (First Reading and Introduction)

Councilmember Masson abstained and left the dais.

Jay Petrek, Director of Community Development, presented the staff report, utilizing a PowerPoint presentation.

James McCain, Escondido, thanked staff for their assistance and stated his commitment to the City.

Kimberly Pano, Escondido, noted the impact on her family's quality of life due to the development.

MOTION: Moved by Councilmember Gallo and seconded by Deputy Mayor Morasco to approve extending the term of the existing Development Agreement (Planning Case No. 2001-01-DA/CZ/GPA/SPA) between JRM-ERTC I, a California limited partnership, and the City of Escondido for an additional ten years for the development of the Escondido Research and Technology Center and public benefits and introduce Ordinance No. 2015-21. Ayes: Abed, Diaz, Gallo, and Morasco. Noes: None. Abstained: Masson. Motion carried.

CURRENT BUSINESS

7. VACATION OF RIGHT-OF-WAY AND AMENDED PURCHASE AGREEMENT FOR THE DISPOSITION OF PROPERTY: 165 EAST LINCOLN AVENUE -

Request Council approve a First Amendment to the Purchase Agreement with Frank Turlo for the sale of 165 East Lincoln Avenue and adjacent right-of-way on Lincoln Parkway; approve to summarily vacate the subject property, 165 East Lincoln Avenue, from the City's right-of-way; and approve to summarily vacate portions of excess right-of-way abutting Frank Turlo's two other properties along Lincoln Parkway. (File No. 0690-20)

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

A) RESOLUTION NO. 2015-186 B) RESOLUTION NO. 2015-187

C) RESOLUTION NO. 2015-188 D) RESOLUTION NO. 2015-189

Debra Lundy, Real Property Manager, presented the staff report.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve a First Amendment to the Purchase Agreement with Frank Turlo for the sale of 165 East Lincoln Avenue and adjacent right-of-way on Lincoln Parkway; approve to summarily vacate the subject property, 165 East Lincoln Avenue, from the City's right-of-way; and approve to summarily vacate portions of excess right-of-way abutting Frank Turlo's two other properties along Lincoln Parkway and adopt Resolution No. 2015-186, Resolution No. 2015-187, Resolution No. 2015-188, and Resolution No. 2015-189. Motion carried unanimously.

8. REALLOCATION OF CAPITAL IMPROVEMENT PROGRAM PARK FUNDS AND BUDGET ADJUSTMENT -

Request Council approve reallocating Capital Improvement Program Park Development Funds in the amount of \$355,001 to address critical capital needs in various City parks. (File No. 0430-80)

Staff Recommendation: **Approval (City Manager's Office: Graham Mitchell & Community Services Department: Loretta McKinney)**

RESOLUTION NO. 2015-195

Loretta McKinney, Director of Library and Community Services, and Graham Mitchell, Assistant City Manager, presented the staff report, utilizing a PowerPoint presentation.

Wally Gutierrez, Escondido, stated the need for a functional concession stand and noted the impacts the revenue has on the National Little League.

Nellie Langston, Escondido, requested support from the City and noted the benefits of youth programs.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve reallocating Capital Improvement Program Park Development Funds in the amount of \$355,001 to address critical capital needs in various City parks and adopt Resolution No. 2015-195. Motion carried unanimously.

FUTURE AGENDA

9. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the 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 the San Diego Water Authority's visit to the Lake Hodges Pump Station.

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 6:09 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 4
Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council
FROM: Craig Carter, Chief of Police
SUBJECT: FY 2013 State and Community Corrections Police Grant - Additional Funds

RECOMMENDATION:

It is requested that City Council authorize the Police Department to accept additional FY 2013 State & Community Corrections Police Grant funds in the amount of \$69,400; 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 for part-time salaries, police officer overtime, overhead, and enforcement equipment.

PREVIOUS ACTION:

On May 20, 2015, Council approved State and Community Corrections Grant additional funding in the amount of \$234,702 for overtime, reserve officer salary, overhead, and program supply costs.

BACKGROUND:

The Escondido Police Department has been allocated additional funds under the FY 2013 State and Community Corrections Police Grant. This funding was provided by the State of California Board of Community Corrections, through Assembly Bill 118 and Senate Bill 89, to reduce state prison overcrowding and support local law enforcement efforts. Escondido's allocation is used to support regional and local enforcement efforts. Grant funds will be used for part-time salaries, police officer overtime, overhead, and enforcement equipment.

Respectfully submitted,



Craig Carter
Chief of Police



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: November 9, 2015
Department: Police
Division: Administration
Project/Budget Manager: Lisa Rodelo 4905
Name Extension
Council Date (if applicable): November 18, 2015
(attach copy of staff report)

For Finance Use Only	
Log #	<u>BA 11-02</u>
Fiscal Year	<u>2016</u>
☐	Budget Balances
☐	General Fund Accts
☐	Revenue
☐	Interfund Transfers
☐	Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Revenue	4127-450-SCCP12	\$69,400	
Police Grants	450-SCCP12	\$69,400	

Explanation of Request:

A budget adjustment is needed to spend additional FY 2013 State and Community Corrections Police Grant funds for part-time salaries, police officer overtime, overhead, and enforcement equipment.

Department Head _____ Date 11/9/15

Finance _____ Date 11/9/15

APPROVALS

City Manager _____ Date _____
City Clerk _____ Date _____

Distribution (after approval):

Original: Finance

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 5
Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Craig Carter, Chief of Police

SUBJECT: State of California 9-1-1 For Kids Funding

RECOMMENDATION:

It is requested that City Council authorize the Escondido Police Department to accept \$2,601.90 in funds from the State of California 9-1-1 Emergency Communications Office; 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. Funds allocated to the City will be used to purchase 9-1-1 educational materials.

PREVIOUS ACTION:

On November 19, 2014, City Council accepted \$2,901.62 in funds from the State of California 9-1-1 Emergency Communications Office for the 9-1-1 For Kids program.

BACKGROUND:

The Escondido Police Department has qualified for funding to reimburse costs for 9-1-1 education materials. Each year Escondido Public Safety Dispatchers visit local schools and provide information about how students can correctly use 9-1-1. The 9-1-1 For Kids educational material focuses on appropriate reasons to call 9-1-1, how to properly dial 9-1-1 and what to say to the 9-1-1 dispatcher.

Respectfully submitted,



Craig Carter
Chief of Police

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 6

Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Craig Carter, Chief of Police

SUBJECT: FY 2015-16 State of California Citizens' Options for Public Safety (COPS) Program Grant

RECOMMENDATION:

It is requested that City Council authorize the Escondido Police Department to accept a FY 2015-16 Citizens' Options for Public Safety (COPS) Program Grant in the amount of \$230,235; approve grant expenditures consistent with guidelines in AB 1913; 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 salary and overhead expenses for temporary part-time employees.

PREVIOUS ACTION:

On November 19, 2014, City Council accepted a FY 2014-15 COPS Program Grant in the amount of \$232,304.

BACKGROUND:

Existing law establishes Supplemental Law Enforcement Services Funds and requires monies from these funds to be allocated to counties and cities for purposes of the Citizens' Options for Public Safety (COPS) Program. In September 2000 the California State Legislature chaptered AB 1913, the Schiff-Cardenas Crime Prevention Act of 2000, which increased appropriations for these funds and established new formulas for State Citizens' Options for Public Safety (COPS) allocations.

As a result of these actions, the City of Escondido will receive a FY 2015-16 COPS Grant. Due to the uncertainty of the funding level and the continued possibility of a statewide reallocation of funds, as was experienced in past years, the State has recommended that each city adopt a conservative spending plan and if necessary, amend that plan later in the year when more information is available. The minimum award per jurisdiction is \$100,000.

According to the law, COPS funds may only be spent to provide front-line law enforcement services, which include anti-gang, crime prevention and juvenile justice programs. They may not supplant existing funding and they must supplement law enforcement services.

Government Code Section 30061 requires that Supplemental Local Law Enforcement Fund monies allocated to counties must be deposited in a Supplemental Law Enforcement Services Fund (SLESF). Cities who receive SLESF allocations must deposit them in their own SLESF prior to expending funds. SLESF allocations may not be intermingled with other city funds and they must draw interest until spent. The City of Escondido established a SLESF account in 1996 and has maintained it since that time for COPS grant allocations.

Cities that receive SLESF allocations must submit an approved expenditure plan to the County COPS Program Coordinator. The Police Department has examined needs for law enforcement services in the community and recommends to use this year's COPS allocation to fund salary and benefits for temporary part-time positions that, due to budget constraints, have been reduced or eliminated from the General Fund Budget. Positions funded by the allocation may include, data entry technicians, custody transport officers, range masters, polygraphers, a background investigator, a forensic technician, a property and evidence technician, a department specialist in the Internal Affairs Unit, a department specialist in the Traffic Division, and department specialists in the Administration Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig Carter', written over a horizontal line.

Craig Carter
Chief of Police



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

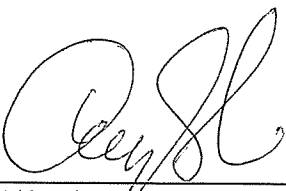
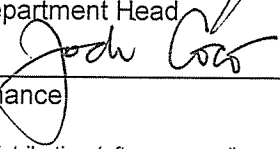
Date of Request: November 9, 2015
Department: Police
Division: Administration
Project/Budget Manager: Lisa Rodelo 4905
Name Extension
Council Date (if applicable): November 18, 2015
(attach copy of staff report)

For Finance Use Only	
Log #	<u>BA 11-04</u>
Fiscal Year	<u>2016</u>
☐	Budget Balances
☐	General Fund Accts
☐	Revenue
☐	Interfund Transfers
☐	Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Revenue	4127-450-New project number	\$230,235	<u>En</u>
Police Grants	450-New Project Number	\$230,235	<u>1</u>

Explanation of Request:

A budget adjustment is needed to spend grant funds for part-time salaries and overhead to support Police activities.

APPROVALS	
 Department Head	<u>11-3-15</u> Date
 Finance	<u>11/5/15</u> Date
City Manager	Date
City Clerk	Date

Distribution (after approval):

Original: Finance

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 7
Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Director of Public Works/City Engineer
Owen Tunnell, Principal Engineer

SUBJECT: Final Map, Escondido Tract 934, located at 1207 North Gamble Street

RECOMMENDATION:

It is requested that Council approve the Final Map for Tract 934, a Five Lot Residential Subdivision located at 1207 North Gamble Street.

FISCAL ANALYSIS:

The cost for review of the Final Map is paid by the developer in accordance with the adopted fee schedule.

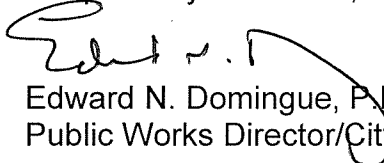
PREVIOUS ACTION:

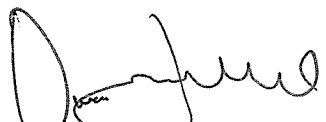
This project was approved as a Tentative Map and subject to the conditions of approval by the Planning Commission on November 8, 2005 as Resolution 5654.

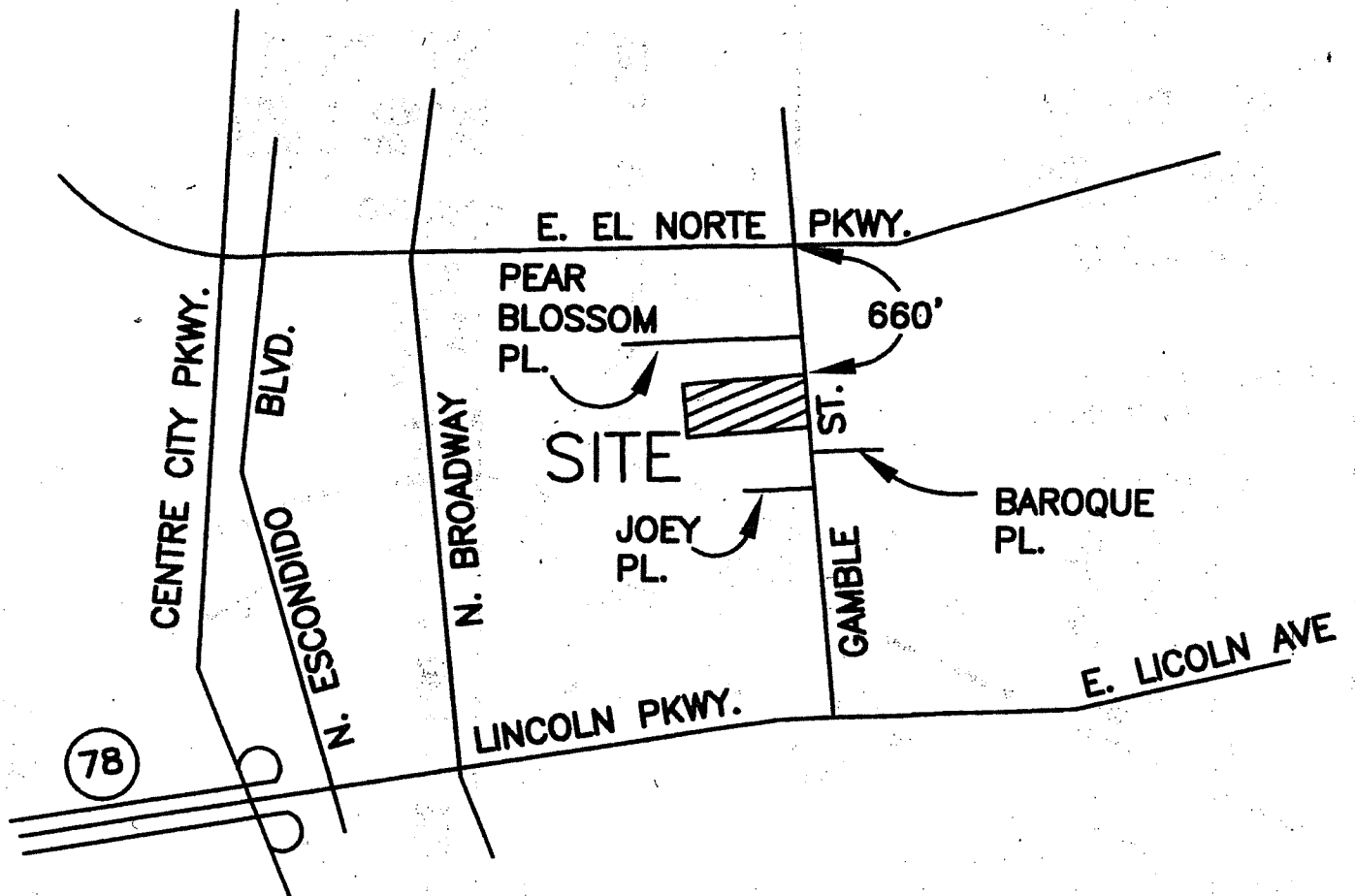
BACKGROUND:

We have examined this Final Map and found it to be mathematically correct and substantially the same as it appeared on the Tentative Subdivision Map with any approved revisions thereof. This Final Map conforms to the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval. The Planning Department has reviewed and approved the Final Map.

Respectfully submitted,


Edward N. Domingue, P.E.
Public Works Director/City Engineer


Owen Tunnell
Principal Engineer



VICINITY MAP
NO SCALE

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 8
Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director/City Engineer
Dan Higbee, Construction Project Manager

SUBJECT: Notice of Completion for FY 2014/2015 Street Maintenance Project

RECOMMENDATION:

It is requested that Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the FY 2014/2015 Street Maintenance Project.

FISCAL ANALYSIS:

The contract was awarded to American Asphalt South. The total cost of the project is \$1,384,677.84 and is included in the FY 2014/2015 Pavement Maintenance CIP budget.

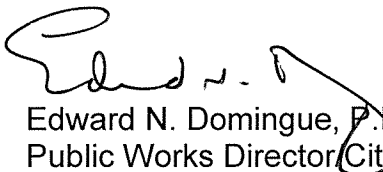
PREVIOUS ACTION:

Council awarded the contract to American Asphalt South on July 8, 2015.

BACKGROUND:

Construction began on August 6, 2015, and was completed on October 1, 2015. This project was the second part of a two-part annual pavement maintenance project. Work included placing surface treatments such as; asphalt rubberized aggregate membrane, scrub seal and slurry seal.

Respectfully submitted,


Edward N. Domingue, P.E.
Public Works Director/City Engineer


Dan Higbee
Construction Project Manager

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 9

Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Clay Phillips, City Manager
Michael McGuinness, Assistant City Attorney

SUBJECT: Employment Agreements – City Manager and City Attorney

RECOMMENDATION:

It is recommended that Council adopt Resolution 2015-205 authorizing the Mayor and City Clerk to execute, on behalf of the City, an Employment Agreement with Graham Mitchell to serve as the City Manager, and a First Amendment to the Employment Agreement with Jeffrey Epp to continue serving as the City Attorney.

BACKGROUND:

The City Manager and City Attorney serve pursuant to the California Government Code, the Escondido Municipal Code and an employment agreement. They are the only two city employees who report directly to the City Council. Thus, their employment agreements implement the authorizing provisions of state law and the municipal code and provide the specific terms and conditions of employment, compensation, and benefits. This arrangement is typical for most California cities.

As a matter of local policy, the City of Escondido has treated its City Manager and City Attorney equally in terms of all aspects of their employment. This policy has been in place through three city managers and two city attorneys over the last 20+ years. Escondido also enjoys the most stability in senior management of any city in San Diego County. As of the fall of 2015, the City of Escondido has the longest serving city attorney and the longest serving city manager of any local city.

The current form of employment agreement used in the City of Escondido was developed at the request of the City Council in 1999. At that time, Mayor Lori Pfeiler, and Councilmembers June Rady, Keith Beier, Marie Waldron, and Jerry Kaufmann retained the services of attorney Dwight Worden who worked with the City Council and then-City Manager Rolf Gunnarson and City Attorney Jeffrey Epp to negotiate and develop the agreement. Other than changes to the method for calculating the base salary, and the recent elimination of certain fringe benefits, the basic provisions of the agreement have remained intact since 1999. The most recent amendments occurred in 2013 when a three year salary structure and draw down of leave balances was provided in anticipation of succession and transition in the positions.

Base Salary Provisions

The proposed agreement sets a salary for the incoming City Manager based generally on the City of Chula Vista as a comparable. The salary for the City Attorney will remain unchanged.

Benefits

The employment agreements provide certain fringe benefits. Benefits have generally remained unchanged since the 1999 form of agreements was developed, with the elimination of certain fringe benefits in 2013. Current benefits include the following:

- 1) Twenty days of management leave, with the ability to convert 15 of those to salary. A one time credit of 20 days of management leave.
- 2) An auto allowance of \$750 per month (set at the same amount as Council).
- 3) Life insurance with a policy amount of two times the amount of the annual salary.
- 4) A separate contribution to an individual deferred compensation plan of 7% of the base salary.
- 5) In the case of the City Manager contract, a one-time allowance of up to \$10,000 in moving expenses, subject to submission of required documentation, and provided the move to Escondido takes place within one year.
- 6) Vacation time, sick leave, long term disability insurance, and worker's compensation benefits are on the same basis as all other management employees of the City pursuant to City policy. The right to accrue vacation and sick leave, as well as the caps set on such accruals, are the same as other management employees. The contracts provide the right to payment of any accrued leave at the end of employment.

Term

Prior to 1999, the employment agreements were often for a set term of years, or annually. In recent years, the employment agreements have no established ending date, but remain in effect and can be terminated at any time with a one year severance benefit. This structure provided stability during times of economic and political turmoil and helps each of these individuals focus on the professional aspects of their positions. In certain cases of misconduct, no severance is payable.

Recommendation

That the City Council adopt Resolution No. 2015-205 adopting an employment agreement with Graham Mitchell for the City Manager position and a First Amendment to the Agreement with Jeffrey Epp for the City Attorney position.

Respectfully submitted,

Clay Phillips
City Manager



Michael McGuinness
Assistant City Attorney

RESOLUTION NO. 2015-205

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE, ON BEHALF OF THE
CITY, EMPLOYMENT AGREEMENTS WITH
THE CITY MANAGER AND CITY ATTORNEY

WHEREAS, the Escondido City Manager and Escondido City Attorney, serve the City of Escondido pursuant to Employment Agreements with the City; and

WHEREAS, the City Council desires and deems it in the best public interest to provide for the employment of Graham Mitchell to serve as the new City Manager for the City of Escondido, and wishes to provide for the ongoing employment of Jeffrey Epp to serve as the City Attorney pursuant to Agreements governing the terms and conditions by which they shall serve as City Manager and City Attorney;

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 hereby authorized to execute, on behalf of the City, Employment Agreements with Graham Mitchell to serve as the City Manager (attached and incorporated by this reference as Exhibit "A") and a First Amendment to the Employment Agreement with Jeffrey Epp to serve as the City Attorney (attached and incorporated by this reference as Exhibit "B").



CITY OF ESCONDIDO
AT WILL EMPLOYMENT AGREEMENT

Between: CITY OF ESCONDIDO
201 N. Broadway
Escondido, California 92025
("Employer")

And: Graham Mitchell
1478 La Corta Circle
Lemon Grove, CA 91945
("Employee")

Witness that whereas:

- A. Employer and Employee wish to enter into an Agreement providing for Employee to serve as the City Manager for the City of Escondido, as provided by the California Government Code and Chapter 2, Article 3 of the Escondido Municipal Code; and
- B. Employee has been employed by Employer as an Assistant City Manager and prior to that, as the City Manager for the City of Lemon Grove, California; and
- C. It is the desire of the Employer to provide certain benefits and establish certain conditions of employment of the Employee for the purpose of securing and retaining the services of the Employee; and
- D. Employee desires to be employed as the City Manager for the City of Escondido.

NOW THEREFORE, in consideration of the mutual covenants set forth below, the parties agree as follows:

SECTION 1. Duties.

Employer employs Employee as the City Manager of the City of Escondido to perform the functions and duties specified by law and in the Escondido Municipal Code, and to perform such other legally permissible and proper duties and functions as the Council shall from time to time assign. It is acknowledged by Employer and Employee that, as provided in Escondido Municipal Code Sections 2-49 and 2-50, the City Manager takes direction from the Council as a whole, provided that the Council may expressly authorize a Council subcommittee, the Mayor, or other council member to give direction on particular matters and such subcommittee, the Mayor, or council member may give direction to the City Manager within the scope of such Council authorization. Employer and Employee understand that no such direction from the Council shall be contrary to or in violation of law or applicable City Manager Code of Professional Responsibility. With respect to such authorizations the Council acts only through duly enacted resolutions, ordinances, or minute action.

SECTION 2. Term.

(a) This Agreement shall be effective as of January 1, 2016, and shall terminate as provided elsewhere in this Agreement.

(b) Employee understands that he is an "at will" employee under controlling law and is "at will" serving at the pleasure of the Council pursuant to Chapter 2, Article 3 of the Escondido Municipal Code. Nothing in this Agreement is intended to, nor shall it, prevent, limit or otherwise interfere with the right of the Employer, in the Employer's discretion, to terminate the services of Employee at any time in accordance with said laws and the provisions of this Agreement.

(c) Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his position with Employer, provided he shall first provide forty-five (45) days advance written notice of such resignation to Employer.

SECTION 3. Salary and Benefits.

(a) Employer will pay Employee a base salary of \$239,000 per year ("Salary"). Such monthly Salary shall be payable at the time as other employees of the Employer are paid.

(b) Employee shall be entitled to receive up to \$10,000 in reimbursement for actual moving expenses connected with moving his home and family to the City of Escondido, provided such move takes place no later than one year from the date of this Agreement. Reimbursements shall be made subject to the same rules and procedures applicable to city employee reimbursements generally.

(c) Effective on the date of this Agreement, Employee shall receive 20 days worth of management leave hours per year, which shall be in addition to any other leave hours provided to Employee.

(d) Employer may from time to time adjust the monthly Salary and/or other benefits of Employee in such amounts and to such extent as the City Council may determine is appropriate, taking into account the City's budgetary needs, its financial resources, and such other factors as the Council may determine to be relevant at the time, provided that no decrease shall be made that is any different than is made to unclassified City employees generally.

(e) In addition to such Salary, Employee shall receive the benefits identified in Exhibit "A" attached hereto and incorporated herein by this reference. The 7% deferred compensation contribution shall be payable by the City directly to the City's 401K or 457 plan for the benefit of the Employee. Employee shall further be entitled to all benefits provided to other management employees generally.

SECTION 4. Termination.

This Agreement may be terminated at any time as follows:

(a) By Employer.

Employer may terminate this Agreement at any time, either with or without cause, by majority vote of the total authorized membership of the City Council. Termination shall be under one or more of the following subparagraphs:

(1) For Cause:

(A) Misconduct. In the event that Employer determines there is good cause to terminate this Agreement due to (1) malfeasance, (2) gross negligence, (3) fraud, or (4) conviction of a crime other than a traffic offense or infraction on the part of Employee, Employer shall give Employee notice of termination, which at the option of the Council shall either be effective immediately, or the notice shall specify the intent to terminate and the date the termination will become final. In either case the notice shall be accompanied by a statement of the basis for the termination. In the case of a termination that is effective immediately, Employee shall have the right to present any rebuttal information to the Council, in writing, no later than 10 calendar days after the termination. In the event that the Council gives notice of an intent to terminate at a future date, Employee shall have the right to present any rebuttal information to the Council, in writing, prior to the effective date of the termination. In either case, Employee shall have the right to be represented and to have a hearing before the Council, in open or closed session as authorized by the Brown Act, within 14 days following termination. The Council shall review any rebuttal information provided by Employee and any other relevant material and shall then determine whether to uphold the termination or to rescind it. The Council's decision shall be final. Any actions of Employer taken under this paragraph shall occur only after the majority vote of the total authorized membership of the City Council.

(B) Material Uncorrected Failure to Perform: In the event that Employer determines there is good cause to terminate this Agreement that does not rise to the level of seriousness addressed above in subparagraph 4(a)(1)(A), such as (1) a repeated material failure to meet stated, reasonable performance objectives that are within Employee's control, or, (2) uncorrected, material failure to present a positive image to the Council, staff, public or media on behalf of Employer, Employer may terminate the Agreement for cause provided Employer (1) first gives notice to Employee in writing of the alleged failure in performance and a reasonable opportunity to cure the problem, and (2) gives Employee a reasonable opportunity to present evidence to the

Council in rebuttal to any alleged failure in performance or of any extenuating circumstances showing that the failure was beyond the control of Employee. Employer will not terminate for cause under this subparagraph 4(a)(1)(B) unless it is determined in writing that the evidence in support of the grounds for termination is substantial taking into account all of the information available to the Council, including any evidence presented by Employee. Any actions of Employer taken under this paragraph shall occur only after the majority vote of the total authorized membership of the City Council.

(C) No Severance Benefits: In the event that this Agreement is terminated by Employer pursuant to this Subparagraph 4(a) for cause, Employee shall not be entitled to any severance benefits under this Agreement or under any other provision of law or Employer policy or procedure, except for previously accrued vacation and management leave to which Employee is otherwise entitled.

(2) For Convenience:

Employer may terminate this Agreement at any time without cause and for its convenience as Employer shall in its sole discretion determine appropriate provided (1) Employee shall be given thirty (30) days notice and an opportunity to be heard, in open or closed session or in writing, as the Council shall determine consistent with the Brown Act, with respect to the proposed termination before it becomes effective, (2) the Council shall vote by not less than a majority of the total authorized membership of the Council to exercise its termination rights under this subparagraph. Employee shall be offered the severance benefits specified below in Paragraph 5 which he may accept or reject as provided in Paragraph 5.

(b) By Employee.

Employee may terminate this Agreement at any time, with or without cause, by (1) giving Employer forty-five (45) days advance written notice of his intent to terminate or (2) he may terminate sooner by mutual agreement with Employer. In the event that Employee exercises his right to terminate he shall not be entitled to the severance benefits set forth below under Paragraph 5 or to any other similar termination benefits under law or Employer's rules or regulations, provided however, that Employee shall be entitled to payment for any vacation, management leave and sick leave earned and unused at the time his notice of termination is effective.

SECTION 5. Severance.

In the event that Employee's employment is terminated by Employer for convenience pursuant to Section 4(a)(2) above, Employee shall be offered and shall be entitled to the severance benefits stated in this Section 5, as follows:

(a) Computation; Items included.

Employer shall offer to Employee and, subject to Employee's exercise of his right to accept or decline severance benefits as set out below shall pay, benefits but excluding other benefits provided by this Agreement, for a period of three hundred sixty five (365) days from the date of termination. Such severance benefits shall be paid in addition to payment of any accrued vacation, sick leave, or management leave otherwise payable to Employee.

(b) Separately Negotiated; Waiver.

The parties expressly acknowledge and agree that these severance pay provisions have been independently negotiated. Acceptance by Employee of the severance pay benefits provided by this Section 5 shall operate as a full and complete waiver and release of any and all rights, claims, and/or causes of action which Employee may have, or have had, at any time, in the past or in the future, arising out of Employee's employment by Employer, including but not limited to claims for wrongful termination. If Employee wishes to retain any such rights, Employee must decline to accept the severance benefits provided by this paragraph. Employee shall notify Employer of this election to accept or reject these severance benefits within seven (7) days of notice of termination, or within such other time period as the parties may agree to in writing.

Acceptance of the severance benefits under this paragraph will operate as a general release on the part of Employee as to all claims, known or unknown, and Employee specifically waives the provisions of California Civil Code Section 1542 which provides:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS
WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT
TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING

THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.”

(c) The severance provisions of this contract shall not apply in the event Employee is terminated for cause.

(d) Regardless of the term of this Agreement, if this Agreement is terminated, any cash settlement related to the termination that Employee may receive from Employer shall be fully reimbursed to Employer if Employee is convicted of a crime involving abuse of Employee’s office or position.

SECTION 6. Management Leave.

In addition to Employee’s entitlement to holiday and vacation leave on the same basis as is available to other management employees generally in accordance with Section 3 of this Agreement, Employee shall be entitled to twenty (20) days of management leave annually. Management leave granted pursuant to this provision shall be in lieu of any other management leave available to members of the City management team generally.

SECTION 7. Conversion of Unused Leave Time to Salary.

In addition to any other provision of the City Code or this Agreement authorizing conversion of unused leave time to salary, Employee shall be entitled, as he may determine at his sole discretion, to convert up to fifteen (15) days of unused leave time (whether vacation, management or reserve time leave) each year during the term of this Agreement to salary. Employee shall exercise his right to convert leave time to salary by giving notice in writing to the payroll staff stating the number of days of leave time, if any, which shall be converted to salary. Such notice shall be given between July 1st and October 1st for each year for the term of this Agreement. Employer shall pay the Employee the salary equivalent of the leave time, if any, so converted within thirty (30) days of delivery of such notice. Any such converted leave time shall not be included in computation of severance benefits pursuant to Section 5.

SECTION 8. Evaluation.

The City Council may review and evaluate the performance of the City Manager on a regular basis. Normally, a review and evaluation may occur on an annual schedule and pursuant to an evaluation form developed by the City Council. Copies of any written evaluation will be provided to the City Manager and he shall be given an opportunity to discuss his evaluation with the City Council.

SECTION 9. Dispute Resolution.

(a) Informal Meet and Confer.

The parties agree to meet and confer informally as the first step towards resolution of any dispute between them arising out of or related to this Agreement. The Council may be represented by a representative of its choosing, and Employee may be represented as well.

(b) Council Resolution.

If the parties are unable to resolve the matter informally through meet and confer, the matter shall be submitted to the Council for final resolution at a meeting to be held by the Council within 30 days of submittal, and the Council shall promptly make a final decision, unless Employee and the Council mutually agree to a longer period.

(c) Litigation.

Neither party shall commence any litigation, arbitration, or other formal dispute resolution process until the above referenced informal meet and confer session and final Council determination have occurred.

SECTION 10. General Provisions.

(a) Governing Law.

This Agreement shall be interpreted and enforced in conformance with California law.

(b) Entire Agreement.

This Agreement together with the exhibits represents the entire Agreement between the parties and supersedes any prior agreements, written or oral, and any representations, written or oral, not expressly included herein.

(c) Venue.

The venue for any litigation to interpret or enforce this Agreement shall be the San Diego Superior Court, Vista Division.

(d) Integration Clause.

If any part, provision, paragraph or subparagraph of this Agreement shall be held to be void or unenforceable by a final judgment of a court of competent jurisdiction, then unless that provision is found in such proceeding to be material to this Agreement, said void or unenforceable provision shall be severed from this Agreement and the balance of this Agreement shall remain in full force and effect. In the event that the void or unenforceable provision is found to be material to this Agreement then the entire Agreement shall be voided.

(e) Attorneys Fees.

The prevailing party in any litigation to interpret or enforce this Agreement shall be entitled to recover his or its attorneys fees in addition to costs.

(f) Independent Review: Interpretation.

