

CITY OF ESCONDIDO

Planning Commission and Staff Seating



- A. CALL TO ORDER:** 7:00 p.m.
- B. FLAG SALUTE**
- C. ROLL CALL:**
- D. MINUTES:** 04/08/14

The Brown Act provides an opportunity for members of the public to directly address the Planning Commission on any item of interest to the public before or during the Planning Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the minutes clerk who will forward it to the chairman.

Electronic Media: Electronic media which members of the public wish to be used during any public comment period should be submitted to the Planning Division at least 24 hours prior to the 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 Commission during the meeting are part of the public record and may be retained by the City.

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.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications" which is listed at the beginning and end of the agenda. All persons addressing the Planning Commission are asked to state their names for the public record.

Availability of supplemental materials after agenda posting: any supplemental writings or documents provided to the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

The City of Escondido recognizes its obligation to provide equal access to public services for individuals with disabilities. Please contact the A.D.A. Coordinator, (760) 839-4641, with any requests for reasonable accommodation at least 24 hours prior to the meeting.

**The Planning Division is the coordinating division for the Planning Commission.
For information, call (760) 839-4671.**

E. WRITTEN COMMUNICATIONS:

"Under State law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda."

1. Future Neighborhood Meetings

F. ORAL COMMUNICATIONS:

"Under State law, all items under Oral Communications can have no action, and may be referred to the staff for administrative action or scheduled on a subsequent agenda."

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

G. PUBLIC HEARINGS:

Please try to limit your testimony to 2-5 minutes.

1. TENTATIVE SUBDIVISION MAP, MASTER AND PRECISE DEVELOPMENT PLAN, ZONE CHANGE AND AREA PLAN AMENDMENT – SUB 13-0009:

REQUEST: The proposal consists of a Master and Precise Development Plan to construct 76 condominium residential units to be situated in four, three-story buildings on the subject site, along with a one-lot Tentative Subdivision Map, and Zone Change from Planned Development-Mixed Use (PD-MU) zoning to Planned-Development Residential (PD-R) zoning. An amendment to the South Escondido Boulevard Neighborhood Plan also is requested to allow a residential project to be developed on the site without a commercial component in conformance with the 2012 General Plan. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY LOCATION: The approximately 2.53 acre project site generally is located on the eastern side of South Escondido Boulevard, north of Citracado Parkway and south of Brotherton Road, addressed as 2412 and 2424 S. Escondido Boulevard (APNs 238-141-31 and -36).

ENVIRONMENTAL STATUS: On August 24, 2005, the Escondido City Council adopted a Final Mitigated Negative Declaration (City File No. ER 2005-02) along with a Master and Precise Development Plan, Zone Change and one-lot Tentative Subdivision Map for a proposed 49-unit mixed-use project on the subject site. An Addendum to the adopted Mitigated Negative Declaration has been prepared to evaluate the proposed modifications to the approved project in conformance Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. Project modifications include elimination of the previously approved commercial component (5 shopkeeper units along Escondido Boulevard); increase of 27 residential units; and redesign of the building layout and architecture. The Addendum concludes that the proposed changes to the project will not: (1) result in new significant impacts; or (2) substantially increase the severity of previously disclosed impacts beyond those already identified in the adopted Mitigated Negative Declaration.

APPLICANT: Peter Zak

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

H. CURRENT BUSINESS:

Note: Current Business items are those which under state law and local ordinances do not require either public notice or public hearings. Public comments will be limited to a maximum time of three minutes per person.

I. ORAL COMMUNICATIONS:

"Under State law, all items under Oral Communications can have no action and may be referred to staff for administrative action or scheduled on a subsequent agenda."

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

J. PLANNING COMMISSIONERS

K. ADJOURNMENT

CITY OF ESCONDIDO

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

April 8, 2014

The meeting of the Escondido Planning Commission was called to order at 7:03 p.m. by Chairman Weber in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Jeffery Weber, Chairman; Bob McQuead, Vice-chairman; Ed Hale, Commissioner; Gregory Johns, Commissioner; James Spann, Commissioner; Merle Watson, Commissioner and Guy Winton, Commissioner.

Commissioners absent: None.

Staff present: Bill Martin, Principal Planner; Rozanne Cherry, Principal Planner; Owen Tunnell, Principal Engineer; Gary McCarthy, Senior Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Winton, seconded by Commissioner McQuead, to approve the minutes of the March 25, 2014, meeting. Motion carried. Ayes: Winton, McQuead, Spann, and Watson. Noes: None. Abstained: Hale, Johns, and Weber. (4-0-3)

SELECTION OF COMMISSIONER TO FILL SHORT (2 YR) TERM

Commissioner Hale volunteered to fill the two-year term.

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT – PHG 14-0008:

REQUEST: A Conditional Use Permit to allow four dogs on an approximately 7,000 SF residential lot in the R-1-6 zone (Single-family Residential – 6,000 SF minimum lot size) where the Escondido Zoning Code would otherwise allow two dogs. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY LOCATION: The property is located on the northern side of Hillward Street where it joins Scott Way, addressed as 620 Hillward Street.

Bill Martin, Principal Planner, referenced the staff report and noted that staff's main issue was the appropriateness of allowing four dogs on the site. Staff recommended approval based on the following: 1) Staff felt the request to increase the number of dogs permitted on the site was appropriate, since the dogs appear to be well-maintained, there was sufficient yard area to reasonably accommodate the dogs, the yard had perimeter fencing, and an indoor area was provided to secure the dogs each night. In addition, residents on all of the adjacent properties had signed forms in support of allowing the applicants to keep four dogs.

Commissioner Watson asked how code enforcement was involved. Mr. Martin noted that code enforcement got involved following an incident that occurred between the applicant and a neighboring family that involved dogs from each household. It was then found out that the applicant had four dogs, which were not allowed in the subject zone.

Commissioner McQuead asked if the CUP ran with the land and ultimately with new owners. Mr. Martin replied in the affirmative, but noted that there was still the ability to revoke the CUP upon complaint.

Commissioner Hale asked if the CUP could have a sunset clause. Mr. Martin noted that the Commission had the ability to add conditions, but not to put a sunset clause on the CUP.

Chris Johnson, Escondido, applicant, asked that the Commission allow her to keep her four dogs. She stated that it would be very difficult to pick two of the dogs to give away if not approved. She elaborated that the dogs were well trained and part of her family. She also noted that upon the loss of two of the dogs they would never have more than two dogs again.

Teresa Nicholl, Escondido, was in favor of staff's recommendation. She stated that the subject dogs were well behaved; noting that she and her children had never had any issues with the dogs. She also stated that the property was well taken care of with no odors that would be associated with having four dogs. She also noted that the incident with the neighboring family was not Ms. Johnson's fault, noting that the neighbor's dogs were left out many times.

Otis Campbell, Escondido, noted that subject dogs were well behaved. He cited an incident that occurred involving the police chasing an individual through the back yards of the subject neighborhood, noting that the only back yard the suspect did not go into was the applicant's yard with the four dogs.

Dale Franks, Escondido, Applicant, noted that they ended up with two extra dogs due to their dog having ten puppies and not being able to give all of them away. He stated that the dogs were registered, vaccinated, and micro-chipped. He indicated that when they found out that they were violation of the Zoning Code he sold his truck to pay for the CUP and anything else needed to keep the dogs. He elaborated that they had no intention to acquire more dogs when the two older dogs passed away. Mr. Franks noted that the incident that occurred with the neighbor was due to the neighbor's dogs not being leashed.

Commissioner Watson felt this was a bad accident waiting to happen if the dogs got out and then hurt someone. He also expressed his concern with the CUP running with the property.

Commissioner Spann noted that he had visited the site and found it to be clean. He then asked if the CUP had an abandonment clause. Mr. Martin replied the CUP would not be valid if it was abandoned for a period of one year.

Commissioner Spann asked if the CUP could be conditioned so that upon the loss of two dogs that the CUP be abandoned. Mr. McCarthy noted that typically the CUP ran with the land. However, given that a CUP was a less than ideal land use process to handle this situation, he felt it would not be a problem to let the CUP expire upon the loss of two dogs if the applicant consented to the condition.

Commissioner Hale asked if a new property owner could terminate the CUP. Mr. McCarthy replied in the affirmative. Commissioner Hale was in favor of requesting a concession from the applicant that the CUP would be terminated upon the loss of two dogs. Commissioner McQuead concurred.

Mr. Franks noted that they had no intention of acquiring any more dogs in the future for the purpose of maintaining a four-dog household. He also stated that they would abandon the CUP voluntarily upon the loss of two of the dogs.

ACTION:

Moved by Commissioner Spann, seconded by Commissioner Johns, to approve staff's recommendation. The motion included conditioning the CUP, as agreed to by the applicant, to expire following the loss of two of the dogs. The motion also included requiring the dog owners to notify the Planning Division upon the loss of the two dogs. Motion carried. Ayes: Spann, Johns, McQuead, Weber, Winton, and Hale. Noes: Watson. (6-1)

2. MODIFICATION TO A CONDITIONAL USE PERMIT – PHG 13-0010:

REQUEST: A modification of the Conditional Use Permit for the Meadowbrook Village retirement community to increase the number of semi-independent living units, revise the previously approved mix of unit types and add three standby emergency generators. The project proposes a 3-story apartment building of 66 units (net increase of 54 units) and one 400 kW and two 500 kW standby emergency diesel generators. The proposal also includes the adoption of the environmental documentation prepared for the project.

PROPERTY SIZE AND LOCATION: 25± acres located between N. Iris Lane and N. Broadway, south of Village Road, addressed as 100 Holland Glen.

Rozanne Cherry, Principal Planner, referenced the staff report and noted that staff issues were whether the proposed modification would create traffic or noise impacts, and the appropriateness of the architecture. Staff recommended approval due to the Engineering Division determining that the minor amount of traffic generated by the proposed 54 additional apartments would not significantly impact the traffic in the area. The emergency generators would not create a significant noise impact due to the extensive setbacks proposed, and the noise attenuation provided by the sound reducing generator enclosures within a block wall equipment enclosure, and the perimeter block wall around the community; and 2) the architectural design and proposed materials were well detailed and consistent with the other structures on site. The parking lot was under the building, and would not be visible from adjacent properties or public streets. The building would be of similar height to the existing 3-story windmill commons building and congregate care building.

Commissioner Hale asked if a parking study was done for the subject request. Mrs. Cherry replied in the negative, noting that the parking exceeded the parking requirement.

Dr. Henry Richter, Escondido, noted that the residents of Meadowbrook Village were in favor of staff's recommendation, noting it was a wonderful community. He felt the additional apartment building would finalize the property. He stated that they were in favor of the generator due to feeling it would help during emergencies.

John Selck, Escondido, noted that Meadowbrook Village had amenities that did not create revenue, noting that the developers were public-spirited individuals who created a great community.

Newell Dubail, Escondido, expressed his enthusiasm with the quality of construction the developer put into Meadowbrook Village. He asked that the Commission approve staff's recommendation.

Jack Brouwer, Escondido, asked that the Commission approve staff's recommendation. He stated that the proposed request would help provide more space to accommodate the needs of the community.

Chairman Weber referenced the proximity of the generators to the pool area and asked if special consideration had been given to mitigating the sound for the generators. Mrs. Cherry replied in the affirmative and noted that the 45-decibel level threshold would have to be met at the property line. Chairman Weber felt it would have been beneficial to have a visual scale for the generator building in relation to the surrounding buildings, but expressed overall support for the proposal.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner Spann, to approve staff's recommendation. Motion carried unanimously. (7-0)

3. CONDITIONAL USE PERMIT – PHG 14-0011:

REQUEST: A Conditional Use Permit to allow the installation, operation, and maintenance of a new Wireless Communication Facility mounted onto a new 71-foot high light pole located next to the baseball field in Jesmond Dene Park. The proposed facility consists of 6 panel antennas and one four foot in diameter microwave dish, along with the construction of an equipment building to house

associated mechanical equipment, electrical cabinets, and a 30 kW emergency backup generator. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY LOCATION: Jesmond Dene Park is located on the southwestern corner of North Broadway and Jesmond Dene Road, addressed as 2401 N. Broadway.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were whether the design and location of the proposed facility is appropriate for the site and consistent with the Wireless Facility Guidelines, and whether the proposal is consistent with the Zoning Code standards for standby generators. Staff recommended approval based on the following: 1) The proposed wireless facility was consistent with the Communication Antennas Ordinance because the antennas would be located on a new field light that would be similar in design and compatible with other field lights and an existing T-Mobile wireless facility located within the park. The supporting equipment would be located within a newly constructed masonry block building designed to match other accessory buildings located within the park; 2) The proposed 30 kW emergency diesel generator would not create any adverse compatibility, visual, noise, or air-quality impacts because it will be located within an enclosed equipment building within a city park well away from any residential properties or sensitive receptors. The generator is for emergency use only during power outages and typically would be tested only once a month for maintenance purposes generally between the hours of 7:00 am and 5:00 pm; and 3) Staff felt the proposed facility would not result in a potential health hazards to people in the area because the Radio Frequency (RF) study prepared for the proposed project indicates the facility would be within maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) radio frequency emission guidelines. He then referenced a revision to Condition 7d, Page 16 of the staff report with regard to having the ball field lights approved by the Community Services Department.

Discussion ensued regarding clarification of Page 19 with regard to disclaimer from the electrical engineer.

Patricia Borchmann, Escondido, noted that staff had resolved all of her concerns about the new ball field lights.

ACTION:

Moved by Commissioner Watson, seconded by Commissioner Spann, to approve staff's recommendation. Motion carried unanimously. (7-0)

CURRENT BUSINESS: None.

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS: No comments.

ADJOURNMENT:

Chairman Weber adjourned the meeting at 8:13 p.m. The next meeting was scheduled for April 22, 2014, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Bill Martin, Secretary to the Escondido
Planning Commission

Ty Paulson, Minutes Clerk

PLANNING COMMISSION

Agenda Item No.: G.1
Date: April 22, 2014

CASE NUMBER: SUB13-0009

APPLICANT: Peter Zak (NCA Real Estate)

LOCATION: On the eastern side of Escondido Boulevard, between Brotherton Road and Citracado Parkway, addressed as 2412 and 2424 S. Escondido Boulevard (APNs 238-141-31 and -36).

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

PROJECT DESCRIPTION: Master and Precise Development Plan, and a one-lot Tentative Subdivision Map to develop 76 residential condominium units on approximately 2.53-acres of land within the South Escondido Boulevard Area Plan. An amendment to the South Escondido Boulevard Neighborhood Plan also is proposed to allow residential development without a mixed-use commercial component within the commercial corridor. A Zone Change from the existing Planned Development-Mixed Use (PD/MU) zoning to Planned Development-Residential (PD-R 30.4) zoning also is requested.

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

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

BACKGROUND/SUMMARY OF ISSUES:

A Master and Precise Development Plan, Zone Change from General Commercial (CG) to Planned Development/Mixed Use (PD-MU), along with a one-lot Tentative Subdivision Map (TR 911, 2005-03-CZ/PD) was approved by the City Council in 2005 for a proposed 49-unit mixed-use development by Richardson Partners, Inc. The previously approved project consists of a cluster of twelve, three-story buildings with five of the street-front dwelling units along South Escondido Boulevard designated as residential/specialty retail (shopkeeper units). The proposed condominium style development includes a mix of 2, 3 and 4 bedroom units ranging in size from approximately 1,550 SF to 1,950 SF with an overall density of approximately 19.36 du/ac (49 residential units/2.53 acres). To date, the tentative map has not been recorded or plans submitted to develop the approved project. However, the existing entitlements (tentative map and planned development) still are valid unless replaced by the subject proposal.

NCA Real Estate has submitted a redesigned project to construct 76 condominium units on the site and eliminate the five mixed-use shopkeeper units, which would be an increase of 27 additional residential units (from 49 to 76) with an overall density of 30.4 du/ac (76 units/2.50 net acres). The proposed project consists of a cluster of four, three-story residential buildings and a single-story multi-purpose recreational building. The proposed air-space condominium design includes a mix of 1, 2 and 3 bedroom units ranging in size from approximately 760 SF to 1,357 SF. Since the previous project was approved, the General Plan was updated in 2012 and now allows both mixed-use and exclusively residential projects within the South Escondido Boulevard Neighborhood Plan. Residential and mixed-use projects now require a minimum density of 30 dwelling units per acre as opposed to the previous General Plan requirement that only allowed a maximum density of 24 dwelling units per acre. The South Escondido Boulevard Neighborhood Plan has not yet been updated to correspond with the new General Plan vision for the corridor. Therefore, an Amendment to the Neighborhood Plan is requested to include additional language that would allow an exclusively residential project on the subject site.

On-site grading would be similar to the previously approved project and includes a combination of cut and fill with a retaining wall ranging in height from approximately 1 foot to 12 feet along the north property boundary, and a retaining wall ranging from approximately 2.7 feet to 12 feet in height along a portion of the eastern property boundary. Development also would remove an existing open natural drainage swale which traverses through the property in a northwest to southeast direction, along with mature trees (including oak trees). The

drainage swale is considered jurisdictional wetland habitat, which comes under the jurisdiction of the Army Corps of Engineers and California Department of Fish and Game. Federal requirements include a no net loss policy, which would require the developer to replace the habitat at a suitable off-site location. A Wetland Mitigation Plan has been prepared to address impacts to jurisdictional wetland habitat, and provides detailed information on existing conditions, implementation methods, maintenance, monitoring, and replanting activities.

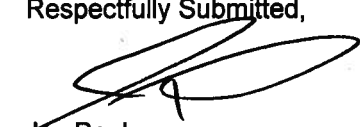
Staff feels the issues are as follows:

1. Whether the design of the proposed project is consistent with the General Plan and South Escondido Boulevard Objectives and Design Guidelines for residential development.
2. Appropriateness of the mass, scale and height of the buildings.
3. Whether a residential use without a commercial component is appropriate on the site.

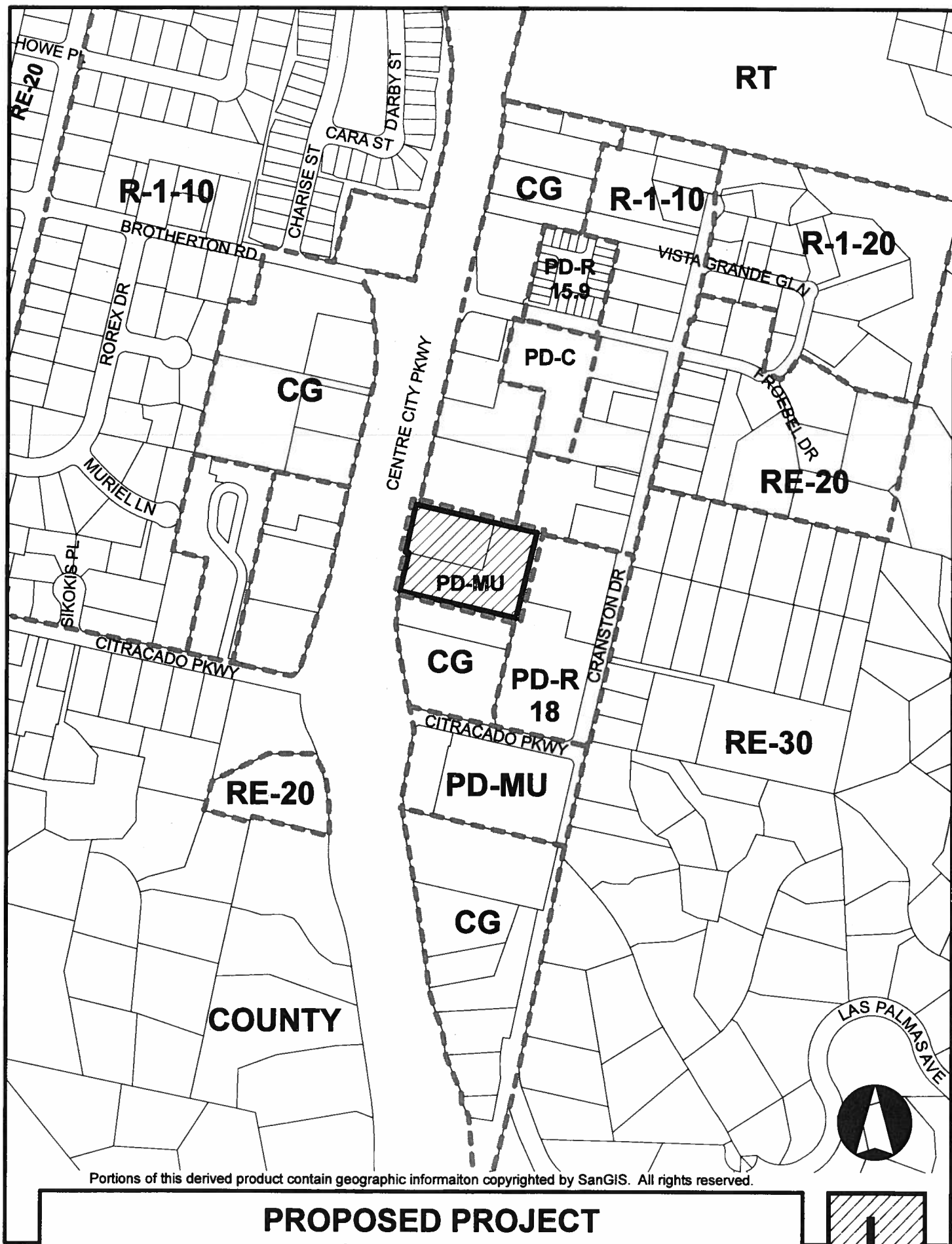
REASONS FOR STAFF RECOMMENDATION:

1. The proposed planned residential development would be in conformance with the General Plan which allows for exclusively residential development within a target area of the South Escondido Boulevard Area Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). The project also would be in conformance with the South Escondido Boulevard Neighborhood Plan Objectives and Design Guidelines that strive to provide opportunities for a balanced mix of housing types, and to revitalize and renew the commercial area, and maximize home-ownership opportunities. Adequate on-site parking is provided; and appropriate open space amenities are provided. The project includes a variety of amenities such as individual patios for selected units, enhanced walkways and paving, and landscape features. A mix of architectural elements has been incorporated into the buildings, especially along the lower levels, to project a more human scale along pedestrian ways and Escondido Boulevard.
2. Although the buildings would be larger and taller than adjacent one- and two-story commercial and residential structures, the overall mass and height of the three-story units has been addressed through the grading design; varied wall planes and roof lines; variety of material and color elements; appropriate setbacks; perimeter walls and landscaping, and balcony features to provide a more pedestrian scale along the street.
3. Staff feels the proposed Amendment to the South Escondido Boulevard Neighborhood Plan to allow an exclusively residential project at this 'mid-block' location would be appropriate because this type of development would serve as an appropriate transition between the mix of commercial uses to the north, south and west, and residential uses to the east. The General Plan vision for the Centre City Parkway/Brotherton Road Target Area calls for locating non-residential uses at major intersections and specific nodes that are more conducive to commercial development. Staff feels that an exclusively residential development on this site could provide the catalyst for future residential development in the corridor and strengthen the customer base for mixed-use development at key intersections and node areas.

Respectfully Submitted,

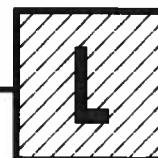


Jay Paul
Associate Planner

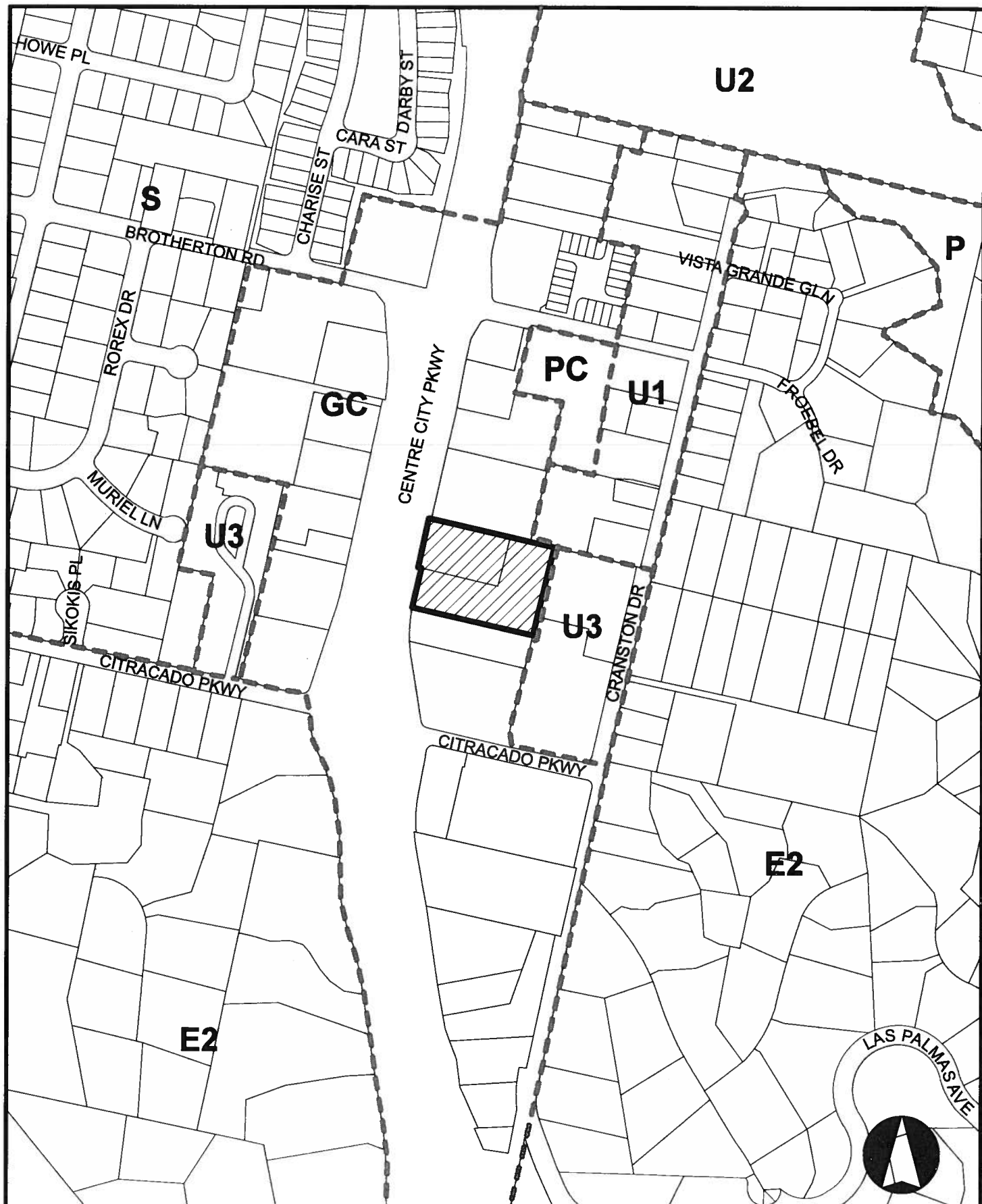


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**PROPOSED PROJECT
SUB 13-0009**