Employer and Employee affirm in signing this Agreement that they have each had an opportunity to review and consider this Agreement, and to have it reviewed and to receive advice from independent advisors of their own choosing, including attorneys, and that each knowingly and voluntarily enters into this Agreement. Employer and Employee further affirm that this Agreement was the mutual product of their negotiations, including give and take, and that neither party shall be considered the drafter of this Agreement such that the Agreement is interpreted against that party.

IN WITNESS WHEREOF, the City of Escondido has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk as authorized by Resolution 2015-205, and Employee has signed and executed this Agreement set forth below.

CITY OF ESCONDIDO

Date: _____

Sam Abed
Mayor

Date: _____

Diane Halverson
City Clerk

Date: _____

Graham Mitchell
Employee

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY
Jeffrey R. Epp, City Attorney

By: _____

Exhibit "A"

Auto Allowance	\$750.00 per month
Contribution to City's Deferred Compensation Plan	7% of base salary
Life Insurance	Two times salary
Long Term Disability	Same as management
Worker's Compensation	Per State Law
Health and Dental Coverage	Same as management
Vacation	Same as management
Sick Leave	Same as management



CITY OF ESCONDIDO
AT WILL EMPLOYMENT AGREEMENT
FIRST AMENDMENT

Between: CITY OF ESCONDIDO
201 N. Broadway
Escondido, California 92025
("Employer")

And: Jeffrey R. Epp, Esq.
Post Office Box 58
Escondido, CA 92033
("Employee")

Witness that whereas:

- A. Employer and Employee wish to enter into a First Amendment to Employment Agreement providing for Employee to continue serving as the City Attorney for the City of Escondido, as provided by the California Government Code and Chapter 2, Article 3 of the Escondido Municipal Code; and
- B. Employee has been employed by Employer pursuant to a contract ("2013 Agreement"), and it is the mutual intent of the parties to amend the 2013 Agreement effective January 1, 2016; and
- C. It is the desire of the Employer to provide certain benefits and establish certain conditions of employment of the Employee for the purpose of securing and retaining the services of the Employee; and
- D. Employee desires to continue to be employed as the City Attorney for the City of Escondido.

NOW THEREFORE, in consideration of the mutual covenants set forth below, the parties agree as follows:

1. Section 2 of the 2013 Agreement is deleted in its entirety and replaced with the following:

This Agreement shall be effective as of January 1, 2016 and shall terminate as provided elsewhere in this Agreement.

2. Section 4 of the 2013 Agreement shall be amended to add subsection (g) which shall read as follows:

Effective on the date of this First Amendment, Employee shall receive 20 days worth of management leave hours, which shall be in addition to any other leave hours provided to Employee.

3. Section 6(a) of the 2013 Agreement is amended to read as follows:

Employer shall offer to Employee and, subject to Employee's exercise of his right to accept or decline severance benefits as set out below, shall pay benefits but excluding other benefits provided by this Agreement, for a period of three hundred sixty five (365) days from the date of termination. Such severance benefits shall be paid in addition to payment of any accrued vacation, sick leave, or management leave otherwise payable to Employee.

4. Section 9 of the 2013 Agreement is deleted in its entirety.
5. Except as expressly identified above, all other terms and conditions of the 2013 Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Escondido has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk as authorized by Resolution 2015–205, and Employee has signed and executed this Agreement set forth below.

CITY OF ESCONDIDO

Date: _____

Sam Abed
Mayor

Date: _____

Diane Halverson
City Clerk

Date: _____

Jeffrey R. Epp
Employee

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY
Jeffrey R. Epp, City Attorney

By: _____

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 10

Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Jeffrey R. Epp, City Attorney

SUBJECT: Authorizing a Right-of-Way Application to the United States Department of Interior for the San Pasqual Undergrounding Project

RECOMMENDATION:

Adopt Resolution No. 2015-198 to authorize the City Manager or Director of Utilities to execute an application and other documents required for the San Pasqual Undergrounding Project.

FISCAL ANALYSIS:

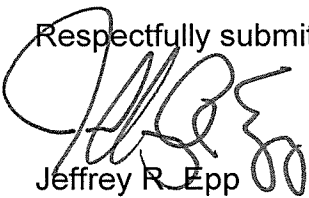
There is no fiscal impact from filing the application. The project itself will be a joint project between the City of Escondido and the Vista Irrigation District and funding for the project will be determined following acquisition of the necessary rights-of-way, completion of environmental review, and determination of the final alignment and other project details.

BACKGROUND:

The City of Escondido is a signatory to the December 2014 Settlement Agreement between the United States, the Vista Irrigation District, the San Luis Rey Indian Water Authority, and the La Jolla, Rincon, Pala, Pauma and San Pasqual Bands of Mission Indians. That Agreement provides the framework for the ongoing supply of local water through the Escondido Canal which transports water across portions of the La Jolla, Rincon and San Pasqual Reservations and federal and private lands to Lake Wohlford. This will involve a joint Escondido/VID project to underground portions of the Escondido Canal on the San Pasqual Indian Reservation, with new rights-of-way across a portion of the San Pasqual Reservation for the installation, operation and maintenance of the pipeline and related access roads. The application is made to the United States Department of Interior, Bureau of Indian Affairs. These entities require evidence of authority to sign the right-of-way application and related documents. Resolution 2015-198 provides such authority.

In addition, there may be a need to acquire rights of way from the Bureau of Land Management across other federal lands, and Resolution 2015-198 provides similar authority for the application.

Respectfully submitted,


Jeffrey R. Epp
City Attorney

RESOLUTION NO. 2015-198

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING
A RIGHT-OF-WAY APPLICATION TO THE UNITED
STATES DEPARTMENT OF INTERIOR FOR THE
SAN PASQUAL UNDERGROUNDING PROJECT**

WHEREAS, the City of Escondido is a signatory to the December 2014 Settlement Agreement between the United States, the Vista Irrigation District, the San Luis Rey Indian Water Authority, and the La Jolla, Rincon, Pala, Pauma and San Pasqual Bands of Mission Indians; and

WHEREAS, the Settlement Agreement provides the framework for the ongoing supply of local water through the Escondido Canal which transports water across portions of the La Jolla, Rincon and San Pasqual Reservations and federal and private lands to Lake Wohlford; and

WHEREAS, certain activities are necessary to implement the provisions of the Settlement, among which is a project ("Project") to underground portions of the Escondido Canal on the San Pasqual Indian Reservation, which requires the grant of new rights-of-way across a portion of the San Pasqual Reservation for the installation, operation and maintenance of the pipeline and related access roads; and

WHEREAS, the Project requires application to the United States Department of Interior, Bureau of Indian Affairs for the necessary rights-of-way, and may also require application to the Bureau of Land Management for similar rights of way, and such entities require evidence of authority of certain officials to executed application-related documents on behalf of the City of Escondido.

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

1. That the above recitations are true.
2. The City Council of the City of Escondido hereby authorizes either the City Manager or the Director of Utilities, or their designees, to execute an application and all other necessary and appropriate documents to make application for the rights-of-way for the above referenced Project, as may be required by the United States Department of Interior, Bureau of Indian Affairs or Bureau of Land Management, subject to approval as to form by either the City Attorney, or his designee.

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 11

Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Loretta McKinney, Director of Library & Community Services
Amy Shipley, Assistant Director of Community Services

SUBJECT: Acceptance of Donation for Kit Carson Park Hockey Arena

DESCRIPTION OF REQUEST:

It is requested that Council approve a donation of floor tiles for one of the Kit Carson Park hockey arenas. The proposed donation at the estimated cost for materials of \$60,000 will be made by San Diego Sports Foundation.

RECOMMENDATION:

Approval

FISCAL ANALYSIS:

The purchase of new floor materials from Ice Court would cost the City \$60,000.

If approved, it is estimated that 60 hours of staff time with a cost of \$1,800 will be used to supervise the project. In addition, it is anticipated that adult volunteers will donate 100 hours of labor.

As the staff cost for time will be absorbed by the existing Community Services budget, this proposal will result in no other costs to the Community Services Fund or the General Fund.

BACKGROUND:

The current hockey arena floor tiles, manufactured by Mateflex, were installed in 2004 with a projected lifespan of 10 years. Since the installation, several cracked and broken floor tiles have been replaced with spare tiles that were provided to the City at time of purchase. As of August 2015, staff have used all of these spare tiles, which are no longer available from Mateflex.

The proposed donation of floor tiles will be made by San Diego Sports Foundation, a nonprofit whose purpose is to promote in-line hockey throughout San Diego. This organization, who currently rents the Kit Carson Park hockey arenas, has raised funds from private and corporate donors to replace the floor tiles.

City staff and the San Diego Sports Foundation have researched the cost of replacing the floor tiles using both new and slightly used tiles. Through this research, it has been determined that a slightly used floor is more affordable and can provide years of play. The San Diego Sports Foundation has identified Silver Creek Sportsplex located in San Jose, California as a resource for slightly used floors. Silver Creek Sportsplex replaces their floor every three years with tiles manufactured by Ice Court. These floors tiles have a life span of ten years.

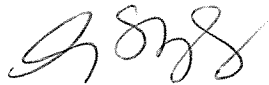
If approved, San Diego Sports Foundation will purchase the floor tiles to cover one hockey arena plus one pallet of extra tile which will be used for future maintenance of the floor. The foundation will also organize adult volunteers who will help remove the existing floor tiles and install the new tiles. These floor tiles will be delivered to the Escondido Sports Center at Kit Carson Park. Work will commence during the holiday season and will take approximately one week to complete.

This action, if approved by City Council, will result in another win-win solution for the City and the community where a donation of materials and labor, combined with City staff time and labor will significantly improve a well-utilized City facility for years to come.

Respectfully submitted,



Loretta McKinney
Director of Library and Community Services



Amy Shipley
Assistant Director of Community Services

ORDINANCE NO. 2015-20R

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A MODIFICATION TO A
MASTER DEVELOPMENT PLAN AND
PRECISE DEVELOPMENT PLAN FOR A 10-
SCREEN MOVIE THEATER IN A PORTION
OF THE 83-ACRE WESTFIELD NORTH
COUNTY MALL, AT THE INTERSECTION OF
INTERSTATE 15 AND EAST VIA RANCHO
PARKWAY, ADDRESSED AS 272 EAST VIA
RANCHO PARKWAY

Planning Case No. PHG 15-0026

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 pursuant to the provisions of the Business Enhancement
Zone, Article 69 of the Escondido Zoning Code, the City Council Economic
Development Subcommittee approved a request for expedited processing of the
proposed Modification to a Master Development Plan and Precise Development Plan
on August 12, 2015.

SECTION 3. That the City Council has reviewed and considered the Mitigated
Negative Declaration and Mitigation Monitoring Report 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.

A COMPLETE COPY OF THIS ORDINANCE IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR YOUR REVIEW.

ORDINANCE NO. 2015-21

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A TEN-YEAR EXTENSION OF THE
TERM OF THE EXISTING DEVELOPMENT
AGREEMENT BETWEEN JRM-ERTC I, A
CALIFORNIA LIMITED PARTNERSHIP, AND
THE CITY OF ESCONDIDO FOR THE
DEVELOPMENT OF THE ESCONDIDO
RESEARCH AND TECHNOLOGY CENTER AND
PUBLIC BENEFITS

Planning Case No. PHG 15-0017

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN
as follows:

SECTION 1. That notice of the public hearing has been given and a public
hearing has been held before the City Council on this issue.

SECTION 2. That the City Council previously adopted Ordinance 2002-34(R),
approving a Development Agreement for the development of the Escondido Research
and Technology Center (Planning Case No. 2001-01-DA/CZ/GPA/SPA,) which will
expire December 31, 2015.

SECTION 3. That the City Council previously reviewed and approved on
December 11, 2002, the Environmental Impact Report (ER 2001-12) and associated
Mitigation Monitoring Program, CEQA Findings, and Findings of Overriding
Consideration pertaining to the original Development Agreement, Planning Case
No. 2001-01-DA/CZ/GPA/SPA, and related case Tract 834.

SECTION 4. That the application was assessed in conformance with the

A COMPLETE COPY OF THIS ORDINANCE IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR YOUR REVIEW.

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 14

Date: November 18, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Jay Petrek, Director of Community Development

SUBJECT: Master and Precise Development Plan and Tentative Parcel Map for the Development of a Mixed-Use Project in the PD-MU Zone, (PHG 15-0009, SUB 15-0008).

STAFF RECOMMENDATION:

It is requested that Council adopt Resolution No. 2015-204 and introduce Ordinance No. 2015-23 approving the Master and Precise Development Plan and Tentative Parcel Map and adopting the environmental determination. Staff recommends Council approve the project as originally conditioned, which would eliminate the one condition requiring installation of an elevator that was added by the Planning Commission. It is also requested that the City Council adopt Resolution No. 2015-194 revising the financial details of the project and reaffirming the commitment of Affordable Housing funds.

PLANNING COMMISSION RECOMMENDATION:

On October 13, 2015, the Planning Commission recommended approval of the proposed Master and Precise Development Plan and Tentative Parcel Map (4-0; Weber and Johns were absent), with the addition of a condition requiring the project to install an elevator.

PROJECT DESCRIPTION:

A Master and Precise Development Plan, in conjunction with a two-lot Tentative Parcel Map, for the development of a mixed-use project consisting of 33 affordable residential rental units and 1,175 SF of commercial space on a 1-acre site in the PD/MU (Planned Development, Mixed-Use) zone. The residential use involves (22) 2-BR, 800 SF units and (11) 3-BR, 1,010 SF units in a three story structure, a tot lot, and community room for residents. The project would consist of units affordable to lower income households, and includes a request for Density Bonus provisions as permitted by State law, including a reduced parking ratio and the provision of tandem and uncovered spaces. The project also includes demolition of two older structures on the site that have been determined not to be significant historic structures. Access to the project would be from Escondido Boulevard. Seventy-one (71) on-site parking spaces would be provided, including five (5) spaces for the commercial tenant space. The proposed Tentative Parcel Map would be a two-lot map with an air space component, which would provide separate ownership of the commercial space from the remainder of the project for financing purposes. Additionally, revised financial details are being presented so the commitment of Affordable Housing funds can be reaffirmed.

LOCATION:

The project site is located on the eastern side of Escondido Boulevard, south of 15th Avenue, addressed as 1560-1576 South Escondido Boulevard.

FISCAL IMPACT:

No impact to the General Fund. The City has conditionally committed non-federal future Affordable Housing Funds, which are restricted only for providing affordable housing projects. The financing details of the development have been modified since the City Council last reviewed and approved them. Revised financial details will be presented for review and approval by the City Council.

GENERAL PLAN ANALYSIS:

The project is consistent with the General Plan. The General Plan land use designation on the subject site is General Commercial with a Mixed-Use Overlay. The General Commercial designation allows a variety of commercial, retail and service uses along the South Escondido Boulevard corridor. The mixed-use designation allows a mixed-use development of residential and commercial uses with approval of a Planned Development. The site is also located within the South Escondido Boulevard/Felicita Avenue Target Area of the General Plan, which promotes smart growth principles promoting walkable development in close proximity to transit. Revitalization and redevelopment are overall objectives within the Target area. The Target area requires a minimum density of 30 dwelling units per acre for mixed-use projects. The re-design and re-entitlement of this site for 33 units would align the development with the future plans for the area.

ENVIRONMENTAL REVIEW:

In accordance with CEQA Section 15332, "In-Fill Development Projects," a Notice of Exemption was issued on September 14, 2015, concluding that the project will not have a significant impact on the environment.

PREVIOUS ACTION:

A Master and Precise Development Plan, in conjunction with a one-lot Tentative Subdivision Map (2005-80-PD, Tr 942), was approved by the City Council in 2006 on the subject site for development of a 24-unit mixed-use project. The project included 22 two- and three-bedroom condominium units and two shopkeeper units with 970 SF of commercial space each. The zoning designation on the site was changed to PD-MU (Planned Development, Mixed-Use) at that time. The Planned Development approval expired in 2009, while the Tentative Subdivision Map was extended several times by automatic State extensions. The approved map was still valid when the Master and Precise Planned

Development for the same project was resubmitted in 2010. The City Council approved the project, which is still valid and expires in May 2016.

BACKGROUND:

On August 22, 2013, the Housing Division released a Request for Proposals (RFP) to solicit requests for funding for the provision of affordable housing in the city. Solutions for Change (Solutions) received a conditional commitment of \$2,100,000 in federal HOME (Home Investment Partnership Program) and HOME/CHDO (Community Housing Development Organization) funds to develop the previously approved 24-unit mixed-use residential/commercial project. Over the following year Solutions was unable to leverage their funding to continue development of the project, although discussions with the City continued.

A new RFP for affordable housing projects was released by the Housing Division on August 7, 2014. Solutions approached the City with a proposal to modify the project by increasing the number of units from 24 to 32 and requested an additional \$1,000,000 for the project. Solutions anticipated using funds from California Tax Credit Allocation Committee (CTCAC) as a major source. However, re-entitling the project would have involved modifying the previously approved Planned Development which could not occur in time to meet the March 2015 9% tax credit filing deadline. As a result, Council conditionally committed Successor Housing Agency funds to replace the previously conditionally committed federal funds. This allowed Solutions to redesign the project and approach multiple funding sources.

While evaluating the best design for the project and the site, the applicant modified the project proposal from 24 condominium units to 33 rental units and redesigned the site layout, which involves re-entitling the project.

PLANNING COMMISSION RECOMMENDATION AND SUMMARY:

On October 13, 2015, the Planning Commission voted 4-0 (Weber and Johns were absent, one vacancy) to recommend approval of the Master and Precise Development Plan and Tentative Parcel Map with the addition of one condition. The Commission conditioned the project to include an elevator capable of accommodating a Fire Department gurney. The Commissioners indicated that the elevator may be limited to use by the Fire Department or available to the residents as well, as determined by the applicant. Commissioner discussion focused on their concern that all residential projects with units on the third floor or higher should have elevators, and that it is their responsibility to provide this type of advice for the Council to consider. They were especially concerned about medical service calls to units on the third floor and the possibility of injury to Fire Department personnel while transporting patients downstairs. The Commissioners agreed that they could only support the project if it included an elevator.

Some of the Commissioners questioned the reason for the proposed Tentative Parcel Map. Commissioner Hale asked for additional clarification regarding the need to have two separate parcels

for the proposed development. The discussion concluded when the applicant clearly explained that two parcels were needed for financing purposes.

PUBLIC COMMENT:

No written correspondence or telephone calls were received related to the proposed project. With the exception of the applicant, one member of the public spoke at the Planning Commission hearing. He expressed concern with the provision of commercial space in the project, noting existing commercial vacancies along Escondido Boulevard. He also requested information on limitations on construction hours and the type of trees being proposed along the rear property line.

APPLICANT'S PERSPECTIVE:

Solutions for Change has a history of serving homeless families in North County. Their ultimate goal is solving homelessness for families and children in Escondido and the surrounding area. They feel they have an effective model for accomplishing this and that they are providing a quality, well-managed project.

The applicant is not in favor of a condition requiring an elevator in this project. They have indicated that the project will be affordable to households earning less than 80 percent of the Area Median Income (AMI) and that it is fully funded without an elevator. They feel that the funding spent on an elevator could be used for other aspects of the project such as maintenance, and that an elevator would be an unnecessary expense and maintenance liability. The ground floor units would be ADA accessible and Solutions' tenants would include mostly families with children who would not have issues with stairs. The applicant is requesting that Council delete the added condition for an elevator.

The applicant requests a Tentative Parcel Map in order to separate ownership of the commercial component of the project to meet the requirements of their tax credit financing. Neither City nor CTCAC funds provide affordable housing funding to commercial uses, so the best way to obtain financing for the proposed project is to remove the commercial component from the remaining residential portion.

ANALYSIS:

The proposed project is located within the South Escondido Boulevard Neighborhood Plan and is subject to the property development standards and design guidelines contained within the Plan. The Plan promotes quality infill development when compatible with surrounding development. It also states that building height, bulk and design should be sensitive to existing residential developments through the use of stepping back upper stories, enhanced architectural features, and landscaping. The Area Plan requires structures to be limited to three stories and 35 feet in height. The proposed building would be three stories and approximately 35 feet in height. The recently approved Veteran's Village development immediately to the north will be approximately 35 feet high, three stories, and other existing nearby mixed-use developments are three stories in height. The overall mass and scale of the

proposed building would be mitigated through the quality of design, varied wall planes and roof lines, and the separation between structures. The project also incorporates large building setbacks, landscaped buffers at property lines, and a solid perimeter wall. Staff feels the design of the project is consistent with the goals of the South Escondido Boulevard Area Plan and Mixed-Use developments, including the architecture, site layout, compatibility with surrounding properties and an enhanced pedestrian entrance at the commercial space on Escondido Boulevard. The site currently is in need of revitalization and all existing structures and vegetation would be removed with development of the project.

The South Escondido Boulevard Area Plan does not contain a minimum or maximum amount of commercial space to be provided in a mixed use development. The proposed development would contain a single 1,175 SF commercial tenant space. Staff feels the commercial space would be large enough to support small retail, service or professional office uses. It is also possible that Solutions for Change could use the space for training or another commercial use related to their mission. The permitted uses for the space include a variety of retail, office, professional and educational uses, and are very similar to the permitted uses in the General Commercial (CG) zone.

Although there are some uses and some types of structures that would require installation of an elevator, neither the California Fire Code nor the California Building Code requires an elevator for the proposed three-story residential building. However, if an elevator is provided, all units are required to be located on an accessible route, which would require additional modifications to the buildings and units. The ground floor units are proposed to be ADA accessible. Although the Planning Commission recommended that the project have an elevator, staff does not feel that this type of project should be required to install an elevator. The desired tenants are families with children who are not anticipated to have difficulty with stairs, and the units are not intended to be ownership units.

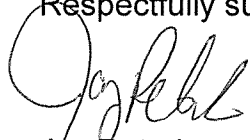
A Tentative Parcel Map is proposed in order to create two fee simple parcels, one including air-space, to separate the commercial space from the residential remainder of the project. Due to the unique financing mechanisms of affordable residential projects, the residential and commercial portions of the project need to be on separate parcels. Parcel 2 would include the commercial tenant space, while Parcel 1 would include the remainder of the site, including the residential units, parking spaces, landscaping and driveways. Agreements would be in place to ensure reciprocal access and maintenance. The proposed map meets all requirements of the City and the State Subdivision Map Act, as conditioned.

The applicant proposes using Density Bonus provisions available in California Government Code Section 69515. The City has not yet adopted the State density bonus requirements, but must comply with the State's provisions. No increase in density beyond that permitted by the Zoning Code and General Plan is proposed. However, the project proposes to utilize the Density Bonus parking provisions which requires two parking spaces per unit for two- and three-bedroom units, inclusive of guest spaces. Tandem spaces are also permitted. Staff feels that there would be adequate parking because there would be a minimum of two spaces per unit.

AFFORDABLE HOUSING FUNDING:

Total project costs for the 33-unit proposed project are estimated at \$12,133,000. Solutions has received commitments from CTCAC and the Department of Housing and Community Development (HCD) through their Multifamily Housing Program – Supportive Housing (MHP-SH) program. Applications were made for the 24-unit development; both entities have agreed to fund the 33-unit project. The market value of the tax credits is \$6,891,000; the MHP-SH loan will be for \$2,470,000. Solutions has also received a funding commitment from the Federal Home Loan Bank Affordable Housing Program (AHP) for \$230,000 and has agreed to defer \$346,000 of their \$1,289,802 developer fee as a source of funds to the project. The project will provide 23 units of housing to families earning up to 30% of the Area Median Income (AMI), four units of housing at 50% AMI, five units of housing at 60% AMI, and one unrestricted manager's unit. The project is currently anticipated to have a negative cash flow which can be addressed through several means, including: lowering operating expenses, using federal Housing Choice vouchers for some of the lowest income households, marketing to reduce vacancy loss, and fundraising to provide subsidies from Solutions. Staff recommends reaffirmation and commitment to loan \$2,100,000 in Successor Housing Agency funds to the project. Staff also recommends allocating all the funds held at the San Diego Foundation in the Hubbard St Clare Property Proceeds Fund totaling approximately \$86,861 as an additional source for the project. The source of the funds in this grant were originally Affordable Housing funds and the primary purpose of the fund is to support battered, abused women and children within the City of Escondido. Before a final accounting, there is \$86,861 in the fund.

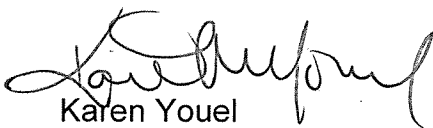
Respectfully submitted,



Jay Petrek
Director of Community Development



Kristina Owens
Associate Planner



Karen Youel
Management Analyst

PLANNING COMMISSION

Agenda Item No.: G.1
Date: October 13, 2015

CASE NUMBER: PHG 15-0009, SUB 15-0008

APPLICANT: Hitzke Development for Solutions for Change

LOCATION: Approximately one acre on the eastern side of South Escondido Boulevard, south of Fifteenth Avenue, addressed as 1560-1576 South Escondido Boulevard (APNs 236-460-70 and -71)

TYPE OF PROJECT: Master and Precise Development Plan and Tentative Parcel Map

PROJECT DESCRIPTION: A Master and Precise Development Plan, in conjunction with a two-lot Tentative Parcel Map, for the development of a mixed-use project consisting of 33 affordable residential rental units and 1,175 SF of commercial space on a 1-acre site in the PD/MU (Planned Development, Mixed-Use) zone. The residential use involves (22) 2-BR, 800 SF units and (11) 3-BR, 1,010 SF units in a three story structure, a tot lot, and community room for residents. The project would consist of units affordable to households with incomes of less than 60% of the Area Median Income (AMI) and includes a request for Density Bonus provisions as permitted by State law, including a reduced parking ratio and the provision of tandem and uncovered spaces. The project also includes demolition of two older structures on the site that have been determined not to be significant historic structures. Access to the project would be from Escondido Boulevard. Seventy-one (71) on-site parking spaces would be provided, including 5 spaces for the commercial tenant space. The proposed Tentative Parcel Map would be a two-lot map that includes an air space component to delineate separate ownership of the commercial space from the remainder of the project for financing purposes.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: General Commercial (GC), South Escondido Boulevard/Felicita Avenue Target Area

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

BACKGROUND/SUMMARY OF ISSUES: A Master and Precise Development Plan, in conjunction with a one-lot Tentative Subdivision Map (2005-80-PD, Tr 942), was approved by the City Council in 2006 on the subject site for development of a 24-unit mixed-use project. The project included 22 two- and three-bedroom condominium units and two shopkeeper units with 970 SF of commercial space each. The zoning designation on the site was changed to PD-MU (Planned Development, Mixed-Use). The Planned Development approval expired in 2009, while the Tentative Subdivision Map was extended several times by automatic State extensions. The approved Map was still valid in 2010 when the Master and Precise Planned Development project was resubmitted (PHG10-0002). The project design did not change from the original approval. The City Council approved the project, including a term that coincided with any further State extensions for the associated Tentative Subdivision Map, which had been extended to May, 2016.

On August 22, 2013, the Housing Division released a Request for Proposals (RFP) to solicit requests for funding for the provision of affordable housing in the city. Solutions for Change (Solutions) received a conditional commitment of \$2,100,000 in federal HOME (Home Investment Partnership Program) and HOME/CHDO (Community Housing Development Organization) funds to develop the previously approved 24-unit mixed-use residential/commercial project. Over the following year Solutions was unable to leverage their funding to continue development of the project, although discussions with the City continued. A new RFP for affordable housing projects was released by the Housing Division on August 7, 2014, and along with funding other affordable projects, the City conditionally committed non-federal, future affordable housing funds for development of the South Escondido Boulevard project.

While evaluating the best design for the project and the site, the applicant modified the project proposal from 24 to 33 units and redesigned the site layout, which involves re-entitling the project. The site is located in the South Escondido Boulevard/Felicita Avenue Target area and has a General Plan designation of General Commercial with a Mixed-Use Overlay. Since the previous project was approved, the General Plan was updated in 2012 and now requires a minimum density of 30 dwelling units per acre for mixed-use projects, as opposed to the previous requirement of a maximum of 24 units per acre. The previously approved project had a density of 24 units per acre. Revitalization and redevelopment are overall objectives for the City of Escondido within the South Escondido Boulevard Corridor area and the South Escondido Boulevard/Felicita Avenue Target Area. The City has received a grant from the Strategic Growth Council to update the Area Plan focusing on smart growth principles, including promoting increased density and intensity near transit, encouraging façade improvements, property revitalization, opportunities for increasing employment densities and improving the jobs/housing balance. The re-design and re-entitlement of this site for 33 units would align the development with the future plans for the area. The site currently is in need of revitalization. It contains two single-story, older structures including a vacant, dilapidated commercial building, and a concrete foundation from a previous commercial building, all of which would be removed. The site is partially paved with the remaining vegetation consisting of weeds, palm and pepper trees and some ornamental landscaping.

The proposed project would be similar to the previously approved project. The tenants would have access to a community room, a tot lot, an outdoor community plaza and a laundry room. Each residential unit would have two parking spaces for residential or guest use. Some parking will remain available on Escondido Boulevard, although it is subject to removal in the future when Escondido Boulevard is improved.

A Tentative Parcel Map is proposed in order to create two fee simple parcels, one including air-space, to separate the commercial space from the residential remainder of the project. Due to the unique financing mechanisms of affordable residential projects, the residential and commercial portions of the project need to be on separate parcels. Parcel 2 would include the commercial tenant space, while Parcel 1 would include the remainder of the site, including the residential units, parking spaces, landscaping and driveways. Agreements would be in place to ensure reciprocal access and maintenance.

The residential units in the project would be affordable to households earning between 30 percent of the Area Median Income (AMI) (extremely low-income) and 60 percent AMI (very low-income). Continued affordability would be ensured through 55-year affordability contracts. The applicant proposes using development incentives available through State Density Bonus provisions for projects providing affordable housing. Density Bonus Ordinances encourage development of affordable and senior housing by allowing additional units above the maximum allowable density under the zoning or General Plan, or by allowing concessions from the Zoning Code standards. No increase in density beyond that permitted by the Zoning Code and General Plan is proposed for this project. However, a density bonus is proposed in accordance with California Government Code Section 69515, to grant a development incentive for the proposed project to reduce the number of parking spaces and to allow uncovered and tandem parking spaces to be utilized. The City has not yet adopted the most recent State density bonus requirements, but must comply with its provisions.

Staff feels that the issues are as follow:

1. Whether the proposed project design is consistent with the General Plan and South Escondido Boulevard Objectives and Design Guidelines for mixed use developments.
2. Appropriateness of the proposed Tentative Parcel Map and whether maintenance and access between the residential uses and the commercial ownership would be maintained.

REASONS FOR STAFF RECOMMENDATION:

1. The proposed planned residential development would be in conformance with the General Plan which allows for mixed-use residential development within the target area of the South Escondido Boulevard Area Plan, known as the "South

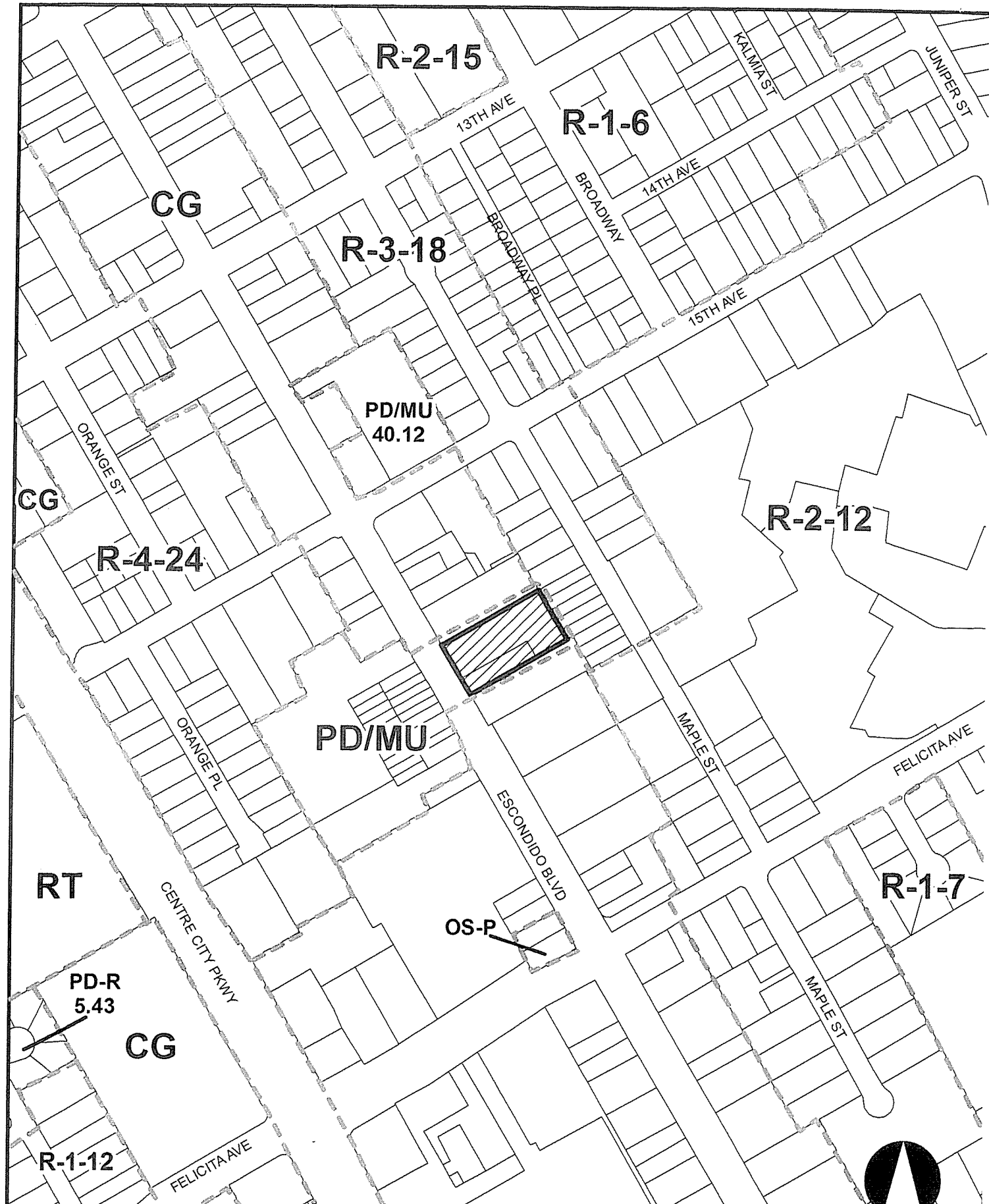
Escondido Boulevard/Felicita Avenue Target Area.” The project includes a minimum density of 30 du/ac as required in the Target Area, and also would provide a commercial component that could serve the residents as part of the services offered by Solutions for Change. The project would be in conformance with the South Escondido Boulevard Neighborhood Plan Objectives and Design Guidelines that strive to provide opportunities for a balanced mix of housing types in a transit corridor, and to revitalize and renew the commercial area.

2. The Tentative Parcel Map is proposed in order to separate ownership of commercial uses from the remainder of the residential project for financial and tax purposes. Maintenance and use of all driveways, parking spaces, landscaping and drainage facilities will be assured for both commercial and residential users through maintenance easements and agreements.

Respectfully submitted,

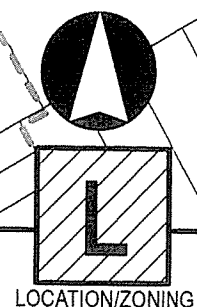


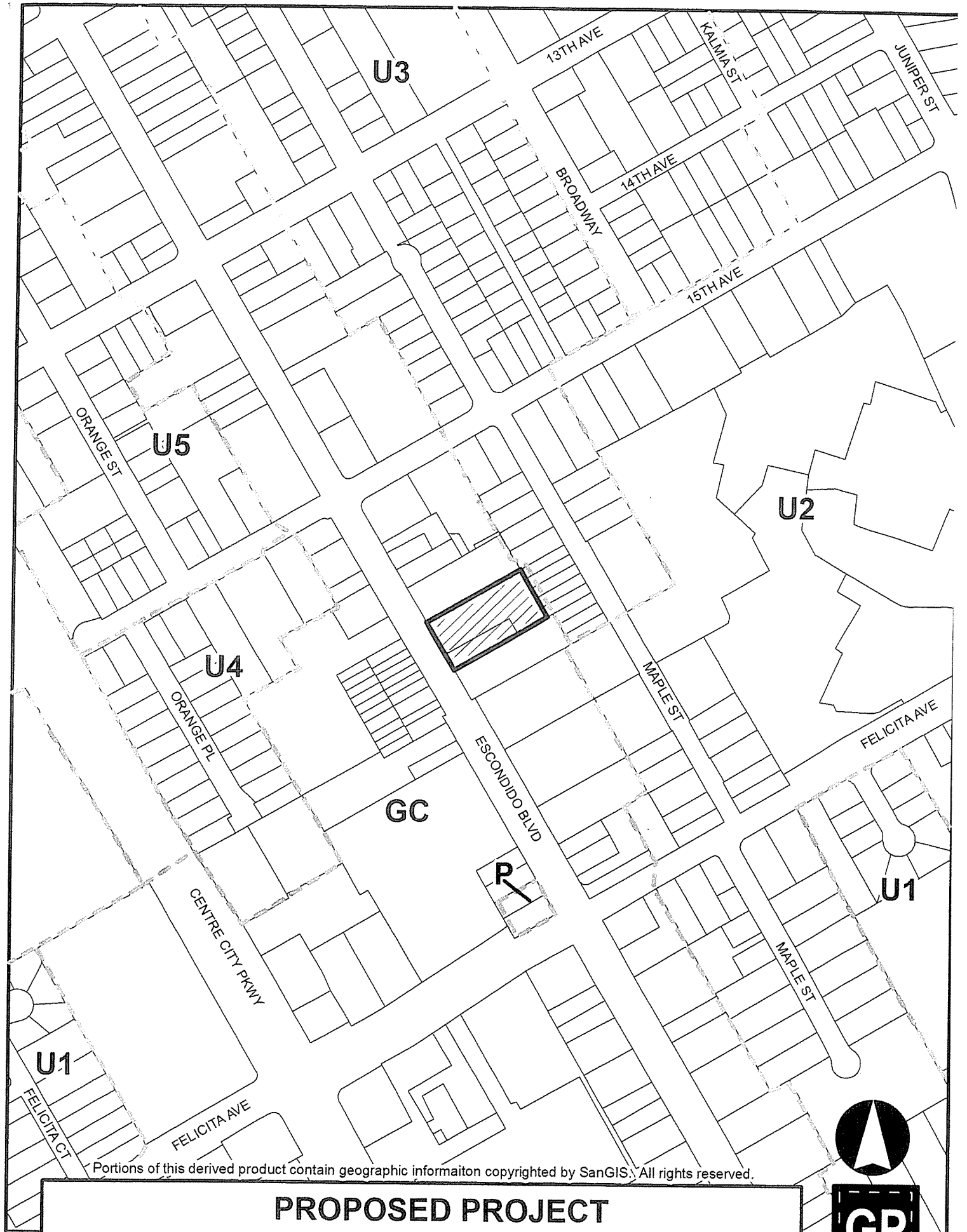
Kristina Owens
Associate Planner



Portions of this derived product contain geographic information copyrighted by SanGIS. All rights reserved.

PROPOSED PROJECT
PHG 15-0009





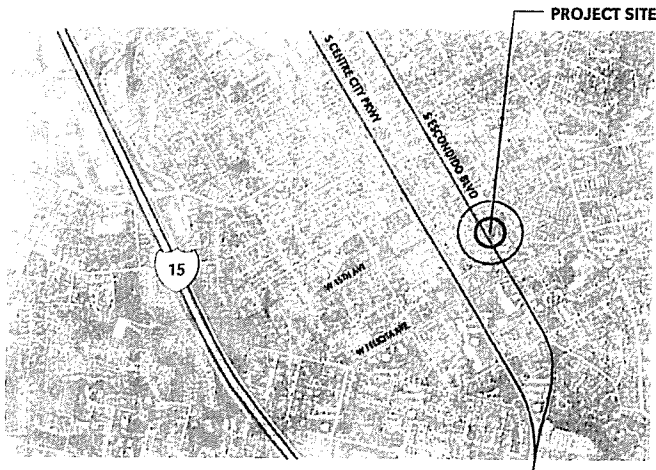
Portions of this derived product contain geographic information copyrighted by SanGIS. All rights reserved.

PROPOSED PROJECT PHG 15-0009



GENERAL PLAN

VICINITY MAP



PROJECT INFORMATION

LOCATION:	S ESCONDIDO BLVD, ESCONDIDO, CA 92025	
ASSESSOR'S PARCEL NUMBER:	APN 236-460-70-00 236-460-71-00	ADDRESS 1560 S ESCONDIDO BLVD 1576 S ESCONDIDO BLVD
SITE AREA:	1.02 ACRES [44,493 SF], 1.00 [43,566 SF] AFTER DEDICATION	
PROPOSED BUILDING FOOTPRINT: (GROUND FLOOR)	9,290 SF	
LOT COVERAGE	20.8%	
ZONING:	PD-MU	
NUMBER OF RESIDENTIAL UNITS:	33 UNITS	
NUMBER OF STORIES:	3	
CONSTRUCTION TYPE:	VA/VB	
OCCUPANCY:	A2/B/R2	
PROPOSED SETBACKS:	PER SITE PLAN	
BUILDING HEIGHT:	SEE ELEVATIONS AND SECTIONS	

PROJECT DATA

RESIDENTIAL	(22) TWO BEDROOM UNITS @ 800 SF (11) THREE BEDROOM UNITS @ 1010 SF 33 TOTAL RESIDENTIAL UNITS
-------------	--

COMMON USE	510 SF MANAGER OFFICE 870 SF COMMUNITY ROOM 55 SF COMMUNITY RESTROOMS 325 SF RESIDENT LAUNDRY
------------	--

COMMERCIAL	1,175 SF COMMERCIAL
------------	---------------------

LANDSCAPE	PER LANDSCAPE PLANS
-----------	---------------------

PARKING (SEC.33-765/PARKING SPACES REQUIRED)

TWO BEDROOM : 1.75 SPACES x 22 UNITS	= 38.5 SPACES
THREE BEDROOM : 2.00 SPACES x 11 UNITS	= 22.0 SPACES
	= 60.5 SPACES
GUEST : (1 SPACE / 4 UNITS) x 33 UNITS	= 8.25 SPACES
RETAIL : (1 SPACE / 250 GROSS SF) x 1175 SF	= 5.0 SPACES

TOTAL : 74.0 SPACES

LOW INCOME PARKING (CA GOVERNMENT CODE SECTION 65915)

TWO BEDROOM : 2.00 SPACES x 22 UNITS	= 44.0 SPACES
THREE BEDROOM : 2.00 SPACES x 11 UNITS	= 22.0 SPACES
	= 66.0 SPACES
RETAIL : (1 SPACE / 250 GROSS SF) x 1175 SF	= 5.0 SPACES

* OF WHICH: 3 ADA SPACES & 16 TANDEM SPACES

TOTAL : 71.0 SPACES

PROPOSED RESIDENTIAL AREA:	29,300 SF
PROPOSED MIXED-USE:	3,125 SF
PROPOSED TOTAL BUILDING AREA:	32,425 SF
PROPOSED F.A.R.:	.74

NOT INCLUDED IN F.A.R. & COVERAGE:

PROPOSED EXTERIOR CIRCULATION: (BALCONY)	3,855 SF
PROPOSED ROOF AREA:	11,665 SF
PROPOSED COVERED PARKING: (NOT INCLUDED IN F.A.R. OR COVERAGE)	1,520 SF

PERMEABLE SITE AREA	9,253 SF
NON-PERMEABLE SITE AREA	34,313 SF

USABLE OPEN SPACE REQUIREMENT:	(22) TWO BEDROOM UNITS @ 400 SF / UNIT (11) THREE BEDROOM UNITS @ 600 SF / UNIT 15,400 SF
--------------------------------	---

COMMON OPEN SPACE:	<u>GROUND LEVEL</u> LANDSCAPE: 9,253 SF TOT LOT: 530 SF ENTRY CIRCULATION: 2,197 SF FRONT SIDEWALK: 1,284 SF COMMUNITY ROOM: 870 SF <u>SECOND LEVEL</u> CIRCULATION BALCONY: 1,315 SF <u>THIRD LEVEL</u> CIRCULATION BALCONY: 1,300 SF SUBTOTAL: 16,749 SF
--------------------	--

PRIVATE OPEN SPACE:	<u>GROUND LEVEL</u> ENTRY PATIO: 598 SF <u>SECOND LEVEL</u> ENTRY PATIO: 644 SF <u>THIRD LEVEL</u> ENTRY PATIO: 593 SF SUBTOTAL: 1,835 SF
---------------------	---

USABLE OPEN SPACE PROVIDED:	<u>TOTAL: 18,584 SF</u>
-----------------------------	-------------------------

✓ 18,584 SF > 15,400 SF

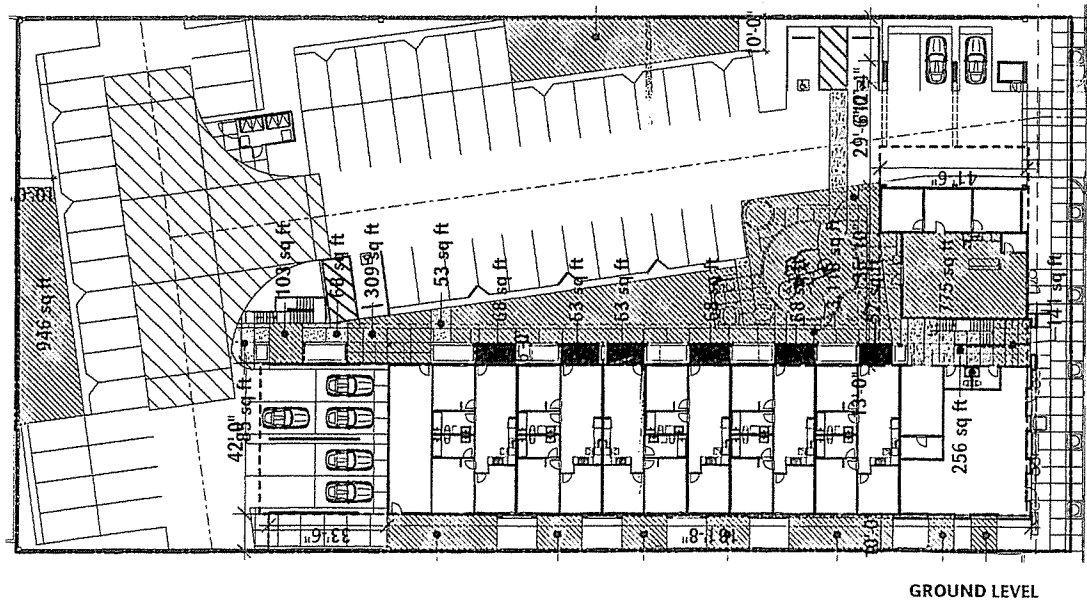
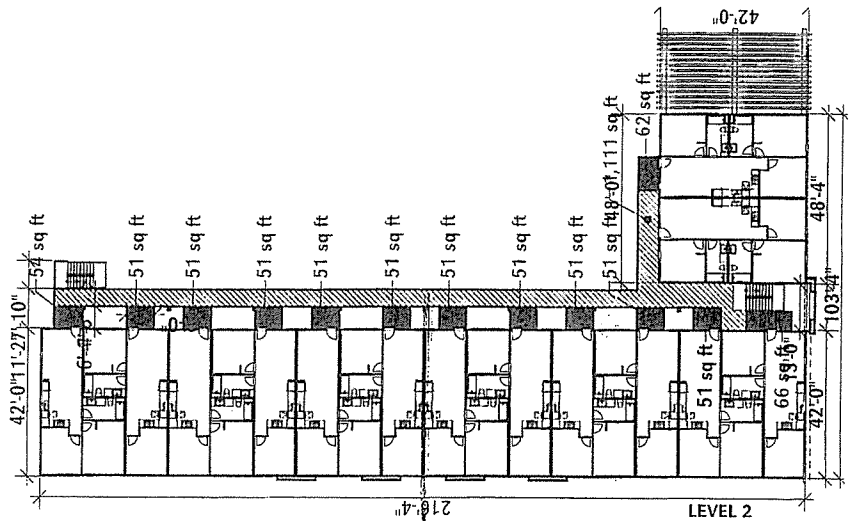
**PROPOSED PROJECT
PHG 15-0009/SUB 15-0008**

TS

TITLE SHEET

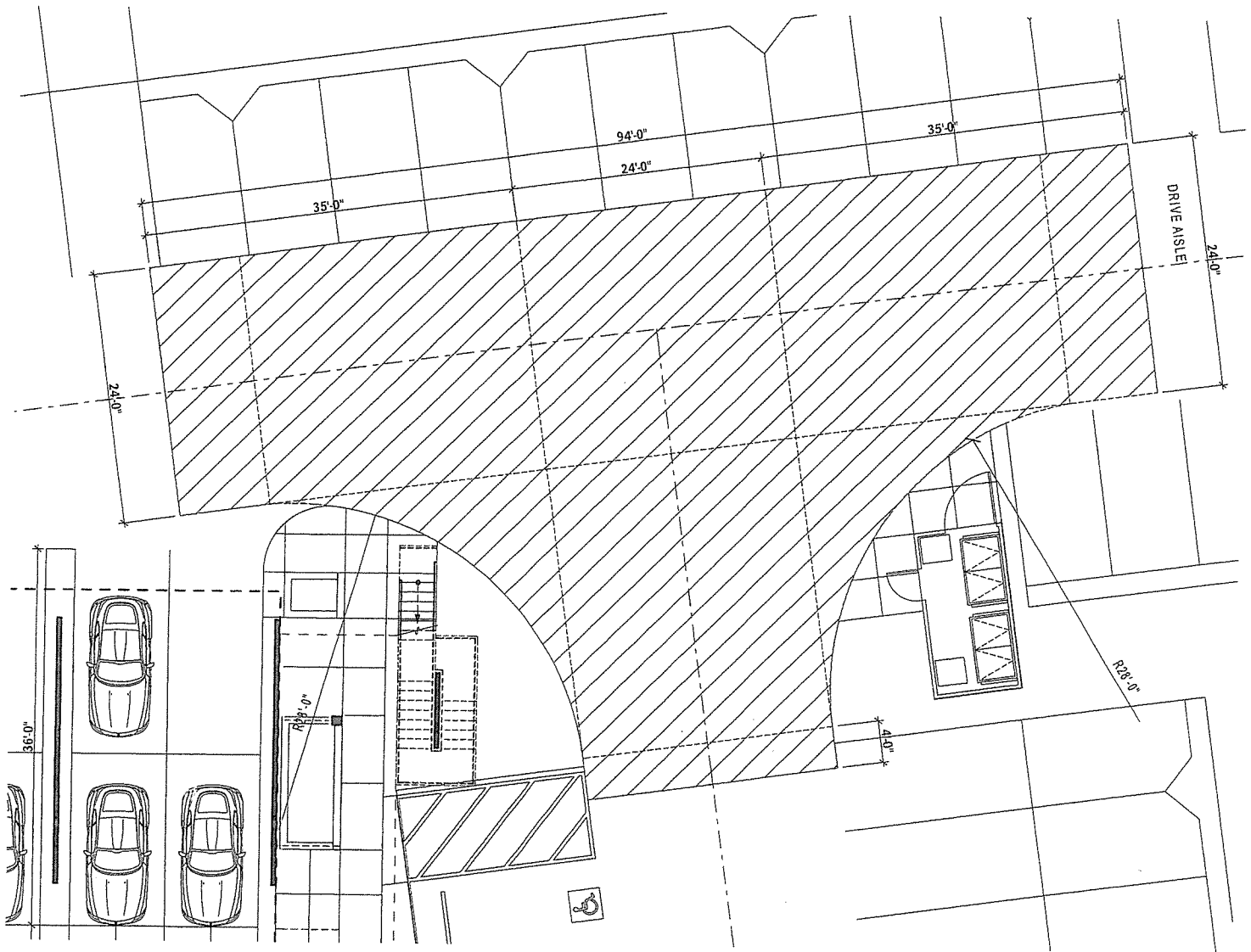
 COMMON OPEN SPACE

 PRIVATE OPEN SPACE



OSD

OPEN SPACE DIAGRAMS



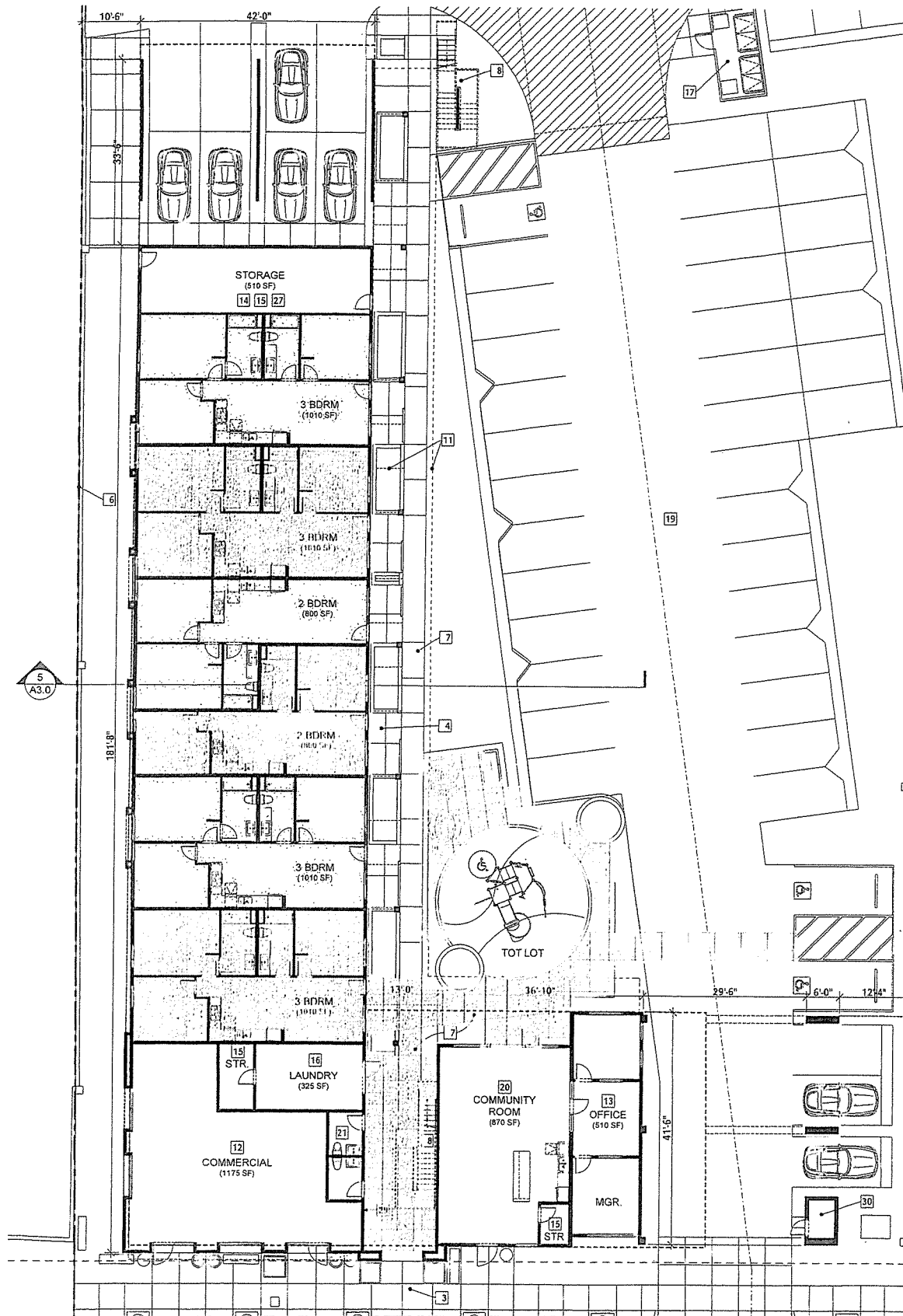
2

FIRE ACCESS PLAN

PROPOSED PROJECT
PHG 15-0009/SUB 15-0008

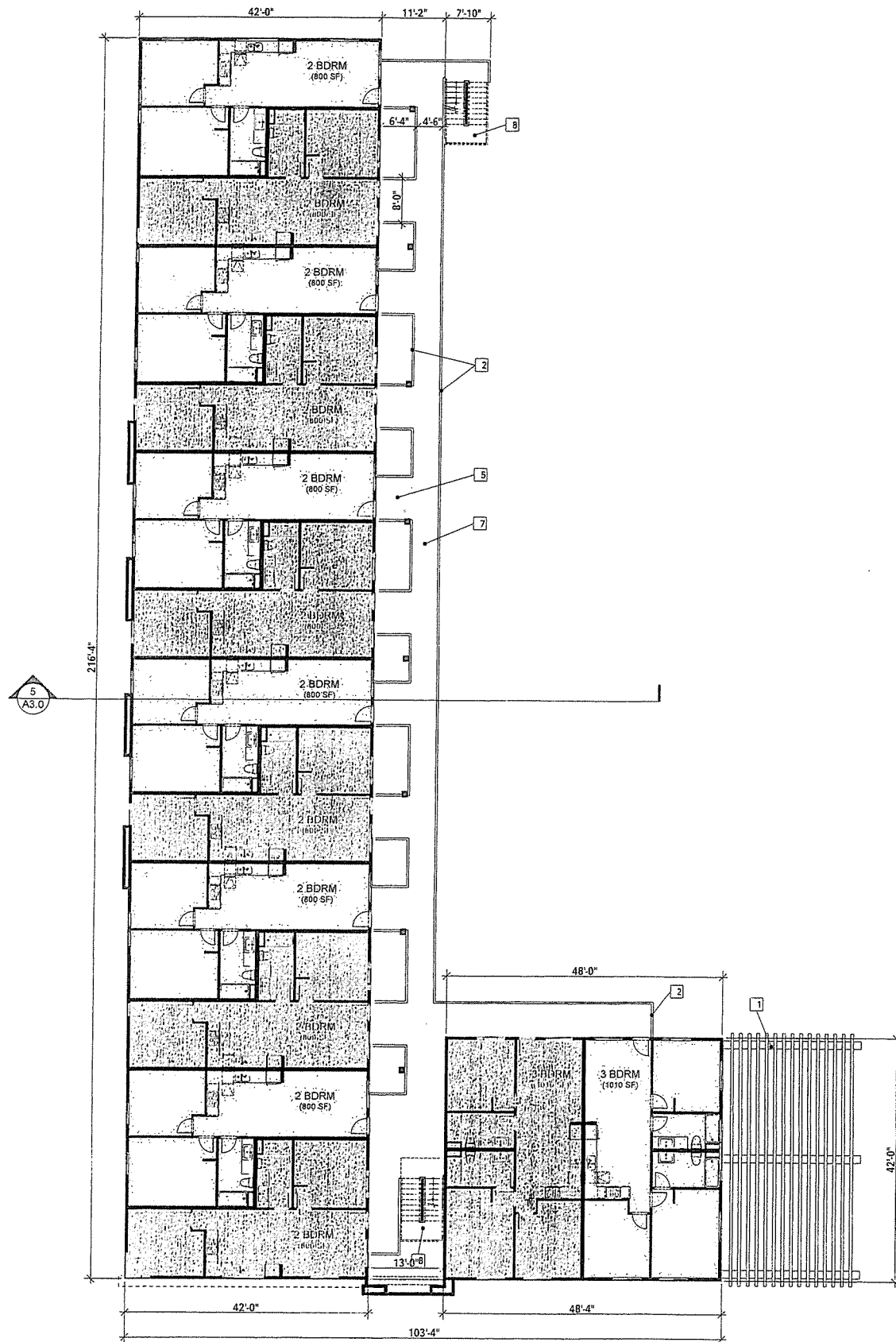
FA

FIRE ACCESS PLAN



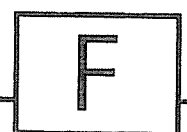
1 GROUND FLOOR PLAN

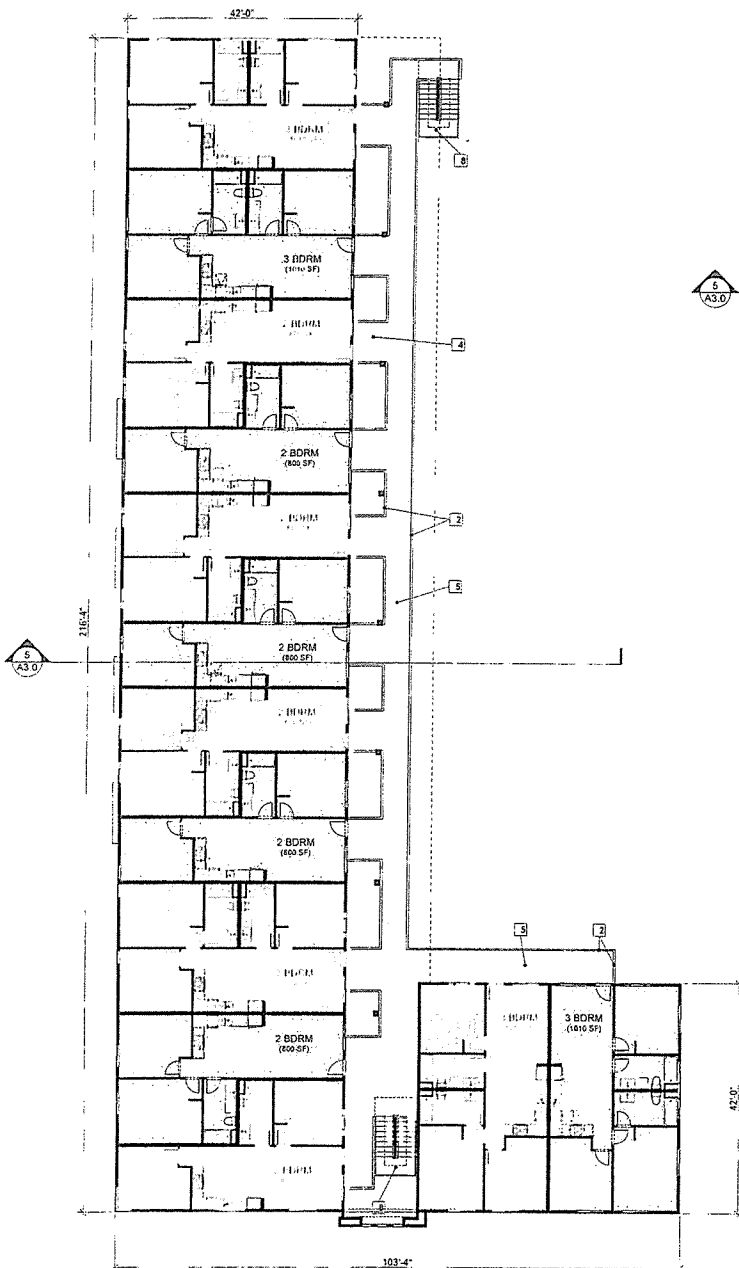
PROPOSED PROJECT
PHG 15-0009/SUB 15-0008