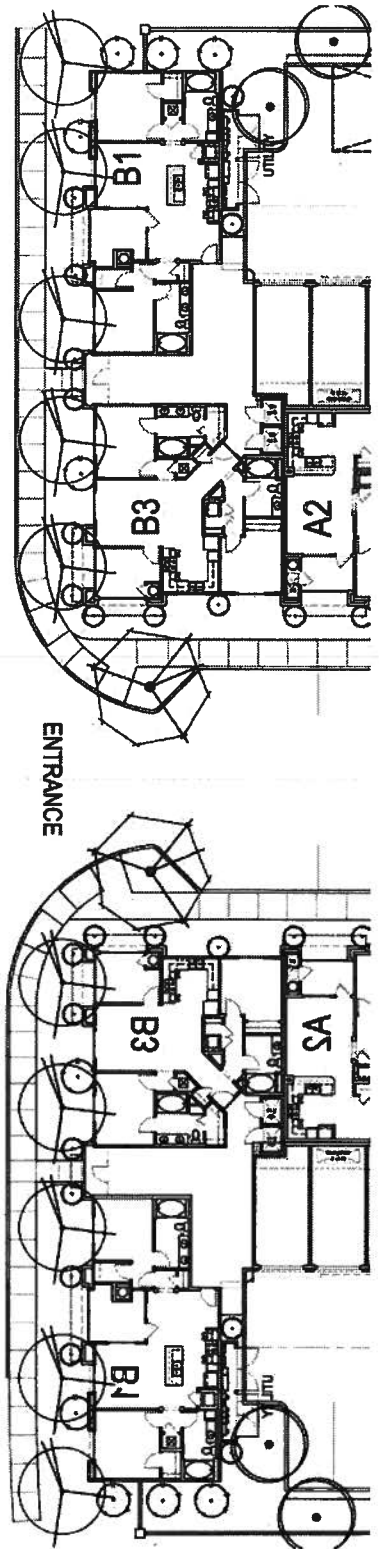
LOCATION/ZONING



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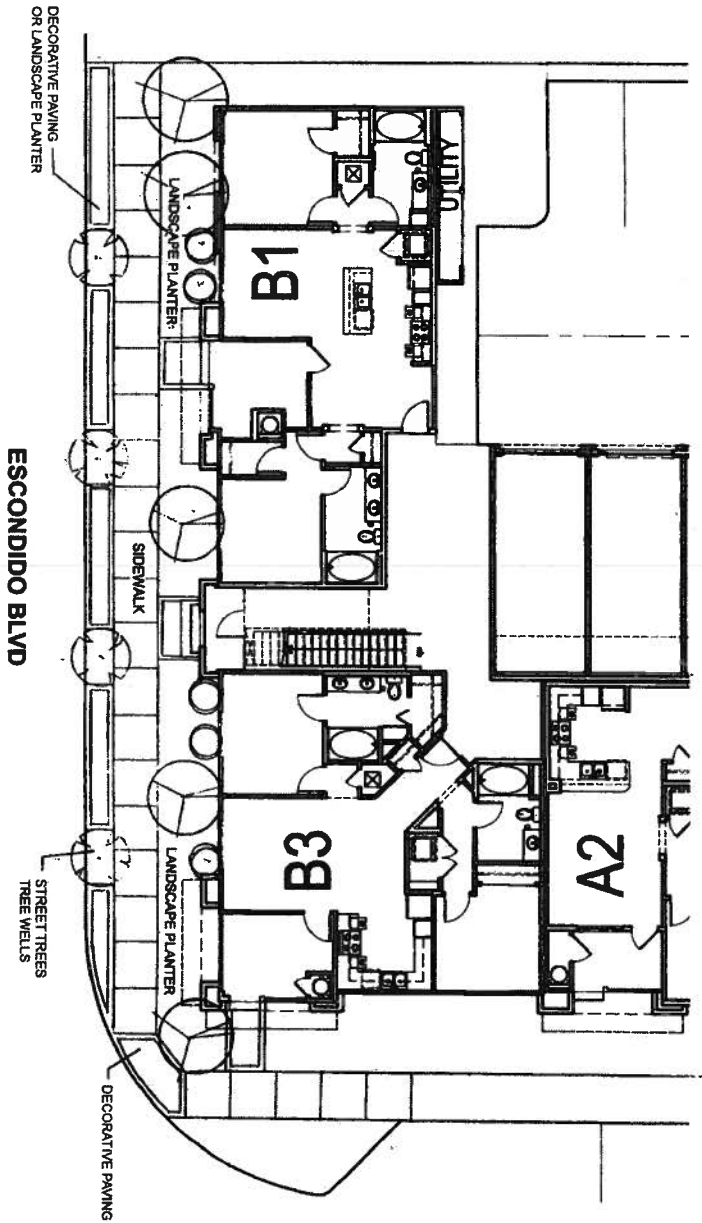
PROPOSED PROJECT SUB 13-0009





PARTIAL SITE PLAN

MATERIAL LEGEND	
SYMBOL	DESCRIPTION
1.	CLAY TILE ROOF
2.	ACCESS w/ METAL ORNAMENT
3.	METAL PAVING
4.	WALL WINDOW
5.	STUCCO
6.	FOAM CORNER
7.	CANVAS AWNING
8.	DECORATED TILE



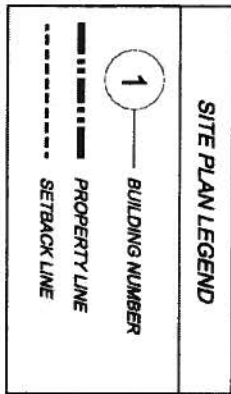
ALTERNATIVE STREET SCAPE PROPOSAL

**PROPOSED PROJECT
SUB 13-0009**

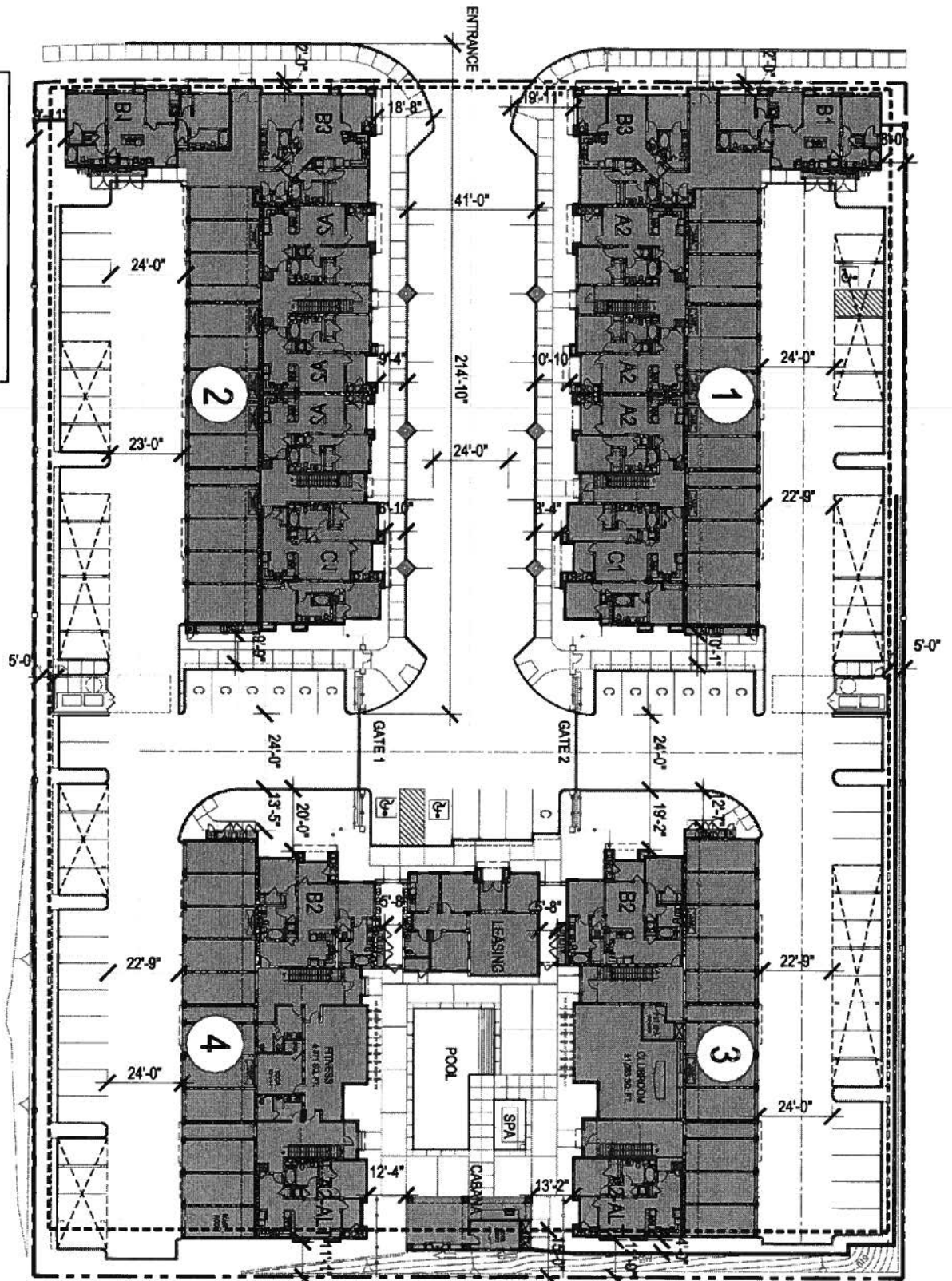


SITE PLAN

S. ESCONDIDO BLVD.



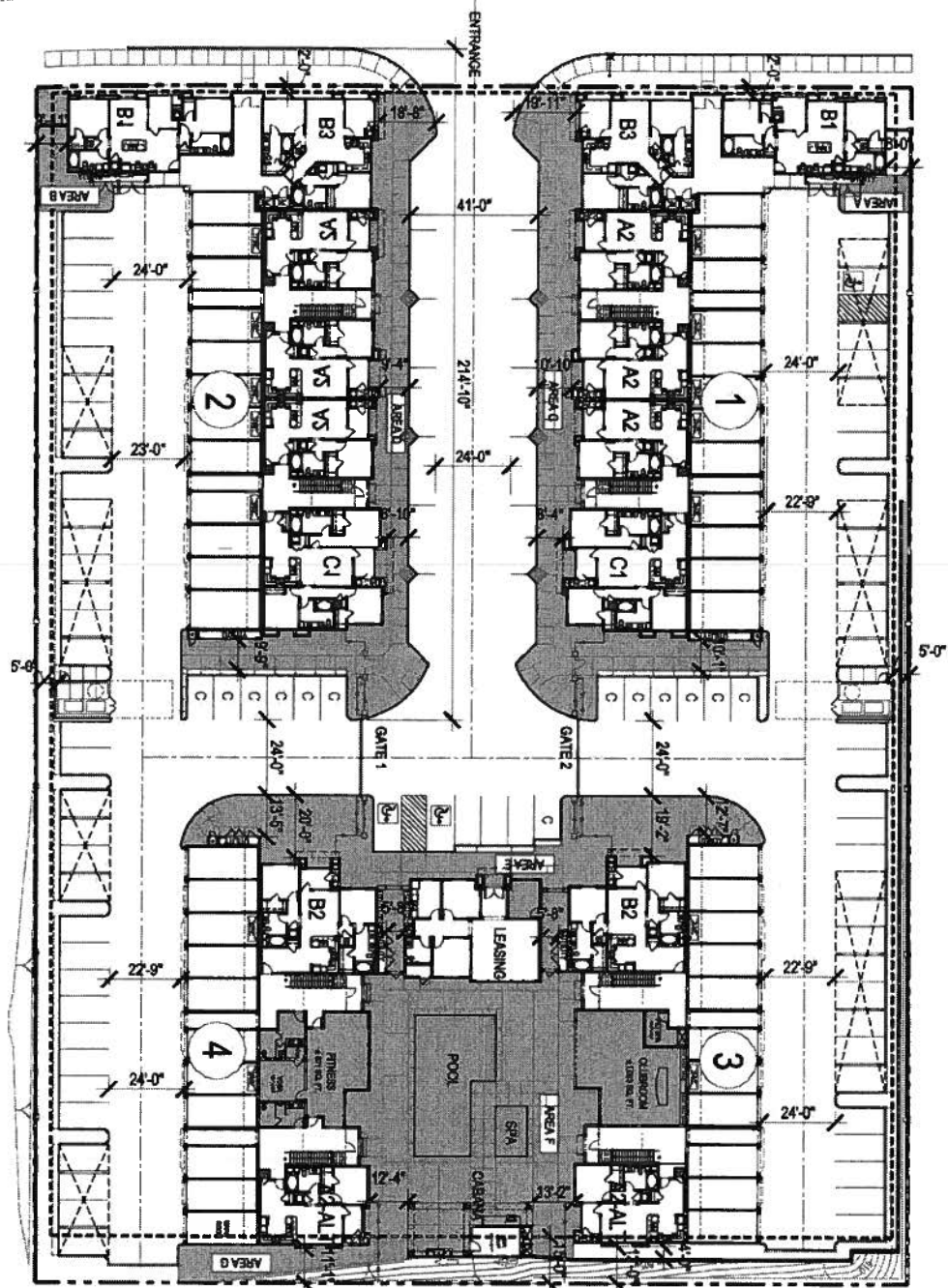
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**PROPOSED PROJECT
SUB 13-0009**

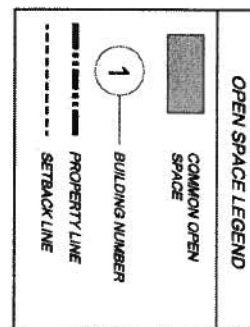


SITE PLAN



TOTAL OPEN SPACE PROVIDED			
REQUIRED	SQ. FT.	AC	
COACH OPEN SPACE	18,842	0.46	
WASH CREDIT			
PRIVATE OPEN SPACE	5,872	0.13	
WASH CREDIT			
TOTAL	24,714	0.61	

OPEN SPACE REQUIRED			
RESIDUAL	SQ. FT.	UNITS	TOTAL SQ. FT.
1ST FLOOR	200	78	16,200
2ND FLOOR	200	34	6,800
3RD FLOOR	400	0	2,400
TOTAL			24,400

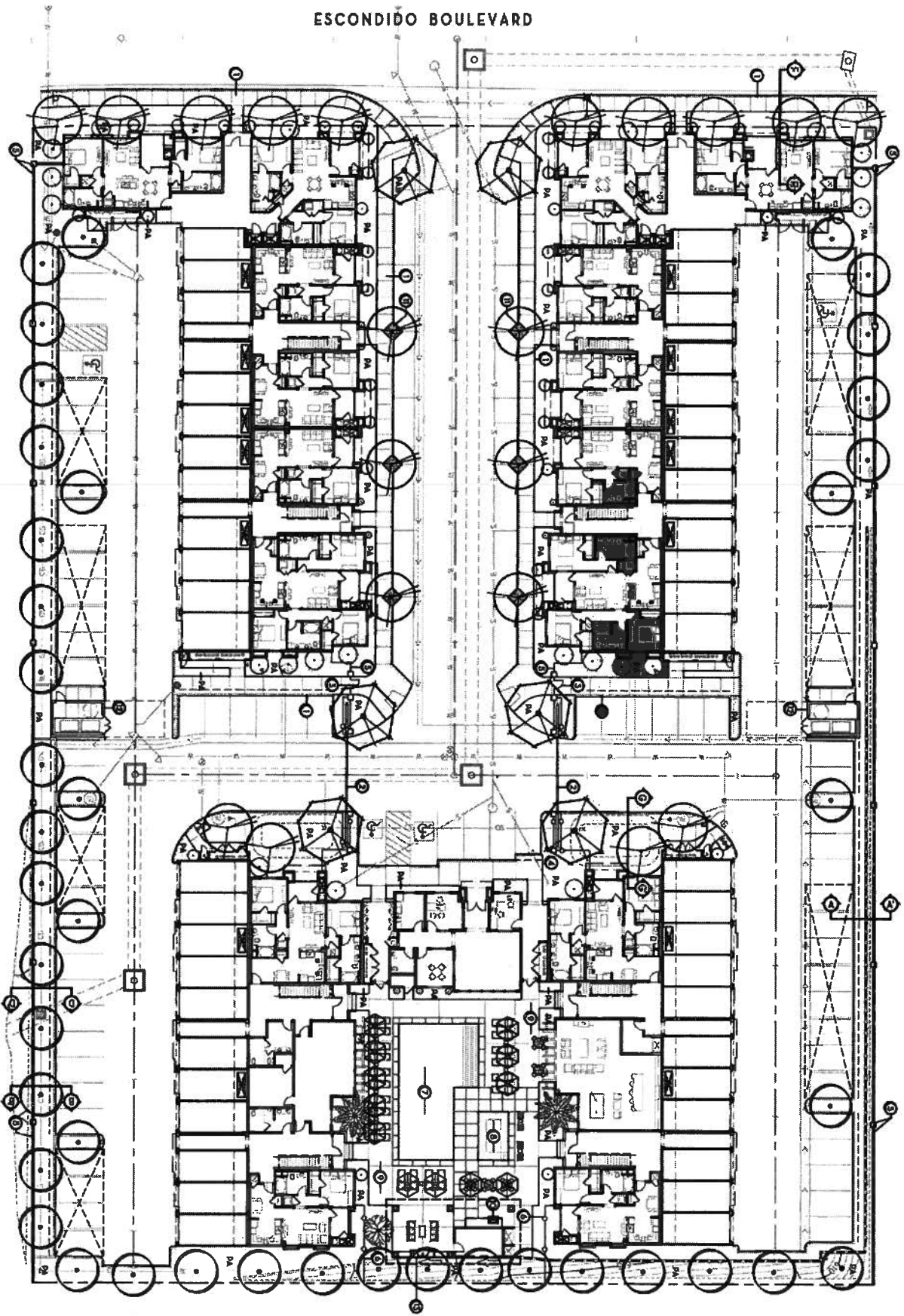


PROPOSED PROJECT SUB 13-0009



ESCONDIDO BOULEVARD

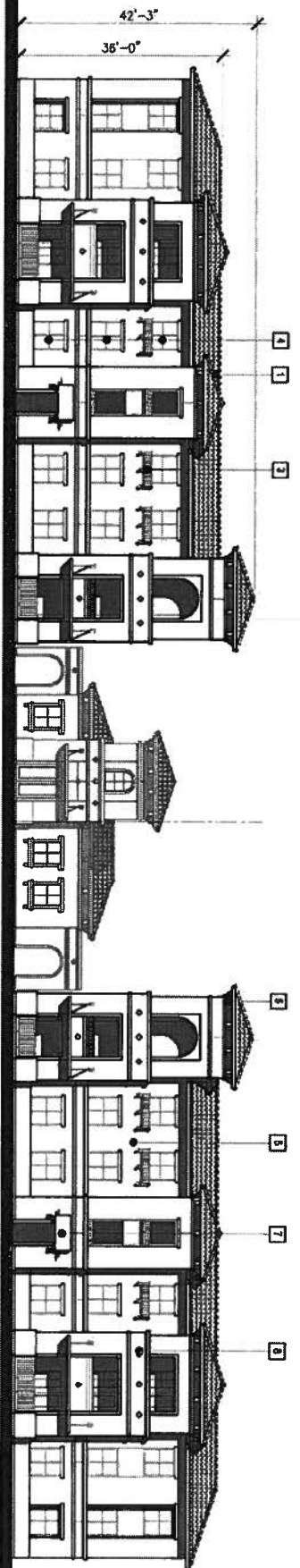
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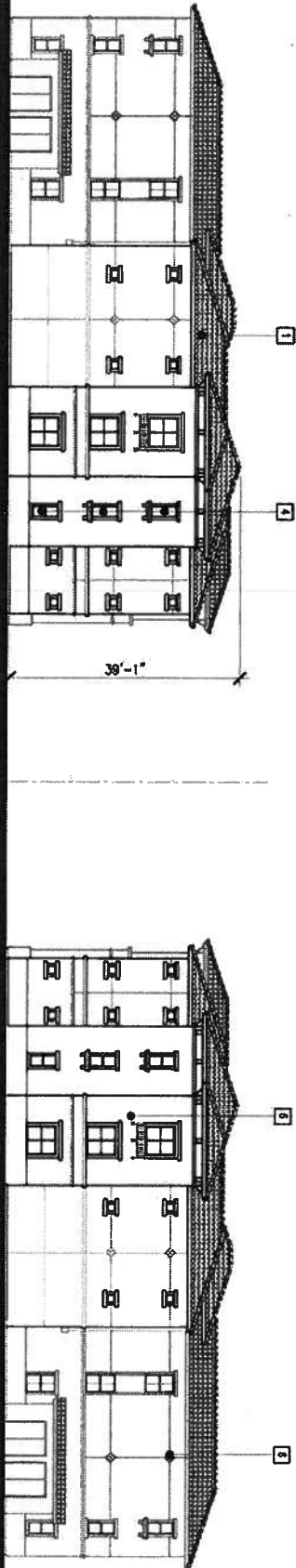
**PROPOSED PROJECT
SUB 13-0009**



SITE PLAN



S. ESCONDIDO BLVD ELEVATION (WEST)



INTERNAL ELEVATION (EAST)

BUILDING #1 & #2- STREET SCENE

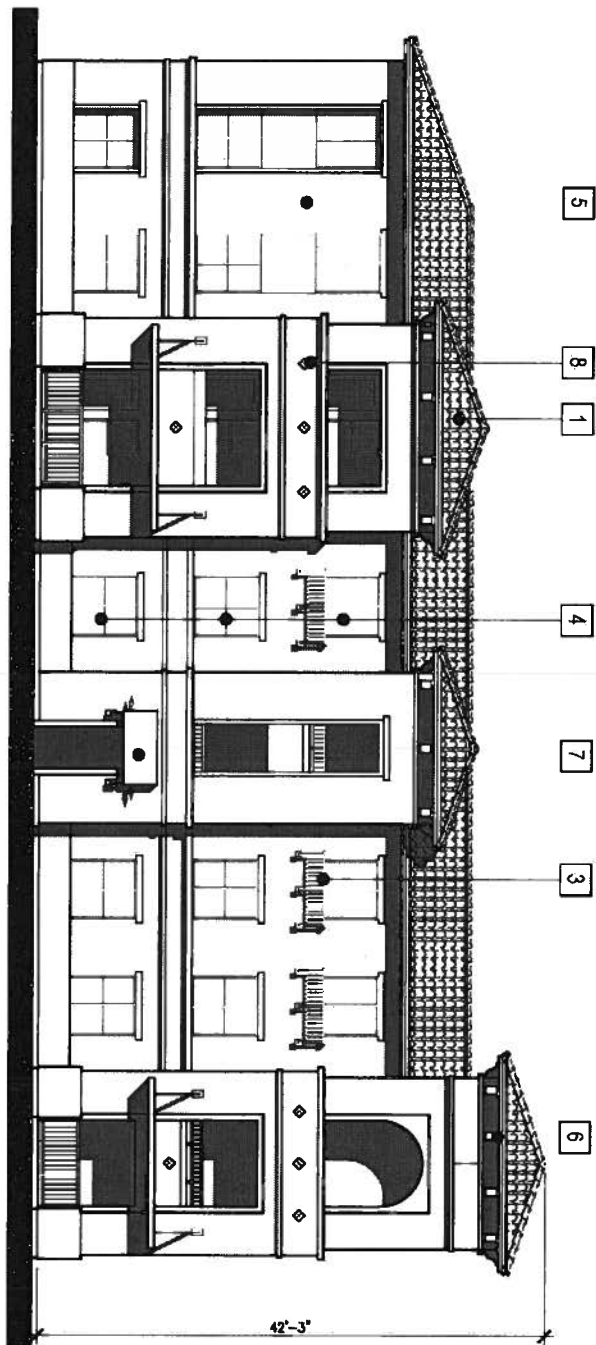
MATERIAL LEGEND	
DESCRIPTION	
1.	CLAY TILE ROOF
2.	RECESS W/ METAL ORNAMENT
3.	METAL RAILING
4.	VINYL WINDOW
5.	STUCCO
6.	FOAM CORBEL
7.	CANVAS AWNING
8.	DECORATED TILE

**PROPOSED PROJECT
SUB 13-0009**



ELEVATIONS

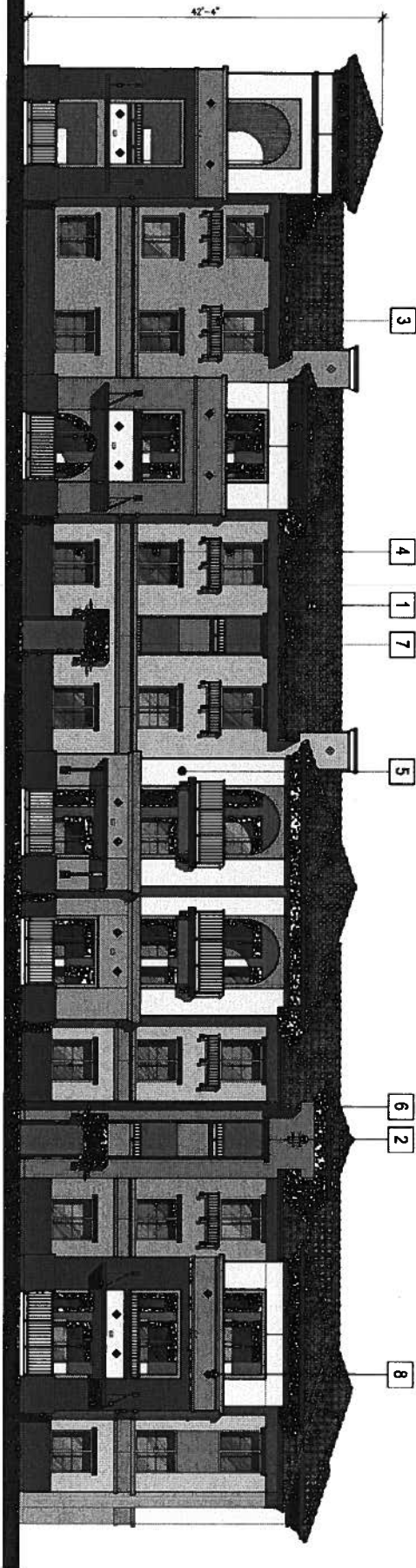
S. ESCONDIDO BLVD ELEVATION (WEST)



MATERIAL LEGEND	
DESCRIPTION	
1. CLAY TILE ROOF	
2. RECESS w/ METAL ORNAMENT	
3. METAL RAILING	
4. VINYL WINDOW	
5. STUCCO	
6. FOAM CORBEL	
7. CANVAS AWNING	
8. DECORATED TILE	

PROPOSED PROJECT
SUB 13-0009





ENTRANCE INTERIOR ELEVATION (SOUTH)

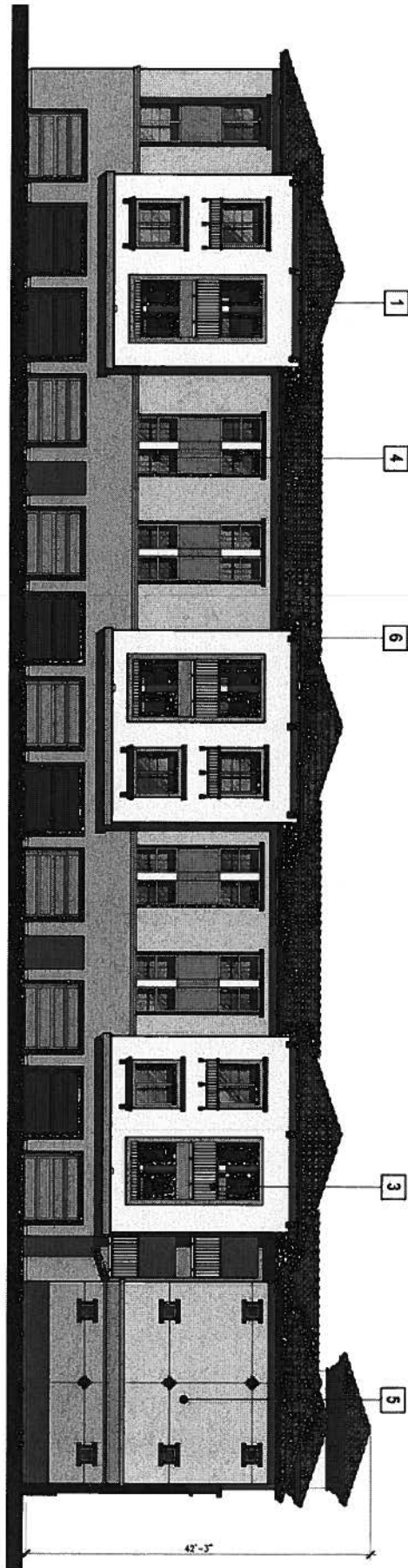
BUILDING #1 & #2 - TYPE I

MATERIAL LEGEND	
DESCRIPTION	
1. CLAY TILE ROOF	
2. RECESS W/ METAL ORNAMENT	
3. METAL RAILING	
4. VINYL WINDOW	
5. STUCCO	
6. FOAM CORBEL	
7. CANVAS AWNING	
8. DECORATED TILE	

PROPOSED PROJECT
SUB 13-0009



ELEVATIONS



REAR ELEVATION (NORTH)