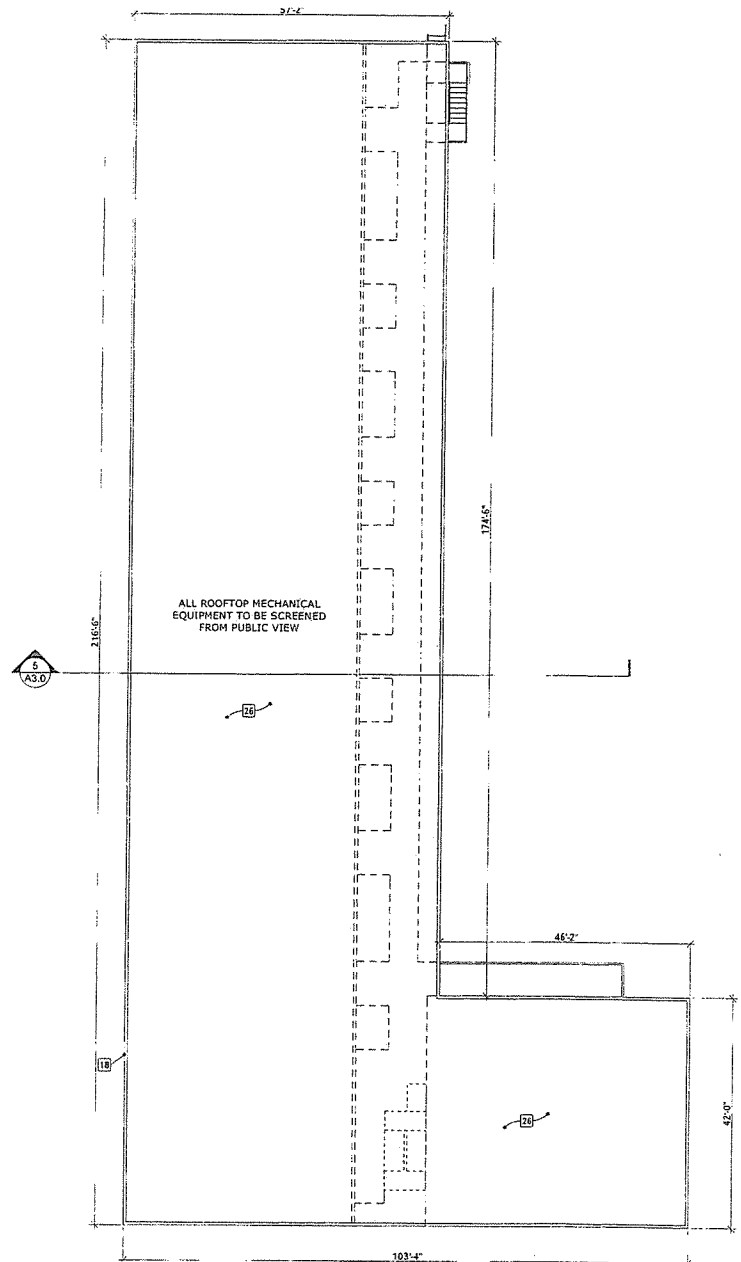
2 SECOND FLOOR PLAN

PROPOSED PROJECT
PHG 15-0009/SUB 15-0008





1 THIRD FLOOR PLAN
SCALE: 3/32" = 1'-0"



2 ROOF PLAN

PROPOSED PROJECT
PHG 15-0009/SUB 15-0008

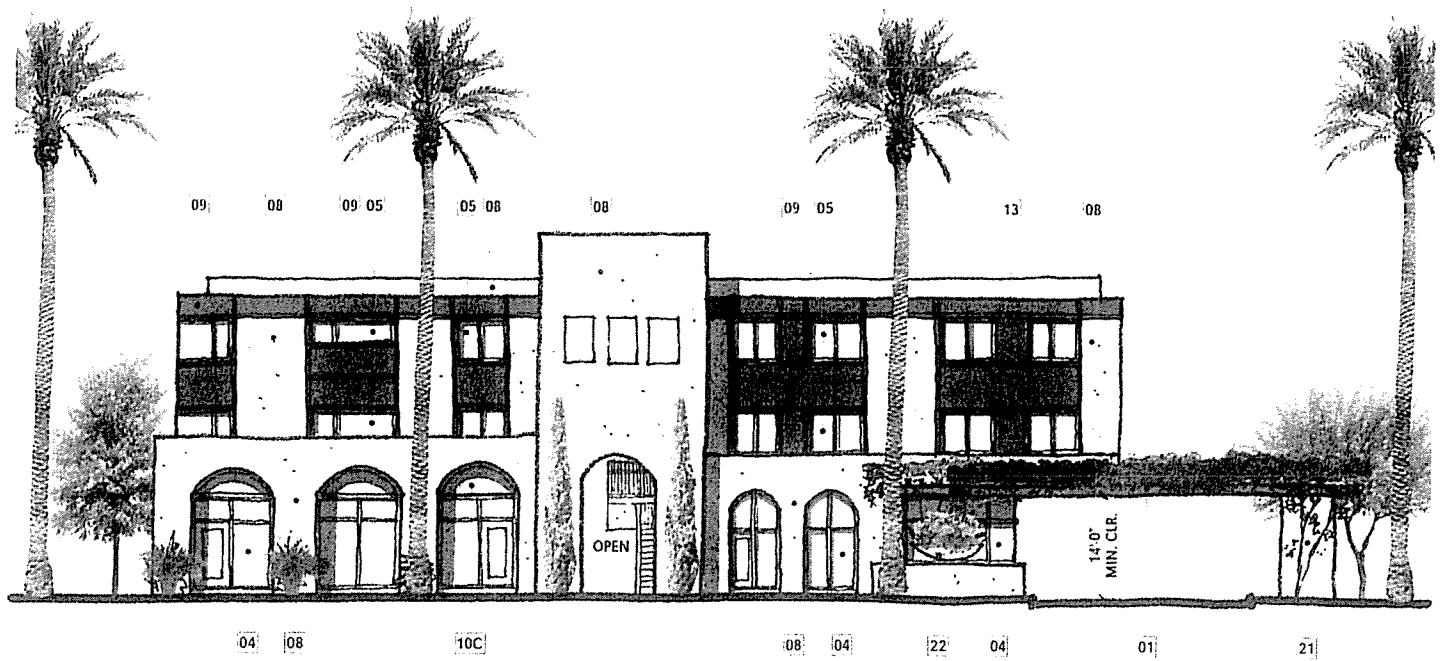
F



4

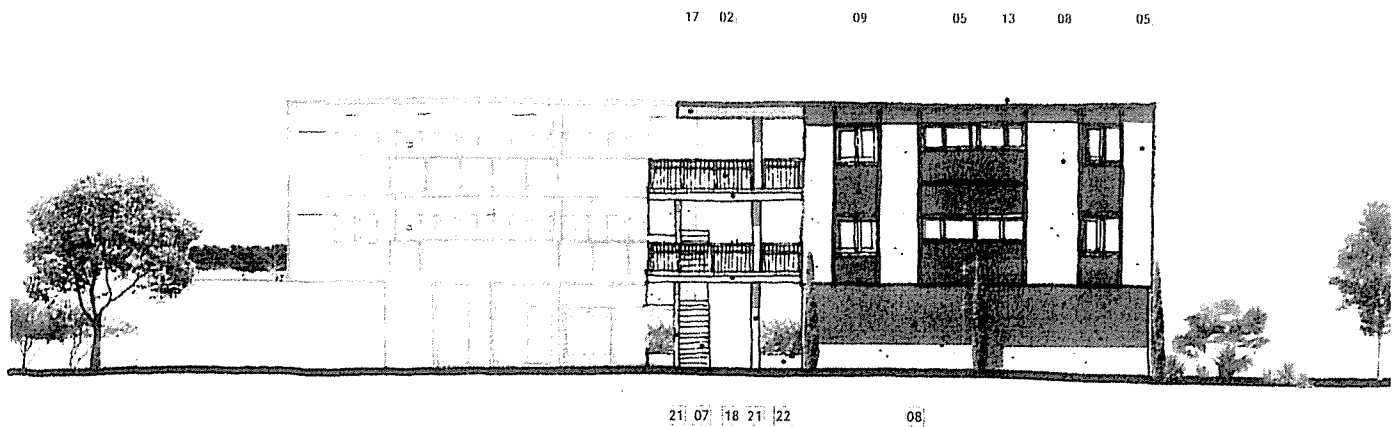
E

ELEVATIONS



2

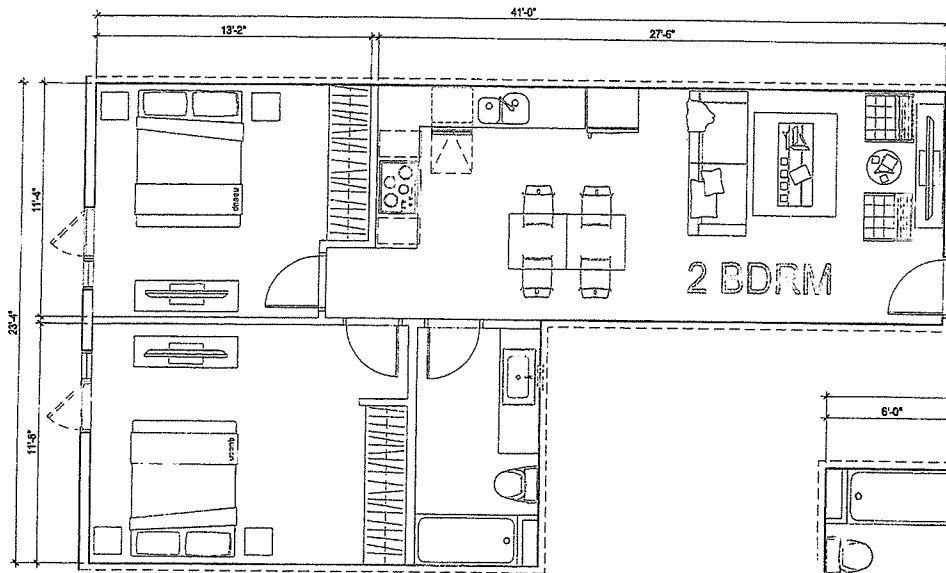
SOUTH ELEVATION



3

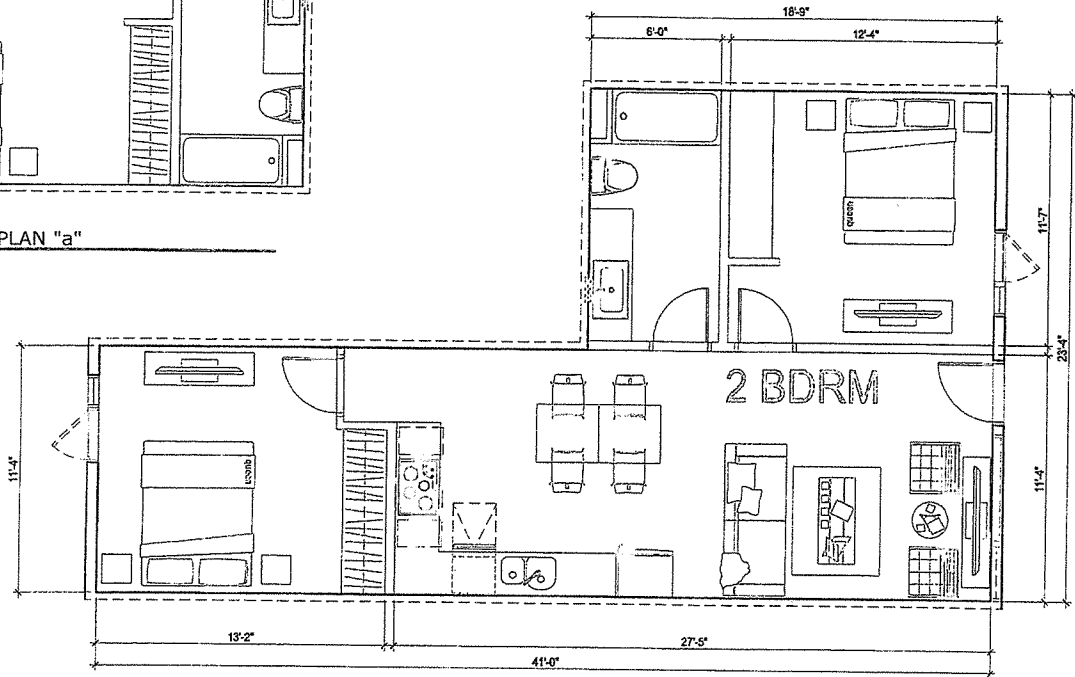
NORTH ELEVATION

PROPOSED PROJECT
PHG 15-0009/SUB 15-0008



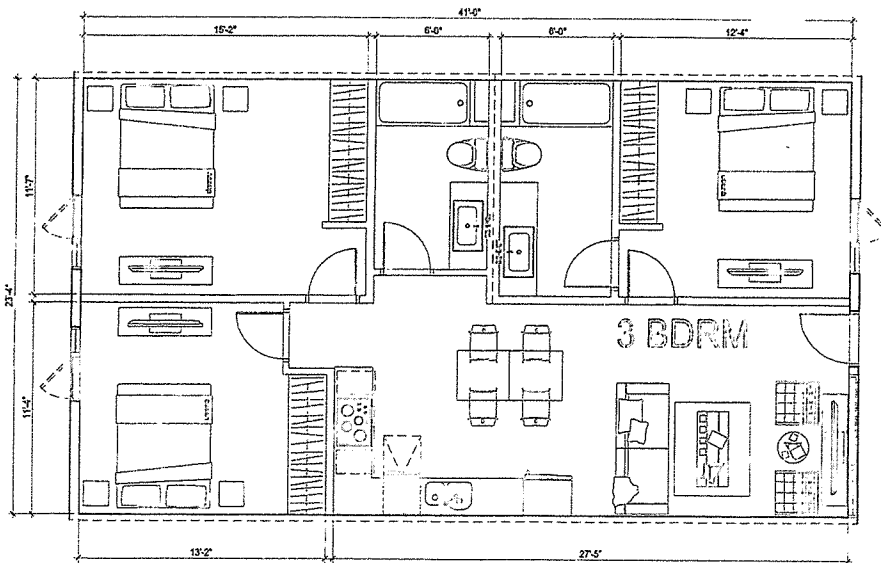
1

2 BEDROOM FLOOR PLAN "a"



2

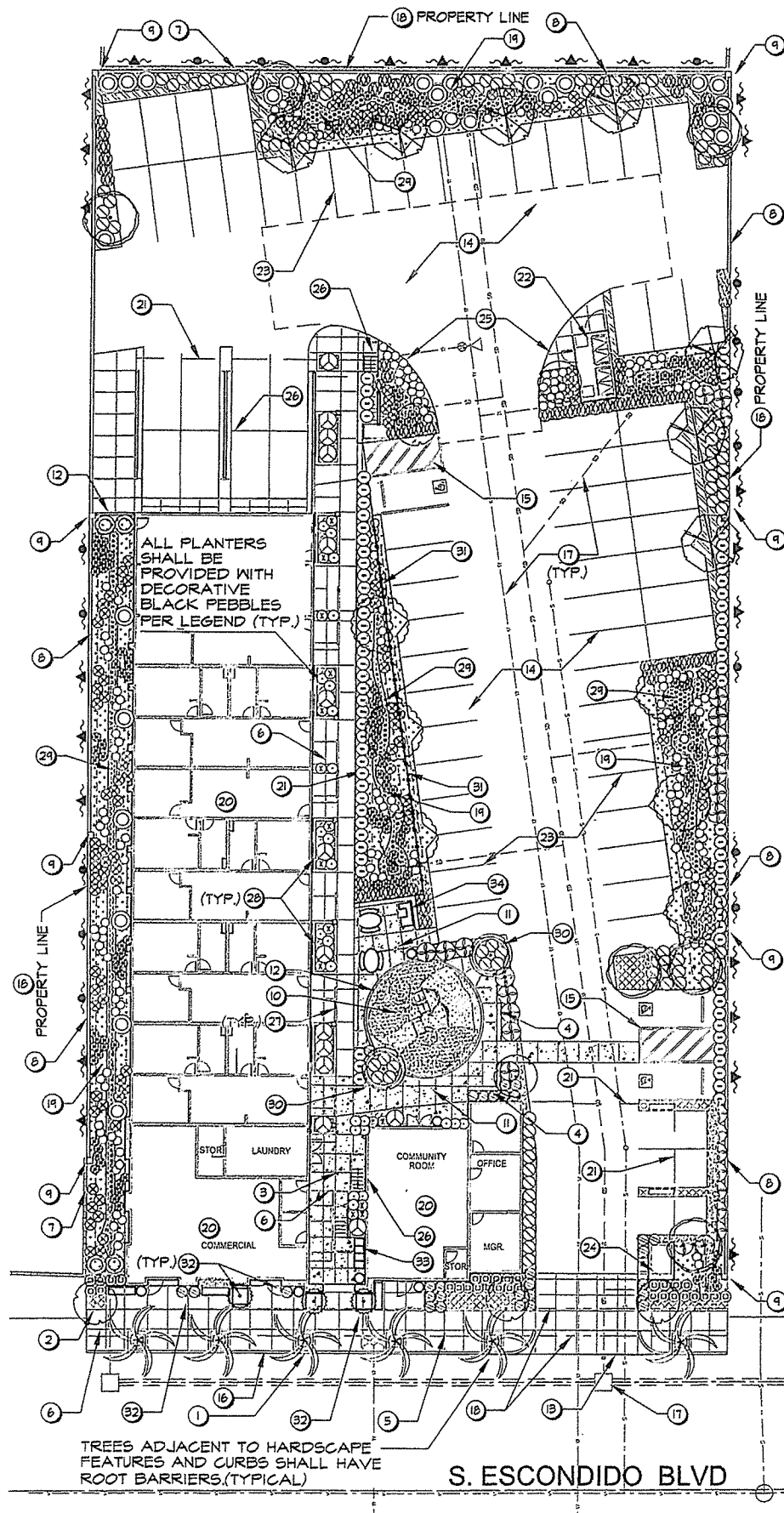
2 BEDROOM FLOOR PLAN "b"



3

3 BEDROOM FLOOR PLAN

PROPOSED PROJECT
PHG 15-0009/SUB 15-0008



PROPOSED PROJECT
PHG 15-0009/SUB 15-0008

PLANTING LEGEND

Symbol	Botanical Name	Common Name	Size	Notes	Quantity
--------	----------------	-------------	------	-------	----------

PALMS



SYAGRUS ROMANOFFIANUM

QUEEN PALM

18-20' BTH

6

NOTE: PALMS SHALL BE BOX-GROWN, MINIMUM 48" BOX, UPRIGHT WITH MIN. 12" CLEARED TRUNK DIAMETER. TRUNK HEIGHT SHALL BE 18-20' BROWN TRUNK HEIGHT (BTH). THE TRUNK IS MEASURED FROM THE GROUND LINE TO THE BASE OF THE HEART LEAF.

TREES



CUPRESSUS SEMPERVIRENS 'GLAUCIA'

ITALIAN CYPRESS

36" BOA

STANDARD

3



LAGERSTROEMIA INDICA x FAURIEI 'MUSKOGEE'

CRAPE MYRTLE

24" BOX

STANDARD

6



LOPHOSTEMON CONFERTUS (TRISTANIA)

BRISBANE BOX

24" BOX

STANDARD

7



MAGNOLIA GRANDIFLORA 'LITTLE GEM'

DWARF SOUTHERN MAGNOLIA

24" BOX

STANDARD

6

NOTE: CRAPE MYRTLE, MAGNOLIA AND TRISTANIA TREES SHALL BE STANDARD, FULL, SYMMETRIC, UPRIGHT, FIRST BRANCH 6 FEET ABOVE FINISH GRADE ELEVATION



PRUNUS C. 'KRAUTER VESUVIUS'

FLOWERING PLUM

24" BOX

- MULTI-LOW BRANCHES

8

SHRUBS



ANIGOZANTHOS HYBRIDS 'BUSH TANGO'

ORANGE KANGAROO PAW

5 GAL.

--

59



ASPIDISTRA ELATIOR

CAST IRON PLANT

5 GAL.

--

15



BUXUS JAPONICA 'GREEN BEAUTY'

JAPANESE BOXWOOD

5 GAL.

--

79



CORDYLINE x 'JUREL' P.F.14,224

CORDYLINE FESTIVAL GRASS

5 GAL.

--

29



FATSIA JAPONICA

JAPANESE ARALIA

5 GAL.

--

14



LAVANDULA STOECHAS 'OTTO QUAST'

SPANISH LAVENDER

5 GAL.

--

31



LOMANDRA LONGIFOLIA 'BREEZE'

DWARF MAT RUSH

5 GAL.

--

99



PITTOSPORUM TENUIF 'SILVER SHEEN'

SILVER SHEEN KPHUHUI

5 GAL.

--

27



PHORMIUM HYBRIDS 'MAORI QUEEN'

NEW ZEALAND FLAX

5 GAL.

--

31



SANSEVIERIA TRIFASCIATA

MOTHER-IN-LAW TONGUE

5 GAL.

--

24

GROUND COVER



LIRIOPE MUSCARI

BIG BLUE LILY TURF

1 GAL.

15" O.C.

AS REQ'D (*)



OPHIOPOGON PLANISCAPUS 'NIGRESCENS'

BLACK MONDO GRASS

FLATS

6" O.C.

AS REQ'D (*)



ROSMARINUS OFF. 'HUNTINGTON CARPET'

ROSEMARY

1 GAL.

24" O.C.

AS REQ'D (*)



TRACHELOSPERMUM JASMINOIDES

STAR JASMINE

1 GAL.

24" O.C.

AS REQ'D (*)

BIO-SWALE / BIORETENTION PLANTS



CAREX SUBFUSCA

RUSTY SEDGE

1 GAL.

12" O.C.

AS REQ'D (*)



DIANELLA CAERULEA 'CASSA BLUE'

BLUE FLAX LILY

1 GAL

24" O.C.

188



IRIS DOUGLASIANA

DOUGLAS IRIS

1 GAL

30" O.C.

132



JUNCUS PATENS

CALIFORNIA GRAY RUSH

1 GAL.

24" O.C.

170

VINES



FICUS REPENS

CREEPING FIG

5 GAL.

15' O.C.

16



PARTHENOCESSUS TRICUSPIDATA

BOSTON IVY

5 GAL.

15' O.C.

23

POT PLANTING LEGEND



SQUARE CARDIFF PLANTER POT - CF4236F (TOTAL: THREE POTS)

TOP LENGTH x WIDTH = 42"x42", BASE LENGTH x WIDTH = 34"x34", HEIGHT = 36"

PLANTS: (1) 24" BOX ITALIAN CYPRESS AND (6) 1-GALLON BLUE FLAX LILY WITH DECORATIVE BLACK PEBBLES.



PONTO CONE PLANTER POT - PCL3242 (TOTAL: THREE POTS)

OUTSIDE DIAM. TOP 32", INSIDE DIAM. TOP 28", BASE 20" & HEIGHT 42"

PLANTS: (1) 5- GALLON CORDYLINE FESTIVAL GRASS WITH DECORATIVE BLACK PEBBLES.

POTS SHALL BE LIGHT FIBERGLASS AS MANUFACTURED BY OLD TOWN FIBERGLASS OF ORANGE, CA (714)633-3732 OR APPROVED EQUAL. ALL POTS SHALL BE PROVIDED WITH MATCHING BUILT-IN INTERNAL RESERVOIR SELF WATERING IRRIGATION SYSTEM AS RECOMMENDED BY THE MANUFACTURER.

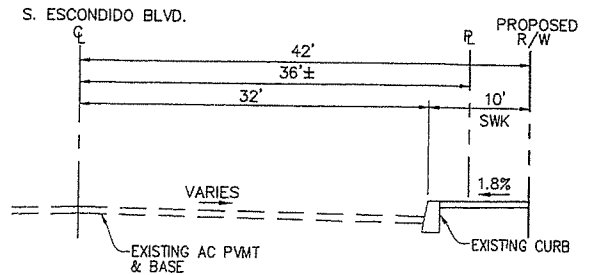
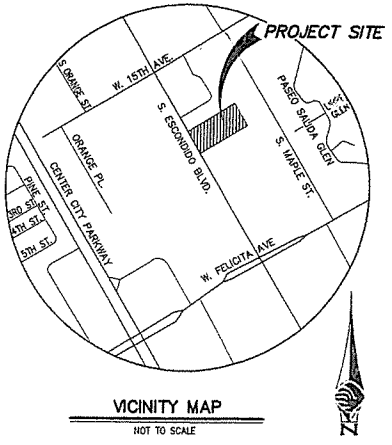
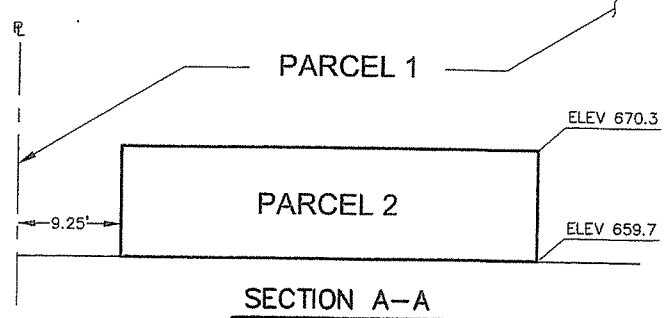
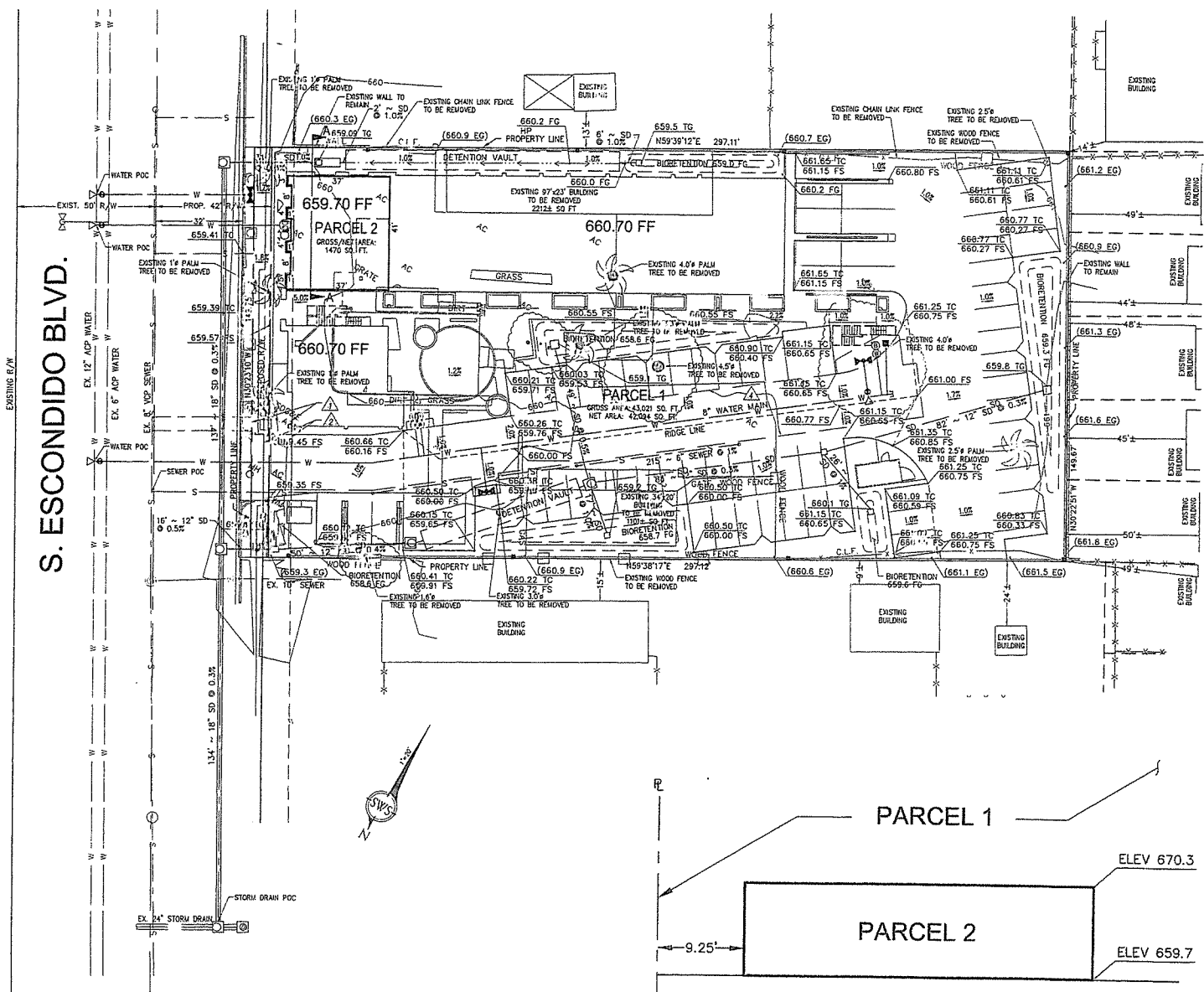
PEBBLES SHALL BE "BLACK MEXICAN BEACH PEBBLES", SIZE MIN. 1" TO MAX. 3" IN DIAMETER AS SUPPLIED BY KRC ROCK OR EQUAL.

PLAN KEYNOTES:

- STREET PALM IN PLANTING AREA, OR STABILIZED DECOMPOSED GRANITE (DG) PAVING, OR TREE GRATE.
- ORNAMENTAL TREES IN PLANTING AREA.
- ENHANCED CONCRETE PAVEMENT.
- 16-18" HIGH MASONRY SEAT WALL.
- GRAY CONCRETE SIDEWALK PER CIVIL DRGSS.
- CONCRETE PAVEMENT SCORING.
- EXISTING PERIMETER WALL TO REMAIN AND BE PROTECTED IN PLACE DURING CONSTRUCTION.
- NEW 6-FEET HIGH MASONRY BLOCK PERIMETER WALL
- NEW 7-FEET HIGH MASONRY BLOCK PILASTER.
- TOT-LOT AREA POURED-IN-PLACE RUBBERIZED SURFACE (THREE COLORS).
- COMMUNITY PLAZA WITH PICNIC TABLES, SEAT WALLS, BBQ AND ENHANCED PAVEMENT.
- CONCRETE MOW CURB.
- DRIVENWAY ENTRY & CURB RAMP PER CIVIL DRGSS.
- ASPHALT PAVEMENT PER CIVIL DRAWINGS.
- ADA PARKING PER ARCH. AND CIVIL DRAWINGS.
- CURB OR CURB AND GUTTER PER CIVIL DRAWINGS.
- EXISTING / PROPOSED UTILITIES PER CIVIL DRGSS.
- PUBLIC R.O.W OR PROPERTY LINE PER CIVIL DRGSS.
- BIO-SWALE OR RETENTION BASIN PER CIVIL DRGSS.
- NEW BUILDING PER ARCHITECTURAL DRAWINGS.
- BUILDING ABOVE PER ARCHITECTURAL DRAWINGS.
- TRASH ENCLOSURE PER ARCH. DRAWINGS.
- PARKING STRIPING PER ARCH. & CIVIL DRAWINGS.
- PROJECT ENTRY MONUMENT PER ARCH. DRAWINGS.
- FIRE TRUCK TURNING RADIUS PER ARCH. DRAWINGS.
- BUILDING STAIR AND WALL PER ARCH. DRAWINGS
- PATIO WALL PER ARCH. DRAWINGS
- BUILT-IN PLANTER PER ARCHITECTURAL DRAWINGS.
- 3-5" ROCK COBBLE OVER WOOD BARRIER AT THE BOTTOM OF BIO-SWALES AND BASINS.
- 16-18" HIGH CONCRETE CIRCULAR PLANTER / SEAT WALL.
- 36-42" HIGH THREE WIRE CABLE FENCE.
- PLANTER POTS, BENCHES AND TRASH RECEPTACLES IN FRONT OF COMMERCIAL AND COMMUNITY SPACE.
- BIKE RACK.
- BBQ TO BE PROVIDED BY THE DEVELOPER.

PROPOSED PROJECT
PHG 15-0009/SUB 15-0008

LPn



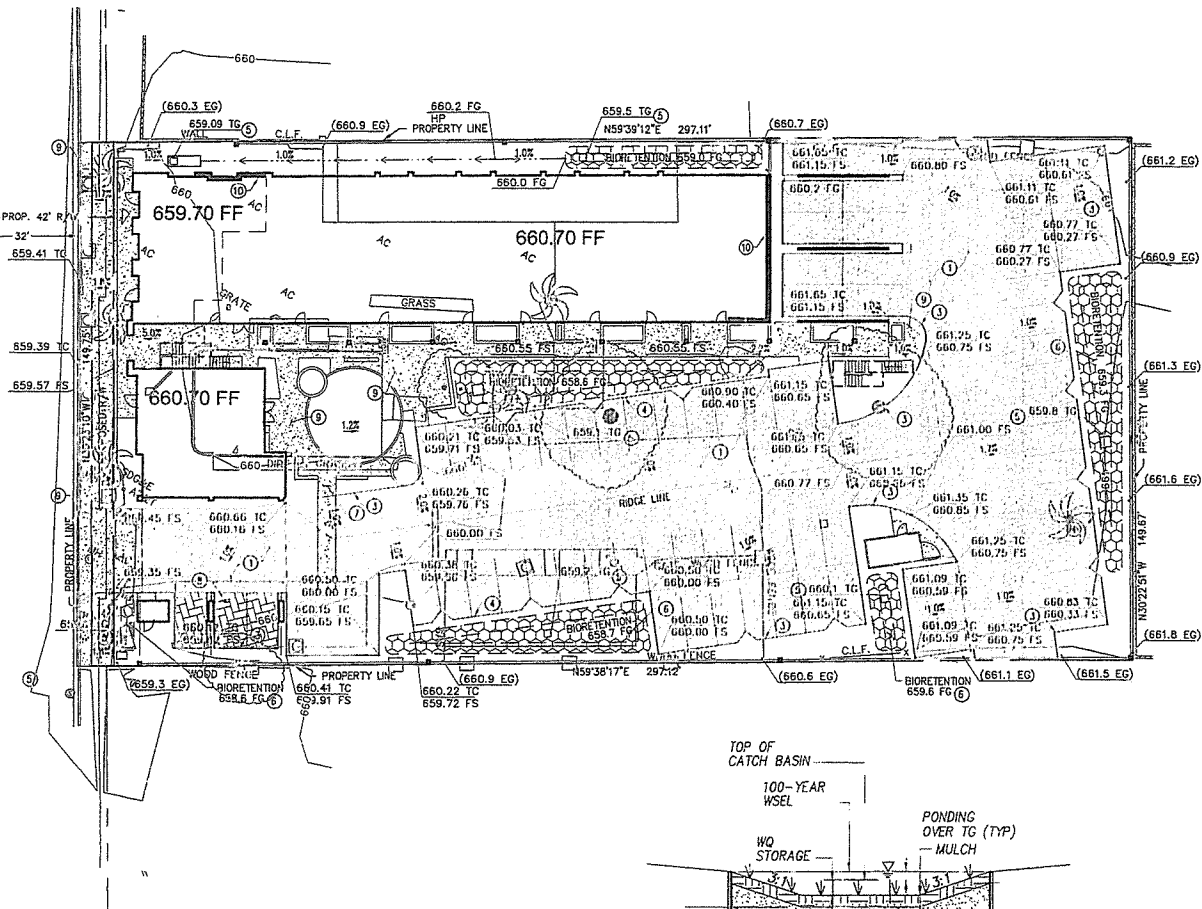
TYPICAL SECTION - S. ESCONDIDO BLVD.
 NO SCALE

PROPOSED PROJECT
 PHG 15-0009/SUB 15-0008

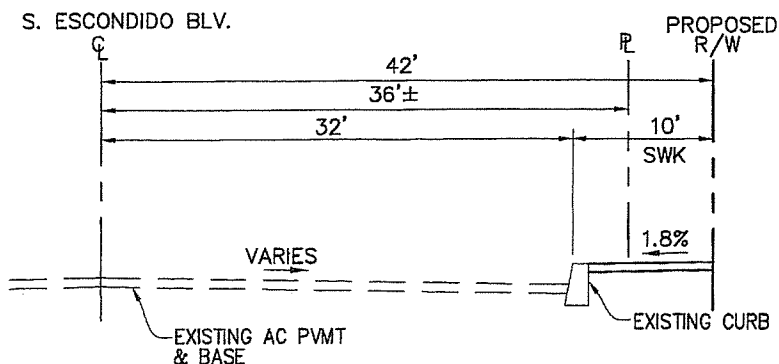
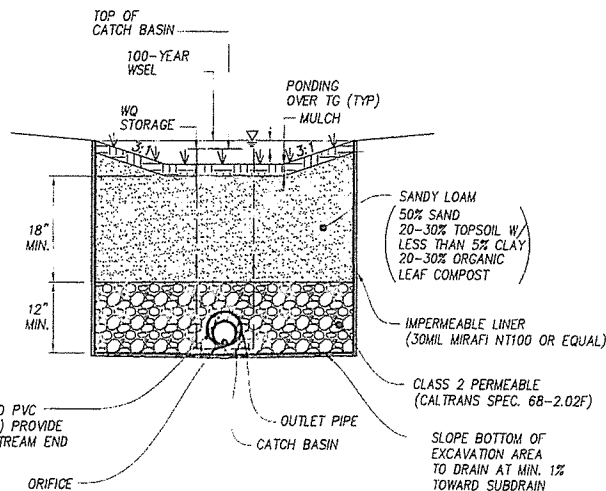
TPM

TENTATIVE PARCEL MAP

S. ESCONDIDO BLVD.



BIORETENTION BASIN
NO SCALE



TYPICAL SECTION - S. ESCONDIDO BLVD.