BUILDING #1 & #2- TYPE I

MATERIAL LEGEND

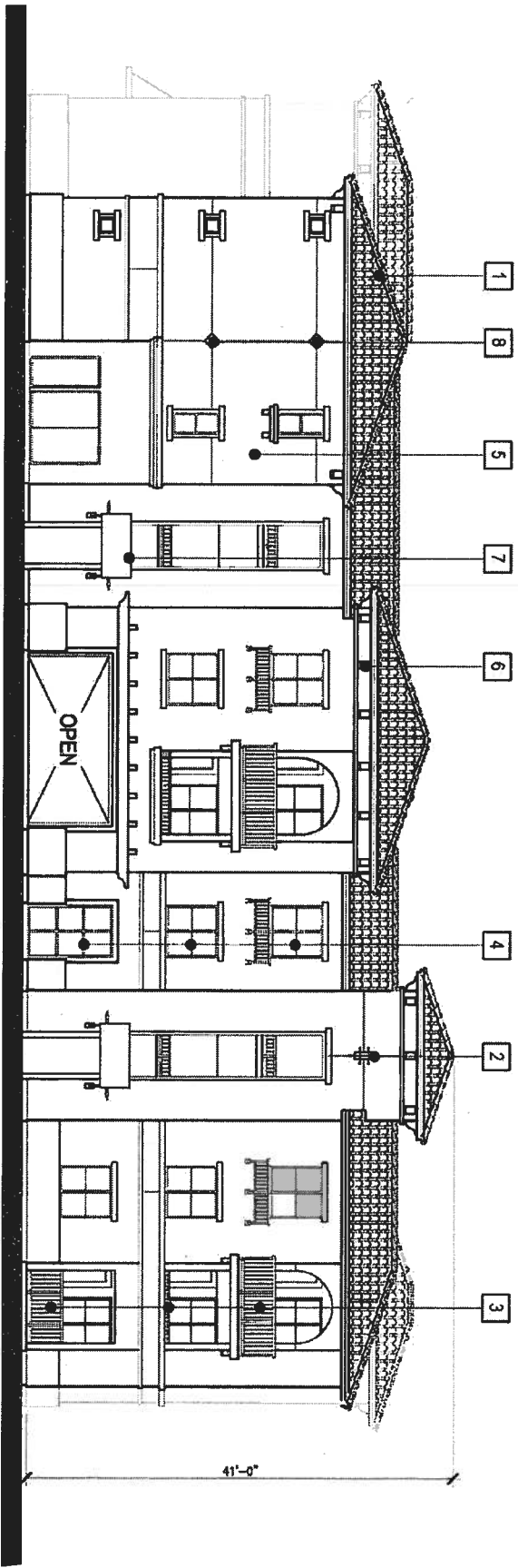
DESCRIPTION

1. CLAY TILE ROOF
2. RECESS w/ METAL ORNAMENT
3. METAL RAILING
4. VINYL WINDOW
5. STUCCO
6. FOAM CORBEL
7. CANVAS AWNING
8. DECORATED TILE

PROPOSED PROJECT
SUB 13-0009



ELEVATIONS



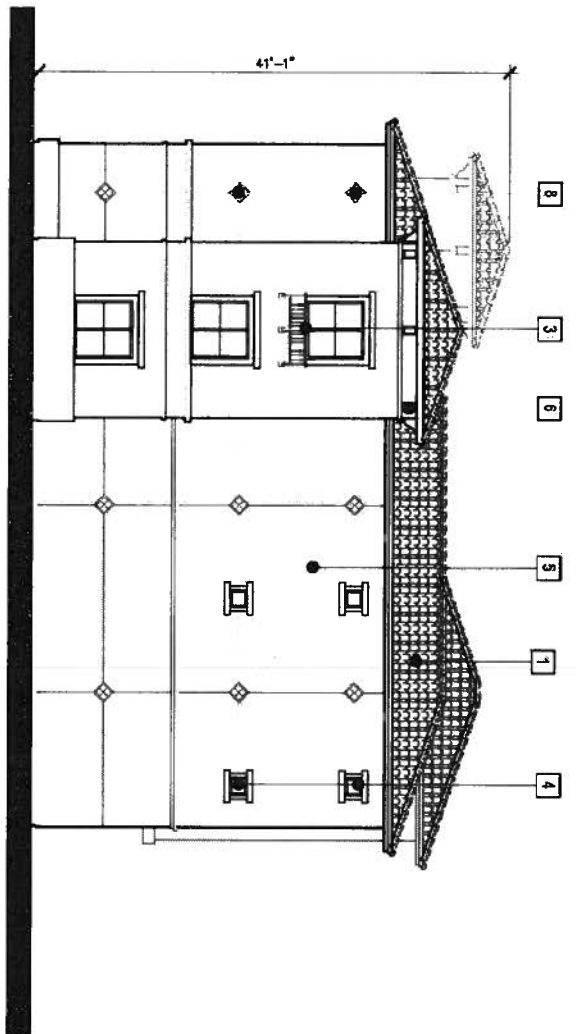
POOL SIDE ELEVATION (SOUTH) BUILDING #3- TYPE II

MATERIAL LEGEND	
DESCRIPTION	
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2. RECESS w/ METAL ORNAMENT	
3. METAL RAILING	
4. VINYL WINDOW	
5. STUCCO	
6. FOAM CORBEL	
7. CANVAS AWNING	
8. DECORATED TILE	

PROPOSED PROJECT
SUB 13-0009

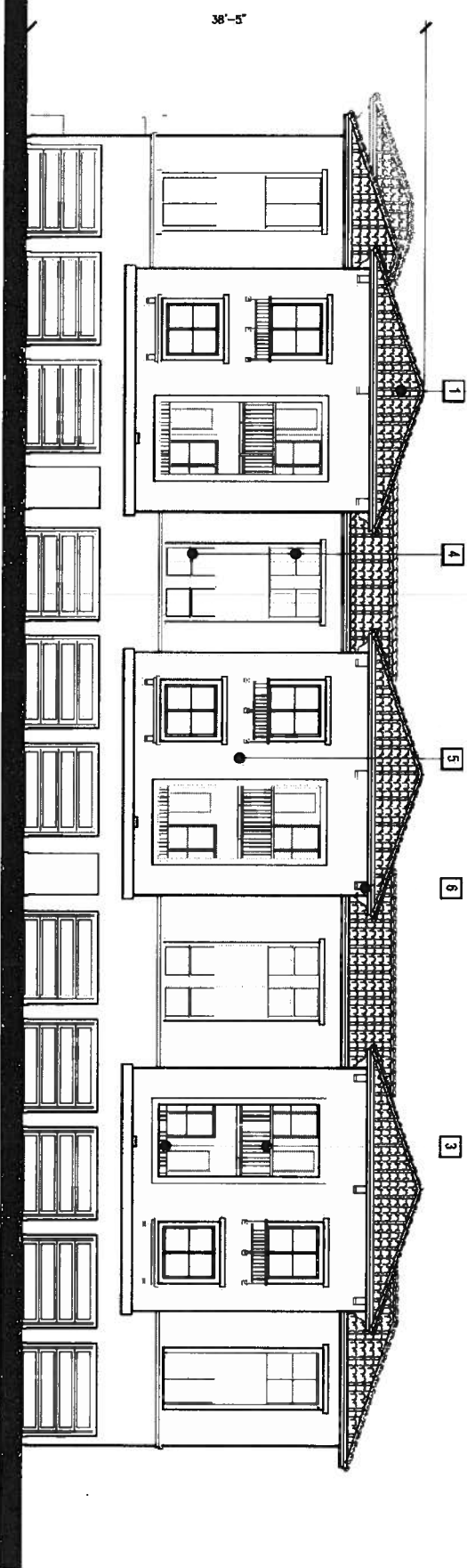


ELEVATIONS



MATERIAL LEGEND	
DESCRIPTION	
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2.	RECESS w/ METAL ORNAMENT
3.	METAL RAILING
4.	VINYL WINDOW
5.	STUCCO
6.	FOAM CORBEL
7.	CANVAS AWNING
8.	DECORATED TILE

EAST ELEVATION



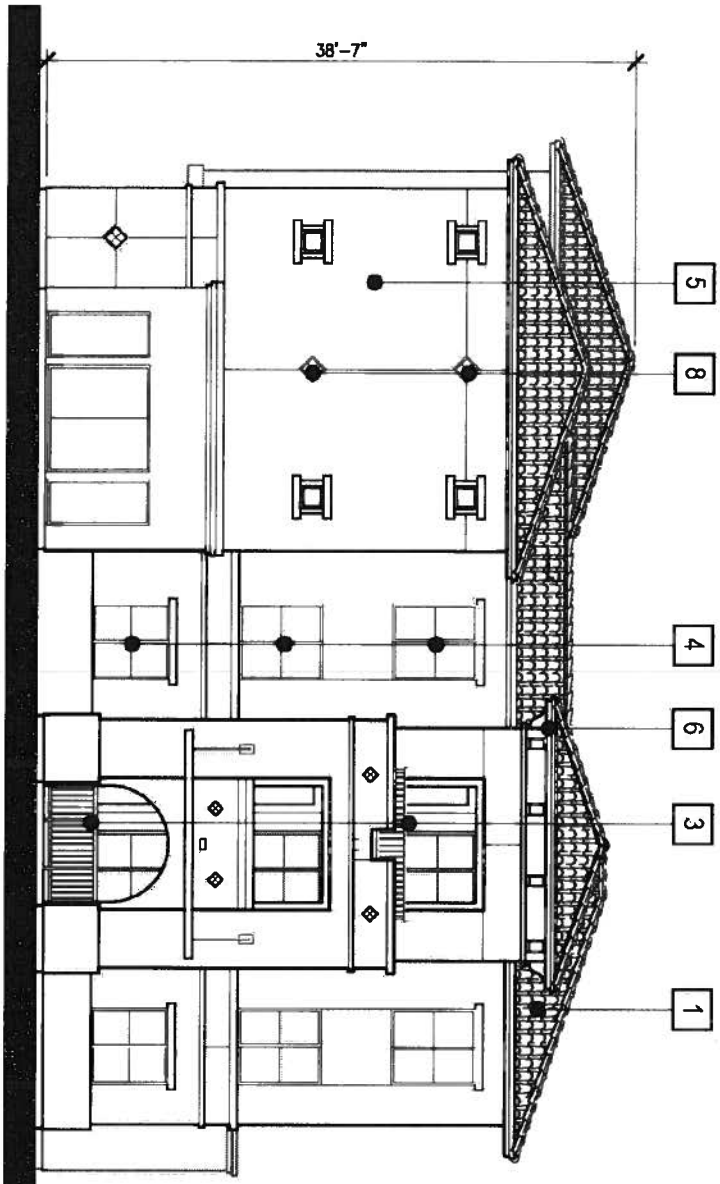
REAR ELEVATION (NORTH)

BUILDING #3- TYPE II

PROPOSED PROJECT
SUB 13-0009



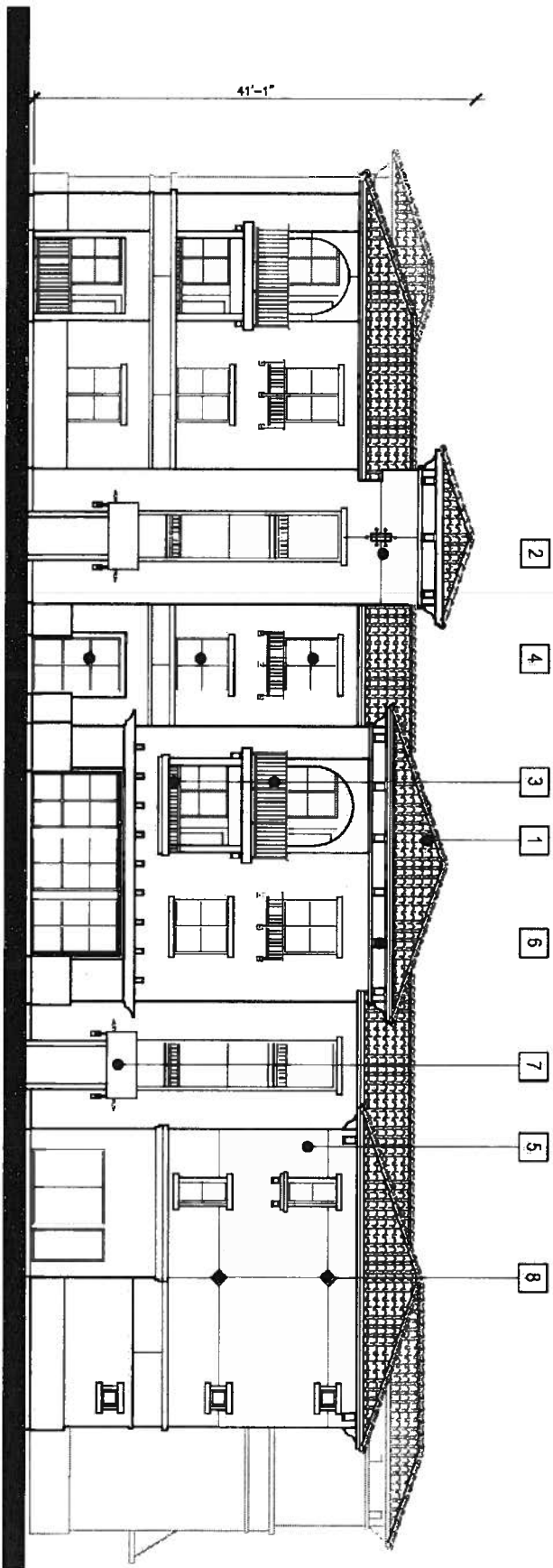
ELEVATIONS



MATERIAL LEGEND	
DESCRIPTION	
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2. RECESS w/ METAL ORNAMENT	
3. METAL RAILING	
4. VINYL WINDOW	
5. STUCCO	
6. FOAM CORBEL	
7. CANVAS AWNING	
8. DECORATED TILE	

INTERNAL ELEVATION (WEST) BUILDING #3- TYPE II





POOL SIDE ELEVATION (NORTH)

BUILDING #4- TYPE III

MATERIAL LEGEND

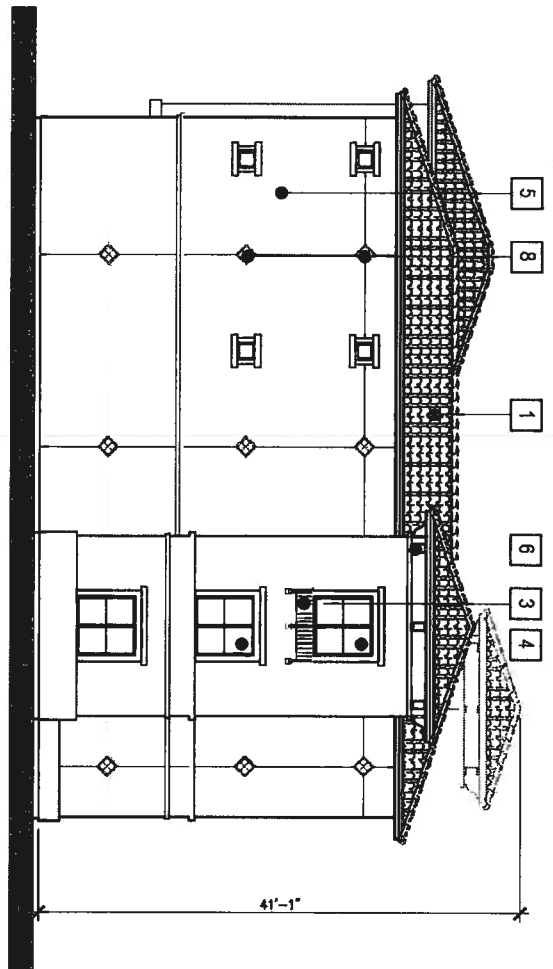
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4. VINYL WINDOW
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6. FOAM CORBEL
7. CANVAS AWNING
8. DECORATED TILE

**PROPOSED PROJECT
SUB 13-0009**

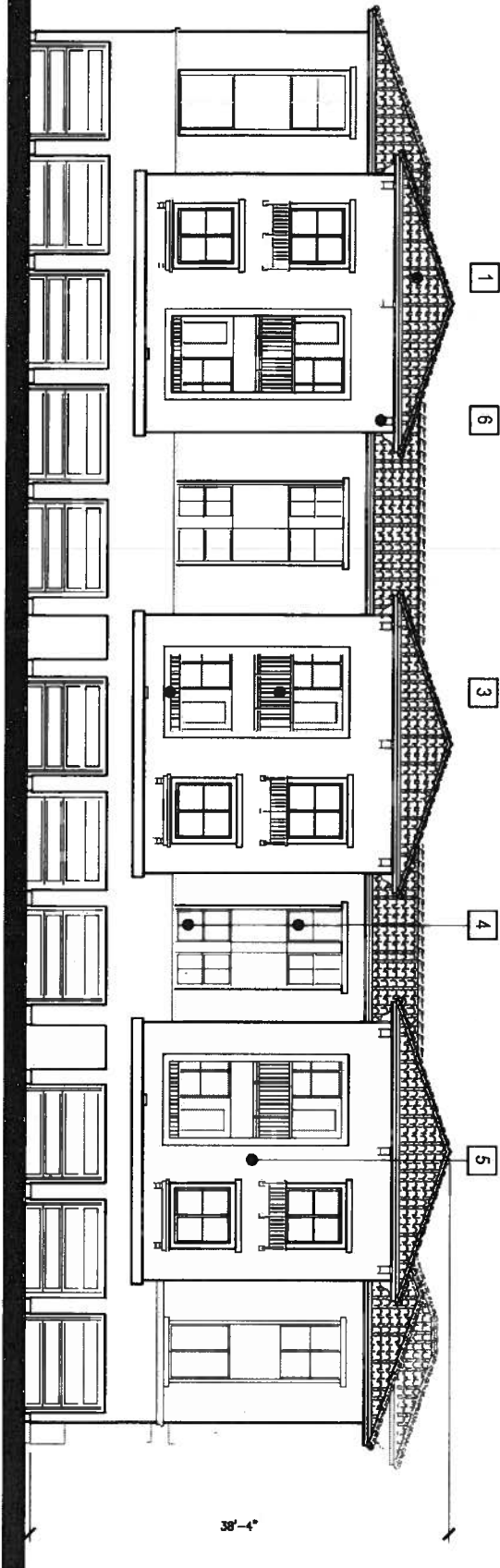


ELEVATIONS



EAST ELEVATION

MATERIAL LEGEND	
DESCRIPTION	
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2. RECESS w/ METAL ORNAMENT	
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4. VINYL WINDOW	
5. STUCCO	
6. FOAM CORBEL	
7. CANVAS AWNING	
8. DECORATED TILE	



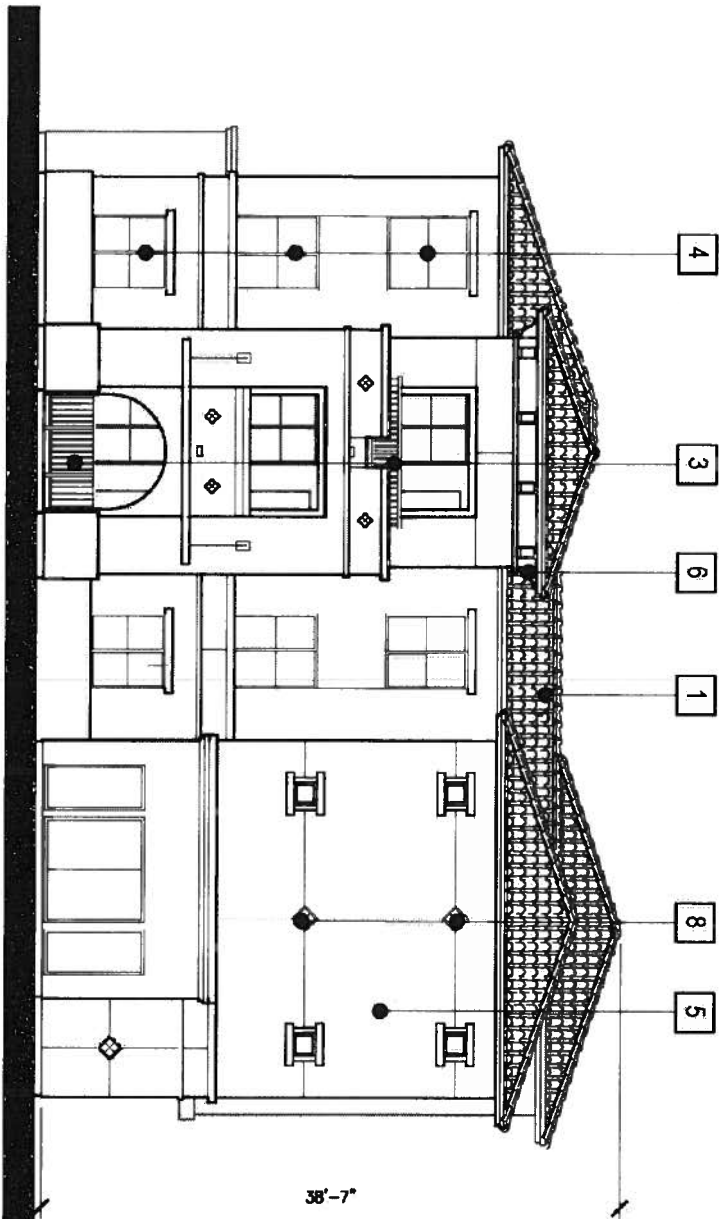
REAR ELEVATION (SOUTH)

BUILDING #4- TYPE III

PROPOSED PROJECT
SUB 13-0009



ELEVATIONS



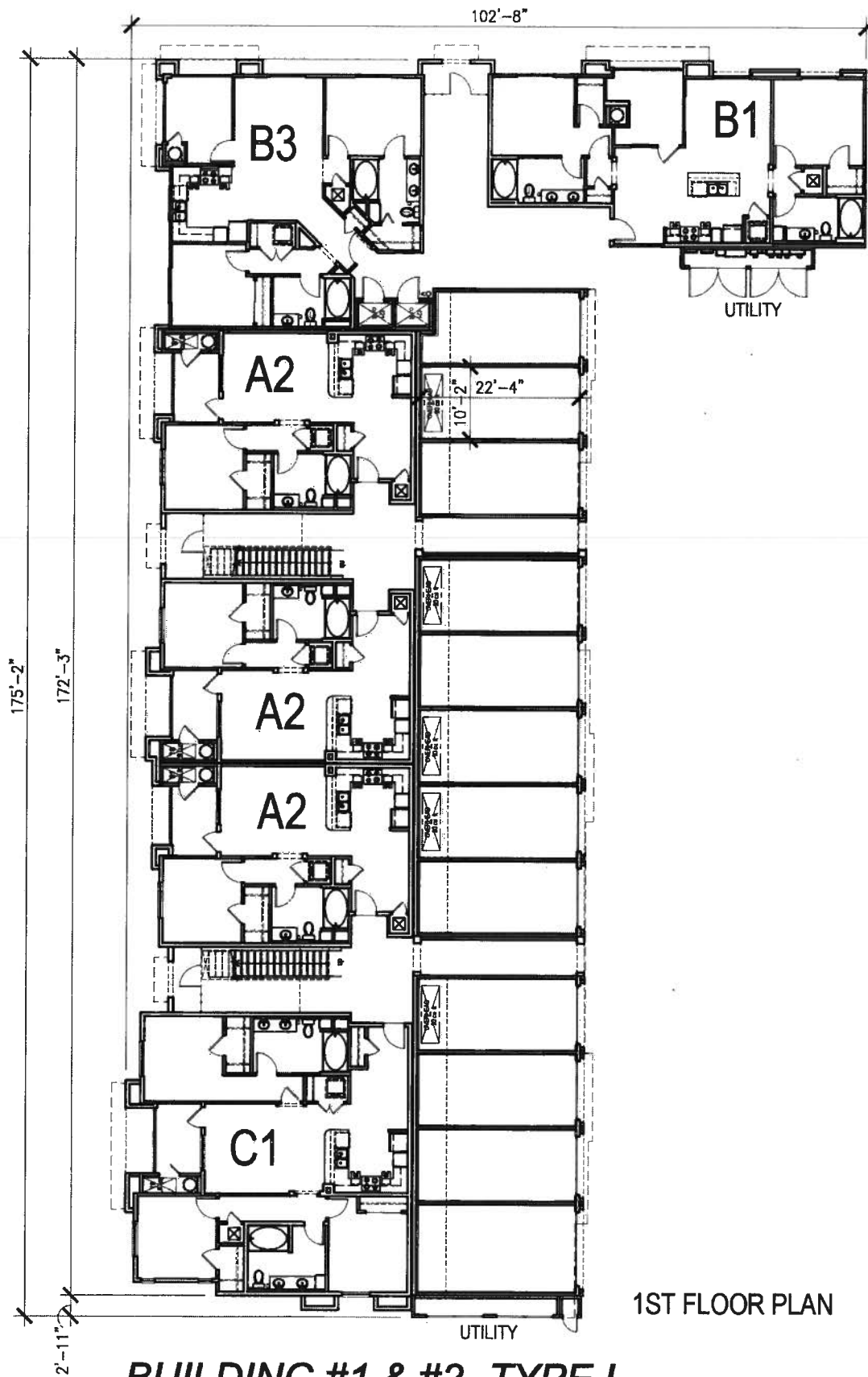
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5. STUCCO	
6. FOAM CORBEL	
7. CANVAS AWNING	
8. DECORATED TILE	

INTERNAL ELEVATION (WEST)

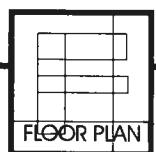
BUILDING #4- TYPE III

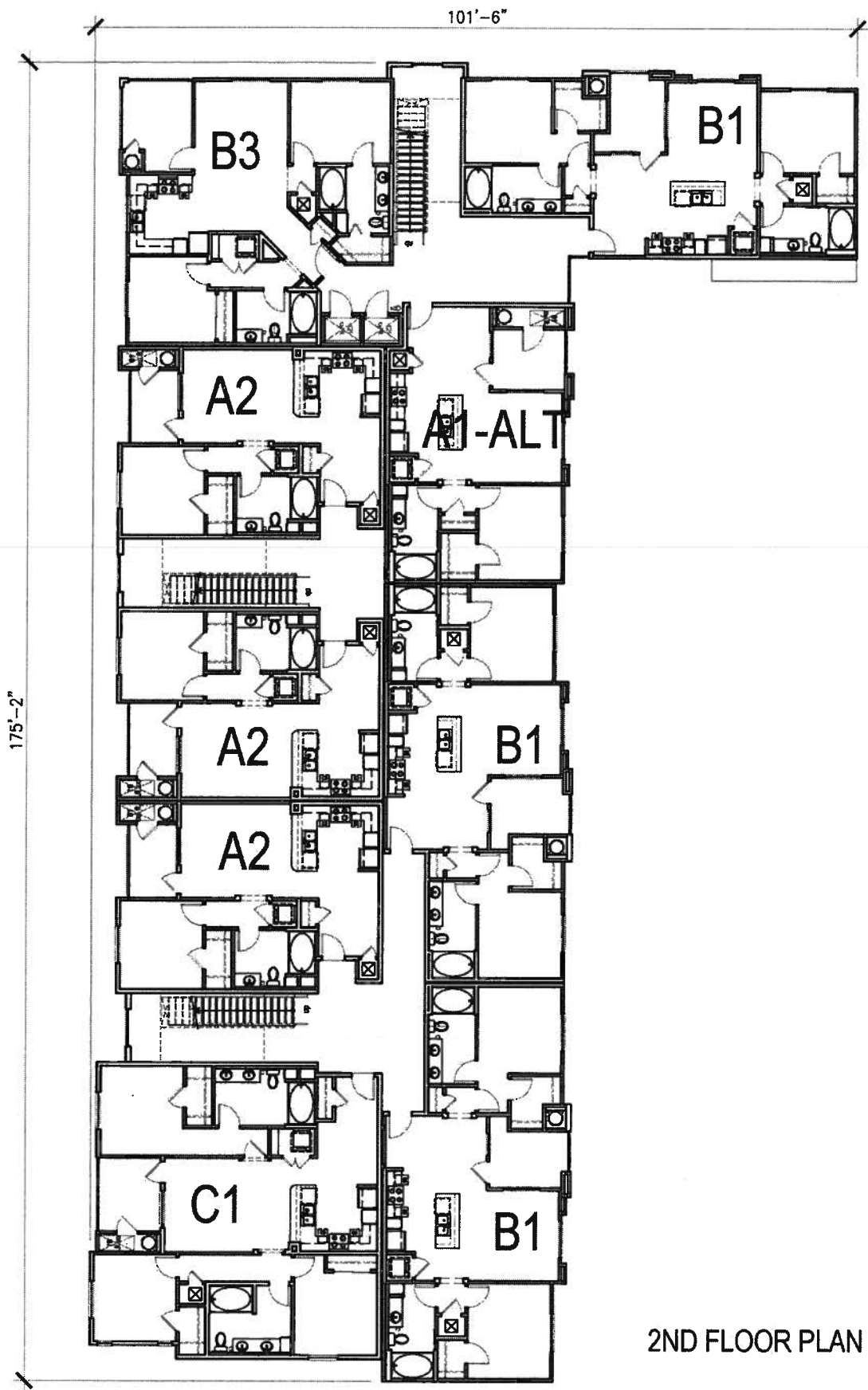
PROPOSED PROJECT
SUB 13-0009





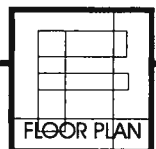
**PROPOSED PROJECT
SUB 13-0009**

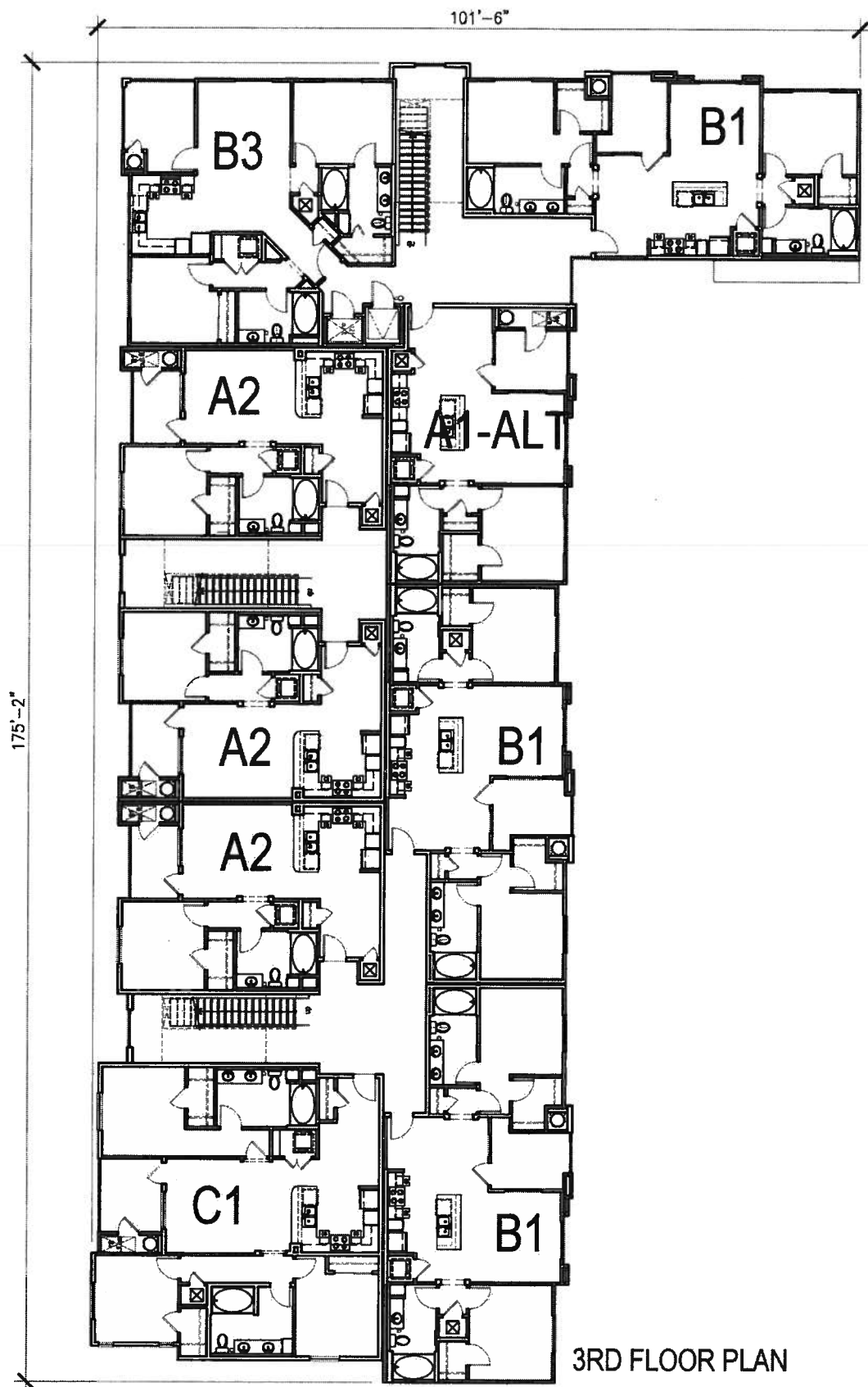




BUILDING #1 & #2- TYPE I

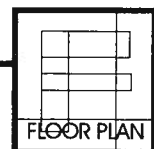
**PROPOSED PROJECT
SUB 13-0009**





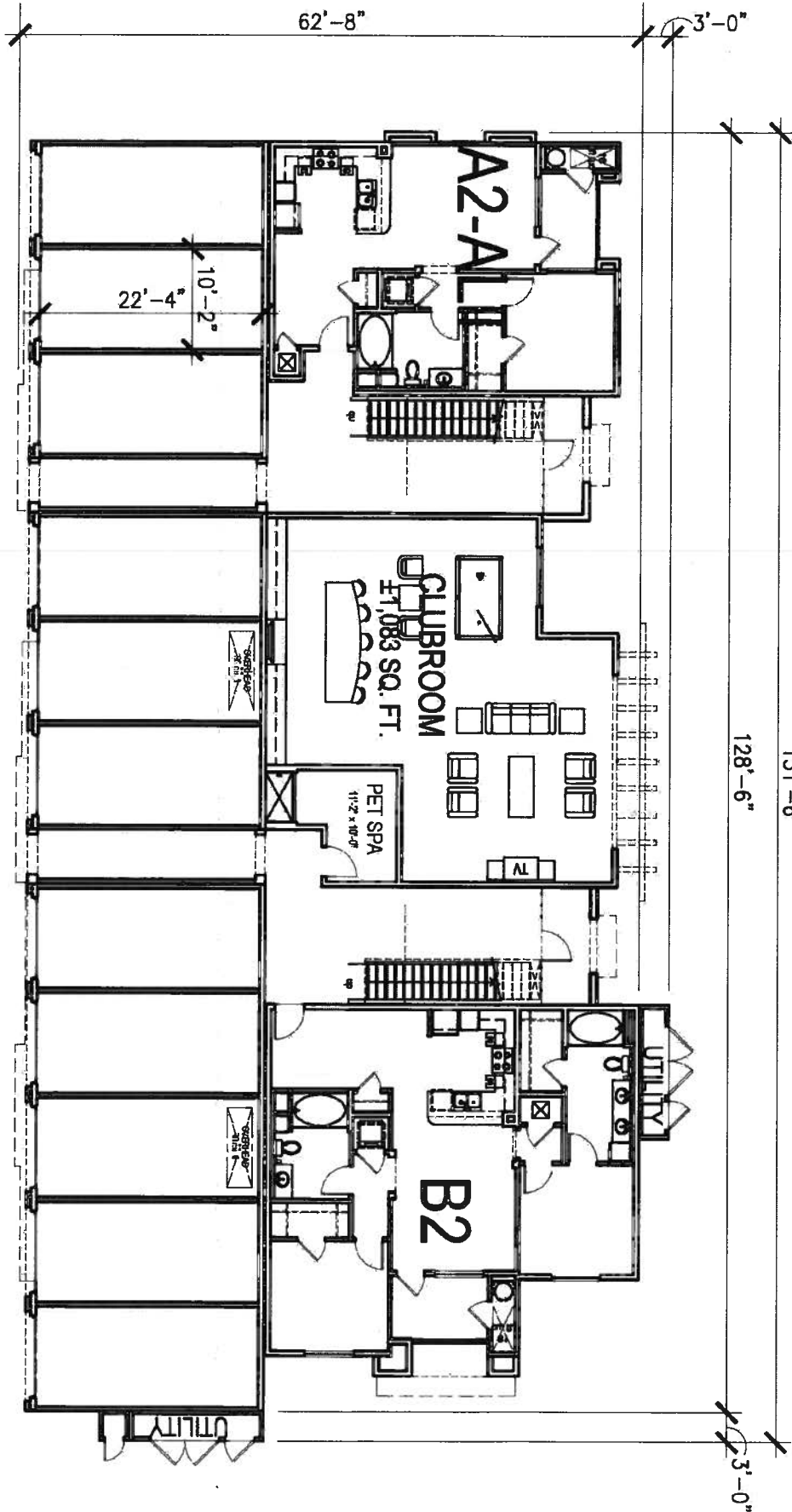
BUILDING #1 & #2- TYPE I

**PROPOSED PROJECT
SUB 13-0009**

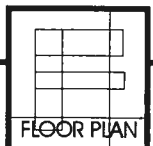


1ST FLOOR PLAN

BUILDING #3 - TYPE II

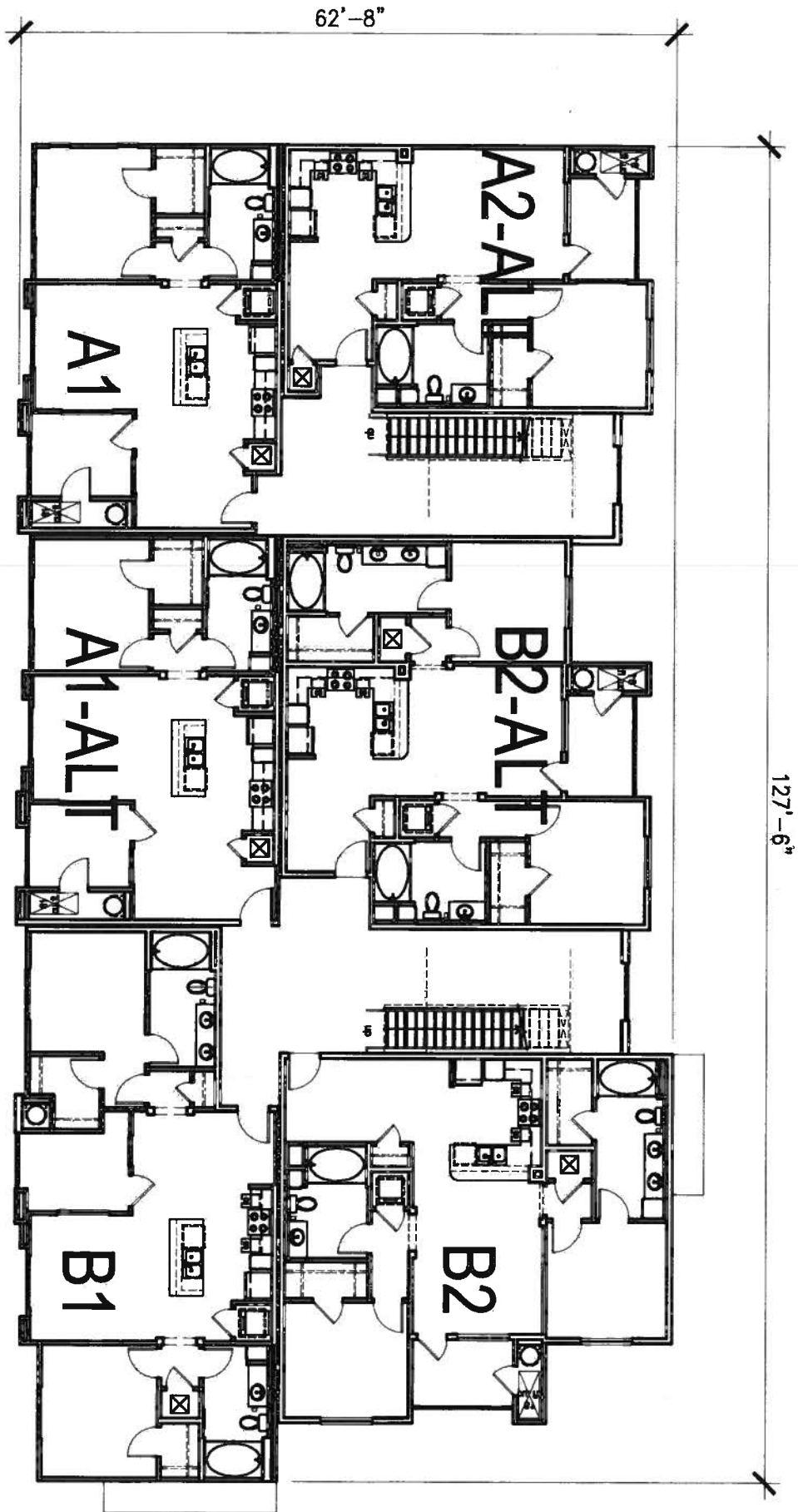


PROPOSED PROJECT
SUB 13-0009

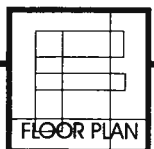


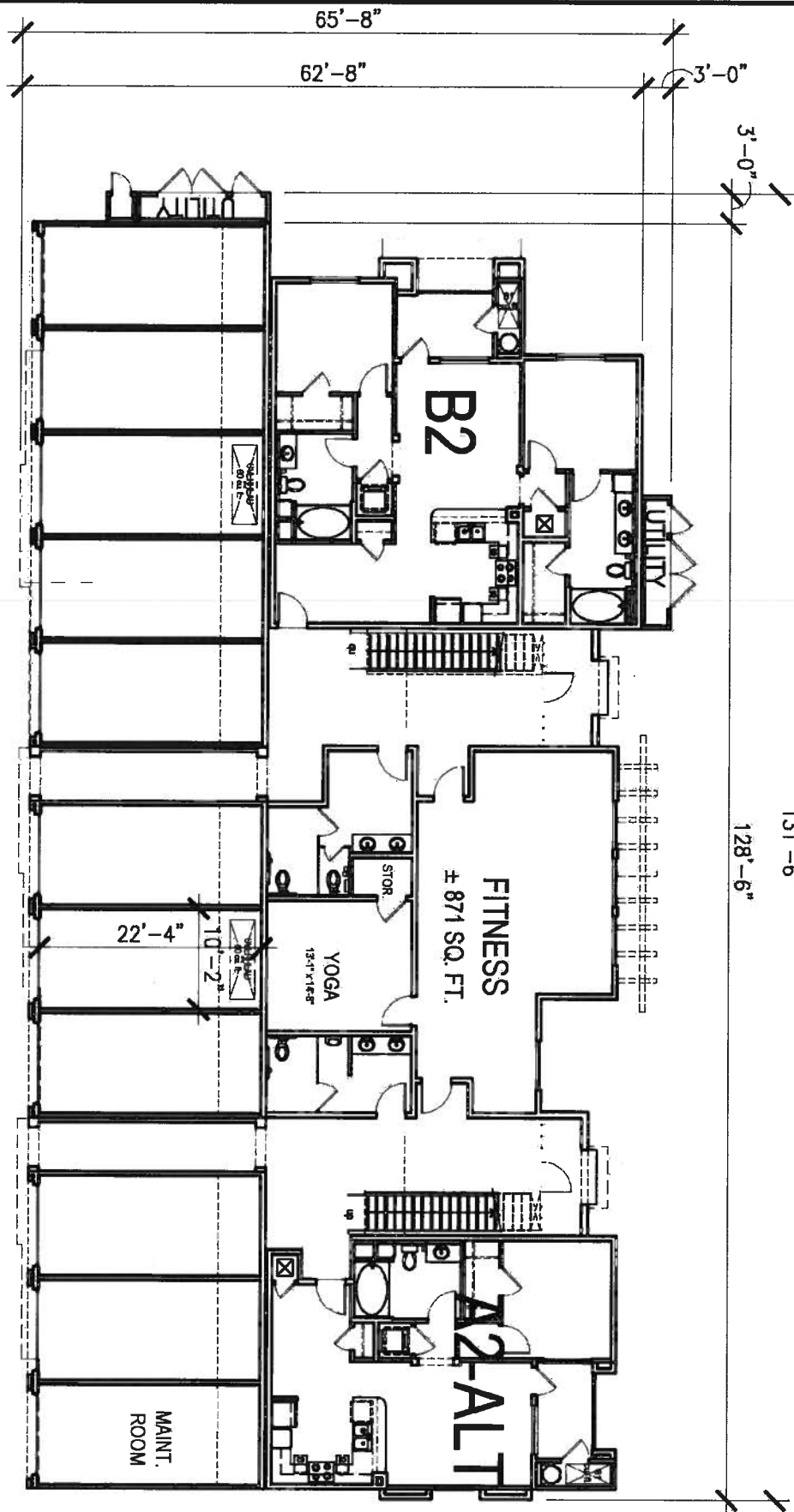
2ND & 3RD FLOOR PLANS

BUILDING #3 - TYPE II



PROPOSED PROJECT
SUB 13-0009

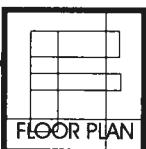




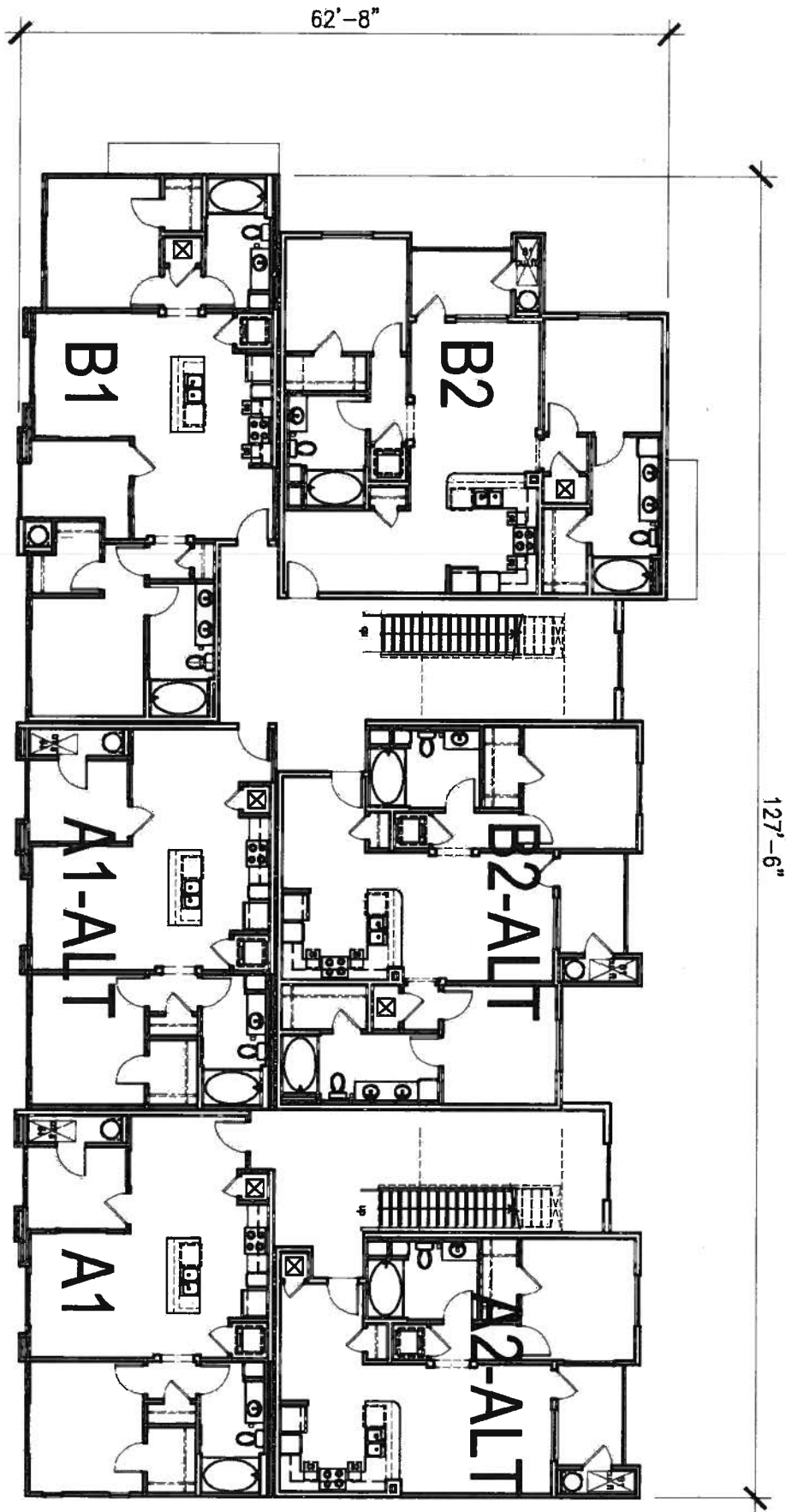
1ST FLOOR PLAN

BUILDING #4 - TYPE III

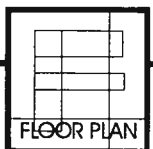
**PROPOSED PROJECT
SUB 13-0009**



2ND & 3RD FLOOR PLANS
 BUILDING #4 - TYPE III



PROPOSED PROJECT
 SUB 13-0009



ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: CG and R-1-10 zoning (General Commercial and Single-Family Residential, 10,000 SF min. lot size) General Commercial zoning and uses are located north of the project site. A retail building and parking lot is located immediately north of the project site. Chain-link fencing is located along most of the northern boundary of the project site. A single-family residence is located northeast of the site at a higher elevation. A decorative masonry block wall would be installed along the northern property boundary to provide an appropriate physical buffer between the adjacent retail commercial use and the project site. The northeastern area of the site would be situated approximately 10 to 11 feet lower than the adjacent residential properties to the northeast, which would reduce the overall height of the buildings as seen from the northeast.

SOUTH: CG zoning (General Commercial) / General commercial zoning is located south of the project site. A single-story commercial building and paved parking used by the Elks club is located immediately south of the project site. Chain-link fencing is located along the southern boundary of the project site. The adjacent parcel to the south generally is situated at a similar or slightly lower elevation than the subject site. Off-site vegetation consists of a row of mature eucalyptus trees and a pine tree planted as part of the perimeter parking lot landscaping for the commercial parcel. A six-foot-high block wall would be located along the southern property boundary to buffer the adjacent parking lot from the proposed residential buildings. Perimeter landscaping also will provide a buffer between the two uses.

EAST: PD-R 18 zoning (Planned Development-Residential, 18 du/ac) / A 72-unit, multi-story residential condominium development is located immediately east of the project site. A combination masonry retaining wall/screen wall is located along the eastern property boundary. A row of open and covered parking spaces for the adjacent condominium project are located along the eastern property boundary. Off-site vegetation consists of perimeter parking lot landscaping including mature eucalyptus trees. The proposed project would be located at a lower elevation than the adjacent project and the existing perimeter wall would provide the appropriate physical barrier between the project site and the proposed project. The lower floor of the proposed project would be screened by the existing wall. Proposed perimeter landscaping also will provide a visual buffer between the two uses.

WEST: CG zoning (General Commercial) / General Commercial zoning and development is located west of the project site across South Escondido Boulevard and Centre City Parkway (which are designated as Circulation Element Streets on the Circulation Element). The project site fronts onto and takes access from Escondido Boulevard, which is classified as a Local Collector Road (66' R-O-W).

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department expressed no concern regarding the proposed development and their ability to serve the site.
2. Effect on Fire Service -- The Fire Department indicated that adequate services can be provided to the site and the proposed project would not impact levels of service. The site is served by Fire Station No. 5, located at 2319 Felicita Road and Fire Station No. 1 located at 310 Quince Street.
3. Traffic -- Access to the site would be provided by a single driveway from South Escondido Boulevard, which is classified as a Local Collector Road (66' R-O-W). A Traffic Study Report was prepared for the originally approved mixed-use project, which was estimated to generate up to 543 average daily trips (ADT) including 36 AM peak trips and 49 PM peak hour trips. The effects on traffic were thoroughly measured as part of the 2005 MND, which concluded there would be no significant impacts to area roadways or intersections, emergency access or parking capacity, and there are no design features or incompatible uses that would substantially increase hazards. The proposed new project is anticipated to generate approximately 608 ADT (8 trips per unit) which would be an increase of 63 daily trips (12 additional AM peak hour and 16 additional PM peak trips) compared to the original project. The Engineering Department indicated the relatively small increase in daily and peak hour trips would not result in any significant direct or near-term cumulative impacts to any of the study roadway segments analyzed, which would continue to operate at an

acceptable LOS C or better. With the existing lane geometries, all key intersections analyzed would continue to operate at an acceptable mid-level LOS D or better with implementation of the proposed project and no mitigation measures would be required.

4. **Utilities** – Water and sewer are available from existing mains in the adjoining street or easements. Water and sewer service is provided by the City of Escondido. These systems have adequate capacity to accommodate the project's needs. The Engineering Department indicated the project would not result in a significant impact to public services or other utilities. The on-site water and sewer system would be located within public utility easements. Existing overhead utilities across the project frontage would be undergrounded.
5. **Solid Waste** – Trash service is provided by Escondido Disposal. On-site trash enclosures would be provided to serve the project. The final design would be required to meet current water quality requirements for storm-water runoff, which includes a solid roof structure over the trash enclosure to prevent rain from entering the enclosure area. The Homeowners' Association will need to coordinate with Escondido Disposal on the number of pickups per week to accommodate the volume of trash generated by the site.
6. **Drainage** – Stormwater runoff generated by the project area would discharge to a new 48-inch RCP storm drain system to be located beneath the site that would replace the existing open and natural channel. The proposed system is designed to convey both the off-site and on-site flow volumes per the City of Escondido drainage design standards. Runoff from impervious areas on the project site would be directed into on-site storm-water basins and storm drains connected directly to the new RCP system. Maintenance of the on-site storm drain system would be performed as part of the Homeowners' Association duties, and included as conditions of approval of the project and identified in the project CC&Rs. The Engineering Department has determined the project would not materially degrade the levels of service of the existing drainage facilities. A Water Quality Technical Report has been prepared to address the design of drainage and water quality features in accordance with SUSMP requirements.

C. ENVIRONMENTAL STATUS

A Mitigated Negative Declaration and Mitigation Monitoring Program (MND) (City File No. ER 2005-02) was adopted by the City Council for the previously approved mixed-use project in conformance with the California Environmental Quality Act (CEQA), which is attached with this report. The MND identified potential impacts to the environment as a result of the project in the areas of biology and air quality, but mitigation measures were adopted with the Final MND to reduce the impacts to less than significant levels. Mitigation for impacts to wetland habitat is proposed to occur through the purchase of up to three acres of off-site mitigation area at the Fenton Ranch Mitigation Bank in San Pasqual Valley. A Wetland Mitigation Plan (EDAW 2005) was prepared to address impacts to jurisdictional wetland habitat.

An Addendum to the adopted MND has been prepared to address potential impacts associated with the proposed revised project. Under CEQA (Guidelines § 15164) an Addendum to a Negative Declaration may be appropriate if modifications to a project are proposed and only if the modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164(c)); however, an Addendum is to be considered along with the adopted mitigated negative declaration by the decision-making body prior to making a decision on the project (CEQA Guidelines § 15164(d)). This Addendum demonstrates and concludes that the environmental analysis, impacts and mitigation requirements identified in the adopted 2005 MND remain substantively unchanged and supports the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2005 MND. Therefore, a subsequent Mitigated Negative Declaration would not be required under CEQA to implement the proposed project modifications and recirculation of the adopted MND for public review is not required.

D. CONFORMANCE WITH CITY POLICY

General Plan

The General Plan land-use designation for the subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor. The site also is located within the South Escondido Boulevard Neighborhood Plan that is an overlay zone established for the South Escondido Corridor. The South Escondido Boulevard Neighborhood Plan allows for residential

development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre.

Since the original mixed-use project was approved, the City updated its General Plan in 2012 to allow for both mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Area Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Residential development within the Target Area is required to provide a minimum density of 30 dwelling units per acre in conformance with Smart Growth Principles by creating new neighborhoods that are attractive, convenient, safe, and healthy. Smart Growth Principles encourage increased densities along transit nodes, and projects that offer a range of housing opportunities within existing neighborhoods that are in closer proximity of a range of jobs, services and transit. The proposed development would be consistent with the Escondido General Plan density provisions for the Target Area because the overall density of the project would be approximately 30.4 du/ac (76 residential units/2.50 net acres).

Because the South Escondido Boulevard Neighborhood Plan has not yet been updated to correspond to the new General Plan language for the corridor, the project includes a proposed amendment to the South Escondido Boulevard Neighborhood Plan to allow for an exclusively residential project on the subject site in conformance with the 2012 General Plan. This type of amendment has been approved once before as noted in Paragraph 6(c) (page 6) of the Neighborhood Plan, that allowed for an exclusively residential development in the commercial zone. The Proposed Project includes the following amendment to the Neighborhood Plan to include paragraph 6(d) for the project site as follows:

Section 6. Uses and Structures.