NO SCALE

LEGEND

- AC PAVEMENT AND BASE
- PERVIOUS PAVEMENT
- BIORETENTION BASIN
- CONCRETE PAVEMENT

PROPOSED PROJECT
PHG 15-0009/SUB 15-0008

GCP

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - CG (General Commercial) zoning and PD-MU (Planned Development, Mixed Use) – Immediately to the north of the site are residential units operated by the Vietnam Veterans of San Diego in the PD-MU zone. The site is in the process of being redeveloped into a larger residential facility for VVSD. Further to the north is a small commercial development.

SOUTH - CG zoning – A small, nonconforming residential project and commercial uses are located to the south of the site along Escondido Boulevard.

EAST - R-3-18 (Multi-family residential, 18 du/acre maximum) zoning – Single-family and multi-family residences on small parcels are located to the east of the site.

WEST - PD-MU (Planned Development, Mixed-Use) zoning– To the west across Escondido Boulevard are a mixed-use residential/commercial development with live-work units, row homes and multi-family units; low-scale commercial development; and existing medium density residential uses.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service – The Police Department has expressed no concern regarding the proposed development and their ability to provide service to the site.
2. Effect on Fire Service – The Fire Department has expressed no concerns relative to its ability to provide service to the site. The site is served by Fire Station No. 1 (310 North Quince Street), which is within the seven and one-half minute response time specified for urbanized areas in the General Plan. Development of the site would contribute incremental increases in demand for fire services. The Fire Department has indicated that adequate services can be provided to the site and the proposed project would not impact levels of service, as conditioned. Project conditions include sprinklers and fire alarms in all buildings, installation of a new hydrant, and providing required building clearances.
3. Traffic – Access to the site would be provided by a single driveway from South Escondido Boulevard, which is classified as a Collector Road (84' R-O-W) in the City's Circulation Element. This section of Escondido Boulevard operates as a two-lane undivided roadway north of 15th Avenue with a continuous center turn lane. At the project site, South Escondido Boulevard transitions from a 2-lane roadway to a 4-lane roadway travelling southbound. The 4-lane portion is divided with a striped centerline and includes on-street parking. Bus stops are located on both sides of Escondido Boulevard at the intersection with 15th Avenue. Traffic would enter the site via a new two-way access driveway from Escondido Boulevard. The 24-foot-wide driveway would provide access to all parking spaces with a hammerhead turn around at the eastern end of the site. A total of 71 parking spaces would be provided on-site. On street parking is currently permitted along South Escondido Boulevard. At this time, parking would continue to be permitted, but could be removed in the future.

Based on the San Diego Association of Governments (SANDAG) traffic generation rates for the San Diego region, constructing 33 multi-family residential units and a 1,175 SF commercial space would result in the generation of approximately 245 average daily trips (ADTs) to surrounding streets with 17 trips during the AM peak hour, and 22 trips during the PM peak hour. There currently are approximately 14,400 average daily vehicle trips (ADT) along South Escondido Boulevard north of 15th Avenue and 15,300 ADT south of 15th Avenue. A Traffic Impact Analysis (TIA) was prepared recently in conjunction with a neighboring project. The TIA concluded the adjacent signalized intersection would continue to operate at LOS B or better with the addition of that project and cumulative project traffic volumes. Adjacent segments of South Escondido Boulevard currently operate at LOS E and F, and would continue to do so with or without that project. The Engineering Division has agreed that with the additional trips added with the

current proposed project the intersections and street segments would continue to operate at the same LOS and would not result in a significant impact because the volume to capacity ratio along South Escondido Boulevard would not exceed 0.02 as a result of the project. The Engineering Department indicated the anticipated daily and peak hour trips would not result in any significant adverse direct or cumulative impacts to the circulation system, and no mitigation would be required. Full street improvements along Escondido Boulevard (curb, gutter and sidewalk) already exist along the project frontage and continue off-site. No further street improvements would be required.

4. Utilities – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining street or easement. Water and sewer service are 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 or degrade the levels of service of the public sewer and water systems.
5. Drainage – The project would incrementally increase the amount of surface runoff as a result of additional pavement and hardscape surfaces created by the development and driveway improvements. The project will include several bioretention basins throughout the site to treat on-site stormwater runoff. Construction BMPs will be in place during the grading.

A Major Stormwater Management Plan (MSMP) was prepared by SWS Engineering, Inc. on May 11, 2015, to address the design of drainage and water quality features in accordance with SUSMP requirements. In addition, SWS Engineering, Inc. prepared a Drainage Study on April 3, 2015. Project construction would be required to comply with the San Diego Municipal Storm Water Permit (Order No. 2001-01, NPDES), the project-specific Storm Water Pollution Prevention Plan (SWPPP), and with the City of Escondido erosion control ordinances and policies. The proposed design will comply with the storm water quality standards that are required by the San Diego Regional Water Quality Control Board and the City of Escondido, in effect at the time of permit issuance. The Engineering Division has determined the project would not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. A Notice of Exemption was issued on September 14, 2015, in accordance with CEQA Section 15332 (In-Fill Development Projects).
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.
3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan

The General Plan land use designation on the subject site is GC, General Commercial, with a Mixed-Use Overlay. The General Commercial designation allows for a variety of commercial, retail and service uses along the South Escondido Boulevard corridor. The mixed-use designation allows a mixed-use development of residential and commercial uses with approval of a Planned Development, subject to the provisions and standards of Zoning Code Article 19 (Planned Development Zone). The site is also located within the South Escondido Boulevard Neighborhood Plan and the project is subject to the provisions of this overlay.

The subject site is also located within the South Escondido Boulevard/Felicita Avenue Target Area. Section II.J of the 2012 General Plan update establishes opportunity areas where land use changes are anticipated and encouraged to implement core themes and incorporate smart growth principles. The guiding principles of the South Escondido Boulevard/Felicita Avenue Target Area include using smart growth principles, strong connections to transit, considering exclusively residential development on some sites, and establishing a mixed use overlay in close proximity to transit and

services while ensuring compatibility with adjacent structures. Mixed-use areas are generally transit oriented and pedestrian friendly by nature. The Mixed Use Overlay requires a minimum density of 30 units per acre in conformance with Smart Growth Principles. The proposed project is consistent with the General Plan since the proposed density is 33 dwelling units per acre. The project will provide a connection to transit for the residents, revitalize an aging property, provide compatibility with existing, adjacent development, and support nearby commercial establishments. Additionally, the Housing Element of the General Plan expresses a need for residential units affordable to lower income households. Both the Regional Housing Needs Assessment (RHNA) and the Housing Element programs indicate that both rental and ownership units affordable to lower income households are needed in Escondido. The project would result in 33 units available to lower income households and families, expanding the stock of affordable housing. The proposed mixed-use affordable project would be in conformance with General Plan Housing Goals and Policies (pages IV-120 – 121) that seek to expand the stock of all housing and provide a range of housing opportunities for all income groups and households with special needs; encourage a compact, efficient urban form; encourages creative residential development; and incorporate smart growth principles in new multi-family and mixed-use overlay areas.

Whether the Proposed Project Design is Consistent with the General Plan and South Escondido Boulevard Objectives and Design Guidelines for Mixed Use Developments

The South Escondido Boulevard Neighborhood Plan extends on both sides of Escondido Boulevard from Fifth Avenue to Citracado Parkway. The Plan allows a mixed-use project subject to approval of a Planned Development. The purpose of the Planned Development (PD) Zone is to provide a more flexible regulatory procedure by which the basic public purposes of the Escondido General Plan and the Escondido Zoning Code may be accomplished. The Planned Development Zone also encourages creative approaches to the use of land through variation in the siting of buildings and the appropriate mix of several land uses, activities and dwelling types (General Plan Housing Element, page IV-74). The zoning on the subject site was previously changed to PD (Planned Development) in conjunction with development of a previously approved project. The subject site is located within the South Escondido Boulevard Neighborhood Plan and is subject to the development standards and design guidelines in the plan. The Area Plan promotes quality infill development when compatible with surrounding development. The plan states that building height, bulk and design should be sensitive to existing residential developments through the use of stepping back upper stories, enhanced architectural features, and landscaping. Structures should also be limited to three stories in height. The Neighborhood Plan was adopted in 1996 and updated in 2007. The City has received a grant from the Strategic Growth Council to update the area plan, focusing on smart growth principles, including promoting increased density and intensity near transit, encouraging façade improvements and property revitalization, and improving the jobs/housing balance.

The Mixed-Use Residential Overlay calls for buildings to be located along street frontages promoting pedestrian interest through architectural articulation and attractive landscaping, with parking provided in the rear. The South Escondido Boulevard/Felicita Avenue Target Area incorporates smart growth principles to promote walkable development in close proximity to transit, and promote redevelopment. The project site is located within a few hundred feet of bus stops north- and southbound, and along the Rapid Bus route connecting to San Diego.

All proposed mixed-use developments are evaluated for compatibility with adjacent projects, including building heights, intensities and buffers. The proposed building would be three stories and approximately 35 feet in height. The South Escondido Boulevard Area Plan design guidelines allow a maximum height of three stories and 35 feet. The recently approved Veteran's Village development immediately to the north will be approximately 35 feet high, three stories. In addition, both existing nearby mixed-use developments are three stories in height. The overall mass and scale of the proposed building would be mitigated through the quality of design, varied wall planes and roof lines, and the separation between structures. The Guidelines note that buildings should be oriented toward Escondido Boulevard, and the proposed building would be oriented on the site toward Escondido Boulevard on the northwestern portion of the property. The design incorporates varied wall planes, and details to enhance the appearance of the three story building. The proposed building would be located ten feet from the northern (side) property line, adjacent to Veteran's Village, and a minimum of 48 feet from the southern side property line. It would be set back approximately 67 feet from the rear property line, adjacent to existing single family residences. The project's parking spaces would be located along the southern and eastern property lines, behind the building, where the landscape buffer would range from three to twenty feet wide. A 6-foot-high solid masonry wall with pilasters and landscaping, including vines, along the perimeter of the site would separate

the project from adjacent uses. Staff feels the height of the development would be compatible with the surrounding area because other recently developed mixed-use projects to the north and west of the site are also three stories.

The South Escondido Boulevard Area Plan does not contain a minimum or maximum amount of commercial space to be provided in a mixed use development. Each project is evaluated on a case by case basis. The proposed development would contain a single 1,175 SF commercial tenant space. Solutions for Change would retain ownership of the project, including the residential component and the commercial component. Staff feels the commercial space would be large enough to support small retail, service and professional office uses. It is also likely that Solutions for Change would use the space for training or another commercial use related to their mission. The applicant has provided a proposed list of permitted uses for the commercial component of the project, which include a variety of retail, office, professional and educational uses. Solutions for Change has not proposed a specific use(s) for the 1,175 SF tenant space, but the list will provide the flexibility of a variety of uses appropriate for the location and size of the commercial space and consistent with the amount of parking provided.

The proposed project features a contemporary architecture with off-white and brown stucco exteriors, light and deeper blue and green accents, steel and wood guardrails/privacy screens, and a stucco and wood shade structure/entry canopy. The Staff Design Review Committee reviewed the elevations and site design and agreed that they were appropriate for the project and the site. All existing building on the site would be demolished. They have all been determined not to be historically significant.

Staff feels the design of the project is consistent with the goals of the South Escondido Boulevard Area Plan and Mixed-Use developments, including the architecture, site layout, compatibility with surrounding properties and enhanced pedestrian entrance at the commercial space on Escondido Boulevard.

Open Space

There is no specific open space requirement for mixed-use or 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 residential projects. The R-4 zone requires a minimum of 200 SF of open space per unit plus 200 SF for each bedroom over one in each unit. The open space requirement for mixed-use and residential-only projects within the Downtown Revitalization Area Specific Plan is 300 SF per unit. Proposed projects along the South Escondido Boulevard Area have typically provided open space in the range between these two standards on a case-by-case basis through the Planned Development process. Using the R-4 standard, the project would require a total of 15,400 SF of open space. Using the Downtown standard would require 9,900 SF. The proposed project would provide a total of 18,584 SF of open space, including private balconies, public walkways, landscaping, a tot lot and community area and a community room. The semi-public open space of the community area/tot lot is consistent with the desirable features of a mixed-use project. The proposed open space exceeds the requirements of either zoning designation and staff feels it is appropriate for the proposed development.

Parking

Density Bonus Ordinances encourage development of affordable and senior housing by allowing additional units above the maximum allowable residential density under the applicable zoning or General Plan designation for affordable housing projects, and by allowing deviations from development standards. Escondido's current Density Bonus Ordinance (Zoning Code Article 67) allows a minimum density bonus of 25 percent and deviations from the Zoning Code for qualifying affordable developments. Escondido's Ordinance is not in compliance with current State Density Bonus law, which has a sliding scale for the density bonus and number of incentives allowed. If a city has not modified their requirements to implement state law, a city must comply with state law provisions. State law requires that each of the projects that qualify for a density bonus is entitled to concessions or incentives. Density bonuses and incentives must be provided to all developers proposing affordable housing who request them.

The City is in the process of adopting a Density Bonus and Residential Incentive Ordinance that is consistent with the State Density Bonus requirements (Government Code Sections 65915-65918). Until that is completed the City defers to

the State requirements when reviewing requests for a density bonus for affordable projects. State Density Bonus law requires allowance of a density increase and the provision of certain incentives for residential development projects that set aside a percentage of their total units to be affordable to lower and moderate income households. All of the proposed units in the subject project would be affordable to lower income households, which would qualify the developer for a density increase and three concessions, in addition to a reduced parking ratio. The applicant is not proposing a density increase beyond that permitted by the General Plan and Zoning designation. However, they are proposing to utilize one concession: a reduced onsite parking ratio of two parking spaces per unit for two- and three-bedroom units, which may be provided by tandem or uncovered parking.

Article 39 of the Zoning Code (Parking Ordinance) requires 1.75 spaces per unit for two-bedroom units and two parking spaces per unit for three-bedroom units, plus one additional space per four units for guests. This includes a minimum of one covered parking space per unit. Utilizing this standard, the parking requirement for this project would be 60 spaces, plus an additional eight spaces for guests, for the residential component. However, State Density Bonus Law allows an applicant providing a percentage of affordable housing units to incorporate a reduced amount of parking, consisting of two onsite parking spaces per two- or three-bedroom unit, inclusive of handicapped and guest spaces, with no specific requirement for covered parking. The Density Bonus parking requirement results in a requirement of 66 parking spaces for the residential use. No covered spaces are required and tandem spaces are allowed. The Density Bonus requirement for two-bedroom units is actually greater than the Zoning Code requirement, resulting in an additional six parking spaces for the units, which would help make up the difference in the loss of guest spaces. Thirty tandem spaces and 36 single spaces are proposed on the site for residential uses, including 8 covered spaces. The applicant will be required to submit a Parking Management Plan detailing parking space use and assignment, which will include use of parking spaces by guests. Tandem spaces will be required to be assigned to the same unit to prevent issues with moving vehicles. It is anticipated that two spaces would be assigned to each unit allowing each tenant to provide parking for their guests when needed.

The mixed-use project includes 1175 SF of commercial space, which requires an additional four parking spaces (at the more restrictive retail parking ratio), for a total requirement of 70 on-site parking spaces. The applicant is proposing to provide a total of 71 on-site spaces, including five spaces for the commercial use. These five parking spaces would be located in the front of the site convenient to the commercial space. Some parking will continue to be available on Escondido Boulevard, although they will not be counted toward the parking requirement since Escondido Boulevard is a circulation element street and the spaces may be eliminated at some time. Staff is satisfied that there would be adequate parking for the development, since there would only be a reduction of three spaces from the Zoning Code requirement, there would be at least two parking spaces per unit, and there would be parking for the commercial use.

Parcel Map

A Tentative Parcel Map is proposed for the project to separate ownership of the commercial tenant space from the residential uses for financing and tax purposes. Because residential uses are proposed on floors above the ground floor commercial space, an air-space parcel is required. Two fee simple lots with an air-space component are proposed. Although the project owner intends to maintain ownership of both portions at this time, the owner will have the flexibility to sell or lease the commercial space.

Parcel 2 would include the commercial tenant space while Parcel 1 would include the remainder of the site, including residential units, parking spaces, driveway, and landscaping. The Parcel Map will be three-dimensional because a portion of Parcel 1 will extend over the top of Parcel 2 (the commercial area) in order to retain the upper two floors of residential apartments within Parcel 1. Because the proposed map is three-dimensional, a 10'8" vertical height limit would be established for Parcel 2. The commercial air space portion would be the ground floor air space within the walls of the building situated on Parcel 2, and would consist of 1,175 SF of commercial floor area. Parcel 2 would have no direct frontage on Escondido Boulevard, so an access easement/agreement would be provided. The air space would end at the 10'8" height, which is the height of the finished ceiling of the commercial space.

Because Parcel 2 contains only the commercial floor area, a Reciprocal Easement Agreement is required as a condition of approval to establish maintenance and repair responsibilities between the owner(s) of Parcels 1 and 2, with respect to walls, landscaping, bioretention areas, parking areas, common drainage facilities, building exteriors, signage, driveway access etc. The agreement also will include use of parking spaces that are required by the use of Parcel 2.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The one-acre project site consists of two level parcels fronting on Escondido Boulevard, which is classified as a Collector Road (84' ROW). The adjacent street frontage is fully improved with curbs, gutters and sidewalks. The site currently contains two single-story, older structures including a three unit residential structure and a vacant, dilapidated commercial building. None of the structures are historic. There also is a concrete foundation from a previous commercial building. The site is partially paved with the remaining vegetation consisting of weeds, palm and pepper trees and some ornamental landscaping. The site is surrounded by a mix of older commercial uses, low to medium density multi-family and single-family uses, and two newer mixed-use projects.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: One acre (two parcels)
2. Number of Units: 33
3. Number of Lots: Two lots: Parcel 1: 42,094 SF, Parcel 2: Approx. 1,175 SF
One commercial air space unit (Parcel 2)
4. Project Density: 33 dwelling units/acre
5. Building Info: One 3-story Residential/Commercial Building:
870 SF Community Room
1,080 SF Manager's Office/storage/laundry
1,175 SF Commercial Space
29,300 SF Residential Units
32,425 SF Total
6. Unit Type/Size: (22) 2-BR, 1-BA, 800 SF Units
(11) 3-BR, 2 BA, 1,010 SF Units
7. Lot Coverage: 21% 9,290 SF Ground Floor/1 acre site
8. Building Height: 35 feet maximum (3 stories)
9. Floor Area Ratio 0.74 32,425 SF Building Area/43,560 SF Site Area
10. Signage: No specific signage is proposed at this time. Future signage will be in conformance with Zoning Code Article 66 (Signage) for residential and commercial uses.
11. Grading: Cut: 1,500 cubic yards
Fill: 0 cubic yards
Net: 1,500 CY Export
All proposed grading is in conformance with the Grading Ordinance. No grading exemptions are requested or approved.
12. Landscaping: The site design contains several bio-swale/retention basins. The area surrounding the basins will contain a combination of trees, shrubs and groundcover. The basins will

include rock cobble and plant material approved for use in retention basins by the Engineering Division.

The area in front of the building, around the parking areas, and around the perimeter of the site will be landscaped with a combination of trees, shrubs and groundcover. Ornamental landscaping would include some 36"-box trees, 24"-box trees, 5-gallon shrubs, and vines on the inside of the perimeter wall. Landscaping along Escondido Boulevard would include Queen Palms, potted Italian Cypress and potted Festival Grass in front of the commercial space, and a combination of trees, shrubs and groundcover in the remaining area. There would also be benches and trash receptacles in the space in front of the commercial unit.

A Community Plaza in the center of site behind the community room includes tot lot playground equipment, picnic tables, garden seat walls, BBQ, landscaping and enhanced pavement.

13. Building Color/Materials:

Contemporary architecture. Off-white and brown (Sand) stucco exteriors. Steel and wood guardrails/privacy screens at balconies/patios and upper walkways. Light and deeper blue and green accents. Arched stucco detailing around some windows and entries and arched accents. Stucco and wood shade structure/entry canopy.
14. Project Fencing:

A decorative 6'-high block wall with block pilasters is proposed along the property's northern, southern and eastern boundaries. A solid masonry wall is required adjacent to all commercial zones.

C. CODE COMPLIANCE ANALYSIS

	<u>Proposed</u>	<u>Required</u>
1. Setbacks:		
Front:	11.5 feet to building	0' (required in CG)
Side:	10 feet to building min.	0' (required in CG)
Rear:	Approx. 67'to building	15' (required in CG zone adjacent to residential zone)
	Required by Density Bonus Law :	Zoning Code:
2. Parking:	33 units at 2 spaces each = 66	22 units x 1.75 = 38.5 (2 BR)
	<u>1175 SF commercial @ 1/250 = 4.7</u>	11 units x 2 = 22 spaces (3 BR)
	total spaces required = 70	33 units/4 = 8.25 guest spaces
	total spaces provided = 71	<u>1175 SF commercial @ 1/250 = 4.7</u>
		total spaces = 73
3. Usable Open Space:		
	One-half open space	R-4 Multi-family zone used for comparison:
	may be private patio	200 SF per unit plus 200 Sf for each BR over 1X
	or balcony	33 units x 200 Sf = 6,600 SF
	<u>Total: 18,584 SF</u>	<u>44 BR over 1 x 200 = 8,800 SF</u>
	Common: 16,749 SF	Total: 15,400 SF
	Private: 1,835 SF	

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

**FINDINGS OF FACT
PHG 15-0009, SUB 15-0008
EXHIBIT "A"**

Tentative Parcel Map

1. The proposed two-lot Tentative Parcel Map for the creation of two fee simple parcels, including an air-space component, is in conformance with the General Plan designation of CG (Commercial General) with Mixed-Use Overlay and the South Escondido Boulevard/Felicita Target Area, since the development is consistent with the requirements for a mixed-use development and consistent with the Target Area and the Escondido Boulevard Neighborhood Plan, including a minimum density of 30 du/acre.
2. The design and improvements of the proposed two lot tentative parcel map to create two fee simple parcels, including an air-space component, is consistent with all requirements of the existing PD/MU zone (Planned Development-Mixed use), including setbacks, parking and open space, based on the applicant's proposal, the existing conditions, and the conditions of approval.
3. The site is physically suitable for this type of development as the site is zoned for a multi-family and commercial mixed-use project, the site is surrounded by similar residential and commercial development, and the proposed development is consistent with the Zoning and General Plan designations.
4. The design of the two lot tentative parcel map and the creation of one air space unit are not likely to cause substantial environmental damage or substantially and unavoidably injure fish, wildlife, or their habitat since no stream course or endangered wildlife occurs on the property.
5. The design of the tentative parcel map is not likely to cause serious public health problems since City water and sewer service exist in the area and are available to the site, vehicle traffic generated by the project would not materially degrade the level of service on adjoining streets, and the project is conditioned to provide necessary street and site improvements and reciprocal access, maintenance and use.
6. The design of the two-lot tentative parcel map will not conflict with existing 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 tentative parcel map, based on review of available maps, a preliminary title report for the property and the proposed project plans.
7. The requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment as demonstrated in the Notice of Exemption, issued on September 14, 2015, in accordance with CEQA Section 15332 (In-Fill Development Projects).
8. The design of the two lot tentative parcel map has provided, to the extent feasible, for passive or natural heating and cooling opportunities. Unit size and lot configuration provide opportunities for passive/solar heating and landscaping provides passive cooling opportunities.
9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to recordation of the map.

Master and Precise Development Plan

1. The location and design of the proposed planned development is consistent with the goals and policies of the Escondido General Plan and with the South Escondido Boulevard Neighborhood Plan. The proposed project is within the General Commercial General Plan designation with a mixed-use overlay, and the South Escondido Boulevard/Felicita Avenue Target Area, which both allow and encourage mixed-use developments in close proximity

to transit and compatible with surrounding structures. A mixed use development is subject to approval of a Planned Development with a minimum density of 30 dwelling units per acre. The proposed density would be 33 du/acre. The project is also consistent with the General Plan Housing Goals and Policies to expand the stock of all housing.

2. The proposed development would be well integrated with its surroundings, since it surrounded by a mix of residential and commercial uses and three similar three-story mixed-use developments on Escondido Boulevard. The size and location of the site allow adequate parking, circulation, utilities and access to be provided for the development of the project, as detailed in the staff report. The overall mass and scale of the building has been mitigated through the quality of the design, the use of a variety of building materials; exterior colors; varied wall planes; perimeter walls and landscaping; and the location of the building on the site. Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character of the area.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, according to a Traffic Impact Analysis recently prepared for an adjacent project, the SANDAG trip generation rates for the proposed development, and a review by the City of Escondido Engineering Division.
4. The proposed project would be adequately serviced by all appropriate public facilities and City services. Nearby connections to City of Escondido sewer and water are available, and existing transit stops are located nearby. In addition, adequate police and fire service is nearby and local schools are available.
5. The overall design of the proposed development would produce an attractive and efficient residential and commercial project since it is located in close proximity to transit and shopping, and appropriate on-site amenities would be provided to support the proposed residents, including a community room, tot lot and community plaza. More than likely the commercial component will be related to the residential services provided by Solutions for Change and additional resident services will be provided on- and off-site by Solutions related to their program model. The commercial storefront will be oriented towards Escondido Boulevard with a design consistent with the pedestrian orientation promoted in the Area Plan, and adequate on-site parking is provided for all uses.
6. The proposed development would be well integrated into its surroundings, since the new structures would incorporate compatible and integrated architecture, materials and colors; the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties; and the development would provide an attractive pedestrian access through the site allowing convenient access for residents to nearby commercial services. 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. Extensive grading is not required to support the project, and 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.
7. Utilizing the Planned Development process allows flexibility from the underlying zoning requirements of the previous General Commercial zone to achieve a mixed-use project with affordable units. The project would provide affordable housing opportunities and resident services in a self-contained development, available through the Planned Development process, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process. City services and adequate access would be provided, adequate parking would be provided, the proposed architecture would be integrated into its surroundings, and the project could serve as a catalyst for further revitalization efforts in the area.

**CONDITIONS OF APPROVAL
PHG15-0009, SUB 15-0008
EXHIBIT "B"**

Planning Division Conditions

1. This approval terminates the previous Tentative Map (Tract 942) and Planned Development (PHG10-0002) approvals for the project site.
2. Prior to or concurrent with the issuance of building permits, the appropriate development fees and City-Wide Facilities 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.
3. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
4. 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.
5. 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.
6. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
7. Three copies of the revised Tentative Map reflecting all modifications and any changes required by the approval shall be submitted to the Planning Division for certification prior to approval of the Final Map.
8. Minimum 6-foot-high, solid masonry screen walls shall be constructed along the perimeter of the project boundaries, to the satisfaction of the Planning Division. Appropriate sight distance shall be maintained at driveways and intersections, to the satisfaction of the Engineering Division. Any walls (retaining and screen) shall be constructed of decorative materials, to the satisfaction of the Planning Division and the design and materials shall be indicated on the appropriate plans (building/grading) and final landscape plans. Walls should incorporate pilasters at appropriate intervals, along with a decorative cap. Stucco finished walls should be avoided due to long-term maintenance issues.
9. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less, with measures incorporated into the building plans with appropriate notes/specifications.
10. Prior to the issuance of grading and/or building permits, a parking management plan which details tandem and assigned spaces, overflow, on-site vehicular maintenance, guest parking and on-street parking shall be submitted and approved by the Planning Division. Joined tandem spaces shall be assigned to the same unit.
11. On-site parking spaces and the on-street spaces fronting the site shall not be used for fleet vehicles, commercial type vehicles or large construction vehicles. These restrictions also shall be included in the Parking Management Plan.
12. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. A lighting plan shall be included as part of the building plans. All outdoor lighting shall be arranged so as to prevent light from reflecting upon adjacent properties or streets.
13. A minimum of 71 striped parking spaces shall be provided and maintained in conjunction with this development, as indicated in the details of Request and site plan. All uncovered parking spaces shall be double-striped and

dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.

14. Permitted animals/pets in residential units shall be allowed in conformance with the R-4 standards, unless project rules are more restrictive.
15. An inspection by the Planning Division will be required prior to issuance of and certificates of occupancy. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
16. Trash enclosures must be designed and installed per City standards, and permanently maintained and in coordination with Engineering Division storm water control requirements. The enclosure shall be constructed of decorative materials compatible with the design of the buildings/walls. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance, including shrubs and/or vines. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc. Trash enclosure location, dimensions and design shall be included on the building and landscaping plans.
17. As proposed, the buildings, architecture, colors and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Master and Precise Development Plan, 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 colors, 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.
18. No signage is approved as part of this permit. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code). A separate sign permit shall be required prior to the installation of any signs.
19. All new utilities shall be underground.
20. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building, to the satisfaction of the Director of Community Development. The final building plans shall indicate how any proposed roof top equipment is screened.
21. This Tentative Parcel Map (SUB15-0008) shall expire three years after the date of final approval unless a final map has been approved or an extension of time has been granted. The term of the Master and Precise Development Plan shall be concurrent with the corresponding Tentative Parcel Map, and shall expire according to the same schedule and procedure as the Tentative Parcel Map.
22. Prior to recordation of the final map, two copies of a Reciprocal Easement Agreement for Reciprocal Use and Maintenance shall be submitted to the Planning and Engineering Divisions for review and approval. The document shall contain provisions for the maintenance and use of any common landscaping, open space, walls, common drainage facilities, utilities, building exteriors, signage, parking spaces, driveways, etc. to the satisfaction of the Planning and Engineering Divisions. It shall also contain provisions for use and maintenance of the laundry room and restrooms within Parcel 2 by the tenants of Parcel 1. A review fee established in the current fee schedule shall be collected at the time of submittal.
23. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order

October 13, 2015

to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

24. If any gated entrances are proposed in the future, they shall be approved by the Planning Division, Engineering Division, and Fire Department, and shall incorporate appropriate vehicle stacking, turn around areas, electrical switches and strobe detectors as approved by the Fire Department. Decorative materials shall be used in the design of the gate.
25. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
26. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading plan.
27. Any decorative pavement, driveways and sidewalks shall be indicated on the grading, building and landscape plans, including appropriate notes regarding type and color of materials. Decorative paving, colored concrete or other decorative materials shall be incorporated into the sidewalk and hardscape features along Escondido Boulevard, along with appropriate landscaping.
28. Commercial activities shall be restricted to the 1,175 SF commercial space, as identified on the plans and details of request. Outdoor storage shall not be allowed. The commercial uses shall be limited to the attached list of "Permitted Uses."
29. Any construction, contractor services, or similar type operations shall be used for business offices only, and shall not be used for the storage, warehousing or distribution of construction materials, or parking of construction vehicles, commercial vehicles, work trucks, etc.
30. Uses involving hazardous chemicals or waste shall not be permitted, unless limited to Class M, B and A3 occupancies, per the Building Code.
31. Commercial activities shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. on week days and 11:00 p.m. on Fridays and Saturdays, and deliveries also shall be restricted to these hours.
32. Balconies and patios 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 project/tenant rules.
33. In conjunction with issuance of a grading permit and prior to issuance of a building permit, the abandoned water well on the site shall be capped/destroyed to the satisfaction of the San Diego County Health Department.
34. Should artifacts be discovered during excavation or construction, work is to stop and the City and a qualified archaeologist be consulted to determine the importance of the find and its management (in compliance with CA H&S 7050.5 and Public Resources Code Section 5097.98).
35. Prior to obtaining grading permits the applicant shall work with the Viejas Tribal Government to allow a cultural monitor (at Viejas expense) to be present during excavation in order to keep informed of any new developments.