(d) Residential development without a commercial component may be permitted on the 2.53-acre property located on the eastern side South Escondido Boulevard between Citracado Parkway and Brotherton Road (APNs 238-141-31 and 238-141-36), and shall be processed in accordance with the planned development process specified in Article 19 of the Escondido Zoning Code. The density of any project on APN's 238-141-31 and 238-141-36 shall be a minimum of 30 dwelling units per acre and the maximum height shall be three stories.

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

Whether an Exclusively Residential Project is Appropriate for the Subject Site

Staff feels the proposal to develop an exclusively residential project at this 'mid-block' location is appropriate because the General Plan vision for the Centre City Parkway/Brotherton Road Target Area calls for locating commercial uses at major intersections and specific nodes that are more conducive to non-residential development. It should be noted that an exclusively residential project (22-unit affordable single-family project) previously was approved and developed within this Target Area in 2005 at the former Penny Lodge site on Brotherton Road. The project was approved through the Planned Development process that also included an amendment to the Neighborhood Area Plan. Based on previous challenges encountered by mixed-use projects along the Corridor in attracting and/or retaining commercial-service-office type uses, staff feels that an exclusively residential development on this site would provide the catalyst for future residential development in the corridor and strengthen the customer base for commercial development at key intersections and node areas.

E. PROJECT ANALYSIS

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

The proposed project is located within the South Escondido Boulevard Neighborhood Plan (SEB), and is subject to the property development standards and design guidelines contained in the plan. The SEB Design Guidelines states that building height, bulk and design should be sensitive to existing residential developments

through the use of stepping back of upper stories, enhanced architectural features, and landscaping; and limit structures to three stories in height. Additional landscaping and setbacks adjacent to the residential zones should be utilized to achieve appropriate transition between zones.

The proposed buildings and overall project design would be in conformance with the South Escondido Boulevard Design Standards because the buildings are limited to three stories in height with an average height less than 35 feet. The overall mass and scale of the proposed residential buildings has been mitigated through the quality of the design, use of a variety of building materials and exterior colors; varied wall planes and roof lines, tower elements of varying height incorporated into each building; recessed balconies and entry building entries; and decorative awning and metal eyebrow elements to provide a more pedestrian scale along the street. The roofline of the three-story buildings generally would be similar in height with the adjacent multi-story residential buildings located to the east because the project site is situated at a lower elevation. The proposed building located within the northeastern corner of the site would be situated up to nine feet lower than the adjacent single-family residential property to the northeast and approximately 8 to 9 feet lower than the adjacent residential development to the east, which would screen the lower portions of the building/units. Appropriate perimeter landscaping would be provided. Existing and proposed perimeter masonry block walls also would be provided to an appropriate visual buffer from adjacent properties and screen the lower building area/activities, driveways and parking areas.

Street Scape

The project requires the dedication of additional right-of-way along Escondido Boulevard to accommodate the proper street widths in accordance with the Circulation Element and to construct curb, gutter and sidewalk along the project frontage to match existing improvements immediately north and south of the property. The proposed new residential building(s) would be set back 14 feet from face of curb in order to provide for sidewalk and appropriate parkway and front-yard landscaping along the Escondido Boulevard frontage. The varied building articulation along the street frontage would provide a landscape area behind the sidewalk that would vary in depth from approximately 4 feet to 10.5 feet. The applicant proposes to place the sidewalk adjacent to the curb in order to provide a wider landscape area adjacent to the building that would allow them to install a larger species of trees that might not be able to be accommodated within a more narrow landscape planter. The applicant also feels the wider landscape planter would allow for more flexibility in the size and placement of shrubs and other materials adjacent to the building. Staff feels this project will set the new tone for any future project along the corridor and supports a design that would allow for more pedestrian oriented features along the frontage by locating the sidewalk away from the curb to allow for tree wells and landscape planters closer to the street, while still providing sufficient landscape planter areas adjacent to the building that could accommodate trees with a more upright/columnar character, along with appropriate shrubs and ground cover. A similar type of design was used for a mixed-use project along Escondido Boulevard (Via Roble-Escondido Park Row located at 1559 S. Escondido Blvd.) that includes tree wells and select planter areas along the street scape, along with a decorative/colored concrete pattern and benches. A concept plan was prepared by City staff and attached with this report as an alternative to the applicants design for Planning Commission review and consideration. The recommendation of the Planning Commission regarding the streetscape design would be included in the City Council staff report for final consideration and determination.

Open Space

Proposed open space consists of a combination of active recreational areas and landscape planter areas, along with private covered balconies or recessed courtyard areas for each unit. The more active recreational areas and common amenities includes a 1,083 SF Club Room, small pet spa/grooming area; 871 SF indoor fitness room and separate yoga; pool and spa; large cabana; various trellis and seating areas; BBQ; and an outdoor fire place. There are no specific open space requirements for mixed-use or residential developments within the General Commercial zone or the South Escondido Boulevard Area Plan. The R-4 zone standard typically has been used as a benchmark for similar type projects and requires a minimum of 200 SF per bedroom plus an additional 200 SF for each sleeping unit above one. The open space requirement for mixed-use and residential projects within the Downtown Revitalization Area Specific Plan is 90 SF per unit. Existing projects along the corridor have provided a ratio between these two standards on a case-by-case basis through the Planned Development process, which allows for such flexibility. The R-4 standard would require a minimum of 24,400 SF and the project would provide 25,054 SF which exceeds the standard. The previously approved project would have provided approximately 49% of the R-4 standard.

Parking

The project is required to provide a minimum of 144 parking spaces based on the mix of unit types and number of bedrooms. The project would provide 144 parking spaces (125 residents and 19 guest), which includes a combination of single-car garages, carports, and open and guest spaces situated throughout the complex, which meets the code standard for multi-family projects. The individual garage areas also will provide additional storage space for each of the units, as required by the City's Condominium requirements. On-street parking along the project frontage would be restricted in order to provide for a left-turn lane into the project, and also to ensure appropriate sight-distance from the project driveway. On-street parking along Escondido Boulevard also is restricted south of the project site, but still is allowed north of the project site. The applicant is not seeking or proposing any parking incentives or reductions. Therefore, staff feels the project would provide sufficient parking for the type of residential development proposed in accordance with the City's parking requirements, and the project would not create any adverse parking impacts throughout the surrounding neighborhood.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The 2.53-acre site consists of two vacant parcels and is characterized by flat disturbed area that contains an intermittent drainage swale that traverses the property in a northwest to southeast direction. There are two upland vegetation communities and one riparian community within the project area boundaries including ruderal/non-native grassland, ornamental, and southern willow scrub. The site contains mature trees including coast live oak and western sycamore. The project site fronts onto and takes access from Escondido Boulevard, which is classified as a Local Collector Road (66' R-O-W). Escondido Boulevard has not been improved to its ultimate width across the project frontage, and the project would provide curb, gutter and sidewalk to connect to existing improvements to the north and south of the project site. Overhead utility lines are located across the western boundary of the property. A paved pedestrian path previously was installed along the Escondido Boulevard frontage.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. **Property Size:** 2.53 acres gross (2 parcels) 2.50 acres net (roadway dedication along SEB)
2. **Proposed Lots:** 1 Lot (air-space condominium units)
3. **Number of Units:** 76 total units
4. **Density:** 30.4 du/ac (76 units / 2.50 net acres)
5. **Site Data:**

Total Bldg. SF	110,411 SF	1.01 Floor Area Ratio (FAR)
Total Lot Coverage	39,626 SF	0.36%
6. **Building Data:**

No. of Bldgs.:	4 residential bldgs.	
	Bldg. 1: 32,889 SF	24 units
	Bldg. 2: 32,889 SF	24 units
	Bldg. 3: 21,073 SF	14 units
	Bldg. 4: 21,070 SF	14 units
	1 recreation/office	
	Leasing: 1,796 SF	
	Club Room: 1,083 SF	
	Fitness: 871 SF	
	Cabana: 694 SF	

Height: 3 stories with pitched roofs ranging from approx. 36' up to 39'-1" with tower elements up to 42'-3"

	<u>Plan</u>	<u># Units</u>	<u>Total SF</u>	<u>Condo Ord. Req.</u>
Unit Mix:	1 bed	36	760 – 774	700 SF min.
	2 bed	34	1,046 – 1,127	800 SF min.
	3 bed	6	1,357	1,000 SF min.
7. **Material/Colors:** Stucco exterior walls (off-white, and light, medium and dark tans to medium oak) Stucco trim, color accents and architectural elements (dark brown and taupe shades). Metal window, balcony and patio railings (Bronze). Metal building ornaments on select wall areas, along with tile wall inserts/accents. Concrete tile roof (Canyon Blend) with heavy corbels on select fascia areas Canvas Awnings over select building entries (dark blue) and metal eyebrow elements over other select window/openings-entries. Ornamental metal vehicle gates within interior of project.

8. Setbacks:	<u>Proposed</u>	<u>CG Zone</u>
Front/Western P/L	Approx. 2' to 4' bldg.	0'
Rear/Eastern P/L	Approx. 11' to 12' to	0' (10' to 15' when adjacent to multi-family residential zone). Carports for adjacent condominium development are located along the eastern property boundary. The adjacent residential units are located approx. 50+ feet to east.
Side/Northern P/L	Varies from approx. 8' up to approx. 46' to rear of Bldgs. 1 and 3	0'
Side/Southern P/L	Varies from approx. 10' up to approx. 48' to rear Bldgs. 2 and 4	0'

Note: Planned Development zoning establishes its own zoning standards, including setbacks. The min. design setback along South Escondido Boulevard for buildings is 14' from face of curb

9. Parking:	144 on-site spaces provided
Garages:	45 single-car garages (approx. 10'-2" wide x 22'-4" deep)
Open:	99 total open spaces (includes 14 parallel along main entry, 3 disabled, 37 carport, and 13 compact)
Required:	144 Total based on number of bedrooms
	$1 \text{ bed} - 1.5 \times 36 = 54$ $2 \text{ bed} - 1.75 \times 34 = 59$ <u>$3 \text{ bed} - 2 \times 6 = 12$</u> 125
	Guest spaces at 1 per each 4 units $76/4 = 19$
Street Parking:	Street parking is restricted along the project frontage

10. Open Space:	<u>Provided</u>	<u>Required</u>
	19,842 SF common area	R-4 multi-family req. used for comparison
	<u>5,612 SF private area</u>	200 SF per each unit plus 200 SF each bed over 1
	25,454 SF	
		$76 \text{ units} \times 200 \text{ SF} = 15,200 \text{ SF}$
		<u>$46 \text{ beds over } 1 \times 200 \text{ SF} = 9,200 \text{ SF}$</u>
		Total 24,400 SF

11. Landscaping:	New ornamental landscaping to be provided around the project perimeter and throughout the project. Existing mature trees removed would be replaced at min. 1:1 ratio with a variety of specimen and 15 gallon trees. Enhanced pedestrian concrete paving to be provided within selected areas throughout project.
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- 12. Walls/Fencing:** New decorative solid masonry wall (split-face block) with pilasters proposed around along northern and southern perimeter of the site. Existing masonry wall along eastern boundary to remain. A solid masonry wall is required adjacent to all commercial zones. A decorative sliding vehicular gate is proposed within the interior of the project to restrict access to the garage areas of the units, but would not restrict initial project entry at the Escondido Blvd. driveway.
- 13. Signage:** No signage proposed at this time. A separate sign permit would be required for any project identification in conformance with the City's Sign Ordinance.
- 14. Trash:** Two, 15' x 15' trash enclosure would be provided, which could accommodate up to four trash bins (typ. 3 trash and 1 recycle). The enclosure would be constructed of decorative masonry block with a solid roof per water quality/storm water requirements. The final design is conditioned to complement the materials and architecture of the buildings. The number of trash pick ups per week and types of bins would be coordinated with Escondido Disposal.
- 15. Grading:** On-site grading includes a combination of cut and fill slopes, with a retaining wall (up to approximately 11 to 12 feet in height) proposed along the eastern and portion of the northern property boundary.

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED SUB13-0009

Master and Precise Development Plan

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor. The site also is located within the South Escondido Boulevard Neighborhood Plan that is an overlay zone established for the South Escondido Corridor. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. Since the original project was approved, the City updated its General Plan in 2012 that allows for both mixed-use and residential development within a target area of the South Escondido Boulevard Area Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Residential development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. The proposed development would be consistent with the Escondido General Plan density provisions for the Target Area because the overall density of the project would be approximately 30.4 du/ac (76 residential units/2.50 net acres). The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site.

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

2. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use is well-integrated with the surrounding properties because adequate parking, circulation, utilities and access would be provided for the development of the residential project (as detailed in the staff report, Final Mitigated Negative Declaration and Addendum). The residential project also would not be out of character for the area which contains other multi-story residential developments. Appropriate separation and orientation between the proposed commercial and residential elements has been provided to avoid conflicts between the uses. The design of the project would be in conformance with the South Escondido Goals and Design Guidelines because the project would provide residential units with varying number of rooms and sizes to accommodate a wide range of housing needs (with ownership opportunities). The project includes a variety of amenities such as individual patios for selected units, enhanced walkways and paving, and landscape features. The overall mass and scale of the buildings has been mitigated through the quality of the design, use of a variety of building materials and exterior colors; varied wall planes, roof lines and towers; as well as balconies, recessed entries and awning features to provide a more pedestrian scale along the interior entrance and Escondido Boulevard frontage.
3. The proposed Master and Precise Development Plan would not cause deterioration of bordering land uses since the site already is zoned for high density residential development and is adjacent to a mix of commercial, public assembly and multi-story residential uses/development. The Engineering Department indicated the project is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections. No mitigation would be required. The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and environmental analysis. 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. Appropriate mitigation would be provided for the removal of habitat area in conformance with the California Environmental Quality Act (CEQA).

4. The overall design of the proposed planned development would produce a quality and attractive residential development with ownership opportunities South Escondido Boulevard Neighborhood Area. The project would be consistent with the Vision and Goals of the Neighborhood Area and Target Area by creating new a compact urban project that is safe, healthy, attractive and sustainable that is located in close proximity to other amenities such as public transit and shopping.
5. The uses proposed have a beneficial effect not obtainable under existing zoning regulations since an exclusively residential development within the South Escondido Boulevard Neighborhood Plan must be processed through the Planned Development process in accordance with the South Escondido Boulevard Neighborhood Plan (Ord. 92-01). The project would provide residential ownership opportunities integrated into a comprehensive and self contained development, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process.

Tentative Subdivision Map

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor. The site also is located within the South Escondido Boulevard Neighborhood Plan that is an overlay zone established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. Since the original project was approved, the City updated its General Plan in 2012 that allows for both mixed-use and residential development within a target area of the South Escondido Boulevard Area Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Residential development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. The proposed development would be consistent with the Escondido General Plan density provisions for the Target Area because the overall density of the project would be approximately 30.4 du/ac (76 residential units/2.50 net acres). The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site.
2. The design and improvement of the proposed subdivision is consistent with the General Plan since the proposed density of 30.4 du/ac is in conformance with the density provisions of the 2012 General Plan for residential project within the South Escondido Boulevard Neighborhood Plan. Multi-family residential zoning and densities are located to the east, single-family residential zoning to the northeast, and commercial zoning and development to the north, south and west.
3. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas since the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features. The removal of the isolated wetland habitat would be mitigated off-site at an appropriate ratio. The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and environmental analysis (ER 2005-02) and Addendum to the Final Mitigated Negative Declaration prepared for the project. Perimeter landscaping, and fencing/walls would provide a buffer between the project site and adjacent uses.
4. The site is suitable for this residential type of development because the project site already is zoned for a multi-story high density residential development. The project would be compatible with the surrounding uses because the subject site is adjacent to a variety of commercial and residential developments of similar densities. The proposed grading design would not result in any significant visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and environmental analysis (ER 2005-02). Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. Appropriate noise attenuation would be provided with the installation masonry block walls where the site is adjacent to commercial zoning, and other appropriate construction measures.

5. The site is physically suitable for the proposed density of the underlying General Plan land-use category of General Commercial since the site is relatively flat and extensive grading is not proposed. The design of the project would be compatible with the variety of residential and commercial zoning and development surrounding the site. The proposed project also would not result in a significant impact to biological resources since appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. Appropriate noise attenuation would be provided for the buildings and open space areas through the use of property building/construction techniques and the installation of perimeter masonry walls where necessary. Appropriate landscape buffer areas would be provided around the perimeter of the site and solid masonry block walls would be installed along the property boundary where the site is adjacent to commercial zoning,
6. The design of the residential map and the type of improvements are not likely to cause serious public health problems because the project would not degrade the levels of service on the adjoining streets or drainage systems. Adequate water and sewer service could be provided to the site. The project would not cause substantial environmental damage and avoidably injure fish or wildlife or their habitat since appropriate mitigation measures have been applied to reduce potential impacts to less than a significant level.
7. The design of the map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map since any existing easements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.
8. All of the requirements of the California Environmental Quality Act have been met since the findings of the environmental analysis (as demonstrated in ER 2005-02) and Addendum to the Final Mitigated Negative Declaration did not identify any substantial or potentially substantial environmental impacts from the proposed project since all project related impacts would be mitigated to less than a significant level. A Mitigated Negative Declaration (MND) was adopted by the City Council for the previously approved project in conformance with the California Environmental Quality Act (CEQA). The MND identified potential impacts to the environment as a result of the project in the areas of biology and air quality, but mitigation measures were adopted with the Final MND to reduce the impacts to less than significant levels.

An Addendum to the adopted MND has been prepared to addresses potential impacts of the proposed changes in the proposed modified project. Under CEQA (Guidelines § 15164) an Addendum to a Negative Declaration may be appropriate if modifications to a project are proposed and only if the modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164(c)); however, an Addendum is to be considered along with the adopted mitigated negative declaration by the decision-making body prior to making a decision on the project (CEQA Guidelines § 15164(d)). This Addendum demonstrates and concludes that the environmental analysis, impacts and mitigation requirements identified in the adopted 2005 MND remain substantively unchanged and supports the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2005 MND. Therefore, a subsequent Mitigated Negative Declaration would not be required under CEQA to implement the proposed project modifications and recirculation of the adopted MND for public review is not required.

9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The proposed lot size and subdivision configuration provides opportunities for passive/solar heating. Landscaping would provide passive cooling opportunities via shading of the buildings/units where appropriate.
10. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will have been obtained prior to the recordation of the map.
11. The proposed map will not conflict with regional or local housing needs since all lots maintain all development standards of the applicable zone and observe the density of the General Plan.

12. The proposed map meets all of the requirements or conditions imposed by the Map Act and the Escondido Zoning Code, as detailed in the staff reports, the Escondido General Plan and above findings.

Neighborhood Plan/Code Amendment and Zone Change

1. The public health, safety and welfare will not be adversely affected by the proposed Zone Change from PD/MU (Planned Development Mixed Use) to PD-R (Planned Development-Residential) because the proposed density of the project is 30.4 du/ac, which is consistent with 2012 General Plan that allows for mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Area Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Residential development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. The proposed project would provide an appropriate transition to low intensity commercial development to the north and south, and multi-family development to the east. Adequate public services and access can be provided to the site. The project would not result in any significant impacts to the environment, as demonstrated in adopted Final Mitigated Negative Declaration (MND) and Addendum to the MND prepared for the project.
2. The property involved is suitable for the uses permitted by the proposed PD-R zone because the site currently is zoned for mixed-use/residential development and multi-story residential development already is permitted on the subject site. The General Plan allows for exclusively residential development within the South Escondido Boulevard corridor subject to the Planned Development Zone. The project has been designed to be compatible with the mix of surrounding commercial and multi-family residential development through the use of appropriate grading, building design and orientation, setbacks, walls/fencing and perimeter landscaping.
3. The uses permitted by the proposed PD-R -zone would not be detrimental to surrounding properties since a mix of commercial and residential uses surround the project site and the proposed the PD/MU zone and amendment to the South Escondido Boulevard Neighborhood Plan to allow for an exclusively residential project would be in conformance with the Escondido General Plan. Commercial development is located to the north, south and west, and single- and multi-family type residential development to the east and northeast. The scale of the project would be in substantial conformance with the general pattern of commercial and residential development within the area. The proposed change of zone would not result in a significant impact to the environment, nor impact existing services or degrade levels of-service to adjacent streets.
4. The proposed zone change would not conflict with any specific plans for the area since the project would be in conformance with and Escondido General Plan which allows for exclusively residential development. The proposed amendment to the South Escondido Boulevard Neighborhood Plan is necessary to implement to provisions of the Escondido General Plan, as indicated in the staff report and above. The Planned Residential Development zoning designation is necessary to implement the project in conformance with the General Plan and South Escondido Boulevard requirements. The proposed Amendment to the South Escondido Boulevard Neighborhood Plan to allow an exclusively residential project at this 'mid-block' location would be appropriate because this type of development would serve as an appropriate transition between the mix of commercial and residential uses. The General Plan vision for the Centre City Parkway/Brotherton Road Target Area calls for locating non-residential uses at major intersections and specific nodes that are more conducive to commercial development. An exclusively residential development on this site would provide the catalyst for future residential development in the corridor and strengthen the customer base for mixed-use development at key intersections and node areas.

EXHIBIT "B"
CONDITIONS OF APPROVAL
SUB13-0009

Planning Division/General

1. This approval terminates the previous Tentative Map (TR 911) and Planned Development (2005-03-PD) approvals for the project site.
2. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.
3. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
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 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. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development.
8. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. An updated Acoustical Analysis shall be submitted with the building plans for the project. Any measures recommended in the study shall be incorporated into the building plans with appropriate notes/specifications.
9. Solid masonry screen walls shall be constructed along the northern and southern property boundaries. 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 with split-face masonry with a mortar cap consistent with the Master and Precise Development Plan.
10. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75). A copy of the lighting plan shall be included as part of the building plans, to the satisfaction of the Planning Division.
11. Prior to final map approval, a note shall be included on the final map, or other documents provided, stating that grading shall be in conformance to the submitted conceptual design.
12. Three (3) copies of a revised tentative map, reflecting all modification and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.
13. A Final Map shall be recorded prior to the issuance of grading permits for the site.
14. Any parcels not associated with this Tentative Map shall be labeled "Not a Part."

15. No street names are part of this approval. A separate request shall be submitted prior to Final Map, if required or proposed.
16. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, exterior walls/fencing, slopes/landscaping, utility easements, driveways, roads, parking areas, structures, and any common drainage facilities. The CC&Rs also shall contain a provision indicating the garages shall be maintained to accommodate up to one vehicle. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established in accordance with Department of Real Estate requirements.
17. Permitted animals/pets shall be allowed in conformance with the R-4 standards, unless CC&Rs are more restrictive.
18. Prior to the Final Map approval and issuance of grading permits, a parking management plan shall be included with the CC&Rs which details any assigned spaces, overflow, on-site vehicular maintenance and guest parking.
19. As proposed, the buildings, architecture, color 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 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.
20. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47). Separate sign permits will be required for project signage.
21. All trash enclosures must be designed and installed per the Master and Precise Development Plan and in coordination with Engineering Department storm water control requirements.
22. 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 clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment. Ground mounted equipment should be located to avoid conflict with pedestrian circulation and access, as well as to screen the equipment from view as much as possible. Mechanical units also shall be located and appropriate measures incorporated to avoid potential noise conflict with the residential units.
23. A minimum of 144 on-site spaces shall be provided and maintained in conjunction with this development, as indicated in the Details of Request and site plan. The spaces shall be striped in accordance with the Zoning Code. Driveways and fire lanes do not allow for parking, and curb markings and fire lane signs are required, to the satisfaction of the Fire Marshall. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage.
24. All project generated noise shall conform with the City's Noise Ordinance (Ordinance 90-08).
25. Any decorative pavement, driveways and sidewalks shall be indicated on the building and landscape plans, including appropriate notes regarding type and color of materials. Decorative paving, colored concrete or other decorative materials shall be incorporated at the project entry drive, along with appropriate landscaping consistent with the Master and Precise Development Plan.
26. Balconies and patios shall be kept in a neat and orderly manner, especially along South Escondido Boulevard. Items stored on balconies should be kept out of view or properly screened. Items shall not be hung over, across or on balconies or patios (such a towels, clothing, etc.). This condition shall be included in the CC&Rs.

27. All new utilities shall be underground.
28. Appropriate backup/kicker areas shall be provided at the terminus of drive isles. These area shall be identified on the grading and site plans per the Master and Precise Development Plan.
29. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping, identification of handicap parking stalls and required signage, perimeter walls and landscaping, trash enclosure, as well as any other conditions of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
30. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval ("the effective date" being the end of the appeal period, if applicable) a certified check payable to the "County Clerk," in the amount of \$2,181.25 for a project with a Negative Declaration. In addition, these fees include an additional authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid.
31. Prior to the issuance of grading permits for the project, the applicant/developer shall provide documentation establishing/demonstrating compliance with all of the following mitigation measures, to the satisfaction of the Planning Division:
32. As proposed by the applicant, a qualified archaeological monitor and a Native American monitor are required during all ground-disturbing activities in native sediments that are Holocene in age. The monitors will have the authority to temporarily halt work upon the discovery of potentially significant cultural resources. The resource area will be protected until the resource has been documented and evaluated regarding eligibility for listing in the California Register of Historical Resources and National Register of Historic Places. As newly discovered, resources that are *in situ* (original location and context) cannot be removed without an evaluation, efforts will be made to complete such evaluation within 48 hours of discovery. Construction (not limited to grading) will be allowed to continue in other portions of the project site while the resource is being assessed.

Biology

Bio 1: Mitigation for the loss of 0.43 acre of southern willow scrub shall be designed to accomplish the "no net loss" policy defined by the Corps. "No net loss of wetlands" refers to a no net loss of both wetland area and function (USEPA and the Department of the Army 1990). A Conceptual Mitigation Plan has been prepared to provide specific measures for the proposed mitigation required by the Corps and CDFG. Generally, all direct permanent impacts to jurisdictional wetland habitat are mitigated in kind at an offsite mitigation area(s), preferably in the same watershed, through some combination of creation, restoration, enhancement, and/or preservation of existing habitat. Mitigation will include a minimum 1:1 creation ratio component to adhere to the federal policy of a no net loss of wetlands. The CDFG also requires replacement of affected habitat, typically at ratios similar to the Corps. The CDFG typically requires a minimum ratio of 1:1 creation for all permanent impacts to habitats within their jurisdiction. Generally, the resource agencies require more than a 1:1 replacement ratio and it is anticipated that a ratio of 2:1 is likely to be required. The Mitigation Plan provides for a 4:1 replacement ratio for the 0.43 acre of arroyo willow scrub habitat and 0.04 acre of unvegetated waters of the U.S.

The acquisition of high-quality, in-kind habitat at an offsite location may be considered at the agencies' discretion. The use of mitigation credits at an approved mitigation bank will be possible if the project is located in one of the bank's service areas and the appropriate habitat credits are available.

In addition, the applicant will be required to obtain a Section 404 Nationwide Permit from the Corps, a Section 1600-1607 Streambed Alteration Agreement from the CDFG, and a Section 401 Waste Discharge Certification from the RWQCB.

Bio 2: To avoid potential impacts to the federally protected least Bell's vireo, construction activities will occur outside the breeding season (March 15 through September 15). However, if construction activities do occur during the breeding season, then U.S. Fish and Wildlife Service (USFWS) protocol surveys will be required to determine the presence or absence of the least Bell's vireo. If the surveys determine that the least Bell's vireo is not present and nesting onsite, construction can proceed during the breeding season, as long as there are also no migratory birds nesting onsite. If the surveys determine that the least Bell's vireo is breeding onsite, construction cannot proceed during its breeding season and a Section 7 Consultation with the USFWS will be required to determine appropriate mitigation.

The southern willow flycatcher is not expected to nest or breed onsite, only possibly migrate through the site. As such, protocol level surveys for this species are not deemed necessary.

Pre-construction surveys will be conducted by a qualified biologist to determine the presence or absence of migratory birds protected under the Migratory Bird Treaty Act. The nest survey will also determine if migratory birds are nesting onsite. If no nesting activity is observed, construction activity can proceed. If the biologist determines that migratory birds are nesting onsite, construction shall be avoided until after the young have fledged from the nest and it is no longer occupied. Results of the nest survey will be submitted to the CDFG via a letter report.

Should construction halt for any reason for longer than 1 week after the commencement of activities and potential nesting habitat still remains onsite, an additional focused survey for migratory bird nests will be required 1 week prior to the recommencement of construction (only if during the breeding season for migratory birds, which typically extends from February 1 through September 30). If the surveys determine that no species or nests were observed, construction could recommence during the nesting season.