36. No buildings or structures shall abut or touch the existing adobe wall located on the front of 1538 S. Escondido Boulevard.
37. An Asbestos and Lead-Based Paint (LBP) Survey Report was completed on the structures remaining on the site. The report concluded that there was no asbestos or LBP above threshold levels found in the remaining structures. During demolition activities if any suspect asbestos or lead-based paint materials are uncovered that were not previously sampled, the representative samples shall be collected, analyzed and potentially abated by licensed contractors as follows: Any asbestos containing materials (ACM) shall be removed by a licensed asbestos abatement contractor. Any lead containing paint (LCP) shall be removed by a California Department of Health Services licensed lead abatement contractor.
38. In order to reduce the health risk to an acceptable level for future residential development, the mitigation of the site, as detailed in the Phase II site assessment by SCS Engineers, dated February 24, 2014, shall take place prior to any construction/grading on the site. Excavation, waste characterization and disposal at an appropriate landfill of approximately 100 cubic yards of soil impacted with elevated concentrations of chlordane shall be conducted to render the site suitable for residential development. The excavation area will encompass the areas adjacent to the eastern portion of 1560 S Escondido Boulevard (warehouse), extending to boring B5 at the south and B6 at the east, as referenced in Figure 3 of the report. The excavation shall go to a depth of 2 feet, totaling approximately 100 cubic yards. All soil excavated at the site would be deemed a waste and require characterization, classification and appropriate disposal. A soil management plan (prepared by an environmental professional and reviewed and signed by a California certified Professional Geologist) shall be prepared for the site prior to issuance of a grading permit that describes the means and methods of soil removal, address appropriate health and safety plans, as well as ensuring that confirmation samples demonstrate the removal of chlordane impacted soil to render the site suitable for residential development.
39. Prior to Certification of the Tentative Parcel Map and recordation of a Final Parcel Map, the map shall be revised to remove the laundry room from the commercial lot, Parcel 2.

Landscaping Conditions

1. Prior to occupancy of any units, all required landscape improvements shall be installed. All vegetation shall be maintained in a flourishing manner and kept free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
2. Seven copies of the detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Department. The appropriate plan check fee will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards of the City's Water Efficient Landscape Requirements (Article 62). The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. 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 installation of the erosion control plan and suitable BMPs may be acceptable.
4. The streetscape along Escondido Boulevard shall include appropriate decorative paving (i.e. colored concrete, decorative pavers, etc.) and landscape planters, as shown on the concept landscape plan.
5. The streetscape along Escondido Boulevard shall include appropriate sidewalks and landscape planters, along with the required number of street trees, to the satisfaction of the Planning Division.
6. 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.

7. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.

Building Division Conditions

Building plans for future building permits shall incorporate the following, to the satisfaction of the Building Official:

1. Allowable area calculations in CBC Table 503 are required. Show from buildings to the property lines.
2. Fire sprinklers may be required. Show construction type for each type of occupancy.
3. Show separation of occupancies per CBC Section 508.
4. All ground floor units shall be adaptable and accessible. Ground floor is the first floor above grade with dwelling unit. All first floor units and the units above the commercial use.
5. 2 exits required where the occupant load exceeds 49. See the community room. Doors to swing out with panic hardware.
6. Accessible, separate sex restroom facilities are required to be available for the community room.
7. Complying accessible resident and visitor parking shall be provided.
8. Accessible route from the public way and accessible parking spaces to the commercial entrances, community room and dwelling entrances shall be shown on building plans.
9. Compliance with the California Green Building Code for indoor water use, outdoor water use, construction waste recycling, reduction and disposal, building maintenance and operation, pollution control, interior moisture control, indoor air quality, bicycle parking, designated parking, light pollution control and water reduction shall be shown on plans.

Fire Department Conditions

1. NFPA 13D **automatic fire sprinkler system** will be required.
2. Sprinklers will be required on all overhangs exceeding four feet.
3. An approved fire alarm system is required.
4. A fire hydrant is required to be located within 50 feet of the fire department connection. 1 FDC and 1 PIV is required per building.
5. Fire hydrants capable of delivering 1500 GPM at 20 PSI residual pressure are required every 500 feet.
6. Extinguisher(s) will be provided at locations indicated with a minimum rating of 2A-10B:C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet.
7. Roadways shall be improved to 24' width. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas.

8. Speed humps/bumps will not be allowed.
9. Dead-end access roads and driveways over 150' require a Fire Department turn-around.
10. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants must be provided prior to the accumulation of any combustible materials on the job site.
11. All gated entrances must be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates must be operable by Fire Department strobe detectors and allow free exiting. A funding method to provide ongoing maintenance of fire lanes, electric gates, and other fire & life safety requirements **must** be provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager must be easily accessible to the Fire Department.
12. Knox box shall be required.
13. A 28' inside turning radius is required on all corners.
14. Roof access to structures must be provided from stairwells.
15. Elevators must be capable of accommodating a fire department gurney.
16. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.
17. 13'6" vertical clearance must be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width must be trimmed or removed.
18. Show 3ft clearance around fire protection equipment on landscape plans.
19. Minimum 10ft clearance required to the rear of the building. No trip hazards and vertical clearance for ground ladders required. Show rescue windows (if any) to confirm access is adequate.

ENGINEERING CONDITIONS OF APPROVAL
Solutions Housing – 1560 & 1576 S. Escondido Blvd.
PHG15-0009 and TPM SUB15-0008

GENERAL

1. The applicant shall provide the City Engineering Dept. with a Parcel Map Guarantee and Title Report covering subject property.
2. The engineer shall submit to the Planning Department a copy of the Tentative Parcel Map as presented to the Planning Commission. The Tentative Parcel Map shall be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Parcel Map with any changes as required by the Planning Commission. A copy of this Certified Tentative Parcel Map must be included in the first submittal for plan check to the Engineering Department.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the recordation of the Final Parcel Map and/or approval of grading and improvement plans and the issuance of Building Permits.
4. 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 Director of Engineering Services.
5. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.
6. The project engineer will be required to locate and pothole all existing utilities along project frontages to verify connection locations and depths and to design new facilities to standard required utility clearances at crossings.

STREET IMPROVEMENTS AND TRAFFIC

1. The developer shall be required to landscape and irrigate the parkway areas along the Escondido Blvd. project frontage to the satisfaction of the Planning Director.
2. All driveways shall be alley-type in accordance with Escondido Standard Drawing G-5-E, with a minimum throat width of minimum 24 feet.
3. The developer shall install a public street lights per Escondido Standard Drawing E-1-E at the project entrance as required by the City Engineer.

4. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards. Any existing raised or damaged curb & gutter or sidewalk along the project's Escondido Blvd frontage shall be identified on the grading plans and/or improvement plan for removal and replacement.
5. Adequate horizontal sight distance shall be provided at all street intersections and driveway entrances. Restrictions on landscaping may be required at the discretion of the City Engineer.
6. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1. Site grading and erosion control plans prepared by a Registered Civil Engineer are required for all onsite improvements and shall be submitted to the Engineering Department. Grading Plans are subject to approval by the Planning, Utility, Fire and Engineering Departments prior to issuance of a Grading Permit.
2. *All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.*
3. Any proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
4. Erosion control, including riprap, interim sloping planting, gravelbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
5. A General Construction Activity Storm Water Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The developer will be required to extend the offsite storm drain including clean-outs in Escondido Blvd. required to convey the storm water stored subsurface onsite shall be public. The storm drain lateral(s) out to the public storm drain clean-out shall be private.
3. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval together with the final improvement and grading plans. Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements.
4. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
5. The on-site trash enclosure area shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the Director of Engineering Services.
6. All onsite storm drains, storm water storage facilities and bio-retention basins constructed with this project shall be considered private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the property owner.
7. The owner of the property shall be required to sign and notarize a Storm Water Control Facility Maintenance Agreement that references the approved WQTR for City acceptance and recordation. A signed copy of the agreement shall be provided to the City prior to approval of the grading plan.

WATER SUPPLY

1. Fire hydrant(s) together with a minimum eight (8") inch public water main system shall be installed at locations approved by the Fire Marshal, and designed and constructed to the satisfaction of the Utilities Director. This new 8" public water main shall be connected to the 12" water main in Escondido Blvd.
2. The project owner is solely responsible for replacing any stamped concrete, pavers, or pervious pavements in kind if the City has to trench the project driveways for repair or replacement of any waterline. This wording shall be included in the grant of the public waterline easement.

SEWER

1. The proposed 6" sewer main serving the project shall be considered private. The responsibility for maintenance of this private sewer system all the way to the public main in Escondido Blvd. shall be that of the property owner. A 5' diameter sewer manhole per Escondido Standard Drawing S-1-E shall be constructed where this private sewer main connects to the existing sewer main in Escondido Blvd. and at its terminus within the project.
2. No trees or deep rooted plants shall be planted within 15' of sewer mains or laterals.

EASEMENTS AND DEDICATIONS

1. A 20' wide Public Waterline Easement shall be granted to the City of Escondido for the public water main within the project site. The easement shall include all fire hydrants, water meters and other appurtenances. No private utilities or drainage facilities shall run parallel within this proposed public waterline easement.
2. All existing and proposed easements, both private and public, affecting subject property shall be shown and labeled on the parcel map, grading and improvement plans.
3. The developer shall dedicate all necessary dedications of public rights-of-way on the following streets contiguous to the project to bring the roadway to the indicated classification and required alignment.

STREET

Escondido Blvd.

CLASSIFICATION

Collector (82' R/W)

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

CASH SECURITY AND FEES

1. 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 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the project boundary or along fronting streets shall be relocated underground in accordance with the City's Utilities Under-grounding Ordinance.
2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and under-grounding. All new utilities shall be constructed underground.

PHG 15-0009, SUB 15-0008 1560-1576 South Escondido Boulevard
Planned Development Permitted and Conditionally Permitted Principal Uses

Use Title	P or C
Manufacturing, Wholesale Trade, and Storage	
Mini-warehouse storage facilities* (section 33-339)	C
Newspaper printing and publishing	P
Food and liquor	
Food stores (grocery, produce, candy, baked goods, meat, delicatessen, etc.), off-sale beer and wine, off-sale general license excluding concurrent sale	P
Liquor stores, packaged (off-sale)	P
General retail	
Building materials and supplies including lumber, heating, plumbing, and electrical equipment, etc. (No outdoor storage or sale)	P
Drugstores	P
Pharmacies	P
Florists, gifts, cards, newspapers and magazines	P
Furniture, home and office furnishing and equipment, electrical appliances, and office machines and supplies	P
General retail, NEC (as determined by the director of community development, based on conformance with the purpose of the specific zone, interaction with customers, the appearance of the building, the general operating characteristics, and the type of vehicles and equipment associated with the use, and including incidental assembling of customized items)	P
Hospital/medical equipment sales	P
Nurseries and garden supply stores	P
Sporting goods (includes ammunition and firearms, fishing, hunting, golf, playground equipment, etc.)	P
Restaurants, cafés, delicatessens, sandwich shops, etc.	
Without alcoholic beverages	P
With on-sale beer and wine and on-sale general licenses	P
Specialized food sales from pushcart facilities* (section 33-342)	P
Services	
Animal care (excluding kennels)	P
Educational services	
Day nurseries, child care centers* (Article 57)	P
Schools, including kindergarten, elementary, junior, and senior high schools* (Article 57)	P
University, college, junior college, and professional schools	P
Vocational and trade schools	P
Other special training (including art, music, drama, dance, language, etc.)	P
Special needs education	P
Government services	
Administrative centers and courts	P
Financial services and institutions (including banks, securities brokers, credit offices, real estate services)	P
Insurance	P
Hospital and medical service organizations (including Blue Cross, Blue Shield, etc.)	P

Medical, dental and related health services	
Massage establishments* (Article 38)	P/C
Medical, dental and optical laboratories	P
Medical clinics and blood banks	P
Medical, dental, optical, and other health care offices	P
Other medical and health services NEC	P
Offices and business services, except medical	
General business services (including advertising, credit reporting, building services, news syndicate, employment services, computer services, drafting, detective/protective services, etc.)	P
General office use (includes professional offices)	P
Mailing, accounting and office services	P
Travel agencies and services	P
Repair services, except automotive	
Apparel and shoe repair and alteration	P
Bicycle repair	P
Locksmiths and key shops	P
Miscellaneous repair services (excluding machine shops and welding services)	P
Small appliance repair and services (including TV, radio, small electronics, computers, household appliances, etc.)	P
Watch, clock, and jewelry repair	P
Social, professional, and religious organizations and services	
Churches, synagogues, temples, missions, religious reading rooms, and other religious activities* including columbariums and mausoleums* as an incidental use (Article 57)	P
Social and professional organizations (political membership, veterans, civic, labor, charitable and similar organizations, etc.)	P
Youth organizations* (Article 57)	P
Other services	
Barber, beauty, nail, and tanning services	P
Equipment rental and leasing service* (Article 57 and Council Resolution #73-264-R) (includes airplanes, business equipment, furniture, construction equipment, sanitation units, sports equipment, etc.)	P
Laundry and dry cleaning services	
Self-service, coin-operated	P
Pick-up service only	P
Dry cleaning, laundering, pressing and dyeing for on-site retail customers only	P
Personal services, NEC (including clothing and costume rental, tattooing, marriage bureaus, baby-sitting services, etc.)	P
Photographic and duplicating services:	
Blueprinting	P
Photocopying	P
Studios, developing, printing, and similar services, except commercial photography	P
Commercial photography, including aerial photographs and mapping services	P
Picture framing, assembly only	P
Recycling services* (Article 33):	
Reverse vending machines occupying a total of 50 square feet or less	P
Cultural Entertainment and Recreation	
Cultural, including museums, art galleries, etc.	P

Health and fitness facilities, including gymnasiums, athletic clubs, body building studios, dance studios, martial arts schools, etc.	P
Communications (telephone, telegraph, radio, TV, etc.)	
Broadcasting (radio and/or television), recording, and/or sound studios	P
Personal wireless service facilities* (subject to Article 34)	
Roof-mounted or building-mounted facilities incorporating stealthy designs and/or screened from public ways or significant views	P
Pole-mounted or ground-mounted facilities that incorporate stealthy designs and do not exceed 35' in height	P
Pole-mounted or ground-mounted facilities that exceed 35' in height or roof-mounted or building-mounted designs which project above the roofline and are not completely screened or considered stealthy	C
Other communications, NEC	C
Telephone exchange stations and telegraph message centers	P

P= Permitted Use

C= Conditionally Permitted Use (Subject to a Conditional Use Permit, pursuant to Section 33-1200)

* Subject to special regulations - see Article in parentheses



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

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Chief Deputy Recorder Clerk
1600 Pacific Highway Room 260
San Diego, CA 92101

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

Project Title/Case No.: PHG 15-0009, SUB 15-0008

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

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

Description of Project:

A Master and Precise Development Plan, in conjunction with a two-lot Tentative Parcel Map, for the development of a mixed-use project consisting of 33 affordable residential rental units and 1,175 SF of commercial space on a 1-acre site in the PD/MU (Planned Development, Mixed-Use) zone. The residential use would consist of (22) 2-BR, 800 SF units and (11) 3-BR, 1,010 SF units in a three story structure, and a tot lot and community room for residents. Access to the project would be via a two-way drive aisle from Escondido Boulevard. 71 on-site parking spaces would be provided, including 5 spaces for the commercial tenant space. The proposed Tentative Parcel Map would be a two-lot map with an air-space component, which would provide separate ownership of the commercial space from the remainder of the project for financing purposes. The project would consist of units affordable to households with incomes of less than 60% of the Area Median Income (AMI) and includes a request for Density Bonus provisions as permitted by State law, including a reduced parking ratio and the provision of tandem and uncovered spaces. The project also includes demolition of two older structures on the site that have been determined not to be significant historic structures.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Hitzke Development/Consulting, Michael VanBuskirk
Address: 251 Autumn Drive, Ste 100, San Marcos, CA 92069

Telephone: (619) 846-3532

☒ Private entity ☐ School district ☐ Local public agency ☐ State agency ☐ Other special district

Exempt Status:

Categorical Exemption. Type and section number: 15332, "In-Fill Development Projects"

Reasons why project is exempt:

1. The proposed project is consistent with the General Plan designation of GC (General Commercial), the South Escondido Boulevard/Felicita Avenue Target Area, all applicable General Plan policies and the PD/MU (Planned development/Mixed Use) Zoning designation and Zoning Code.
2. Approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality or water quality.
3. The project site has no value as habitat for endangered, rare or threatened species, as the site has been previously cleared and developed with commercial and low intensity residential development, is surrounded by urban uses and does not contain any sensitive habitat or species.
4. The project site is within the City limits, on a one-acre site (no more than five acres), and is substantially surrounded by urban uses.
5. The site can be adequately served by all required utilities and public services.

Lead Agency Contact Person: Kristina Owens Area Code/Telephone/Extension (760) 839-4519

Signature: Kristina Owens

Kristina Owens, Associate Planner

9/14/15

Date

☒ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant

CITY OF ESCONDIDO

**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION**

October 13, 2015

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

Commissioners present: Bob McQuead, Vice-chairman; Ed Hale, Commissioner; Don Romo, Commissioner; and James Spann, Commissioner; (One position vacant).

Commissioners absent: Jeffery Weber, Chairman; and Gregory Johns, Commissioner.

Staff present: Bill Martin, Assistant Planning Director; Jay Paul, Associate Planner; Kristina Owens, Associate Planner; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Spann, seconded by Commissioner Hale, to approve the minutes of the September 8, 2015, meeting. Motion carried. Ayes: Spann, Romo, and Hale. Noes: None. Abstained: McQuead. (3-0-1)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – Received.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **MASTER AND PRECISE DEVELOPMENT PLAN AND TENTATIVE
PARCEL MAP – PHG 15-0009; SUB 15-0008:**

REQUEST: A Master and Precise Development Plan, in conjunction with a two-lot Tentative Parcel Map, for the development of a mixed-use project consisting of 33 affordable residential rental units and 1,175 SF of commercial space on a

Planning Commission 10/13/15

1-acre site in the PD/MU (Planned Development, Mixed-Use) zone. The residential use involves (22) 2-BR, 800 SF units and (11) 3-BR, 1,010 SF units in a three story structure, a tot lot, and community room for residents. The project would consist of units affordable to households with incomes of less than 60% of the Area Median Income (AMI) and includes a request for Density Bonus provisions as permitted by State law, including a reduced parking ratio and the provision of tandem and uncovered spaces. The project also includes demolition of two older structures on the site that have been determined not to be significant historic structures. Access to the project would be from Escondido Boulevard. Seventy-one (71) on-site parking spaces would be provided, including 5 spaces for the commercial tenant space. The proposed Tentative Parcel Map would be a two-lot map that includes an air space component to delineate separate ownership of the commercial space from the remainder of the project for financing purposes.

PROPERTY SIZE AND LOCATION: Approximately 1.0 acre located on the eastern side of Escondido Boulevard, south of Fifteenth Avenue, addressed as 1560-1576 South Escondido Boulevard.

Kristina Owens, Associate Planner, referenced the staff report and noted staff issues were whether the proposed project design would be consistent with the General Plan and South Escondido Boulevard Objectives and Design Guidelines for mixed use developments, and the appropriateness of the proposed Tentative Parcel Map and whether maintenance and access between the residential uses and the commercial ownership would be maintained. Staff recommended approval based on the following: 1) The proposed planned residential development would be in conformance with the General Plan which allows for mixed-use residential development within the target area of the South Escondido Boulevard Area Plan, known as the "South Escondido Boulevard/Felicita Avenue Target Area." The project includes a minimum density of 30 du/ac as required in the Target Area, and also would provide a commercial component that could serve the residents as part of the services offered by Solutions for Change. The project 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 in a transit corridor, and to revitalize and renew the commercial area; and 2) The Tentative Parcel Map was proposed in order to separate ownership of commercial uses from the remainder of the residential project for financial and tax purposes. Maintenance and use of all driveways, parking spaces, landscaping and drainage facilities will be assured for both commercial and residential users through maintenance easements and agreements.

Planning Commission 10/13/15

Commissioner Hale and staff discussed the need for two separate parcels versus incorporating the project onto one lot.

Commissioner Romo asked if the facility had elevators. Mrs. Owens replied in the negative.

Commissioner Hale asked if staff had informed the applicant about the Commission's position regarding not being in favor of 3-story apartment projects without elevators. Mr. Martin stated that he was not sure if this applicant had been notified and that the unique tax credit financing for construction of this affordable housing project may not allow the budget to absorb the additional cost for an elevator. He also noted that the City Council had clearly stated during a recent public hearing that market forces and not local government regulations should dictate whether certain design features, such as elevators, are incorporated into residential projects.

Commissioner Spann asked if a food and liquor store would be a permitted use. Mr. Martin replied in the affirmative, noting that the Commission could modify the proposed list of permitted uses.

Chris Megison, applicant, Solutions for Change, provided the background history for his organization, noting that they had served over 130 families in the City. He stated that this project would be very well run. He also indicated that his goal was to solve homelessness for hundreds of kids in Escondido.

Ginger Hitzke, President of Hitzke Development, stated that the project was fully funded and asked that the Commission approve the project.

William Leach, Kingdom Development, noted he was available for questions.

Commissioner Hale and Mr. Leach discussed the proposed financing for the project as well as the proposed zoning in relation to the commercial aspect of the project.

Commissioner Hale asked Ms. Hitzke why they were not proposing an elevator. Ms. Hitzke stated that an elevator was not needed. She noted that elevators were difficult to maintain in the long term. She also indicated that the funds needed for an elevator could be put to better use in maintaining the property.

Chairman McQuead asked Ms. Hitzke if she considered an elevator. Ms. Hitzke replied in the negative.

Planning Commission 10/13/15

Chairman McQuead asked Ms. Hitzke if they had the funds to install an elevator. Ms. Hitzke noted that all units on the first floor would be ADA compliant as well as noting that their demographic was families with kids who would not have issues with stairs.

Justin Knight, Escondido, expressed his concern with the amount of vacancies along Escondido Boulevard and questioned what made the subject project different. He also asked how tall the proposed trees would be along the east side of the project and asked what the proposed construction hours would be.

Mr. Martin provided an overview of the allowable construction hours and noted that construction hours would be subject to Noise Ordinance limits specified in the Municipal Code.

Mike Burnett, Project Architect, noted that the trees would be 24-inch box Brisbane Box Trees, which would be between 8-10 feet tall at installation.

Commissioners Romo, Hale, Spann, and Vice-Chairman McQuead were concerned about medical service calls to the 3rd floor and the possibility of injury to Fire Department personnel while carrying patients downstairs. They stated they could not support a three-story residential project without an emergency service elevator large enough for a gurney. They felt the applicant could decide whether to make the elevator available for resident use also.

ACTION:

Moved by Commissioner Hale, seconded by Commissioner Spann, to approve staff's recommendation. The motion included adding a condition of approval requiring the installation of an elevator large enough to handle a gurney for emergency services with the option for resident use of the elevator to be determined by the applicant. Motion carried unanimously. (4-0)

CURRENT BUSINESS:

- 1. A modification to the Precise Development Plan for BMW of Escondido to remodel the facade of the dealership/showroom building with an increase of approximately 1,630 SF of enclosed display area. (Case No. PHG 15-0030)**

Location: 1557 Auto Park Way

Applicant: BMW of Escondido

RESOLUTION NO. 2015-194

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING ALLOCATIONS OF AFFORDABLE HOUSING FUNDS INCLUDING SUCCESSOR HOUSING AGENCY FUNDING IN THE TOTAL AMOUNT OF \$2,100,000 AND AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO CONDITIONALLY COMMIT FUNDS, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, ALL NECESSARY AGREEMENTS, LOAN DOCUMENTS AND DEEDS

(1560-1574 SOUTH ESCONDIDO BLVD)

Case Number: 0875-21

WHEREAS, on August 7, 2013, Council authorized the release of a Request for Proposals for the provision of long-term affordable housing, utilizing available Affordable Housing Funds including HOME funds and Successor Housing Agency funds; and

WHEREAS, October 22, 2014, Council adopted Resolution No 2014-154 authorizing the conditional commitment of \$2,100,000 in Successor Housing Agency funds for the development of affordable housing by Solutions for Change; and

WHEREAS, Solutions for Change has secured funding commitments for the development and have determined that they are able to develop additional units of affordable housing on the site; and

WHEREAS, the City is the founder of the Hubbard St. Clare Property Proceeds Fund at The San Diego Foundation, whose primary purpose shall be to support battered, abused women and children within the City of Escondido due to the sale of a

property with a loan of City of Escondido Low- and Moderate-Income Housing Set-aside Affordable Housing funds; and

WHEREAS, due to the holistic nature of the Solutions for Change program, graduates of their program have a domestic violence recidivism rate of less than 3%; and

WHEREAS, the City desires at this time, and deems it to be in the best public interest to reaffirm and approve the allocations, to defer payment of the City's development fees to the end of the construction of the project, and to authorize the execution of all agreements, loan documents and deeds necessary to provide such funds and property for the provision of affordable housing.

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 approves an allocation of an amount not to exceed \$2,100,000 in Affordable Housing funds to Solutions for Change for affordable housing purposes.
3. That the City Council approves an allocation of 100% of the funds held at the San Diego Foundation in the Hubbard St. Clare Property Proceeds Fund to Solutions for Change for the affordable housing purposed within the City of Escondido.
4. That the Director of Community Development is hereby authorized to direct all available funds in the Hubbard St. Clare Property Proceeds Fund held at The

San Diego Foundation to Solutions for Change for the development of affordable housing at 1560-1574 South Escondido Boulevard.

5. That the Mayor and City Clerk are hereby authorized to execute, on behalf of the City, in a form approved by the City Attorney, any agreements, loan documents, and deeds necessary to provide such funds for the development of the above affordable housing projects.

RESOLUTION NO. 2015-204

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A TWO-LOT TENTATIVE
PARCEL MAP FOR THE DEVELOPMENT OF
33 RESIDENTIAL RENTAL UNITS AND 1,175
SF OF COMMERCIAL SPACE**

Case Nos.: PHG15-0009 and SUB15-0008

WHEREAS, on October 13, 2015, the Planning Commission considered and recommended approval of the application for a proposed two-lot Tentative Parcel Map for the development of 33 residential rental units and 1,175 SF of commercial space on approximately 1.0 acre of land generally located on the eastern side of South Escondido Boulevard, south of 15th Avenue, addressed as 1560-1576 South Escondido Boulevard (APN's 236-460-70 and -71), more particularly described in Exhibit "C" and incorporated by this reference; and

WHEREAS, the City Council has reviewed the request for the Tentative Parcel Map, and has reviewed and considered the Notice of Exemption prepared for the project, and has determined the project would not have any significant impacts to the environment; 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 approve said Tentative Parcel 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 Notice of Exemption and 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.
3. That the Findings of Fact, attached as Exhibit "A" and incorporated by this reference, were made by said Council.
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 approves the Tentative Parcel Map (Case No. SUB15-0008 and PHG15-0009) as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval set forth as Exhibit "B" and incorporated by this reference.
5. That this Tentative Parcel Map shall be null and void unless a Final Map, conforming to the Tentative Parcel Map and all required conditions, is filed within 36 months of the effective date of the companion Ordinance 2015-17 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
PHG 15-0009; SUB 15-0008

Tentative Parcel Map

1. The proposed two-lot Tentative Parcel Map for the creation of two fee simple parcels, including an air-space component, is in conformance with the General Plan designation of CG (Commercial General) with Mixed-Use Overlay and the South Escondido Boulevard/Felicita Target Area, since the development is consistent with the requirements for a mixed-use development and consistent with the Target Area and the Escondido Boulevard Neighborhood Plan, including a minimum density of 30 du/acre.
2. The design and improvements of the proposed two lot tentative parcel map to create two fee simple parcels, including an air-space component, is consistent with all requirements of the existing PD/MU zone (Planned Development-Mixed use), including setbacks, parking and open space, based on the applicant's proposal, the existing conditions, and the conditions of approval.
3. The site is physically suitable for this type of development as the site is zoned for a multi-family and commercial mixed-use project, the site is surrounded by similar residential and commercial development, and the proposed development is consistent with the Zoning and General Plan designations.
4. The design of the two lot tentative parcel map and the creation of one air space unit are not likely to cause substantial environmental damage or substantially and unavoidably injure fish, wildlife, or their habitat since no stream course or endangered wildlife occurs on the property.
5. The design of the tentative parcel map is not likely to cause serious public health problems since City water and sewer service exist in the area and are available to the site, vehicle traffic generated by the project would not materially degrade the level of service on adjoining streets, and the project is conditioned to provide necessary street and site improvements and reciprocal access, maintenance and use.
6. The design of the two-lot tentative parcel map will not conflict with existing 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 tentative parcel map, based on review of available maps, a preliminary title report for the property and the proposed project plans.
7. The requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment as demonstrated in the Notice of Exemption, issued on September 14, 2015, in accordance with CEQA Section 15332 (In-Fill Development Projects).
8. The design of the two lot tentative parcel map has provided, to the extent feasible, for passive or natural heating and cooling opportunities. Unit size and lot configuration provide opportunities for passive/solar heating and landscaping provides passive cooling opportunities.
9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to recordation of the map.

Master and Precise Development Plan

1. The location and design of the proposed planned development is consistent with the goals and policies of the Escondido General Plan and with the South Escondido Boulevard Neighborhood Plan. The proposed project is within the General Commercial General Plan designation with a mixed-use overlay, and the South Escondido Boulevard/Felicita Avenue Target Area, which both allow and encourage mixed-use developments in close proximity to transit and compatible with surrounding structures. A mixed use development is subject to approval of a Planned Development with a minimum density of 30 dwelling units per acre. The proposed density would be 33 du/acre. The project is also consistent with the General Plan Housing Goals and Policies to expand the stock of all housing.
2. The proposed development would be well integrated with its surroundings, since it surrounded by a mix of residential and commercial uses and three similar three-story mixed-use developments on Escondido Boulevard. The size and location of the site allow adequate parking, circulation, utilities and access to be provided for the development of the project, as detailed in the staff report. The overall mass and scale of the building has been mitigated through the quality of the design, the use of a variety of building materials; exterior colors; varied wall planes; perimeter walls and landscaping; and the location of the building on the site. Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character of the area.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, according to a Traffic Impact Analysis recently prepared for an adjacent project, the SANDAG trip generation rates for the proposed development, and a review by the City of Escondido Engineering Division.
4. The proposed project would be adequately serviced by all appropriate public facilities and City services. Nearby connections to City of Escondido sewer and water are available, and existing transit stops are located nearby. In addition, adequate police and fire service is nearby and local schools are available.
5. The overall design of the proposed development would produce an attractive and efficient residential and commercial project since it is located in close proximity to transit and shopping, and appropriate on-site amenities would be provided to support the proposed residents, including a community room, tot lot and community plaza. More than likely the commercial component will be related to the residential services provided by Solutions for Change and additional resident services will be provided on- and off-site by Solutions related to their program model. The commercial storefront will be oriented towards Escondido Boulevard with a design consistent with the pedestrian orientation promoted in the Area Plan, and adequate on-site parking is provided for all uses.
6. The proposed development would be well integrated into its surroundings, since the new structures would incorporate compatible and integrated architecture, materials and colors; the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties; and the development would provide an attractive pedestrian access through the site allowing convenient access for residents to nearby commercial services. 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. Extensive grading is not required to support the project, and 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.

7. Utilizing the Planned Development process allows flexibility from the underlying zoning requirements of the previous General Commercial zone to achieve a mixed-use project with affordable units. The project would provide affordable housing opportunities and resident services in a self-contained development, available through the Planned Development process, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process. City services and adequate access would be provided, adequate parking would be provided, the proposed architecture would be integrated into its surroundings, and the project could serve as a catalyst for further revitalization efforts in the area.