Bio 3: According to Chapter 33, Article 55, Section 33-1069 of the Municipal Code, if protected trees cannot be preserved on site, they shall be replaced at a minimum of 2:1. The number, size, and species of the replacement trees shall be determined on a case-by-case basis based on the characteristics and condition of the individual tree(s) involved. The preferred replacement is a tree(s) of equal size. Given the size of the one impacted oak tree, it is recommended that nursery-grown specimen trees (24-inch box) be used as replacement trees. If possible, these replacement trees should be planted as part of any wetland/riparian restoration component for this project. In accordance with the California Department of Fish and Game recommendations, oak trees shall be mitigated in the following manner:

In the disturbed upland area of the project, two oaks (*Quercus agrifolia*) will be impacted. One has a diameter at breast height of approx. 12 inches and the other approx. 3 inches. These two upland oaks shall be mitigated by planting acorns or 1-gallon oaks at a ratio of 5:1 for impacts to the 12-inch DBH oak and at a ratio of 3:1 for impacts to the 3-inch DBH oak. As an alternative, impacts to these two oaks may be mitigated at a 3:1 ratio through purchase of oak credits at a mitigation bank.

Mitigation for impacts to the 30, 1 to 2-inch DBH oak saplings that are within the southern willow scrub habitat will need to be determined through the Streambed Alteration Agreement process.

Bio 4: Impacted non-native grassland (2.1 acres) will be mitigated at a 0.5:1 ratio through either of the following:

- a. Purchase of similar habitat as approved by the Wildlife Agencies; or
- b. Payment of monies to an approved habitat mitigation bank.

Off-Site Mitigation

The following mitigation measures are designed to reduce impacts to biological resources on the offsite mitigation site to below a level of significance:

Bio 5: A biological monitor knowledgeable of arroyo toad biology and field identification shall be present daily when planting holes are dug for container plants between September 15 and March 15, and when container plants and the drips irrigation system are checked and maintained (i.e. 3 to 4 times) between March 15 and August 15.. Locals where arroyo toad activity is documented during this monitoring shall be

flagged and planting locations shall be shifted an appropriate distance from the toad locales. Documentation from the biological monitor submitted to the Service will include depth and locale where toads may be found, distance from and elevation above the stream bed, type of vegetation in which arroyo toad is found, and number of toads detected and affected (if any).

Bio 6: Data collection by the biological monitor shall be analyzed annually during the 5-year program to determine what activities have direct impacts on arroyo toad, which activities appear to have no impact. Monitoring will not be discontinued without concurrence from the Service.

Bio 7: Work is not planned in the more open sandy habitat adjacent (e.g., within 40 feet) to the creek bottom, except for removal of scattered exotic plants. Work adjacent to the creek bottom shall be limited to periods of time when there is no surface flow. Removal of exotics adjacent to the creek bottom shall be performed September 15 to when there is creek flow. After stream flow commences, if the channel subsequently becomes dry, the maintenance activities may resume upon agreement between a qualified biologist and the Service, and continue until March 15.

Bio 8: A biological monitor shall inspect the site immediately after heavy seasonal rains and prior to re-initiation of exotics removal, planting, seeding and maintenance of the drip irrigation system.

Air Quality

Air 1: The project proponent will ensure construction equipment staging areas are located a minimum of 300 feet from residential land uses, when feasible. The staging area(s) shall be identified on the grading and building plans.

Landscaping

1. 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. Seven copies of the final plans shall be submitted for approval in order to distribute to the appropriate City Departments and to the project applicant.
2. The landscaping plan shall include evergreen trees at a maximum size of 36" box consistent with the Master and Precise Development Plan, to the satisfaction of the Planning Division. Root barriers shall be provided in accordance with the Landscape Ordinance.
3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
4. All manufactured slopes, or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then installation of the erosion control plan and suitable BMPs may be acceptable.
5. Prior to occupancy of future units, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
6. 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.
7. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

Fire Department Conditions

1. Tiff or PDF file copy, of project (minimum 11"x17") shall be provided showing building floor plan, roof plan and site plan.
2. NFPA 13 and NFPA 13R automatic fire sprinkler system will be required.
3. Smoke detectors are required above all stairwell landings.
4. Standpipe systems will be required at the following locations:
 - a. Stairwell landings (location to the satisfaction of the Fire Dept.).
5. An approved fire alarm system will be required.
6. A fire hydrant is required to be located within 50 feet of the fire department connection, unless otherwise specified on the Master and Precise Development Plan to the satisfaction of the Fire Department. Fire hydrants shall be shown on the appropriate improvement plans.
7. Fire hydrants capable of delivering 1,500 GPM at 20 PSI residual pressure are required every 300 feet in conjunction with NFPA 13 and NFPA 13R automatic fire sprinkler system for the building.
8. Additional hydrants may be required near intersections, fire department connections or other locations.
9. 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 pathway. Walking distance is not to exceed 75 feet (CFC 1002.1; T-19 Art. 5). Extinguishers must be mounted not more than 5 feet nor less than 3 ½ feet above the floor.
10. Driveways serving three or more homes are considered access roads and must be a minimum of 24' wide with no parking per the Master and Precise Development Plan.
11. Speed humps/bumps will not be allowed on fire access roads.
12. All-weather, paved access must be able to support the weight of a fire engine (75K lbs.) and approved fire hydrants must be installed and in service prior to placing any combustible materials on the job site.
13. 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.
14. A Knox box will be required where access to or within a structure or area is restricted (CFC Section 506).
15. The inside turning radius on all corners shall be consistent with the Master and Precise Development Plan.
16. Roof access to structures must be provided from one stairwell per building with appropriate signage to the satisfaction of the Fire Marshal and consistent with the Master and Precise Development Plan.
17. Barricades (other than the vehicular gates included on the Master and Precise Development Plan) shall not obstruct fire hydrants or impede emergency vehicle access.
18. Vertical clearance must be provided in all access and driveway areas consistent with the Master and Precise Development Plan and to the satisfaction of the Fire Marshal. Trees that obstruct the vertical clearance or access width must be trimmed or removed and provisions to provide ongoing maintenance must be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement must be submitted.

19. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas and provisions to provide ongoing maintenance must be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement must be submitted. "FIRE LANE" signs and red curbs must meet specifications of the Escondido Police Department.

Building Division Conditions

1. An accessible route shall be required from the public way and accessible parking to all buildings, facilities and entrances. The route shall coincide with the routes of the residence.
2. The plans shall show complying accessible parking per CBC Section 1109A. Where accessible van parking is required and provided, show a minimum 9-foot wide parking stall and 8-foot wide access aisle with the space a minimum of 18 feet in length. Show that the access aisle is on the passenger side of the parking space. Show the percentage of accessible parking at all assigned, not assigned and at each type of parking.
3. All covered ground floor units without elevators shall be accessible and adaptable per CBC 1102A.
4. The plans shall show that the pool gates swing out away from the pool.
5. Dimension the distance from the trash enclosure to the property lines and detail any fire rated wall assembly and opening protection required per CBC Section 705 and Table 705.8.

ENGINEERING CONDITIONS OF APPROVAL ESCONDIDO TRACT NUMBER SUB13-0009

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The location of all on-site utilities shall be determined by the Developer's engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.
4. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
7. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval, in accordance with the project's master and precise plan and to the satisfaction of the City Engineer.

2. The developer shall construct frontage street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets:

STREET

CLASSIFICATION

Escondido Boulevard

Frontage Road w/ left turn pocket
(34' min. curb to curb)

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The project frontage improvements shall be designed to align with and match up to the existing street improvements on either side of the project.
4. The developer shall construct a 6" concrete curb and gutter or curb only, as determined in final design, along the west side of Escondido Boulevard to complete the improvements to Frontage Road Standards and shall be signed for "No Parking".
5. The Developer shall install a South Bound Left Turn pocket into the project with required transitions and storage per current City and MUTCD Standards. Parking along Escondido Boulevard shall be restricted to accommodate lane widths and this left turn pocket into the project. The Developer shall install "No Parking" signage per an approved Signing and Striping plan.
6. The project entrance shall be designed as a street intersection with curb returns, cross gutters and spandrels, sidewalk ramps, etc. with a minimum throat width of 24 feet.
7. The Developer's engineer shall prepare and submit for approval by the City Engineer a complete final Signing and Striping plan for South Escondido Boulevard, along project frontage and transitions to join existing striping beyond project frontage, including the creation of a South Bound Left Turn pocket into the project and all parking restriction signage. Any removal of existing striping and all new striping shall be done by developer's contractor. All new signing and striping shall be in accordance with current Escondido Design Standards and MUTCD. The final striping plan shall be based on the conceptual striping plan submitted for the project finalized to the satisfaction of the City Engineer.
8. Adequate horizontal sight distance shall be provided at project entrance on Escondido Boulevard in accordance with the requirements of the City Engineer.
9. The address of each dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer and Fire Marshal.

10. All on-site roads, driveways and parking areas shall be private. Typical sections and design details shall be in accordance with current Escondido Design Standards to the satisfaction of the City Engineer and Fire Marshal. The private street improvements shall include, but not be limited to, the construction of concrete curb, gutters, sidewalks, street lights, paving and base.
11. 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.
12. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.
13. Street lighting shall be required on all on-site private streets. It shall be the responsibility of the property owner's association to adequately maintain the street lighting system and such maintenance responsibility shall be clearly stated in the CC&Rs.
14. The developer shall be required to construct a 5600 lumen minimum street light in accordance with Escondido Standard Drawing No. E-1-E at the project entrance.
15. All gated entrances and areas shall be designed and improved to the satisfaction of the City Engineer and the Fire Marshal.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his/her recommendations.
2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.
3. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of a building

structure will be permitted as part of the Building Dept. plan review and permit process.

4. Increased cut slope setbacks may be required along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas and may be required to avoid encountering ground water problems. Actual setbacks to be used will be based on recommendations of the soils engineer. The requirements of the San Diego County Health Department should be consulted in this regard. In lieu of these requirements, or if the County Health Department requirements cannot be met, the developer must arrange to connect adjoining existing dwelling units, now on private septic systems, to the public sewer system. In this regard, the developer will be required to make necessary arrangements for all main extensions, easements and payment of all connection and permit fees. Any dwellings in the unincorporated areas must have special approval of the City Council before being connected to the City sewer system.
5. It shall be the responsibility of the developer to pay all plan check and inspection fees required by the San Diego County Health Department.
6. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
7. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
8. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one (1) or more acres.
9. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
10. All existing foundations and structures, other than those designated "to remain" on the Tentative Map, shall be removed or demolished from the site.
11. Unless specifically permitted to remain by the County Health Department, any existing wells within the project shall be abandoned and capped, and all existing septic tanks within the project shall be pumped and backfilled per County Health Department requirements.
12. The developer will be required to obtain permission from adjoining property owners for any off-site grading and slopes necessary to construct the project and/or the required improvements.

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 Developer's engineer. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The Developer shall remove the existing public reinforced concrete box storm drain that protrudes into the project and shall construct a rerouted public storm drain pipe system sized to convey the ultimate storm water flows through the project. Improvement plans for this public storm drain system shall be designed by the Developer's engineer and submitted for approval by the City Engineer.
3. The project shall limit drainage flows to their pre-construction rates. Details and calculations for detention basins shall be submitted in the drainage study and approved as part of the grading plan check.
4. 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. The Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements.
5. 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.
6. The Permeable Paver areas and their approximate 10' wide by 10' deep gravel HMP storm water underground Storage Basins will need to be located a minimum of 5 feet from all proposed Public Utility and Storm Drain Easements.
7. Landscaping in and around the proposed Bio-retention basins shall be designed to be able to flourish in the well-draining soils required in the basins.
8. All storm water treatment and retention facilities and their drains including the bio-retention basins, the permeable paver areas and their gravel HMP underground storage basins shall be considered private. The responsibility for maintenance of these post construction storm water treatment facilities shall be that of the Property Owner's Association. Provisions stating this shall be included in the CC&Rs.
9. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement. This Agreement shall be referenced in the CC&Rs.
10. All storm drain systems not within public easements and not specifically noted as public on the project grading and improvement plans shall be considered private.

The responsibility for maintenance of these storm drains shall be that of the Property Owner's Association. Provisions stating this shall be included in the CC&Rs.

WATER SUPPLY

1. All onsite public water main locations and sizing shall be in accordance with the project's master and precise plans and designed and constructed to the satisfaction of the Utilities Engineer. Required water main improvements shall include a minimum 8" PVC onsite public water main looped through the project and designed for the required fire flows.
2. Fire hydrants shall be installed at locations approved by the Fire Marshal and in accordance with the project's master and precise plans.
3. Where the required looped 8" PVC waterline passes adjacent to Building No. 2 at the Southwest corner of the project, it shall be sleeved within a 16" PVC sleeve to the satisfaction of the Utilities Engineer.
4. All water services that must pass through the gravel HMP underground storage basin areas shall be sleeved within PVC sleeves to the satisfaction of the Utilities Engineer.
5. All on-site water lines not in public easements will be considered a private water system. The property owner's association will be responsible for all maintenance of these waterlines. This shall be clearly stated in the CC&R's.

RECLAIMED WATER

1. The developer is required to install a separate irrigation system for the major common areas, street parkways that can use either potable or reclaimed water. This system should be built to the satisfaction of the Planning Director and the City Engineer.

SEWER

1. All sewer main extensions and the location and sizing of mains shall be to the satisfaction of the Utilities Engineer. Required onsite sewer main improvements include an 8-inch PVC public main connecting to the existing 8-inch sewer in Escondido Boulevard with a new 5' diameter manhole and extending into the project such that sewer laterals for each building can be constructed per City Standard and Uniform Plumbing Code. A 5' diameter sewer manhole shall be constructed at the end of this new sewer main extension.
2. Sewer manholes less than 4 feet deep shall be per special design as directed by the Utilities Engineer.

3. No trees or deep rooted bushes shall be planted within 10' of any sewer main or lateral.
4. All sewer laterals that must pass through the gravel HMP underground storage basin areas shall be sleeved within PVC sleeves to the satisfaction of the Utilities Engineer.
5. All on-site sewer lines not in public easements and all laterals will be considered a private sewer system. The Home Owners' Association will be responsible for all maintenance and repair of these sewer lines and laterals. This shall be clearly stated in the CC&R's.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET

Escondido Boulevard

CLASSIFICATION

Frontage Road
(50' min. R/W or 12' min. behind face of curb)

2. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
3. Necessary public utility easements for sewer, water, and storm drain shall be granted to the City on the Final Map. The minimum easement width is 20 feet with additional easement width to accommodate for multiple public utilities in accordance with the project's master and precise plans. Reduced Public Utility Easement with a minimum width of 10 feet will be allowed solely for where the looped waterline passes adjacent to Building No. 2 at the Southwest corner of the project.
4. A public utility easement shall be dedicated over the private streets. The public utility easement shall extend to include all public utility facilities including water meters, fire hydrants, air valves, etc.
5. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the final map. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

1. A sewer repayment of \$2,167.11 is due to the City of Escondido for existing sewer improvements approved for repayment by Resolution 75-280 and that will serve this development.
2. A waterline repayment of \$3,977.85 is due to the City of Escondido for the existing waterline improvements approved for repayment by Resolution 85-28 and that will serve this development.
3. 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 Director of Engineering Services.
4. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&R's

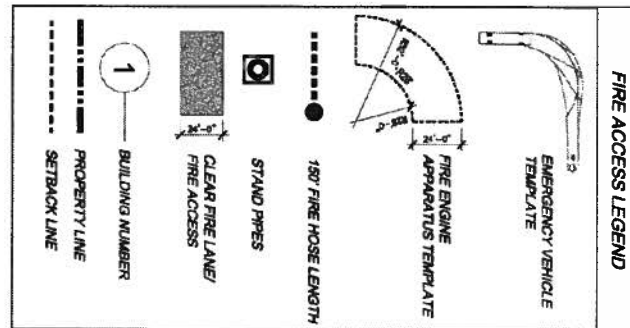
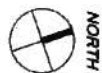
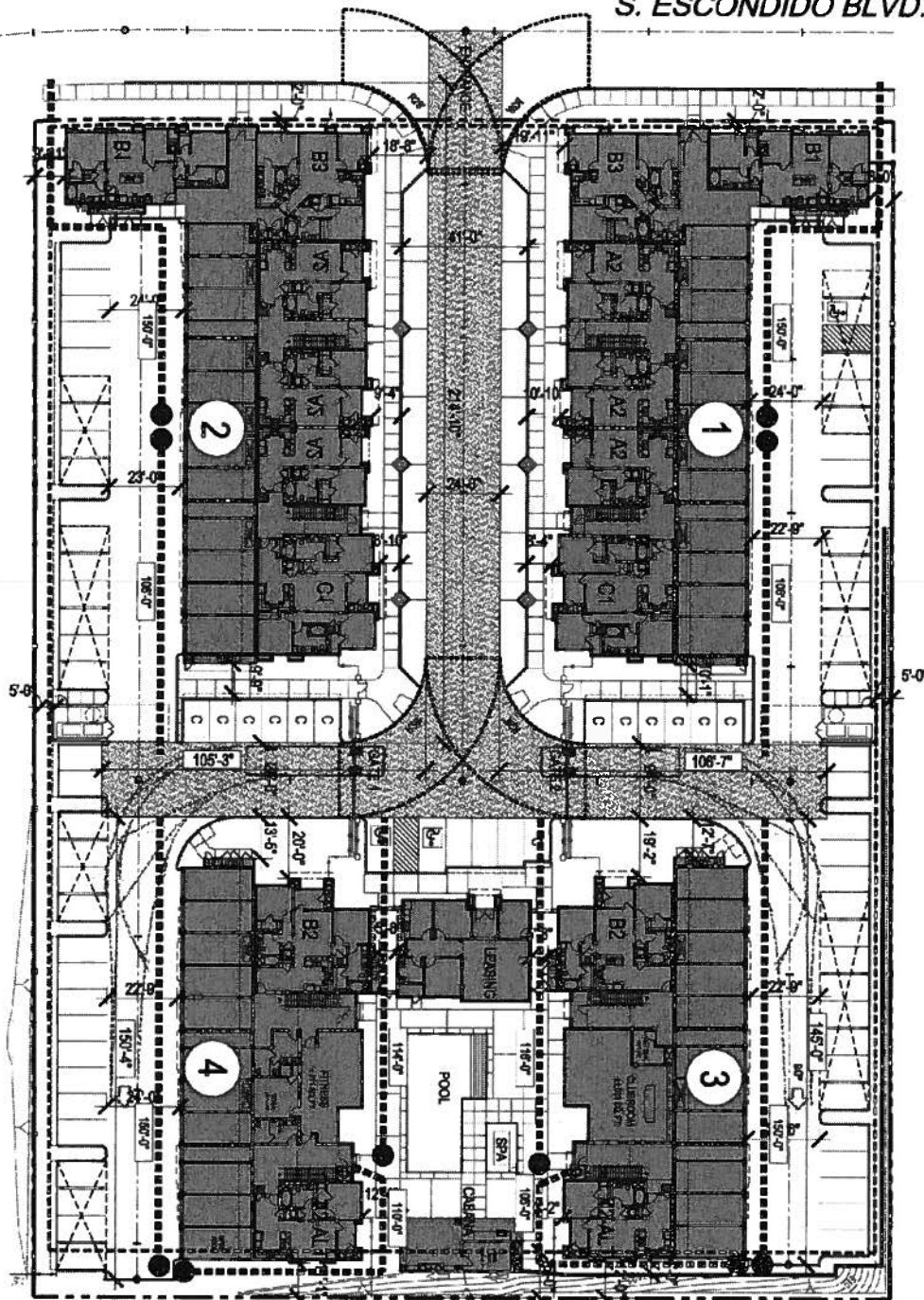
1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&R's for maintenance by the homeowners' association of private roadways, driveways, parking areas, private utilities(including sewer and water), drainage swales, private street lighting, storm drains, storm water treatment basins and facilities, and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Water Quality Technical Report for the project.
4. The CC&R's must state that the Property Owners' Association assumes liability for damage and repair to City utilities in the event that damage is caused by the Property Owners' Association when repair or replacement of private utilities is done.
5. The CC&R's must state that (if stamped concrete or pavers are used in the private street) the Property Owners' Association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

6. The CC&R's must state that the Property Owners' Association is responsible for replacing and/or repairing the gravel HMP storm water underground Storage Basins if the City has to trench the street for repair or replacement of an existing utility.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance.
2. All new dry utilities to serve the project shall be constructed underground.
3. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

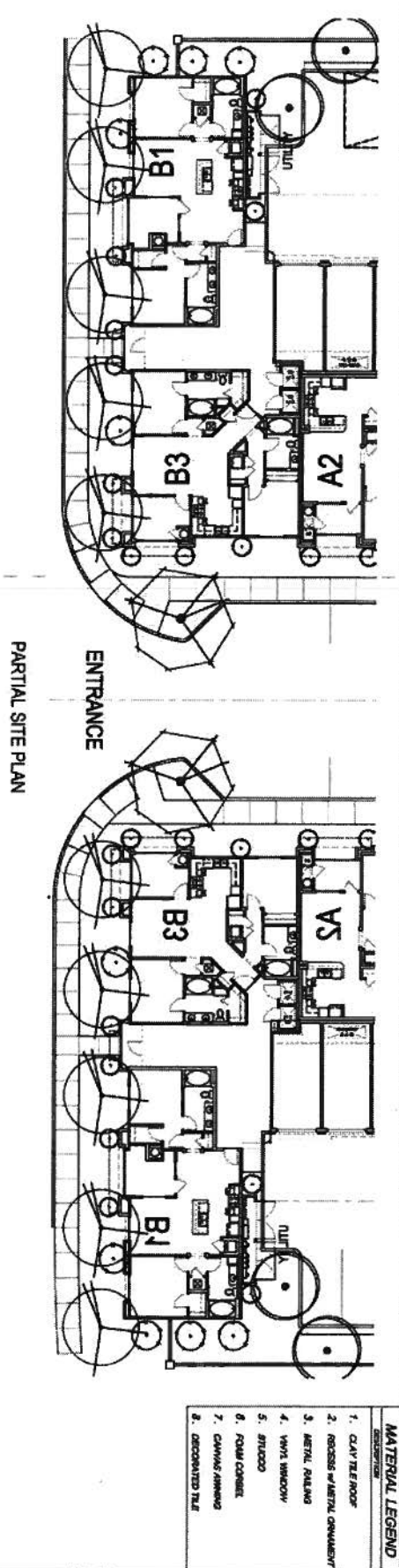
S. ESCONDIDO BLVD.



**PROPOSED PROJECT
SUB 13-0009**



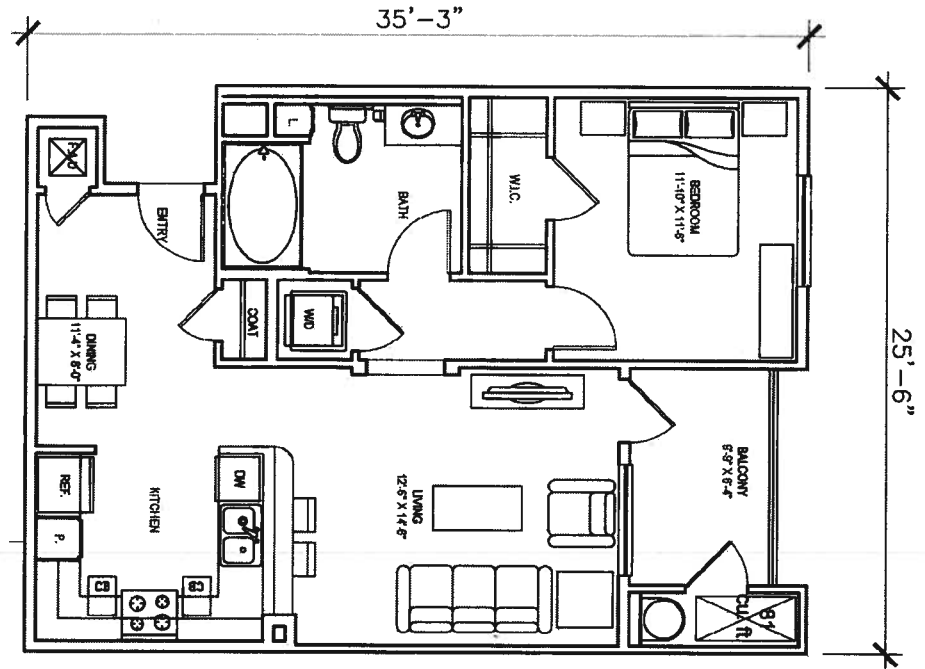
SITE PLAN



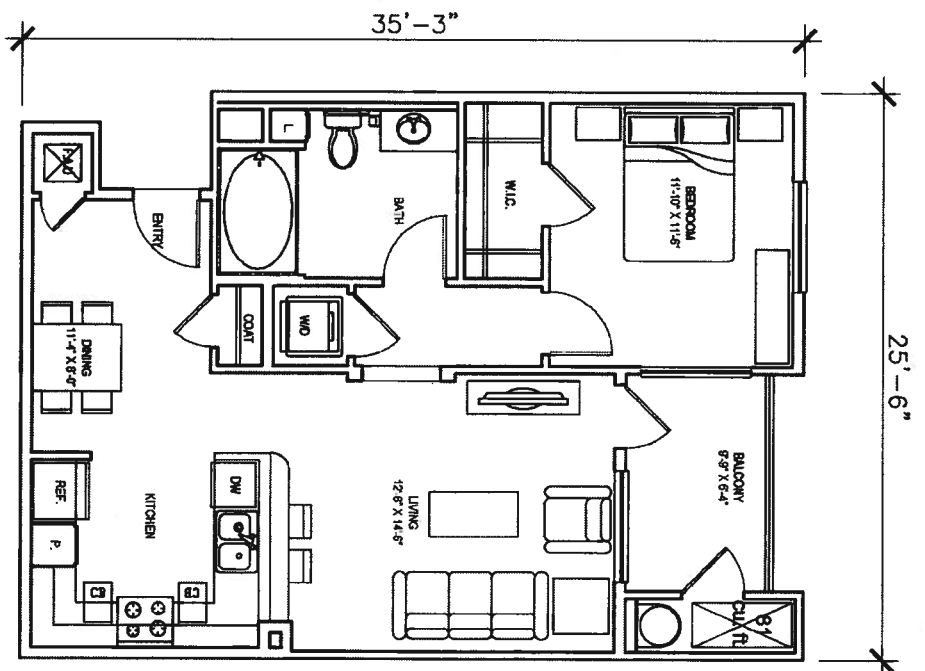
**PROPOSED PROJECT
SUB 13-0009**



SITE PLAN



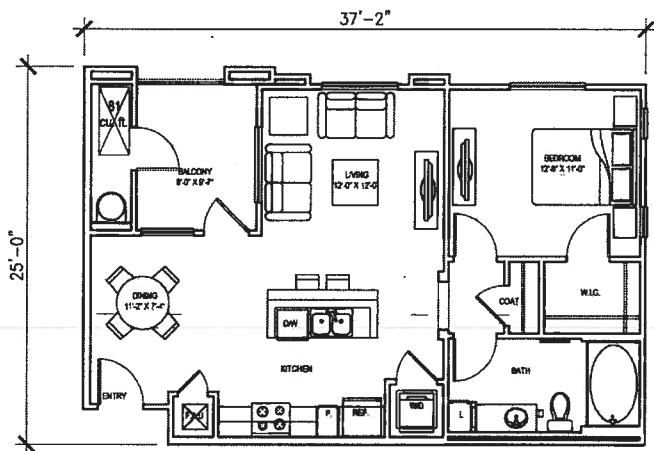
UNIT A2: 1BR / 1BA
 LIVABLE AREA: 769 SQ. FT.
 PATIO/BALCONY: 65 SQ. FT.
 STORAGE SPACE: 81 CU. FT.
 QTY: 18
 NOTE: UPPER FLOOR PLAN ONLY
 (PENDING DIRECT ACCESS STUDY ON GROUND FLOOR ONLY)