EXHIBIT "B"
CONDITIONS OF APPROVAL
PHG 15-0009; SUB 15-0008

Planning Division Conditions

1. This approval terminates the previous Tentative Map (Tract 942) and Planned Development (PHG 10-0002) approvals for the project site.
2. Prior to or concurrent with the issuance of building permits, the appropriate development fees and City-Wide Facilities 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.
3. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
4. 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.
5. 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.
6. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
7. Three copies of the revised Tentative Map reflecting all modifications and any changes required by the approval shall be submitted to the Planning Division for certification prior to approval of the Final Map.
8. Minimum 6-foot-high, solid masonry screen walls shall be constructed along the perimeter of the project boundaries, to the satisfaction of the Planning Division. Appropriate sight distance shall be maintained at driveways and intersections, to the satisfaction of the Engineering Division. Any walls (retaining and screen) shall be constructed of decorative materials, to the satisfaction of the Planning Division and the design and materials shall be indicated on the appropriate plans (building/grading) and final landscape plans. Walls should incorporate pilasters at appropriate intervals, along with a decorative cap. Stucco finished walls should be avoided due to long-term maintenance issues.
9. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less, with measures incorporated into the building plans with appropriate notes/specifications.
10. Prior to the issuance of grading and/or building permits, a parking management plan which details tandem and assigned spaces, overflow, on-site vehicular maintenance, guest parking and on-street parking shall be submitted and approved by the Planning Division. Joined tandem spaces shall be assigned to the same unit.

11. On-site parking spaces and the on-street spaces fronting the site shall not be used for fleet vehicles, commercial type vehicles or large construction vehicles. These restrictions also shall be included in the Parking Management Plan.
12. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. A lighting plan shall be included as part of the building plans. All outdoor lighting shall be arranged so as to prevent light from reflecting upon adjacent properties or streets.
13. A minimum of 71 striped parking spaces shall be provided and maintained in conjunction with this development, as indicated in the details of Request and site plan. All uncovered parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
14. Permitted animals/pets in residential units shall be allowed in conformance with the R-4 standards, unless project rules are more restrictive.
15. An inspection by the Planning Division will be required prior to issuance of and certificates of occupancy. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
16. Trash enclosures must be designed and installed per City standards, and permanently maintained and in coordination with Engineering Division storm water control requirements. The enclosure shall be constructed of decorative materials compatible with the design of the buildings/walls. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance, including shrubs and/or vines. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc. Trash enclosure location, dimensions and design shall be included on the building and landscaping plans.
17. As proposed, the buildings, architecture, colors and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Master and Precise Development Plan, 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 colors, 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
18. No signage is approved as part of this permit. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code). A separate sign permit shall be required prior to the installation of any signs.
19. All new utilities shall be underground.
20. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building, to the satisfaction of the Director of Community Development. The final building plans shall indicate how any proposed roof top equipment is screened.

21. This Tentative Parcel Map (SUB15-0008) shall expire three years after the date of final approval unless a final map has been approved or an extension of time has been granted. The term of the Master and Precise Development Plan shall be concurrent with the corresponding Tentative Parcel Map, and shall expire according to the same schedule and procedure as the Tentative Parcel Map.
22. Prior to recordation of the final map, two copies of a Reciprocal Easement Agreement for Reciprocal Use and Maintenance shall be submitted to the Planning and Engineering Divisions for review and approval. The document shall contain provisions for the maintenance and use of any common landscaping, open space, walls, common drainage facilities, utilities, building exteriors, signage, parking spaces, driveways, etc. to the satisfaction of the Planning and Engineering Divisions. It shall also contain provisions for use and maintenance of the laundry room and restrooms within Parcel 2 by the tenants of Parcel 1. A review fee established in the current fee schedule shall be collected at the time of submittal.
23. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.
24. If any gated entrances are proposed in the future, they shall be approved by the Planning Division, Engineering Division, and Fire Department, and shall incorporate appropriate vehicle stacking, turn around areas, electrical switches and strobe detectors as approved by the Fire Department. Decorative materials shall be used in the design of the gate.
25. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
26. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading plan.
27. Any decorative pavement, driveways and sidewalks shall be indicated on the grading, building and landscape plans, including appropriate notes regarding type and color of materials. Decorative paving, colored concrete or other decorative materials shall be incorporated into the sidewalk and hardscape features along Escondido Boulevard, along with appropriate landscaping.
28. Commercial activities shall be restricted to the 1,175 SF commercial space, as identified on the plans and details of request. Outdoor storage shall not be allowed. The commercial uses shall be limited to the attached list of "Permitted Uses."
29. Any construction, contractor services, or similar type operations shall be used for business offices only, and shall not be used for the storage, warehousing or distribution of construction materials, or parking of construction vehicles, commercial vehicles, work trucks, etc.
30. Uses involving hazardous chemicals or waste shall not be permitted, unless limited to Class M, B and A3 occupancies, per the Building Code.
31. Commercial activities shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. on week days and 11:00 p.m. on Fridays and Saturdays, and deliveries also shall be restricted to these hours.

32. Balconies and patios 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 project/tenant rules.
33. In conjunction with issuance of a grading permit and prior to issuance of a building permit, the abandoned water well on the site shall be capped/destroyed to the satisfaction of the San Diego County Health Department.
34. Should artifacts be discovered during excavation or construction, work is to stop and the City and a qualified archaeologist be consulted to determine the importance of the find and its management (in compliance with CA H&S 7050.5 and Public Resources Code Section 5097.98).
35. Prior to obtaining grading permits the applicant shall work with the Viejas Tribal Government to allow a cultural monitor (at Viejas expense) to be present during excavation in order to keep informed of any new developments.
36. No buildings or structures shall abut or touch the existing adobe wall located on the front of 1538 S. Escondido Boulevard.
37. An Asbestos and Lead-Based Paint (LBP) Survey Report was completed on the structures remaining on the site. The report concluded that there was no asbestos or LBP above threshold levels found in the remaining structures. During demolition activities if any suspect asbestos or lead-based paint materials are uncovered that were not previously sampled, the representative samples shall be collected, analyzed and potentially abated by licensed contractors as follows: Any asbestos containing materials (ACM) shall be removed by a licensed asbestos abatement contractor. Any lead containing paint (LCP) shall be removed by a California Department of Health Services licensed lead abatement contractor.
38. In order to reduce the health risk to an acceptable level for future residential development, the mitigation of the site, as detailed in the Phase II site assessment by SCS Engineers, dated February 24, 2014, shall take place prior to any construction/grading on the site. Excavation, waste characterization and disposal at an appropriate landfill of approximately 100 cubic yards of soil impacted with elevated concentrations of chlordane shall be conducted to render the site suitable for residential development. The excavation area will encompass the areas adjacent to the eastern portion of 1560 S. Escondido Boulevard (warehouse), extending to boring B5 at the south and B6 at the east, as referenced in Figure 3 of the report. The excavation shall go to a depth of 2 feet, totaling approximately 100 cubic yards. All soil excavated at the site would be deemed a waste and require characterization, classification and appropriate disposal. A soil management plan (prepared by an environmental professional and reviewed and signed by a California certified Professional Geologist) shall be prepared for the site prior to issuance of a grading permit that describes the means and methods of soil removal, address appropriate health and safety plans, as well as ensuring that confirmation samples demonstrate the removal of chlordane impacted soil to render the site suitable for residential development.
39. Prior to Certification of the Tentative Parcel Map and recordation of a Final Parcel Map, the map shall be revised to remove the laundry room from the commercial lot, Parcel 2.

Landscaping Conditions

1. Prior to occupancy of any units, all required landscape improvements shall be installed. All vegetation shall be maintained in a flourishing manner and kept free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
2. Seven copies of the detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Department. The appropriate plan check fee will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards of the City's Water Efficient Landscape Requirements (Article 62). The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. 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 installation of the erosion control plan and suitable BMPs may be acceptable.
4. The streetscape along Escondido Boulevard shall include appropriate decorative paving (i.e. colored concrete, decorative pavers, etc.) and landscape planters, as shown on the concept landscape plan.
5. The streetscape along Escondido Boulevard shall include appropriate sidewalks and landscape planters, along with the required number of street trees, to the satisfaction of the Planning Division.
6. 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.
7. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.

Building Division Conditions

Building plans for future building permits shall incorporate the following, to the satisfaction of the Building Official:

1. Allowable area calculations in CBC Table 503 are required. Show from buildings to the property lines.
2. Fire sprinklers may be required. Show construction type for each type of occupancy.
3. Show separation of occupancies per CBC Section 508.
4. All ground floor units shall be adaptable and accessible. Ground floor is the first floor above grade with dwelling unit. All first floor units and the units above the commercial use.
5. 2 exits required where the occupant load exceeds 49. See the community room. Doors to swing out with panic hardware.
6. Accessible, separate sex restroom facilities are required to be available for the community room.

7. Complying accessible resident and visitor parking shall be provided.
8. Accessible route from the public way and accessible parking spaces to the commercial entrances, community room and dwelling entrances shall be shown on building plans.
9. Compliance with the California Green Building Code for indoor water use, outdoor water use, construction waste recycling, reduction and disposal, building maintenance and operation, pollution control, interior moisture control, indoor air quality, bicycle parking, designated parking, light pollution control and water reduction shall be shown on plans.

Fire Department Conditions

1. NFPA 13D **automatic fire sprinkler system** will be required.
2. Sprinklers will be required on all overhangs exceeding four feet.
3. An approved fire alarm system is required.
4. A fire hydrant is required to be located within 50 feet of the fire department connection. 1 FDC and 1 PIV is required per building.
5. Fire hydrants capable of delivering 1500 GPM at 20 PSI residual pressure are required every 500 feet.
6. Extinguisher(s) will be provided at locations indicated with a minimum rating of 2A-10B:C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet.
7. Roadways shall be improved to 24' width. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas.
8. Speed humps/bumps will not be allowed.
9. Dead-end access roads and driveways over 150' require a Fire Department turn-around.
10. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants must be provided prior to the accumulation of any combustible materials on the job site.
11. All gated entrances must be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates must be operable by Fire Department strobe detectors and allow free exiting. A funding method to provide ongoing maintenance of fire lanes, electric gates, and other fire & life safety requirements **must** be provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager must be easily accessible to the Fire Department.
12. Knox box shall be required.
13. A 28' inside turning radius is required on all corners.
14. Roof access to structures must be provided from stairwells.
15. Elevators must be capable of accommodating a fire department gurney.
16. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.

17. 13'6" vertical clearance must be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width must be trimmed or removed.
18. Show 3 ft. clearance around fire protection equipment on landscape plans.
19. Minimum 10 ft. clearance required to the rear of the building. No trip hazards and vertical clearance for ground ladders required. Show rescue windows (if any) to confirm access is adequate.

Engineering Division Conditions

General

1. The applicant shall provide the City Engineering Dept. with a Parcel Map Guarantee and Title Report covering subject property.
2. The engineer shall submit to the Planning Department a copy of the Tentative Parcel Map as presented to the Planning Commission. The Tentative Parcel Map shall be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Parcel Map with any changes as required by the Planning Commission. A copy of this Certified Tentative Parcel Map must be included in the first submittal for plan check to the Engineering Department.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the recordation of the Final Parcel Map and/or approval of grading and improvement plans and the issuance of Building Permits.
4. 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 Director of Engineering Services.
5. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.
6. The project engineer will be required to locate and pothole all existing utilities along project frontages to verify connection locations and depths and to design new facilities to standard required utility clearances at crossings.

STREET IMPROVEMENTS AND TRAFFIC

1. The developer shall be required to landscape and irrigate the parkway areas along the Escondido Blvd. project frontage to the satisfaction of the Planning Director.
2. All driveways shall be alley-type in accordance with Escondido Standard Drawing G-5-E, with a minimum throat width of minimum 24 feet.
3. The developer shall install a public street lights per Escondido Standard Drawing E-1-E at the project entrance as required by the City Engineer.
4. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards. Any existing raised or damaged curb & gutter or sidewalk along the

project's Escondido Blvd frontage shall be identified on the grading plans and/or improvement plan for removal and replacement.

5. Adequate horizontal sight distance shall be provided at all street intersections and driveway entrances. Restrictions on landscaping may be required at the discretion of the City Engineer.
6. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1. Site grading and erosion control plans prepared by a Registered Civil Engineer are required for all onsite improvements and shall be submitted to the Engineering Department. Grading Plans are subject to approval by the Planning, Utility, Fire and Engineering Departments prior to issuance of a Grading Permit.
2. *All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.*
3. Any proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
4. Erosion control, including riprap, interim sloping planting, gravelbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
5. A General Construction Activity Storm Water Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The developer will be required to extend the offsite storm drain including clean-outs in Escondido Blvd. required to convey the storm water stored subsurface onsite shall be public. The storm drain lateral(s) out to the public storm drain clean-out shall be private.
3. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval together with the final improvement and grading plans. Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements.

4. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
5. The on-site trash enclosure area shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the Director of Engineering Services.
6. All onsite storm drains, storm water storage facilities and bio-retention basins constructed with this project shall be considered private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the property owner.
7. The owner of the property shall be required to sign and notarize a Storm Water Control Facility Maintenance Agreement that references the approved WQTR for City acceptance and recordation. A signed copy of the agreement shall be provided to the City prior to approval of the grading plan.

WATER SUPPLY

1. Fire hydrant(s) together with a minimum eight (8") inch public water main system shall be installed at locations approved by the Fire Marshal, and designed and constructed to the satisfaction of the Utilities Director. This new 8" public water main shall be connected to the 12" water main in Escondido Blvd.
2. The project owner is solely responsible for replacing any stamped concrete, pavers, or pervious pavements in kind if the City has to trench the project driveways for repair or replacement of any waterline. This wording shall be included in the grant of the public waterline easement.

SEWER

1. The proposed 6" sewer main serving the project shall be considered private. The responsibility for maintenance of this private sewer system all the way to the public main in Escondido Blvd. shall be that of the property owner. A 5' diameter sewer manhole per Escondido Standard Drawing S-1-E shall be constructed where this private sewer main connects to the existing sewer main in Escondido Blvd. and at its terminus within the project.
2. No trees or deep rooted plants shall be planted within 15' of sewer mains or laterals.

EASEMENTS AND DEDICATIONS

1. A 20' wide Public Waterline Easement shall be granted to the City of Escondido for the public water main within the project site. The easement shall include all fire hydrants, water meters and other appurtenances. No private utilities or drainage facilities shall run parallel within this proposed public waterline easement.
2. All existing and proposed easements, both private and public, affecting subject property shall be shown and labeled on the parcel map, grading and improvement plans.
3. The developer shall dedicate all necessary dedications of public rights-of-way on the following streets contiguous to the project to bring the roadway to the indicated classification and required alignment.

STREET
Escondido Blvd

CLASSIFICATION
Collector (82' R/W)

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

CASH SECURITY AND FEES

1. 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 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the project boundary or along fronting streets shall be relocated underground in accordance with the City's Utilities Under-grounding Ordinance.
2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and under-grounding. All new utilities shall be constructed underground.

EXHIBIT "C"
LEGAL DESCRIPTION
PHG 15-0009

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

PARCEL 1: (APN: 236-460-70)

ALL THAT PORTION OF LOT 9 IN BLOCK 256 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE SOUTHEASTERLY 96.75 FEET OF SAID LOT 9; THENCE ALONG THE NORTHWESTERLY LINE OF SAID SOUTHEASTERLY 96.75 FEET, SOUTH 59°38'17" WEST 106.64 FEET; THENCE LEAVING SAID NORTHWESTERLY LINE, NORTH 30°21'43" WEST 50.00 FEET; THENCE PARALLEL WITH SAID NORTHWESTERLY LINE SOUTH 59°38'17" WEST 190.48 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE ALONG SAID SOUTHWESTERLY LINE NORTH 30°23'10" WEST 99.75 FEET TO THE NORTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO LESTER PURER AND WIFE RECORDED MAY 7, 1947 AS DOCUMENT NO. 47823, BOOK 2392. PAGE 425 OF OFFICIAL RECORDS; THENCE ALONG SAID NORTHWESTERLY LINE OF SAID PURER LAND, NORTH 59°39'12" EAST 297.11 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 9; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 30°22'51" EAST 149.67 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (APN: 236-460-71)

ALL THAT PORTION OF LOT 9 IN BLOCK 256 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE SOUTHEASTERLY 96.75 FEET OF SAID LOT 9; THENCE ALONG THE NORTHWESTERLY LINE OF SAID SOUTHEASTERLY 96.75 FEET, SOUTH 59°38'17" WEST 106.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHWESTERLY LINE, NORTH 30°21'43" WEST 50.00 FEET; THENCE PARALLEL WITH SAID NORTHWESTERLY LINE SOUTH 59°38'17" WEST 190.48 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 30°23'10" EAST 50.00 FEET TO THE NORTHWESTERLY LINE OF SAID SOUTHEASTERLY 96.75 FEET; THENCE ALONG SAID NORTHWESTERLY LINE, NORTH 59°38'17" EAST 190.46 FEET TO THE TRUE POINT OF BEGINNING.

ORDINANCE NO. 2015-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MASTER AND PRECISE DEVELOPMENT PLAN FOR A MIXED-USE DEVELOPMENT CONSISTING OF 33 RESIDENTIAL UNITS AND 1,175 SF OF COMMERCIAL SPACE ON APPROXIMATELY 1.0 ACRE OF LAND LOCATED ON THE EASTERN SIDE OF SOUTH ESCONDIDO BOULEVARD, SOUTH OF 15TH AVENUE, ADDRESSED AS 1560-1576 SOUTH ESCONDIDO BOULEVARD

Planning Case Nos.: PHG15-0009 AND SUB15-0008

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. On October 13, 2015, the Planning Commission recommended approval of the proposed Master and Precise Development Plan to develop 33 residential units and 1,175 SF of commercial space on the 1.0-acre subject site.

SECTION 3. That the City Council has reviewed and considered the Notice of Exemption 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 4. That upon consideration of the Findings of Fact, 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,

this City Council finds this Master and Precise Development Plan is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 5. 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 33 residential units and 1,175 SF of commercial space on approximately 1.0 acre of land located on the eastern side of South Escondido Boulevard, south of 15th Avenue, addressed 1560-1576 South Escondido Boulevard, more particularly described in the attached Exhibit "D," and subject to the Conditions of Approval attached as Exhibit "B" and the list of Permitted Uses attached as Exhibit "C," all of which are attached to this Ordinance and are incorporated by this reference.

SECTION 6. 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
PHG 15-0009; SUB 15-0008

Tentative Parcel Map

1. The proposed two-lot Tentative Parcel Map for the creation of two fee simple parcels, including an air-space component, is in conformance with the General Plan designation of CG (Commercial General) with Mixed-Use Overlay and the South Escondido Boulevard/Felicita Target Area, since the development is consistent with the requirements for a mixed-use development and consistent with the Target Area and the Escondido Boulevard Neighborhood Plan, including a minimum density of 30 du/acre.
2. The design and improvements of the proposed two lot tentative parcel map to create two fee simple parcels, including an air-space component, is consistent with all requirements of the existing PD/MU zone (Planned Development-Mixed use), including setbacks, parking and open space, based on the applicant's proposal, the existing conditions, and the conditions of approval.
3. The site is physically suitable for this type of development as the site is zoned for a multi-family and commercial mixed-use project, the site is surrounded by similar residential and commercial development, and the proposed development is consistent with the Zoning and General Plan designations.
4. The design of the two lot tentative parcel map and the creation of one air space unit are not likely to cause substantial environmental damage or substantially and unavoidably injure fish, wildlife, or their habitat since no stream course or endangered wildlife occurs on the property.
5. The design of the tentative parcel map is not likely to cause serious public health problems since City water and sewer service exist in the area and are available to the site, vehicle traffic generated by the project would not materially degrade the level of service on adjoining streets, and the project is conditioned to provide necessary street and site improvements and reciprocal access, maintenance and use.
6. The design of the two-lot tentative parcel map will not conflict with existing 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 tentative parcel map, based on review of available maps, a preliminary title report for the property and the proposed project plans.
7. The requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment as demonstrated in the Notice of Exemption, issued on September 14, 2015, in accordance with CEQA Section 15332 (In-Fill Development Projects).
8. The design of the two lot tentative parcel map has provided, to the extent feasible, for passive or natural heating and cooling opportunities. Unit size and lot configuration provide opportunities for passive/solar heating and landscaping provides passive cooling opportunities.
9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to recordation of the map.

Master and Precise Development Plan

1. The location and design of the proposed planned development is consistent with the goals and policies of the Escondido General Plan and with the South Escondido Boulevard Neighborhood Plan. The proposed project is within the General Commercial General Plan designation with a mixed-use overlay, and the South Escondido Boulevard/Felicita Avenue Target Area, which both allow and encourage mixed-use developments in close proximity to transit and compatible with surrounding structures. A mixed use development is subject to approval of a Planned Development with a minimum density of 30 dwelling units per acre. The proposed density would be 33 du/acre. The project is also consistent with the General Plan Housing Goals and Policies to expand the stock of all housing.
2. The proposed development would be well integrated with its surroundings, since it surrounded by a mix of residential and commercial uses and three similar three-story mixed-use developments on Escondido Boulevard. The size and location of the site allow adequate parking, circulation, utilities and access to be provided for the development of the project, as detailed in the staff report. The overall mass and scale of the building has been mitigated through the quality of the design, the use of a variety of building materials; exterior colors; varied wall planes; perimeter walls and landscaping; and the location of the building on the site. Commercial storefront elements orient towards Escondido Boulevard to maintain the commercial character of the area.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, according to a Traffic Impact Analysis recently prepared for an adjacent project, the SANDAG trip generation rates for the proposed development, and a review by the City of Escondido Engineering Division.
4. The proposed project would be adequately serviced by all appropriate public facilities and City services. Nearby connections to City of Escondido sewer and water are available, and existing transit stops are located nearby. In addition, adequate police and fire service is nearby and local schools are available.
5. The overall design of the proposed development would produce an attractive and efficient residential and commercial project since it is located in close proximity to transit and shopping, and appropriate on-site amenities would be provided to support the proposed residents, including a community room, tot lot and community plaza. More than likely the commercial component will be related to the residential services provided by Solutions for Change and additional resident services will be provided on- and off-site by Solutions related to their program model. The commercial storefront will be oriented towards Escondido Boulevard with a design consistent with the pedestrian orientation promoted in the Area Plan, and adequate on-site parking is provided for all uses.
6. The proposed development would be well integrated into its surroundings, since the new structures would incorporate compatible and integrated architecture, materials and colors; the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties; and the development would provide an attractive pedestrian access through the site allowing convenient access for residents to nearby commercial services. 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. Extensive grading is not required to support the project, and 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.

7. Utilizing the Planned Development process allows flexibility from the underlying zoning requirements of the previous General Commercial zone to achieve a mixed-use project with affordable units. The project would provide affordable housing opportunities and resident services in a self-contained development, available through the Planned Development process, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process. City services and adequate access would be provided, adequate parking would be provided, the proposed architecture would be integrated into its surroundings, and the project could serve as a catalyst for further revitalization efforts in the area.

EXHIBIT "B"
CONDITIONS OF APPROVAL
PHG 15-0009; SUB 15-0008

Planning Division Conditions

1. This approval terminates the previous Tentative Map (Tract 942) and Planned Development (PHG 10-0002) approvals for the project site.
2. Prior to or concurrent with the issuance of building permits, the appropriate development fees and City-Wide Facilities 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.
3. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
4. 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.
5. 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.
6. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
7. Three copies of the revised Tentative Map reflecting all modifications and any changes required by the approval shall be submitted to the Planning Division for certification prior to approval of the Final Map.
8. Minimum 6-foot-high, solid masonry screen walls shall be constructed along the perimeter of the project boundaries, to the satisfaction of the Planning Division. Appropriate sight distance shall be maintained at driveways and intersections, to the satisfaction of the Engineering Division. Any walls (retaining and screen) shall be constructed of decorative materials, to the satisfaction of the Planning Division and the design and materials shall be indicated on the appropriate plans (building/grading) and final landscape plans. Walls should incorporate pilasters at appropriate intervals, along with a decorative cap. Stucco finished walls should be avoided due to long-term maintenance issues.
9. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less, with measures incorporated into the building plans with appropriate notes/specifications.
10. Prior to the issuance of grading and/or building permits, a parking management plan which details tandem and assigned spaces, overflow, on-site vehicular maintenance, guest parking and on-street parking shall be submitted and approved by the Planning Division. Joined tandem spaces shall be assigned to the same unit.

11. On-site parking spaces and the on-street spaces fronting the site shall not be used for fleet vehicles, commercial type vehicles or large construction vehicles. These restrictions also shall be included in the Parking Management Plan.
12. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. A lighting plan shall be included as part of the building plans. All outdoor lighting shall be arranged so as to prevent light from reflecting upon adjacent properties or streets.
13. A minimum of 71 striped parking spaces shall be provided and maintained in conjunction with this development, as indicated in the details of Request and site plan. All uncovered parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
14. Permitted animals/pets in residential units shall be allowed in conformance with the R-4 standards, unless project rules are more restrictive.
15. An inspection by the Planning Division will be required prior to issuance of and certificates of occupancy. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
16. Trash enclosures must be designed and installed per City standards, and permanently maintained and in coordination with Engineering Division storm water control requirements. The enclosure shall be constructed of decorative materials compatible with the design of the buildings/walls. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance, including shrubs and/or vines. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc. Trash enclosure location, dimensions and design shall be included on the building and landscaping plans.
17. As proposed, the buildings, architecture, colors and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Master and Precise Development Plan, 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 colors, 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
18. No signage is approved as part of this permit. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code). A separate sign permit shall be required prior to the installation of any signs.
19. All new utilities shall be underground.
20. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building, to the satisfaction of the Director of Community Development. The final building plans shall indicate how any proposed roof top equipment is screened.

21. This Tentative Parcel Map (SUB15-0008) shall expire three years after the date of final approval unless a final map has been approved or an extension of time has been granted. The term of the Master and Precise Development Plan shall be concurrent with the corresponding Tentative Parcel Map, and shall expire according to the same schedule and procedure as the Tentative Parcel Map.
22. Prior to recordation of the final map, two copies of a Reciprocal Easement Agreement for Reciprocal Use and Maintenance shall be submitted to the Planning and Engineering Divisions for review and approval. The document shall contain provisions for the maintenance and use of any common landscaping, open space, walls, common drainage facilities, utilities, building exteriors, signage, parking spaces, driveways, etc. to the satisfaction of the Planning and Engineering Divisions. It shall also contain provisions for use and maintenance of the laundry room and restrooms within Parcel 2 by the tenants of Parcel 1. A review fee established in the current fee schedule shall be collected at the time of submittal.
23. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.
24. If any gated entrances are proposed in the future, they shall be approved by the Planning Division, Engineering Division, and Fire Department, and shall incorporate appropriate vehicle stacking, turn around areas, electrical switches and strobe detectors as approved by the Fire Department. Decorative materials shall be used in the design of the gate.
25. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
26. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading plan.
27. Any decorative pavement, driveways and sidewalks shall be indicated on the grading, building and landscape plans, including appropriate notes regarding type and color of materials. Decorative paving, colored concrete or other decorative materials shall be incorporated into the sidewalk and hardscape features along Escondido Boulevard, along with appropriate landscaping.
28. Commercial activities shall be restricted to the 1,175 SF commercial space, as identified on the plans and details of request. Outdoor storage shall not be allowed. The commercial uses shall be limited to the attached list of "Permitted Uses."
29. Any construction, contractor services, or similar type operations shall be used for business offices only, and shall not be used for the storage, warehousing or distribution of construction materials, or parking of construction vehicles, commercial vehicles, work trucks, etc.
30. Uses involving hazardous chemicals or waste shall not be permitted, unless limited to Class M, B and A3 occupancies, per the Building Code.
31. Commercial activities shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. on week days and 11:00 p.m. on Fridays and Saturdays, and deliveries also shall be restricted to these hours.

32. Balconies and patios 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 project/tenant rules.
33. In conjunction with issuance of a grading permit and prior to issuance of a building permit, the abandoned water well on the site shall be capped/destroyed to the satisfaction of the San Diego County Health Department.
34. Should artifacts be discovered during excavation or construction, work is to stop and the City and a qualified archaeologist be consulted to determine the importance of the find and its management (in compliance with CA H&S 7050.5 and Public Resources Code Section 5097.98).
35. Prior to obtaining grading permits the applicant shall work with the Viejas Tribal Government to allow a cultural monitor (at Viejas expense) to be present during excavation in order to keep informed of any new developments.
36. No buildings or structures shall abut or touch the existing adobe wall located on the front of 1538 S. Escondido Boulevard.
37. An Asbestos and Lead-Based Paint (LBP) Survey Report was completed on the structures remaining on the site. The report concluded that there was no asbestos or LBP above threshold levels found in the remaining structures. During demolition activities if any suspect asbestos or lead-based paint materials are uncovered that were not previously sampled, the representative samples shall be collected, analyzed and potentially abated by licensed contractors as follows: Any asbestos containing materials (ACM) shall be removed by a licensed asbestos abatement contractor. Any lead containing paint (LCP) shall be removed by a California Department of Health Services licensed lead abatement contractor.
38. In order to reduce the health risk to an acceptable level for future residential development, the mitigation of the site, as detailed in the Phase II site assessment by SCS Engineers, dated February 24, 2014, shall take place prior to any construction/grading on the site. Excavation, waste characterization and disposal at an appropriate landfill of approximately 100 cubic yards of soil impacted with elevated concentrations of chlordane shall be conducted to render the site suitable for residential development. The excavation area will encompass the areas adjacent to the eastern portion of 1560 S. Escondido Boulevard (warehouse), extending to boring B5 at the south and B6 at the east, as referenced in Figure 3 of the report. The excavation shall go to a depth of 2 feet, totaling approximately 100 cubic yards. All soil excavated at the site would be deemed a waste and require characterization, classification and appropriate disposal. A soil management plan (prepared by an environmental professional and reviewed and signed by a California certified Professional Geologist) shall be prepared for the site prior to issuance of a grading permit that describes the means and methods of soil removal, address appropriate health and safety plans, as well as ensuring that confirmation samples demonstrate the removal of chlordane impacted soil to render the site suitable for residential development.
39. Prior to Certification of the Tentative Parcel Map and recordation of a Final Parcel Map, the map shall be revised to remove the laundry room from the commercial lot, Parcel 2.

Landscaping Conditions

1. Prior to occupancy of any units, all required landscape improvements shall be installed. All vegetation shall be maintained in a flourishing manner and kept free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
2. Seven copies of the detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Department. The appropriate plan check fee will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards of the City's Water Efficient Landscape Requirements (Article 62). The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. 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 installation of the erosion control plan and suitable BMPs may be acceptable.
4. The streetscape along Escondido Boulevard shall include appropriate decorative paving (i.e. colored concrete, decorative pavers, etc.) and landscape planters, as shown on the concept landscape plan.
5. The streetscape along Escondido Boulevard shall include appropriate sidewalks and landscape planters, along with the required number of street trees, to the satisfaction of the Planning Division.
6. 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.
7. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.

Building Division Conditions

Building plans for future building permits shall incorporate the following, to the satisfaction of the Building Official:

1. Allowable area calculations in CBC Table 503 are required. Show from buildings to the property lines.
2. Fire sprinklers may be required. Show construction type for each type of occupancy.
3. Show separation of occupancies per CBC Section 508.
4. All ground floor units shall be adaptable and accessible. Ground floor is the first floor above grade with dwelling unit. All first floor units and the units above the commercial use.
5. 2 exits required where the occupant load exceeds 49. See the community room. Doors to swing out with panic hardware.
6. Accessible, separate sex restroom facilities are required to be available for the community room.

7. Complying accessible resident and visitor parking shall be provided.
8. Accessible route from the public way and accessible parking spaces to the commercial entrances, community room and dwelling entrances shall be shown on building plans.
9. Compliance with the California Green Building Code for indoor water use, outdoor water use, construction waste recycling, reduction and disposal, building maintenance and operation, pollution control, interior moisture control, indoor air quality, bicycle parking, designated parking, light pollution control and water reduction shall be shown on plans.

Fire Department Conditions

1. NFPA 13D **automatic fire sprinkler system** will be required.
2. Sprinklers will be required on all overhangs exceeding four feet.
3. An approved fire alarm system is required.
4. A fire hydrant is required to be located within 50 feet of the fire department connection. 1 FDC and 1 PIV is required per building.
5. Fire hydrants capable of delivering 1500 GPM at 20 PSI residual pressure are required every 500 feet.
6. Extinguisher(s) will be provided at locations indicated with a minimum rating of 2A-10B:C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet.
7. Roadways shall be improved to 24' width. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas.
8. Speed humps/bumps will not be allowed.
9. Dead-end access roads and driveways over 150' require a Fire Department turn-around.
10. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants must be provided prior to the accumulation of any combustible materials on the job site.
11. All gated entrances must be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates must be operable by Fire Department strobe detectors and allow free exiting. A funding method to provide ongoing maintenance of fire lanes, electric gates, and other fire & life safety requirements **must** be provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager must be easily accessible to the Fire Department.
12. Knox box shall be required.
13. A 28' inside turning radius is required on all corners.
14. Roof access to structures must be provided from stairwells.
15. Elevators must be capable of accommodating a fire department gurney.
16. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.

17. 13'6" vertical clearance must be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width must be trimmed or removed.
18. Show 3 ft. clearance around fire protection equipment on landscape plans.
19. Minimum 10 ft. clearance required to the rear of the building. No trip hazards and vertical clearance for ground ladders required. Show rescue windows (if any) to confirm access is adequate.

Engineering Division Conditions

General

1. The applicant shall provide the City Engineering Dept. with a Parcel Map Guarantee and Title Report covering subject property.
2. The engineer shall submit to the Planning Department a copy of the Tentative Parcel Map as presented to the Planning Commission. The Tentative Parcel Map shall be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Parcel Map with any changes as required by the Planning Commission. A copy of this Certified Tentative Parcel Map must be included in the first submittal for plan check to the Engineering Department.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the recordation of the Final Parcel Map and/or approval of grading and improvement plans and the issuance of Building Permits.
4. 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 Director of Engineering Services.
5. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.
6. The project engineer will be required to locate and pothole all existing utilities along project frontages to verify connection locations and depths and to design new facilities to standard required utility clearances at crossings.

STREET IMPROVEMENTS AND TRAFFIC

1. The developer shall be required to landscape and irrigate the parkway areas along the Escondido Blvd. project frontage to the satisfaction of the Planning Director.
2. All driveways shall be alley-type in accordance with Escondido Standard Drawing G-5-E, with a minimum throat width of minimum 24 feet.
3. The developer shall install a public street lights per Escondido Standard Drawing E-1-E at the project entrance as required by the City Engineer.
4. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards. Any existing raised or damaged curb & gutter or sidewalk along the

project's Escondido Blvd frontage shall be identified on the grading plans and/or improvement plan for removal and replacement.

5. Adequate horizontal sight distance shall be provided at all street intersections and driveway entrances. Restrictions on landscaping may be required at the discretion of the City Engineer.
6. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1. Site grading and erosion control plans prepared by a Registered Civil Engineer are required for all onsite improvements and shall be submitted to the Engineering Department. Grading Plans are subject to approval by the Planning, Utility, Fire and Engineering Departments prior to issuance of a Grading Permit.
2. *All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.*
3. Any proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
4. Erosion control, including riprap, interim sloping planting, gravelbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
5. A General Construction Activity Storm Water Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The developer will be required to extend the offsite storm drain including clean-outs in Escondido Blvd. required to convey the storm water stored subsurface onsite shall be public. The storm drain lateral(s) out to the public storm drain clean-out shall be private.
3. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval together with the final improvement and grading plans. Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements.

4. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
5. The on-site trash enclosure area shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the Director of Engineering Services.
6. All onsite storm drains, storm water storage facilities and bio-retention basins constructed with this project shall be considered private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the property owner.
7. The owner of the property shall be required to sign and notarize a Storm Water Control Facility Maintenance Agreement that references the approved WQTR for City acceptance and recordation. A signed copy of the agreement shall be provided to the City prior to approval of the grading plan.

WATER SUPPLY

1. Fire hydrant(s) together with a minimum eight (8") inch public water main system shall be installed at locations approved by the Fire Marshal, and designed and constructed to the satisfaction of the Utilities Director. This new 8" public water main shall be connected to the 12" water main in Escondido Blvd.
2. The project owner is solely responsible for replacing any stamped concrete, pavers, or pervious pavements in kind if the City has to trench the project driveways for repair or replacement of any waterline. This wording shall be included in the grant of the public waterline easement.

SEWER

1. The proposed 6" sewer main serving the project shall be shall be considered private. The responsibility for maintenance of this private sewer system all the way to the public main in Escondido Blvd. shall be that of the property owner. A 5' diameter sewer manhole per Escondido Standard Drawing S-1-E shall be constructed where this private sewer main connects to the existing sewer main in Escondido Blvd. and at its terminus within the project.
2. No trees or deep rooted plants shall be planted within 15' of sewer mains or laterals.

EASEMENTS AND DEDICATIONS

1. A 20' wide Public Waterline Easement shall be granted to the City of Escondido for the public water main within the project site. The easement shall include all fire hydrants, water meters and other appurtenances. No private utilities or drainage facilities shall run parallel within this proposed public waterline easement.
2. All existing and proposed easements, both private and public, affecting subject property shall be shown and labeled on the parcel map, grading and improvement plans.
3. The developer shall dedicate all necessary dedications of public rights-of-way on the following streets contiguous to the project to bring the roadway to the indicated classification and required alignment.

STREET
Escondido Blvd

CLASSIFICATION
Collector (82' R/W)

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

CASH SECURITY AND FEES

1. 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 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the project boundary or along fronting streets shall be relocated underground in accordance with the City's Utilities Under-grounding Ordinance.
2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and under-grounding. All new utilities shall be constructed underground.

EXHIBIT "C"**PHG 15-0009, SUB 15-0008 1560-1576 South Escondido Boulevard****Planned Development Permitted and Conditionally Permitted Principal Uses**

Use Title	P or C
Manufacturing, Wholesale Trade, and Storage	
Mini-warehouse storage facilities* (section 33-339)	C
Newspaper printing and publishing	P
Food and liquor	
Food stores (grocery, produce, candy, baked goods, meat, delicatessen, etc.), off-sale beer and wine, off-sale general license excluding concurrent sale	P
Liquor stores, packaged (off-sale)	P
General retail	
Building materials and supplies including lumber, heating, plumbing, and electrical equipment, etc. (No outdoor storage or sale)	P
Drugstores	P
Pharmacies	P
Florists, gifts, cards, newspapers and magazines	P
Furniture, home and office furnishing and equipment, electrical appliances, and office machines and supplies	P
General retail, NEC (as determined by the director of community development, based on conformance with the purpose of the specific zone, interaction with customers, the appearance of the building, the general operating characteristics, and the type of vehicles and equipment associated with the use, and including incidental assembling of customized items)	P
Hospital/medical equipment sales	P
Nurseries and garden supply stores	P
Sporting goods (includes ammunition and firearms, fishing, hunting, golf, playground equipment, etc.)	P
Restaurants, cafés, delicatessens, sandwich shops, etc.	
Without alcoholic beverages	P
With on-sale beer and wine and on-sale general licenses	P
Specialized food sales from pushcart facilities* (section 33-342)	P
Services	
Animal care (excluding kennels)	P
Educational services	
Day nurseries, child care centers* (Article 57)	P
Schools, including kindergarten, elementary, junior, and senior high schools* (Article 57)	P
University, college, junior college, and professional schools	P
Vocational and trade schools	P
Other special training (including art, music, drama, dance, language, etc.)	P
Special needs education	P
Government services	
Administrative centers and courts	P
Financial services and institutions (including banks, securities brokers, credit offices, real estate services)	P
Insurance	P
Hospital and medical service organizations (including Blue Cross, Blue Shield, etc.)	P

Medical, dental and related health services	
Massage establishments* (Article 38)	P/C
Medical, dental and optical laboratories	P
Medical clinics and blood banks	P
Medical, dental, optical, and other health care offices	P
Other medical and health services NEC	P
Offices and business services, except medical	
General business services (including advertising, credit reporting, building services, news syndicate, employment services, computer services, drafting, detective/protective services, etc.)	P
General office use (includes professional offices)	P
Mailing, accounting and office services	P
Travel agencies and services	P
Repair services, except automotive	
Apparel and shoe repair and alteration	P
Bicycle repair	P
Locksmiths and key shops	P
Miscellaneous repair services (excluding machine shops and welding services)	P
Small appliance repair and services (including TV, radio, small electronics, computers, household appliances, etc.)	P
Watch, clock, and jewelry repair	P
Social, professional, and religious organizations and services	
Churches, synagogues, temples, missions, religious reading rooms, and other religious activities* including columbariums and mausoleums* as an incidental use (Article 57)	P
Social and professional organizations (political membership, veterans, civic, labor, charitable and similar organizations, etc.)	P
Youth organizations* (Article 57)	P
Other services	
Barber, beauty, nail, and tanning services	P
Equipment rental and leasing service* (Article 57 and Council Resolution #73-264-R) (includes airplanes, business equipment, furniture, construction equipment, sanitation units, sports equipment, etc.)	P
Laundry and dry cleaning services	
Self-service, coin-operated	P
Pick-up service only	P
Dry cleaning, laundering, pressing and dying for on-site retail customers only	P
Personal services, NEC (including clothing and costume rental, tattooing, marriage bureaus, baby-sitting services, etc.)	P
Photographic and duplicating services:	
Blueprinting	P
Photocopying	P
Studios, developing, printing, and similar services, except commercial photography	P
Commercial photography, including aerial photographs and mapping services	P
Picture framing, assembly only	P
Recycling services* (Article 33):	
Reverse vending machines occupying a total of 50 square feet or less	P
Cultural Entertainment and Recreation	
Cultural, including museums, art galleries, etc.	P

Health and fitness facilities, including gymnasiums, athletic clubs, body building studios, dance studios, martial arts schools, etc.	P
Communications (telephone, telegraph, radio, TV, etc.)	
Broadcasting (radio and/or television), recording, and/or sound studios	P
Personal wireless service facilities* (subject to Article 34)	
Roof-mounted or building-mounted facilities incorporating stealthy designs and/or screened from public ways or significant views	P
Pole-mounted or ground-mounted facilities that incorporate stealthy designs and do not exceed 35' in height	P
Pole-mounted or ground-mounted facilities that exceed 35' in height or roof-mounted or building-mounted designs which project above the roofline and are not completely screened or considered stealthy	C
Other communications, NEC	C
Telephone exchange stations and telegraph message centers	P

P= Permitted Use

C= Conditionally Permitted Use (Subject to a Conditional Use Permit, pursuant to Section 33-1200)

* Subject to special regulations - see Article in parentheses

EXHIBIT "D"
LEGAL DESCRIPTION
PHG 15-0009

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

PARCEL 1: (APN: 236-460-70)

ALL THAT PORTION OF LOT 9 IN BLOCK 256 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE SOUTHEASTERLY 96.75 FEET OF SAID LOT 9; THENCE ALONG THE NORTHWESTERLY LINE OF SAID SOUTHEASTERLY 96.75 FEET, SOUTH 59°38'17" WEST 106.64 FEET; THENCE LEAVING SAID NORTHWESTERLY LINE, NORTH 30°21'43" WEST 50.00 FEET; THENCE PARALLEL WITH SAID NORTHWESTERLY LINE SOUTH 59°38'17" WEST 190.48 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE ALONG SAID SOUTHWESTERLY LINE NORTH 30°23'10" WEST 99.75 FEET TO THE NORTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO LESTER PURER AND WIFE RECORDED MAY 7, 1947 AS DOCUMENT NO. 47823, BOOK 2392. PAGE 425 OF OFFICIAL RECORDS; THENCE ALONG SAID NORTHWESTERLY LINE OF SAID PURER LAND, NORTH 59°39'12" EAST 297.11 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 9; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 30°22'51" EAST 149.67 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (APN: 236-460-71)

ALL THAT PORTION OF LOT 9 IN BLOCK 256 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE SOUTHEASTERLY 96.75 FEET OF SAID LOT 9; THENCE ALONG THE NORTHWESTERLY LINE OF SAID SOUTHEASTERLY 96.75 FEET, SOUTH 59°38'17" WEST 106.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHWESTERLY LINE, NORTH 30°21'43" WEST 50.00 FEET; THENCE PARALLEL WITH SAID NORTHWESTERLY LINE SOUTH 59°38'17" WEST 190.48 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 30°23'10" EAST 50.00 FEET TO THE NORTHWESTERLY LINE OF SAID SOUTHEASTERLY 96.75 FEET; THENCE ALONG SAID NORTHWESTERLY LINE, NORTH 59°38'17" EAST 190.46 FEET TO THE TRUE POINT OF BEGINNING.



FUTURE CITY COUNCIL AGENDA ITEMS
November 12, 2015

*AGENDA ITEMS AND COUNCIL MEETING DATES ARE SUBJECT TO
CHANGE. CHECK WITH THE CITY CLERK'S OFFICE AT 839-4617*

November 25, 2015
No Meeting (Thanksgiving)

December 2, 2015
4:30 p.m.

CONSENT CALENDAR

**Public Service Agreement and Budget Adjustment for Reclaimed Water
Emergency Storage Pond Design**
(C. McKinney)

*This project will provide design for an emergency reclaimed water storage capacity of approximately
10M gallons for the purpose of un-loading the HARRF outfall during high-intensity wet weather events.*

Annual Submission of the City of Escondido's Investment Policy
(K. Hugins)

*In accordance with California Government Code Section 53646(a)(2), the City Treasurer may annually
prepare and submit to the legislative body a statement of Investment Policy and any changes thereto,
which will be considered at a public meeting. The Investment Policy provides the City with guidelines
for the investment of City funds.*

Third Quarter 2015 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.*

Mayor and City Council Salaries
(J. Epp)

*Consider adopting Ordinance 2015-24 as provided by Council Rules and the California Government
Code to provide for increases in the salaries for Mayor and City Council to take effect after the next
election.*

Notice of Completion for the Elm Street Improvement Project
(E. Domingue)

*The Elm Street Improvement Project consisted of full street improvements including
paving, curb and gutter, sidewalk, streetlights and fencing.*

December 2, 2015
Continued

CONSENT CALENDAR Continued

Valiano Sewer Facilities Development Memorandum of Understanding and Traffic Mitigation Funding Agreement

(G. Mitchell)

The Valiano housing development project, located on 239 acres outside of the City's limits, is planned to include the development of 236 single family residential units. The project will be considered for approval by the County of San Diego in 2016. The purpose of this agenda item is to consider a Memorandum of Understanding for sewer facilities development and an agreement for traffic mitigation funding with the developer of the Valiano project.

PUBLIC HEARINGS

Short-Form Rent Review Board Hearing for Greencrest Mobilehome Park

(J. Petrek)

The application meets all the eligibility criteria for submittal of a short-form rent increase application. The amount request covers a 12-month period of consideration from June 30, 2014 to June 20, 2015. Seventy-five percent (75%) of the change in the Consumer Price Index for the period is 0.592%. The average space rent for the 70 spaces subject to rent control is \$445.69. The average requested increase per space is approximately \$2.76.

Local Register Historic Listing, Mills Act Agreement, and CEQA Exemption (HP 15-0002)

(J. Petrek)

To add a property within the Old Escondido Neighborhood on the southwest corner of South Ivy Street and the alley between East Fourth Avenue and Fifth Avenue that includes a circa 1923 California bungalow to the Local Register. The current owner also wishes to enter into a Mills Act agreement with the City.

Local Register Historic Listings, Mills Act Agreements, and CEQA Exemptions (HP 15-0001)

(J. Petrek)

To add properties within the Old Escondido Neighborhood on the south side of East Sixth Avenue that include a circa 1895 Italianate cottage with garage and a circa 1910 California bungalow to the Local Register. The current owners also wish to enter into a Mills Act agreements with the City.

CURRENT BUSINESS

Bid Award, Public Service Agreements, and Budget Adjustment for HARRF Primary and Odor Control Replacement: Construction Engineering, Construction Management, and Specialty Electrical Inspection

(C. McKinney)

This project will replace the 42 year old primary building and the associated Odor Control Facility at the HARRF. This will provide a safer working environment, up-graded and more efficient change and flites, and improved odor control.

December 2, 2015
Continued

CURRENT BUSINESS Continued

Adoption of Best Management Practice Design Manual for New Development and Redevelopment to Comply with Regional Board Order R9-2013-0001

(C. McKinney)

The BMP Design Manual (which will be called Storm Water Design Manual to avoid confusion with a similarly-named document) is required by our municipal stormwater permit to be effective December 24, 2015. This will provide the stormwater standards for new development and redevelopment in Escondido.

Future Agenda Items (D. Halverson)

City Manager's **WEEKLY UPDATE** to City Council

November 10, 2015

ECONOMIC DEVELOPMENT

- The Hometown Hero Banners and American flags in downtown Escondido will be taken down after Veteran's Day and replaced with Holiday Banners to encourage shopping and dining in Downtown Escondido this holiday season.
- Over Thanksgiving weekend the Ice-Plex will host its annual Thanksgiving Extravaganza hockey tournament which is one of the largest tournaments of the year. Games will start Wednesday November 25th in the afternoon and play until mid-afternoon on Sunday November 29th. No games will be played on Thanksgiving. There will be 56 teams from all over California and Las Vegas attending the tournament. They expect approximately 2,000 players and family members over the weekend. Teams will be dining, shopping, and lodging in the Escondido area.
- With the busiest shopping season of the year about to begin, the City's Economic Development team will be launching two community awareness efforts to encourage residents to shop locally and also to support small businesses. The first effort is called "**Spend It! In Escondido**" and it is designed to educate residents about the importance of shopping in Escondido. Every taxable dollar spent in Escondido supports local businesses AND generates revenue to fund important city services such as police, fire, street maintenance, parks and libraries.

The second effort will promote **Small Business Saturday®** on Saturday, November 28, 2015. This day celebrates and supports the uniqueness, charm and economic impact that small businesses bring to communities nationwide.

SPECIAL EVENTS

- Escondido's annual **Veterans Day Observance** will be held on Wednesday, November 11, 2015 at 11:00 a.m. at Grape Day Park's Wall of Courage located between the train station and the California Center for the Arts, Escondido. This annual event is organized by the Allied Veterans Council, a team of Commanders of American Legion Post 149, VFW Post 1513, and Disabled American Veterans Chapter 70.
- **Escondido Shines Day**
November 14, 2015, 9:00 to 11:00 a.m.
Various city parks

From 9:00 a.m. to 11:00 a.m. over 1,000 participants will donate two hours of community service to spruce up various Escondido parks. Persons interested in

City Manager's **WEEKLY UPDATE** to City Council

volunteering, should visit http://www.escondidoshines.org/?page_id=223 to sign up. Following the event, participants are encouraged to gather at Grape Day Park to enjoy a day of celebration at the Escondido Downtown Business Association's First Annual Escondido Tamale Festival. More information about the Tamale Festival is listed below.

- **Escondido Tamale Festival**
November 14, 10:30 a.m. – 4:30 p.m., Grape Day Park
Free

The inaugural Escondido Tamale Festival is a celebration of Tamales and all the great Latin foods that have become iconic staples of California's culture. Enjoy free admission, great food to purchase, entertainment, competitions and celebrity chefs. Don't miss the chihuahua costume contest and fashion show! An optional VIP Ticket is available which includes gourmet tamales tastings paired with Baja and California craft beers and wines, as well as access to shaded seating on the Train Depot at Grape Day Park. Tickets purchased prior to 5 p.m. November 6, 2015 are \$35; after that the cost is \$45. For more information, visit: <http://www.escondidotamalefestival.com>

Community service project

- For information about other activities taking place in Escondido, please visit www.visitescondido.com

COMMUNITY DEVELOPMENT

Queen Califia's Magical Circle – Extensive repairs and maintenance have been ongoing at this internationally acclaimed sculpture garden designed and fabricated under the direction of Niki de Saint Phalle in Kit Carson Park. The next phase of improvements will involve replacing broken black, white and mirror wall tiles in the entry maze area tiles by an artisan who worked directly with de Saint Phalle during the exhibit's original construction. The Garden will be open to the public on November 14th, and the Second Saturday of each month, from 10 a.m. to 2 p.m. weather permitting. Docents will be available to answer questions.

Planning:

Major Projects Update:

1. John Paul the Great Catholic University – A Conditional Use Permit application has been received to expand the campus and student enrollment at 155 W. Grand Avenue. 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 recourse center. The proposed expansion would also

City Manager's WEEKLY UPDATE to City Council

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 and has tentatively scheduled the proposal for the December 8, 2015 Planning Commission meeting.

2. Escondido Research Technology Center – A 72,000 square foot medical office building is proposed on the east side of Citracado Parkway across from Palomar Medical Center. A plot plan application has been approved and the second plan check for grading plans has been submitted for review and comment.
3. Oak Creek (NUW) – *No change from the following update reported last week:* A LAFCO hearing for the annexation of the property was held on October 5, 2015. Staff made a presentation at the meeting emphasizing the City's support for the project and opposition to the potential expansion of the annexation boundary to include an additional segment of Hamilton Road. The LAFCO Board unanimously approved the annexation without including the Hamilton Road segment as requested by staff.
4. Amanda Estates (NUW) – *No change from the following update reported last week:* LAFCO approved the reorganization (annexation) at their meeting on August 3, 2015.
5. Centerpointe 78 Commercial – *No change from the following update reported last week:* The public review period for the Draft Environmental Impact Report (EIR) ended September 28, 2015. The project is scheduled for Planning Commission consideration on November 10, 2015. The Draft EIR is available at the following link:
<http://www.escondido.org/centerpointe-78-commercial-project.aspx>
6. Pradera - Grading is underway for this single family subdivision involving 70 units. Staff is reviewing improvement plan and the final map submittals as well as the precise grading plans. Three, two-story model homes are currently under construction. A fourth single-story unit will be marketed with this development, but no model home for the single story unit will be constructed.
7. Zenner – *No change from the following update reported last week:* A Tentative Subdivision Map was previously approved for this single family project involving 40 units. The annexation was approved by LAFCO on Sept. 14, 2015.
8. Stella Park Condominiums – This Planned Development involving 65 townhome units is located at 2516 S. Escondido Blvd. The applicant is contracting with consultants for preparation of numerous technical studies (including a Water Quality Technical Report) and the CEQA document which is anticipated to be a mitigated negative declaration. Staff is providing information regarding existing conditions to include in the environmental review analysis. The applicant has informed staff that updated plans will be submitted next week.
9. Wohlford – Staff is reviewing revised submittals and technical reports from the applicant regarding this single family subdivision involving 55 units in response to the letter identifying necessary submittals to continue processing. A Specific Alignment Plan for Bear Valley Parkway detailing the roadway is under review. The Request for Qualifications for consultant preparation of an EIR has been released. Tribal consultation meetings have been completed.
10. Latitude II – *No change from the following update reported last week:* The project was approved by the City Council on August 19, 2015. The applicant has informed staff that

City Manager's **WEEKLY UPDATE** to City Council

grading plans will be submitted by mid-October and will reflect the provisions of the new storm water regulations. Architectural plans are proposed for submittal by mid-November.

11. Shea Homes (Tract 932) – *No change from the following update reported last week:* Staff approved the substantial conformance determination for the revised tentative map for the 179-lot residential subdivision known as Canyon View Estates. Staff continues to coordinate with the applicant on the proposed grading plan. The Precise Plan application was submitted on Aug. 6, 2015; additional information is needed to complete the application. The applicant is pursuing purchase of mitigation credits at Daley Ranch, and pursuing acquisitions needed for offsite improvements.
12. Safari Highlands – Engineering has finalized a contract with a consultant to perform as an extension of staff for engineering services. The applicant has selected a consultant to prepare a draft Municipal Services Review and Sphere of Influence (SOI) update. Staff met with representatives from the City of San Diego to discuss their concerns regarding the proposed improvements to Zoo Road for emergency access. A public agency scoping meeting was held September 24th to discuss the scope of the EIR; attendees included school district representatives and members of the public. A community meeting was held on October 5, 2015, and attended by approximately 80 persons. More information about this project is on line at: <http://www.escondido.org/safari-highlands-ranch-specific-plan.aspx>
13. Felicita Development, LLC - *No change from the following update reported last week:* The proposed planned development includes the phased development of a 140-unit hotel, an 80-unit extended stay hotel, a 120-bed assisted living facility and a gas station and car wash located at the southeast corner of Felicita Rd. and Gamble Lane. 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. A letter addressing items and technical studies needed to complete the application has been sent. Staff is coordinating with the applicant regarding a date for a neighborhood meeting for late October or early November.
14. Escondido Disposal Inc. –The CUP modification to expand the existing facility was approved by the Planning Commission on August 25, 2015. The project has completed its second post-approval plan check and staff comments have been sent regarding the grading and landscape plans. The County has notified the City that the applicant has made their application to the State permitting agency. Staff has endorsed the applicant's phasing plan concept that allows building expansions while the facility remain operational and is waiting for written details memorializing the phasing plan details.
15. Westfield Theater – The Economic Development Subcommittee authorized expedited processing of the modification to the planned development for the proposed 10-auditorium movie theater. The project was approved by the City Council on November 4, 2015.
16. Paseo Escondido – *No change from the following update reported last week:* The Phair Company application for a mixed-use planned development for the property at the southwest corner of Ash Street and Washington Ave. (currently owned by the City) is under review. The proposed project consists of 26 one-bedroom and 96 two-bedroom apartments (122 units total) in three four-story buildings, and two 5,000 SF commercial buildings (10,000 SF total) oriented around an outdoor plaza. Additional submittals required to complete the application.

City Manager's **WEEKLY UPDATE** to City Council

17. High Pointe (Palos Vista Neighborhood 3) – *No change from the following update reported last week:* This project involves 39 custom 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.
18. Valiano (County Project) – City representatives and the developer are negotiating opportunities for mutually beneficial infrastructure and utility improvements. Staff has concluded discussion with the developer and will be presenting an agenda item to the City Council in December 2015.
19. Springhill Suites – Building plans were submitted for this planned development at 300 La Terraza Drive involving 4 stories, 105 suites, a small conference room and an enlarged lobby for serving continental breakfast. Grading and landscaping plans were submitted involving the hotel site and the parking lot of the adjacent property for review on September 9, 2015 and department comments are being finalized.
20. Del Prado (former Woody's site) – The project involves a Planned Development containing 113 attached residential townhomes, recreational facility, pool, and open space areas located at the southwestern corner of Brotherton Road and the Centre City Parkway frontage road. Staff met with the applicant to address sewer and emergency access issues. A revised set of plans was submitted this week responding to staff comments.
21. BMW Dealership – 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. Building plans have been submitted and are in plan check process.
22. Solutions for Change – *No change from the following update reported last week:* A Planned Development application for 33 affordable multi-family units was approved by the Planning Commission on October 13, 2015 and tentatively for City Council hearing on November 18, 2015.
23. 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 I15. 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. A draft agreement has been sent to the Auto Park Association for its consideration.
24. 701 San Pasqual Valley Rd – *No change from the following update reported last week:* An application has been submitted for a 19-lot single family clustered residential subdivision and planned development on a 7.2 acres site also addressed as 1201 E. 5th Ave. (formerly Tract 898). The application is under review and a letter detailing additional comments and submittal requirements was forwarded to the applicant.

Building Division:

City Manager's **WEEKLY UPDATE** to City Council

1. The Building Department issued **71** permits for the week with a total valuation of \$537,881.
2. 36 photovoltaic permits were issued for the week. Building has issued 1,163 solar permits so far this year compared to 651 issued at the same time last year.
3. Building inspectors and counter staff had a very busy week with inspections averaging 45 inspections per day with 29 inspections on Friday and counter contacts averaging 36 per day with 30 on Friday 58 inspections were requested for Tuesday.
4. Due to the increase in inspection requests, 3 inspections were held over on Monday and our Deputy Building Official (plans examiner) was sent out to conduct inspections on Monday, Tuesday, Wednesday and Thursday. Plans waiting to be reviewed were on hold, waiting for his return.
5. A new guideline was created for graywater systems and is available at the building counter or on our website at [www.escondido.org/city_departments/community_development/building/information_guidelines/guideline # 27](http://www.escondido.org/city_departments/community_development/building/information_guidelines/guideline_#27).
6. In addition to the expedited solar permitting now available, residential roof top solar projects that qualify to be expedited, can be accepted electronically through e-mail. More information is provided on the city's website.
7. Permits were issued for 2 new single family dwellings at 668 and 669 Cole Ct.
8. The 76-unit condominium complex at 2412 S Escondido Blvd has received exterior framing inspection on all 4 buildings.
9. The Meadowbrook Village 3-story apartment building has received underground utility and foundation inspection approval for the underground parking area.
10. The Pradera single family tract has received roof sheathing inspections on all 3 of the models.
11. The new Taco Bell restaurant and office building has received rough framing inspections.

Code Enforcement:

1. As of November 9th the total number of open code enforcement case is 342 cases. During the prior week, 52 new cases were opened and 50 cases were closed with a backlog of an additional 65 cases not yet opened for assignment and investigation. A total of 121 illegal signs were confiscated in the field. One Public Records Request (PRR) was processed, for a total of 94 PRRs processed to date this year.

City Manager's **WEEKLY UPDATE** to City Council

2. Recruitment for a Code Enforcement Officer opened on November 2nd, and a preliminary selection for a Code Enforcement Assistant to support staff with the backlog was made this week.
3. Last week the Business License Division issued 27 new licenses and received 34 new applications in addition to 186 renewals.

CAPITAL IMPROVEMENTS

FY 2014-2015 Maintenance Project:

The project has been completed and is scheduled for the November 18 council agenda.

Private Development

Bear Valley Parkway between Boyle Avenue and San Pasqual Valley Road (County Project):

The next phase of asphalt paving was completed on Monday, November 10 on Bear Valley Parkway between Suburban Hills Drive and San Pasqual Valley Road (SR 78). Construction of the new gas main is continuing along Bear Valley Parkway between Idaho Avenue and Birch Avenue along the old roadway alignment.

2412 South Escondido Boulevard:

No change from the following update reported last week: On site construction of new homes is continuing this week.

Pradera - Lennar Communities:

No change from the following update reported last week: New sidewalk is being poured along Lehner Avenue between Ash Street and Wagon Wheel Place. Foundations for the new street will be poured later this week. The lights being installed will be using the newest L.E.D. standards to ensure reduced costs for operation.

Plan reviews as follows:

- The 3rd submittal review of the Stanley and Ash Street Perimeter Improvement plans was returned to the engineer on October 20th with very minor corrections.
- The 2nd submittal of the Precise Grading plans for Street "D" is expected to be completed by the end of this week.

Future Capital Projects

East Valley Parkway/Valley Center Road:

City Manager's **WEEKLY UPDATE** to City Council

All efforts to gather additional geotechnical information have been completed. That information will be used to finalize the bridge foundation design. At the Resolution of Necessity (RON) hearing on October 28th, City Council approved moving forward with right-of-way acquisitions. Staff continues working diligently with land/homeowners.

Grape Day Park Playground:

Staff members provided their 75% plan review comments and sent them to the project consultant on November 4. A meeting is scheduled for November 19 to resolve any outstanding issues and/or provide comment clarification.

FY 15/16 Street Maintenance Project:

Field review of the streets in this year's maintenance zone of focus (Zone CS) will be performed over the next few of weeks in an effort to better define a street list for the project. Zone CS is bounded by 5th Avenue to the north, Felicita Avenue to the south, I-15 to the west, and the city limits to the east.

Jim Stone Pool Rehabilitation:

Schematic drawings were received the week of November 2. Staff will review the plans and provide feedback to the consultant as soon as possible. The project is expected to begin construction in the fall of 2016.

PUBLIC SAFETY

Police:

Incidents:

- On November 3, 2015 more than 100 suspects were targeted in a two-day North County warrant sweep, including a number of fugitives wanted for charges related to domestic violence. The operation was named in honor of deceased Escondido Police Officer Laura Perez who was murdered by her husband during a domestic violence incident. Operation Laura involved more than 110 officers from multiple local, state, and federal agencies during the Tuesday and Wednesday operation. In total, 47 warrants were served and 36 arrests were made during Operation Laura. Police Chief Craig Carter said the operation was carried out in order to protect the community and to prevent further domestic violence tragedies from spreading in North San Diego County.
- On November 7, 2015 the San Diego County Sheriff's Department, San Diego County Probation Department, Oceanside Police Department, Carlsbad Police Department, and the Escondido Police Department joined to conduct a probation compliance operation in the City of Escondido. The operation involved 41 personnel from the above agencies

City Manager's **WEEKLY UPDATE** to City Council

broken into multiple teams. The respective teams went to a number of locations in order to check on persons currently under supervised release under AB 109. The checks were intended to make sure persons were complying with the terms of their release. Those who were not in compliance were taken into custody. The operation resulted in 13 arrests and the seizure of 1 pound of methamphetamine and 1 ounce of cocaine. The arrests were broken down as follows:

- 5 warrant arrests (various charges)
- 5 arrests for non-compliance
- 1 arrest for possessing methamphetamine
- 1 arrest for a parole violation
- 1 arrest for possessing narcotics for sale

EVENTS

- On November 4, 2015 Officer Tony Masten retired after 15 years at the Escondido Police Department. Prior to EPD, Tony spent 4 years at the Los Angeles Police Department and over 20 years with United States Marine Corps.



###