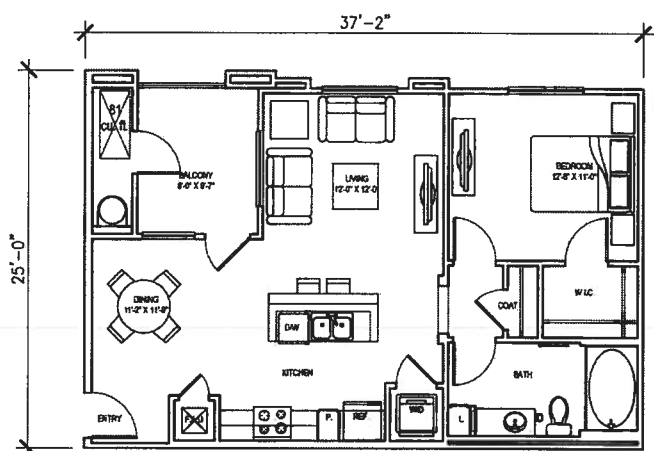
UNIT A2-ALT: 1BR / 1BA
 LIVABLE AREA: 769 SQ. FT.
 PATIO/BALCONY: 65 SQ. FT.
 STORAGE SPACE: 81 CU. FT.
 QTY: 6
 NOTE: UPPER FLOOR PLAN ONLY
 (PENDING DIRECT ACCESS STUDY ON GROUND FLOOR ONLY)

**PROPOSED PROJECT
 SUB 13-0009**

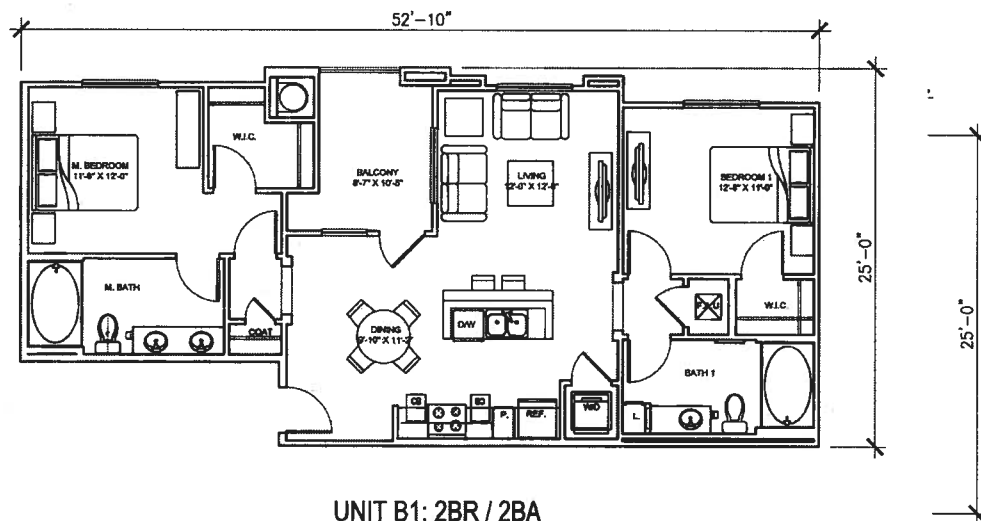




UNIT A1: 1BR / 1BA
 LIVABLE AREA: 760 SQ. FT.
 PATIO/ BALCONY: 79 SQ. FT.
 STORAGE SPACE: 81 CU. FT.
 QTY: 4

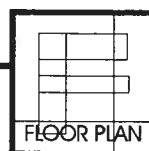


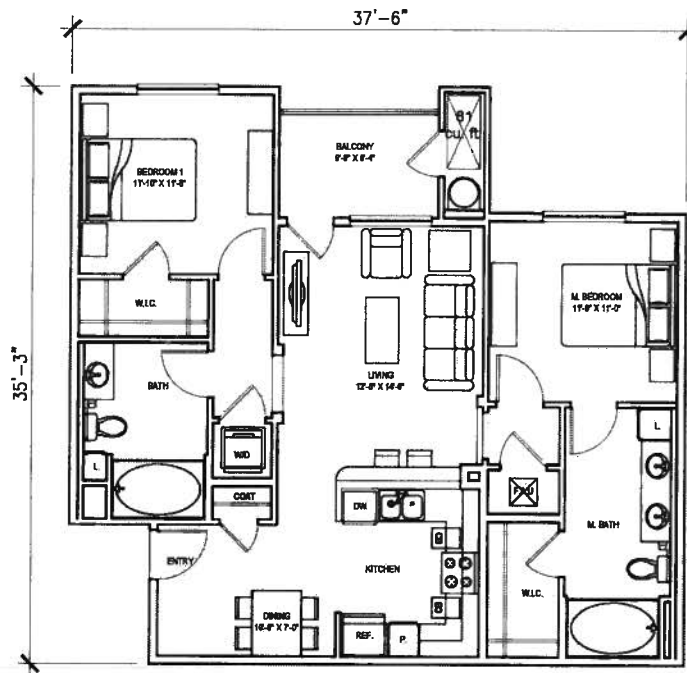
UNIT A1-ALT: 1BR / 1BA
 LIVABLE AREA: 774 SQ. FT.
 PATIO/ BALCONY: 79 SQ. FT.
 STORAGE SPACE: 81 CU. FT.
 QTY: 8



UNIT B1: 2BR / 2BA
 LIVABLE AREA: 1,068 SQ. FT.
 PATIO/ BALCONY: 84 SQ. FT.
 QTY: 18

PROPOSED PROJECT
SUB 13-0009





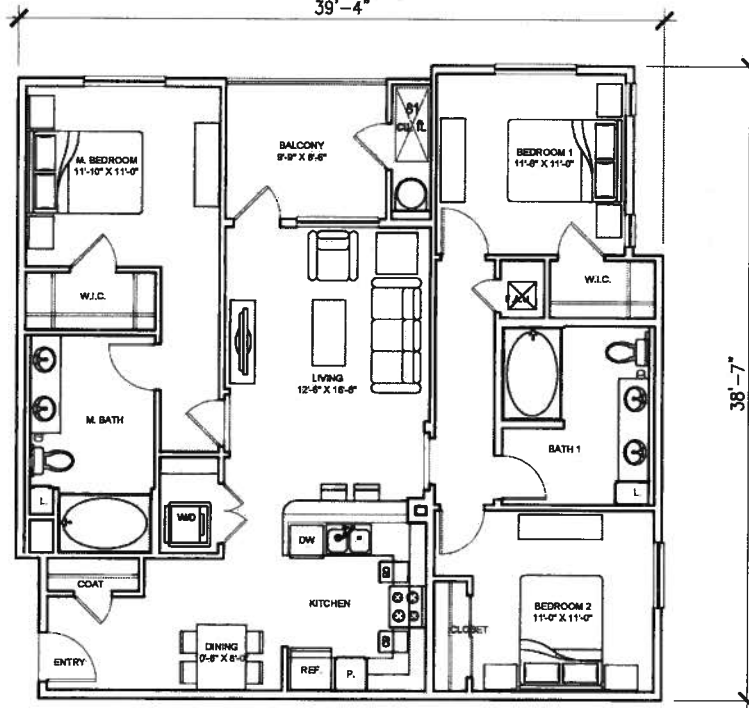
UNIT B2-ALT: 2BR / 2BA

LIVABLE AREA: 1,085 SQ. FT.

PATIO/ BALCONY: 65 SQ. FT.

STORAGE SPACE: 81 CU. FT.

QTY: 6



UNIT C1: 3BR / 2BA

LIVABLE AREA: 1,357 SQ. FT.

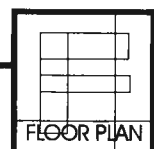
PATIO/ BALCONY: 83 SQ. FT.

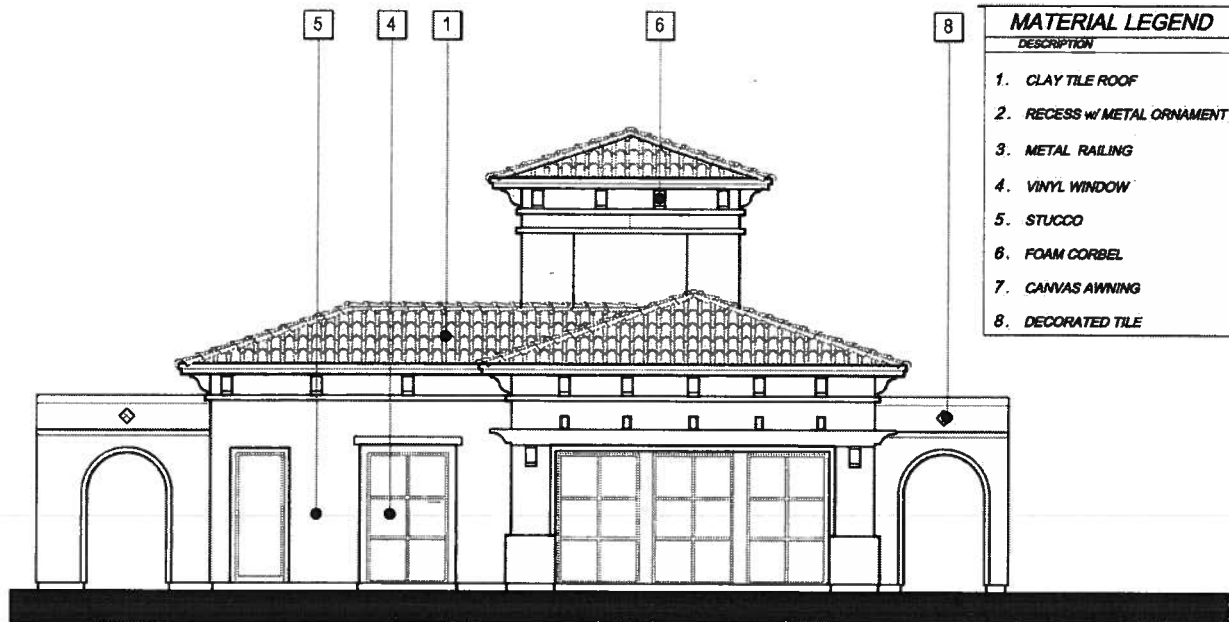
STORAGE SPACE: 81 CU. FT.

QTY: 6

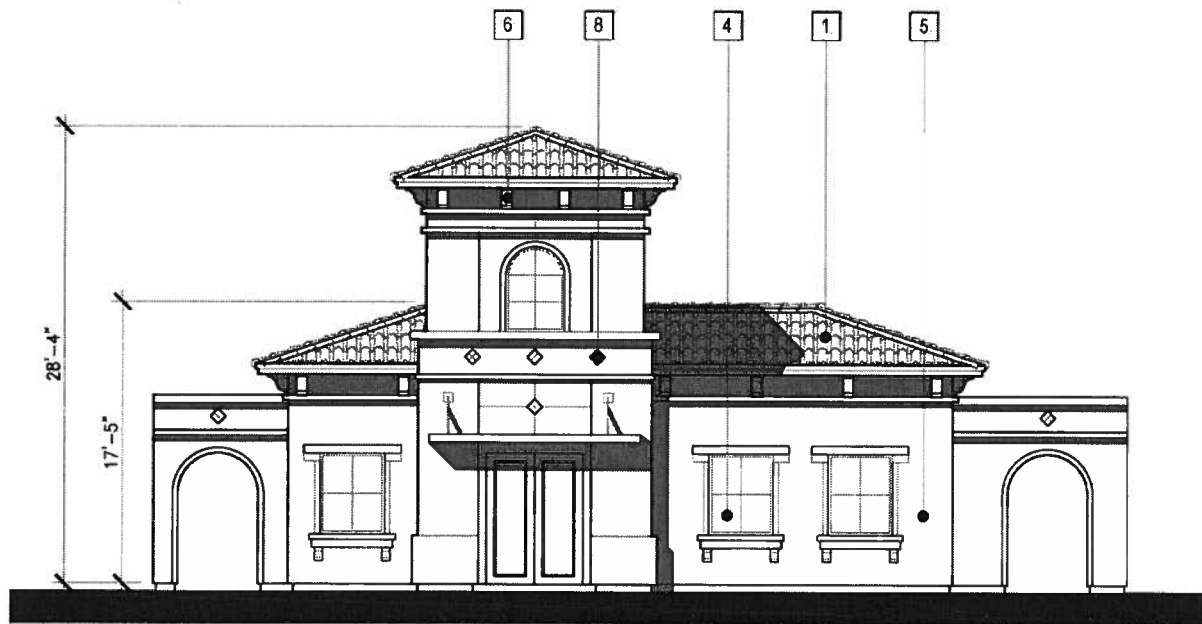
NOTE: UPPER FLOOR PLAN ONLY

**PROPOSED PROJECT
SUB 13-0009**





LEASING REAR ELEVATION



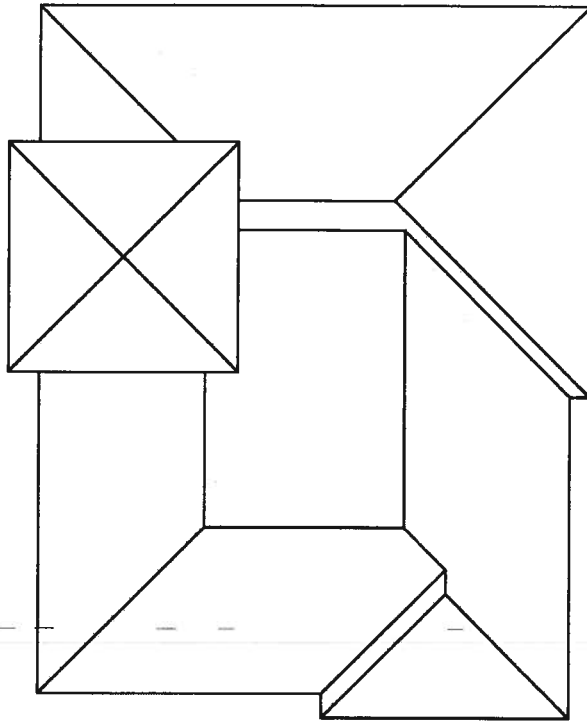
LEASING FRONT ELEVATION

**PROPOSED PROJECT
SUB 13-0009**



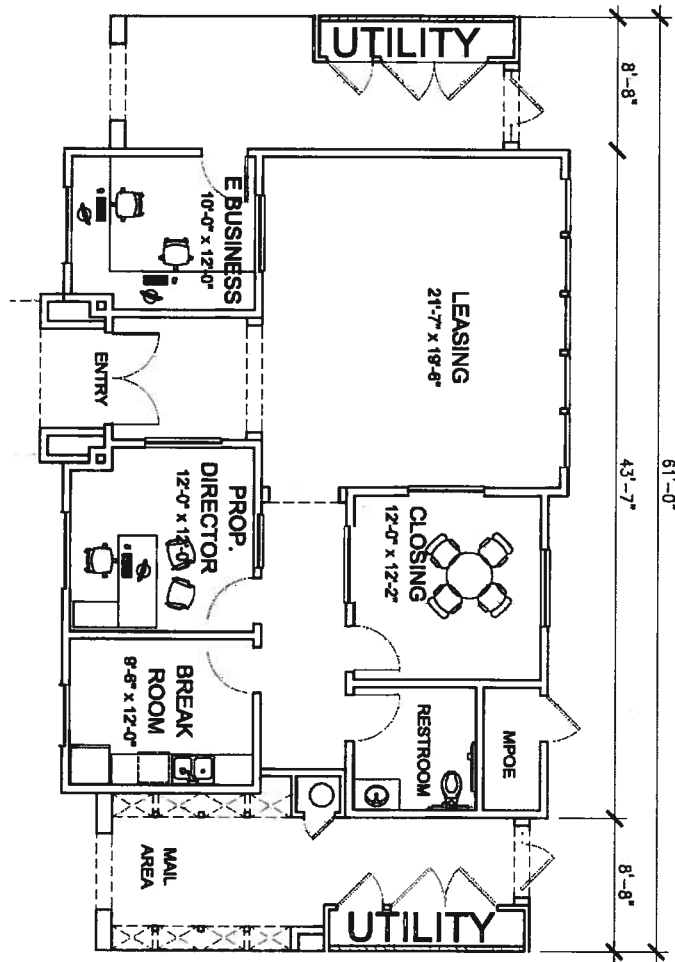
ELEVATIONS

LEASING- ROOF PLAN

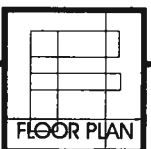


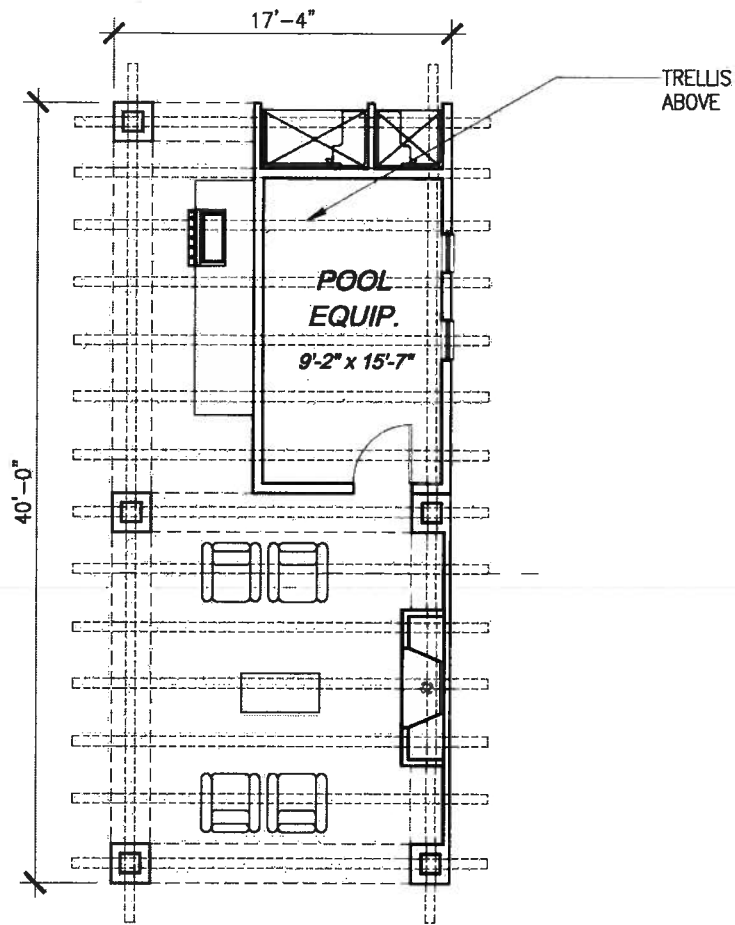
33'-0"

LEASING- FLOOR PLAN

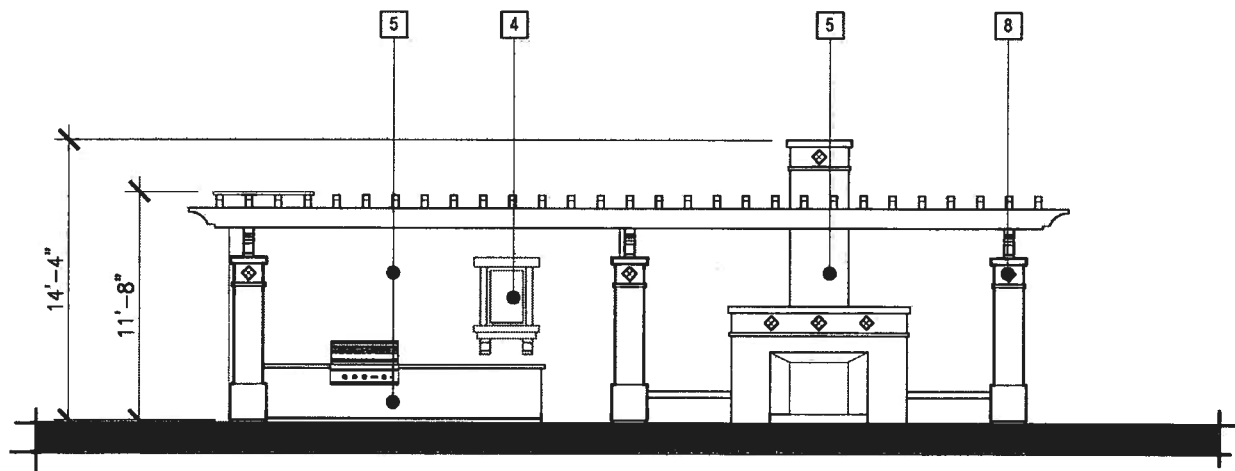


**PROPOSED PROJECT
SUB 13-0009**





CABANA- FLOOR PLAN

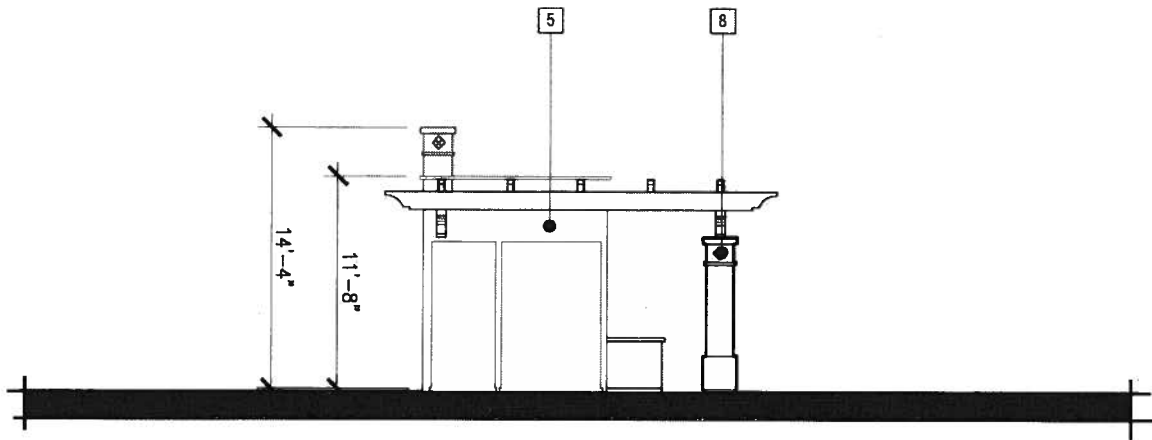


WEST ELEVATION

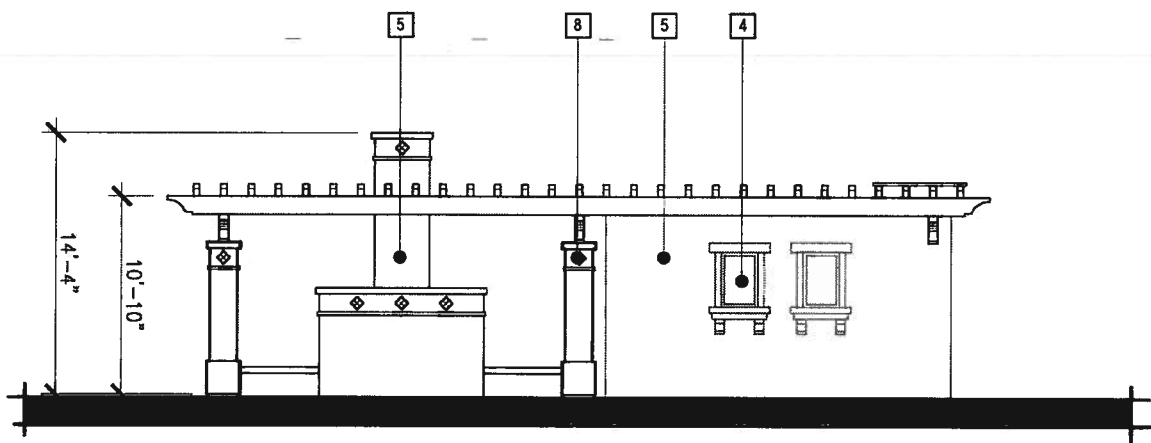
**PROPOSED PROJECT
SUB 13-0009**



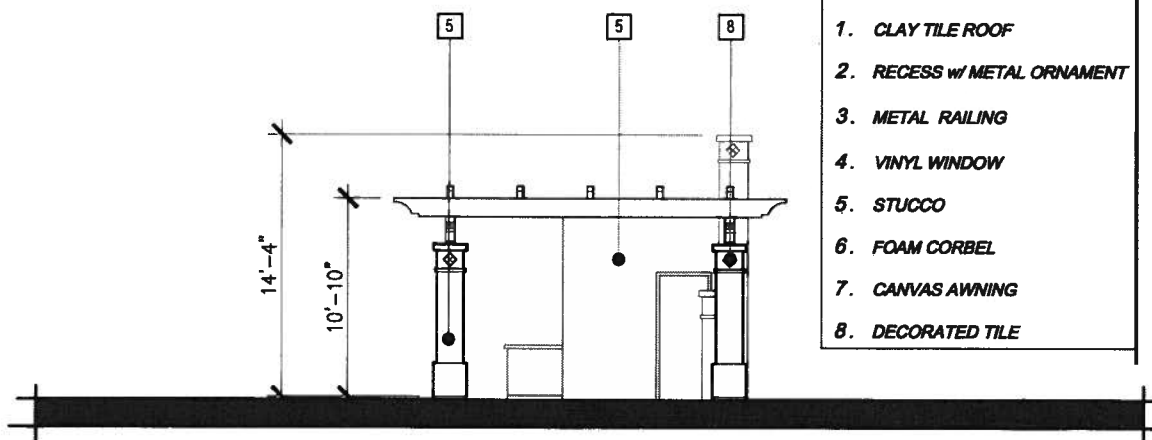
ELEVATIONS



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

MATERIAL LEGEND

DESCRIPTION

1. CLAY TILE ROOF
2. RECESS w/ METAL ORNAMENT
3. METAL RAILING
4. VINYL WINDOW
5. STUCCO
6. FOAM CORBEL
7. CANVAS AWNING
8. DECORATED TILE

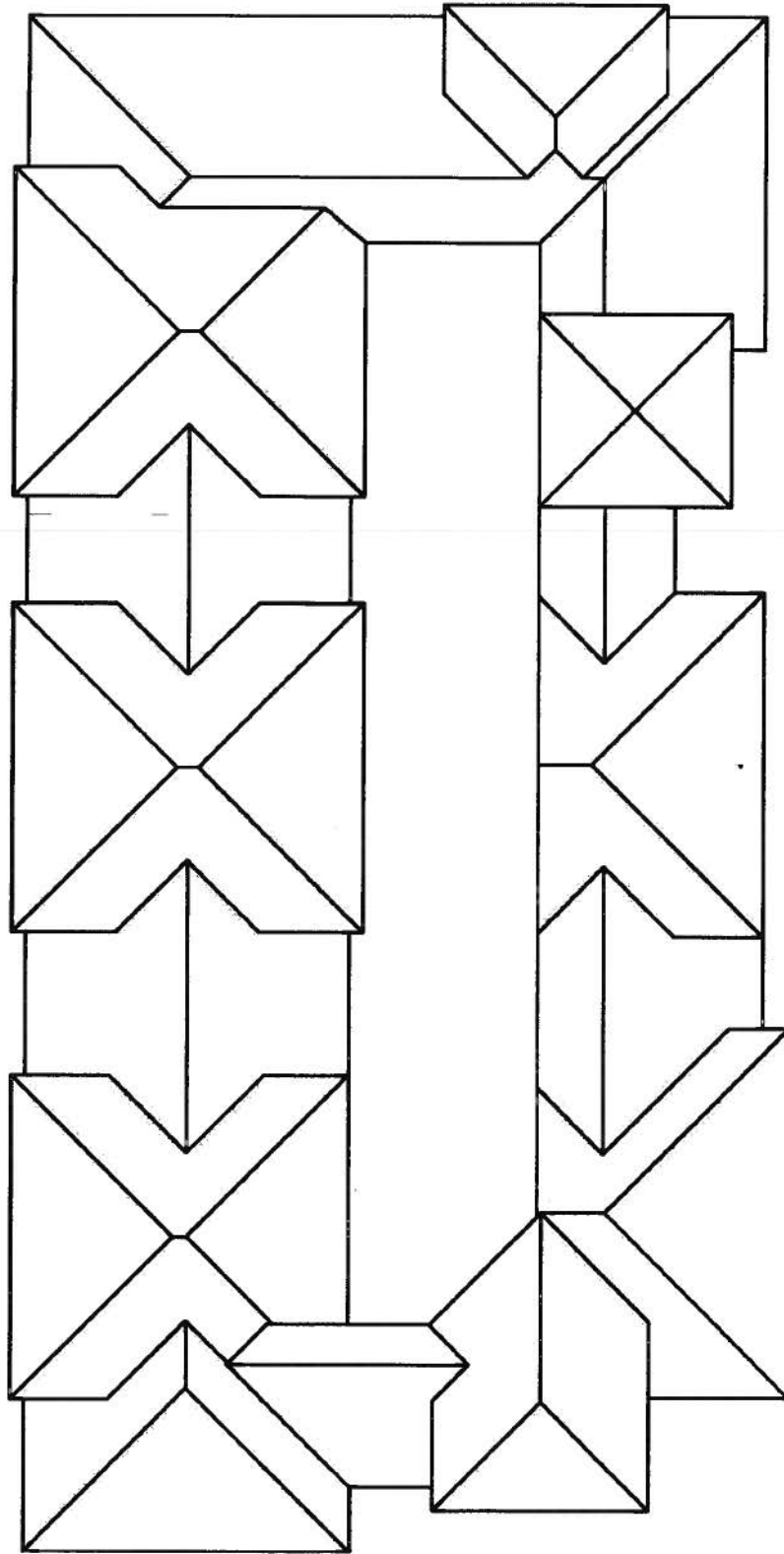
CABANA

**PROPOSED PROJECT
SUB 13-0009**



ELEVATIONS

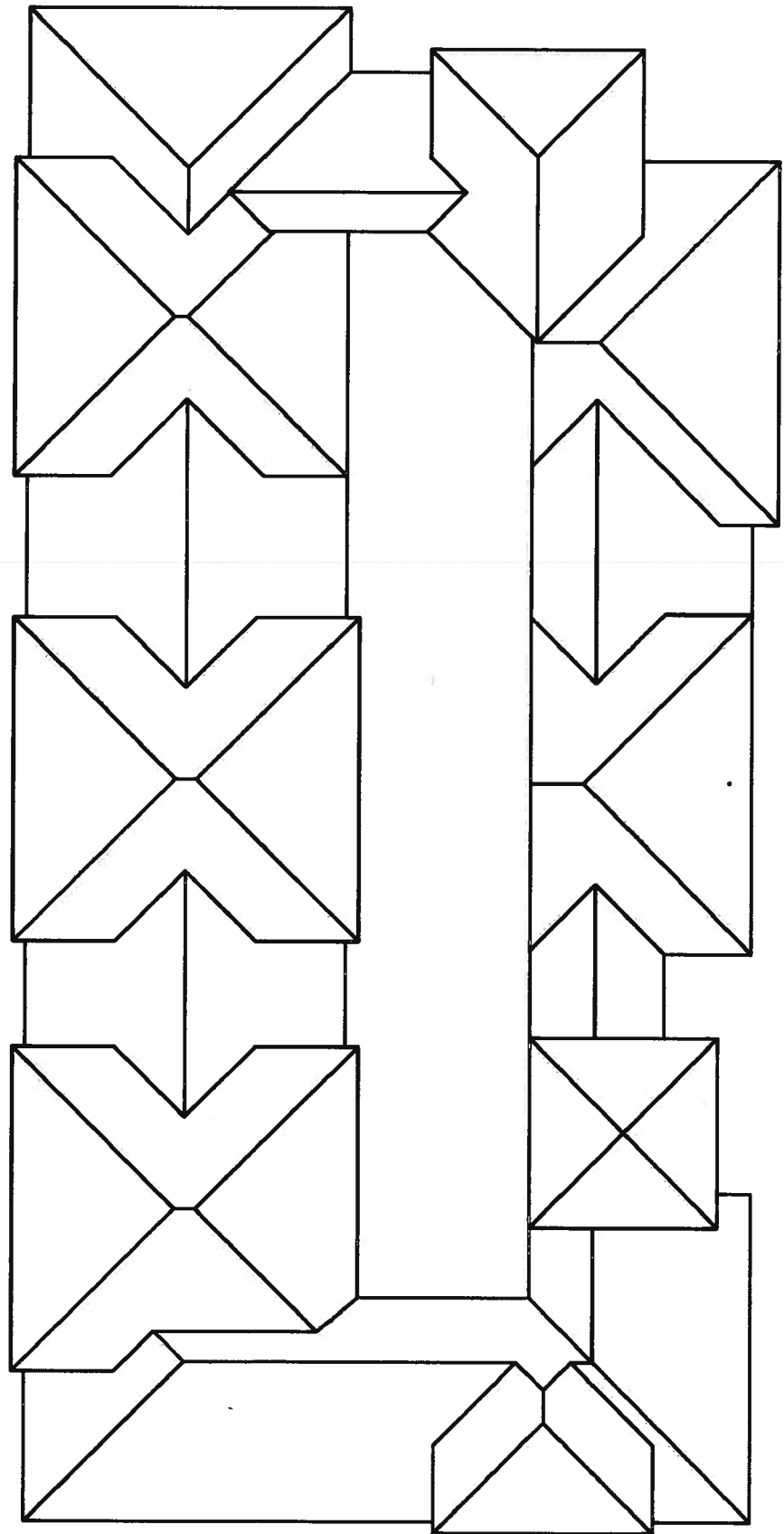
ROOF PLAN
BUILDING #3 - TYPE II



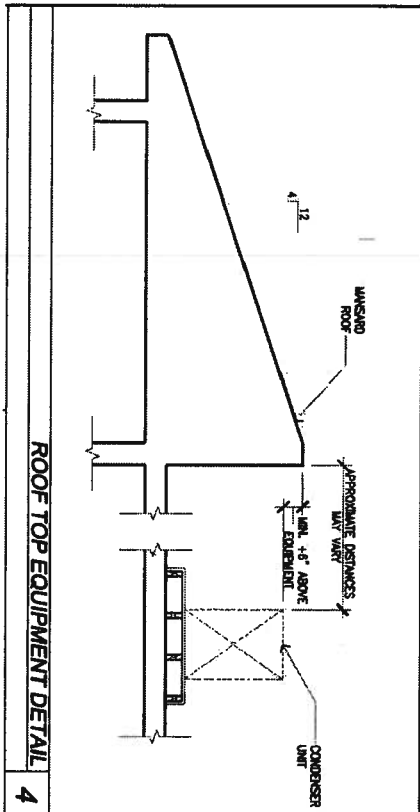
PROPOSED PROJECT
SUB 13-0009



ROOF PLAN



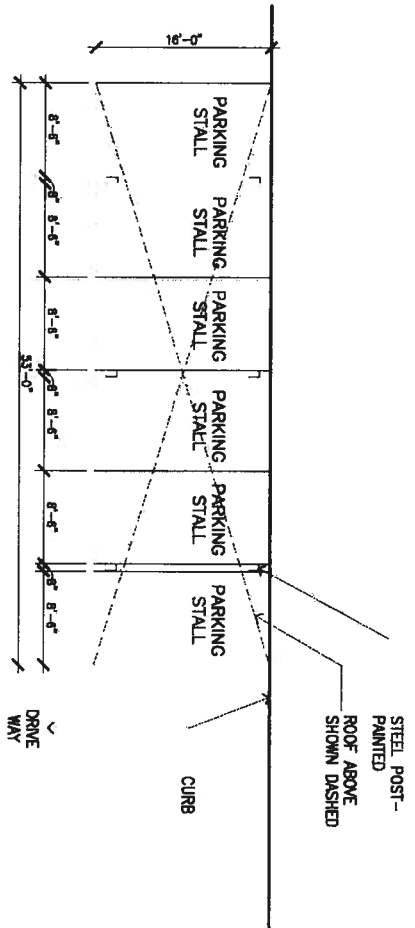
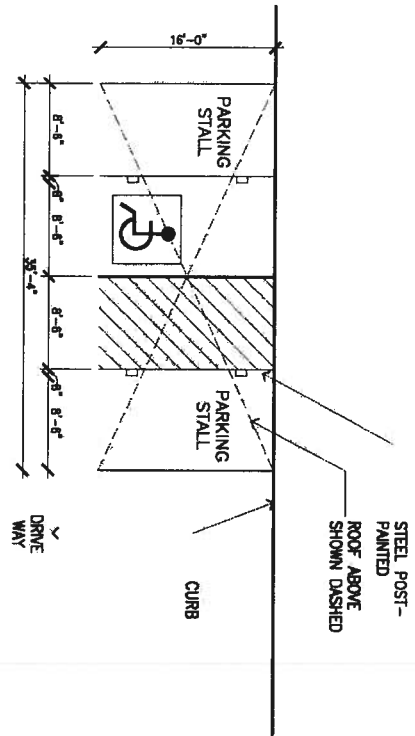
ROOF PLAN
BUILDING #4 - TYPE III



PROPOSED PROJECT
SUB 13-0009



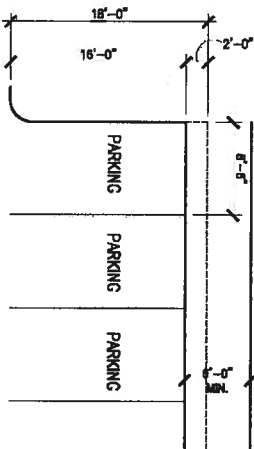
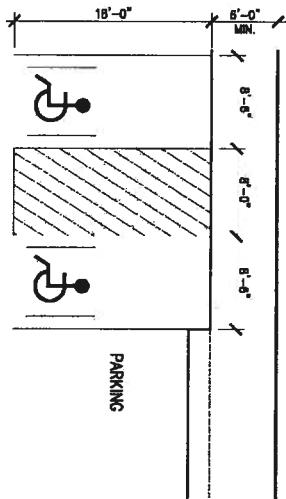
ROOF PLAN



STANDARD/HANDICAP CARPORT LAYOUT

SCALE 1/8"=1'-0"

2



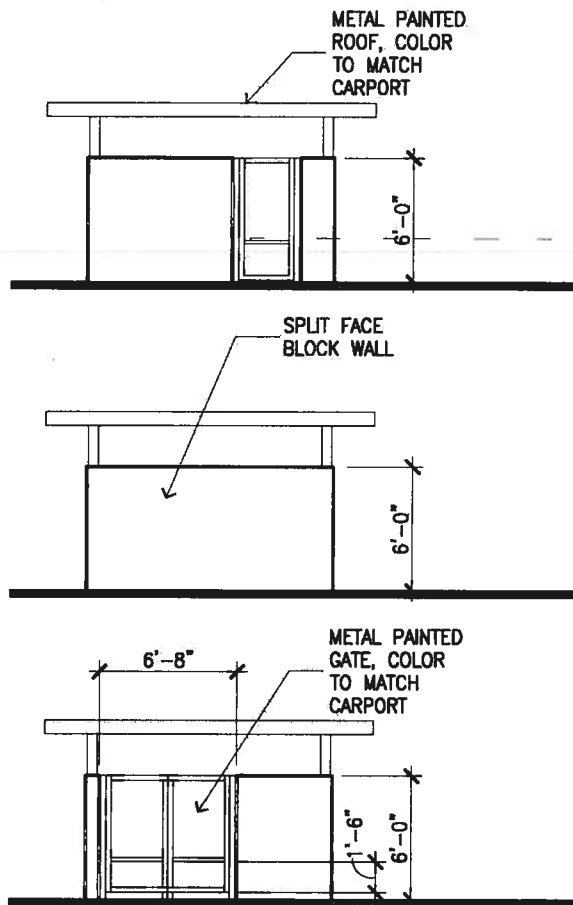
STANDARD/HANDICAP PARKING LAYOUT

3

PROPOSED PROJECT
SUB 13-0009

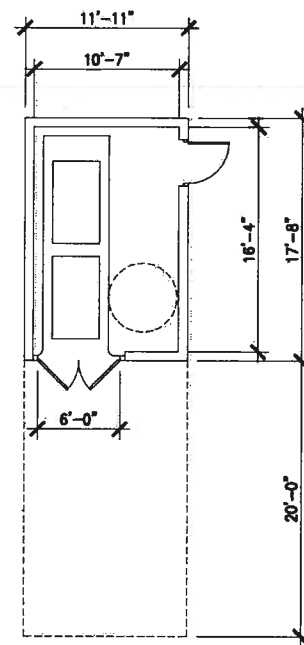


SITE PLAN



TRASH ENCLOSURE ELEVATIONS

6



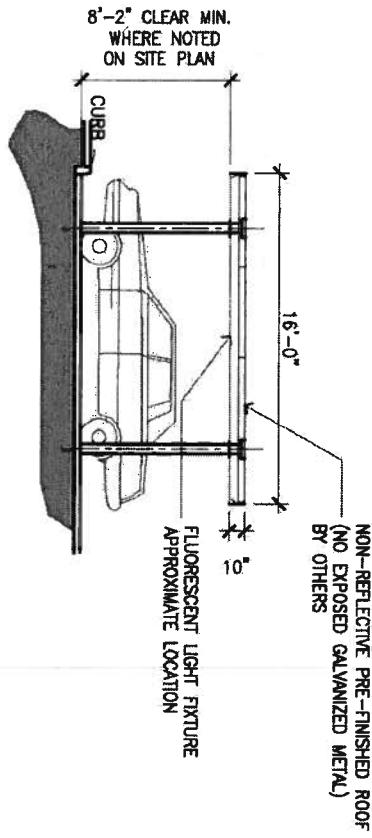
TRASH ENCLOSURE LAYOUT

5

**PROPOSED PROJECT
SUB 13-0009**



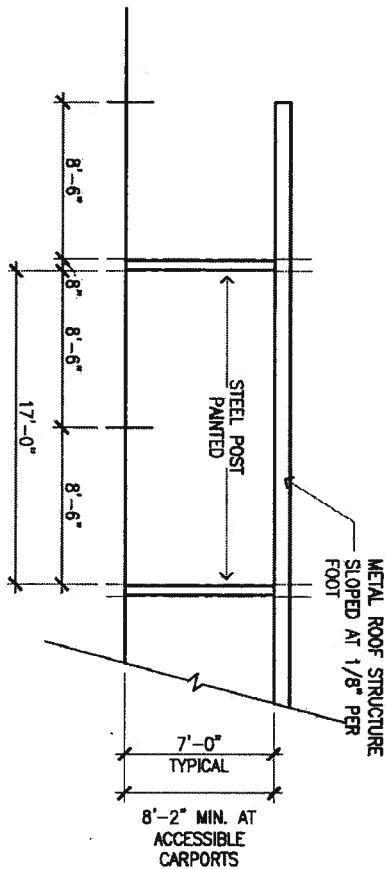
SIDE ELEVATION



CARPORT ELEVATIONS

1

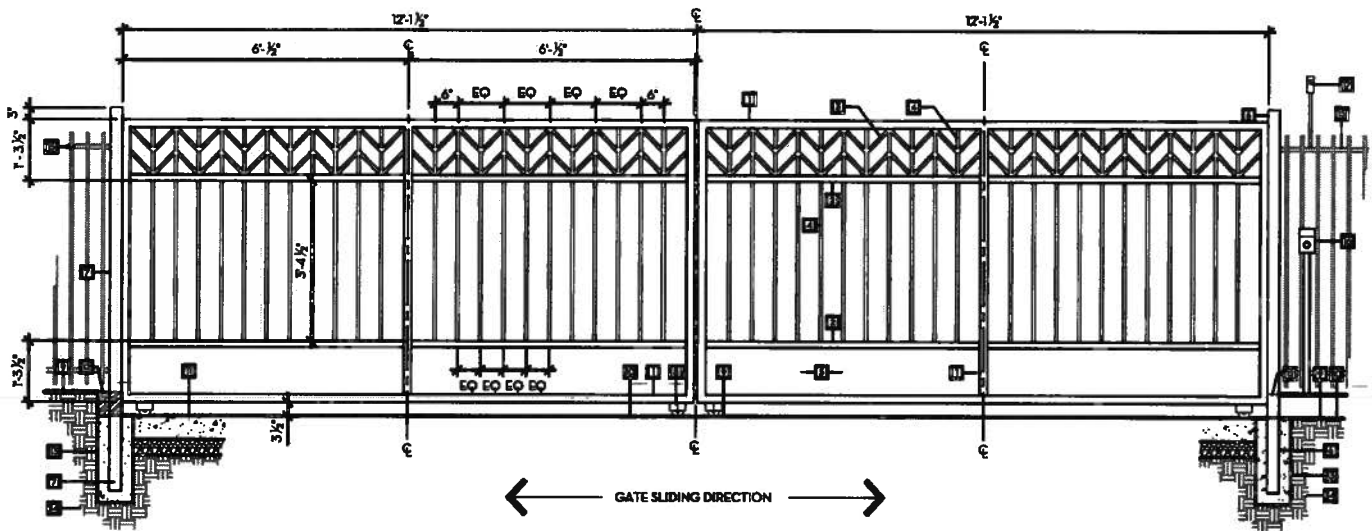
FRONT ELEVATION



PROPOSED PROJECT
SUB 13-0009



ELEVATIONS



FRONT ELEVATION

SLIDING VEHICULAR GATE

LEGEND

- | | |
|--|--|
| 1 2" SQ. TUBULAR STEEL FRAME | 11 DRIVEWAY - SEE CIVIL ENGINEER'S PLAN |
| 2 1 1/2" SQ. TUBULAR STEEL RAILS | 12 CONCRETE CURB - SEE CIVIL ENGINEER'S PLAN |
| 3 1/2" SQ. STEEL CHEVRONS | 13 CONCRETE FOOTING - SEE DETAIL 1 SHEET S-2 |
| 4 3/4" SQ. STEEL PICKETS | 14 COMPACTED SUBGRADE - BY CONTRACTOR (SEE SOILS REPORT FOR RECOMMENDATIONS) |
| 5 1/4" FLAT STOCK STEEL PANEL | 15 ADJACENT TUBULAR STEEL SCREEN FENCE - SEE DETAIL B/ SHEET LWF-S AND PLAN FOR LOCATION |
| 6 3" SQ. TUBULAR STEEL POST - LOCATED IN FRONT OF GATE TRACK (SEE PLAN FOR LOCATION) | 16 "KNOX BOX" LOCATION PER CITY OF ESCONDIDO FIRE DEPT (ON ENTRY SIDE OF VEHICULAR ENTRY ONLY) |
| 7 3" SQ. TUBULAR STEEL END POST | 17 "OPTICOM" LOCATION PER CITY OF ESCONDIDO FIRE DEPT |
| 8 WHEEL | |
| 9 GATE TRACK | |
| 10 FINISH GRADE | |

NOTES

- FOR VERTICAL AND HORIZONTAL REINFORCEMENT SEE STRUCTURAL ENGINEER'S PLANS SHEET S-2
- ALL STEEL SHALL BE PRIMED AND PAINTED PER SPECIFICATIONS.
- PAINT COLOR TO BE SELECTED BY LANDSCAPE ARCHITECT
- ALL WELDS TO BE GROUND SMOOTH
- FENCE CONTRACTOR SHALL SITE VERIFY EXACT SIZE OF GATE OPENING PRIOR TO FABRICATION
- THIS IS A DESIGN DETAIL ONLY. CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR OWNER APPROVAL
- ALL GATE HARDWARE AND OPERATING MECHANISMS - BY FENCE CONTRACTOR AND SHALL BE APPROVED BY OWNER

©

**PROPOSED PROJECT
SUB 13-0009**



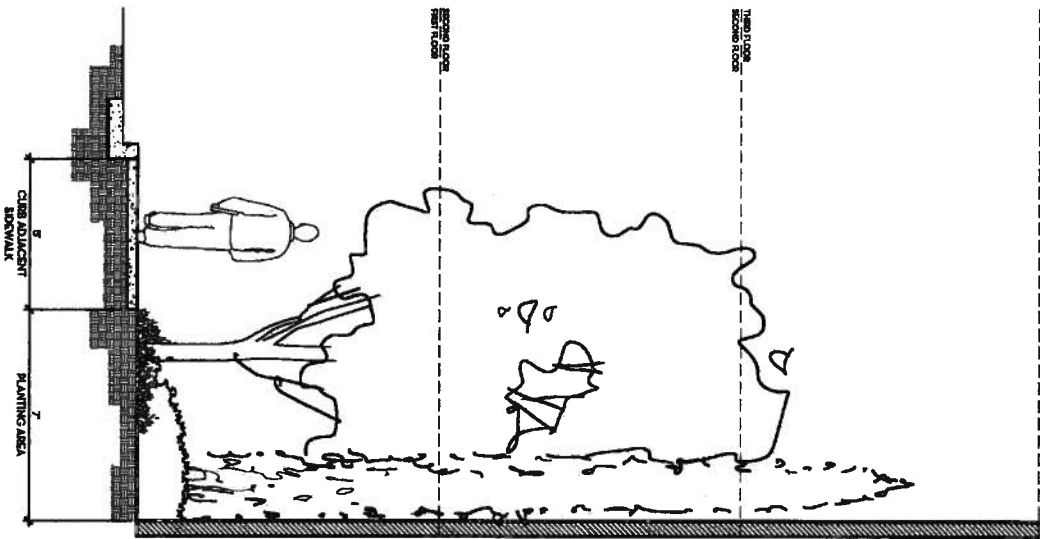
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71

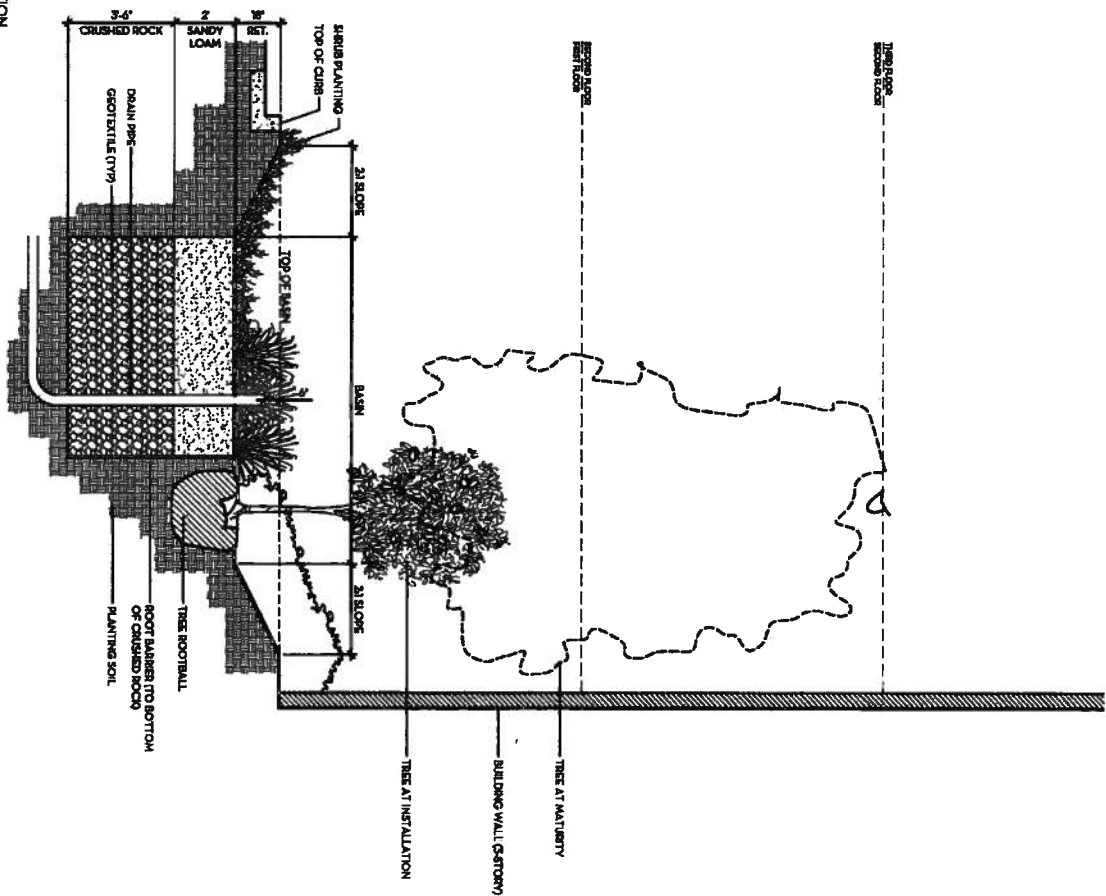
SECTION
ESCONDIDO BLVD
SECTION F-F

F



SECTION
TREE PLANTING AT BIO-RETENTION BASIN 1 THRU 3
SECTION G-G

G



**PROPOSED PROJECT
SUB 13-0009**

SECTION

ADDENDUM

to the

**ESCONDIDO MIXED-USE DEVELOPMENT (SHOPKEEPERS COTTAGES)
FINAL MITIGATED NEGATIVE DECLARATION
Case Nos. TR 911, 2005-03-CZ/PD, ER 2005-02**

for the proposed

**REVISION TO THE DESIGN OF THE PREVIOUSLY APPROVED MASTER AND PRECISE
DEVELOPMENT PLAN, TENTATIVE SUBDIVISION MAP, ZONE CHANGE AND AMENDMENT
TO THE SOUTH ESCONDIDO BOULEVARD NEIGHBORHOOD PLAN**

City File No. SUB13-0009

Prepared for:

**City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025**

April 7, 2014

INTRODUCTION

This Addendum to the Final Mitigated Negative Declaration (MND) for the “Escondido Shopkeeper Units” (SCH No. 2005061091) has been prepared for the proposed N.C.S. Real Estate Residential Planned Development in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15164. It updates the MND that was prepared for the City of Escondido (City) and adopted in November 2005. The adopted MND is available for review at the City of Escondido Planning Department, which is located at 201 North Broadway, Escondido, CA 92025.

On August 24, 2005, the Escondido City Council adopted a Mitigated Negative Declaration and Mitigation Monitoring Program (City File No. ER 2005-02, the “2005 MND”), along with a Master and Precise Development Plan, Zone Change and one-lot Tentative Subdivision Map for the proposed 49-unit mixed-use project referred to as the “Shopkeeper Cottages” (City Council Resolution No. 2005-193R). The Initial Study and MND evaluated the impacts of the proposed mixed-use project on the approximately 2.53-acre site located within the General Commercial (CG) zone and the South Escondido Boulevard Neighborhood Plan. The project site is comprised of vacant land generally located on the eastern side of South Escondido Boulevard, north of Citracado Parkway and south of Brotherton Road, addressed as 2412 and 2424 S. Escondido Boulevard (APNs 238-141-31 and -36). The approved project includes a total of 49 air-space residential condominium type units, which include five street-front dwelling units along South Escondido Boulevard that are designated residential/specialty retail. The 2005 MND identified potential impacts to the environment as a result of the project in the areas of biology and air quality. However, mitigation measures were adopted to address and mitigate potentially significant impacts to less than significant levels. The mitigation measures still would be required to properly mitigate potential impacts associated with the revised project design.

The current application to the City (the “Proposed Project”) proposes a redesign of the approved project to include an increase in the number of units from 49 to 76 and eliminates the 5 shopkeeper/commercial units. This Addendum addresses the proposed modifications to the approved project and compares the associated potential environmental impacts of the proposed project. The Addendum does not recommend approval or denial of the proposed modifications to the project. This Addendum is an informational document, intended to be used in the planning and decision-making process as provided for under Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. This Addendum concludes that the proposed changes to the project will not: (1) result in new significant impacts; or (2) substantially increase the severity of previously disclosed impacts beyond those already identified in the 2005 MND. Therefore, a subsequent Mitigated Negative Declaration would not be required under CEQA to implement the proposed project modifications.

STATUTORY BACKGROUND

The City of Escondido is the CEQA lead agency for the Proposed Project. Under CEQA, an Addendum to a certified Environmental Impact Report or Negative Declaration may be appropriate if minor technical changes or modifications to the project are proposed (CEQA Guidelines § 15164). An Addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164(c)); however, an Addendum is to be considered along with the adopted mitigated negative declaration by the decision-making body prior to making a decision on the project (CEQA Guidelines § 15164(d)).

This MND Addendum demonstrates that the environmental analysis, impacts and mitigation measures/requirements identified in the 2005 MND remain substantively unchanged by the situation described herein, and supports the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2005 MND. Therefore, recirculation of the adopted MND for public review is not required, pursuant to CEQA Guidelines Section 15164. The City also has determined that preparation of a subsequent environmental impact report or mitigated negative declaration is not required under CEQA Guidelines Section 15162. To support this decision, the following discussion describes the proposed project modifications and the associated environmental analysis.

SUMMARY OF ORIGINAL PROJECT DESCRIPTION

The original project description consists of a Master and Precise Development Plan and a one-lot Tentative Subdivision Map to develop a 49-unit mixed-use project on an approximately 2.53-acre site within the General Commercial zone and South Escondido Boulevard Area Plan. The original project also included a Zone Change from General Commercial (CG) to Planned Development/Mixed Use (PD-MU). The approved project consists of a cluster of twelve, three-story building structures comprised of a total of 49 residential condominium type units. Five street-front dwelling units along South Escondido Boulevard are designated as residential/specialty retail (shopkeeper units). The residential units were to be located throughout the remainder of the Project Site. Residential unit sizes range from approximately 1,550 SF to 1,950 SF, which include 2, 3 and 4 bedroom designs. The five commercial units are approximately 420 SF in size. For purposes of presenting a maximum build-out scenario, the noise, air quality, and traffic analysis of the 2005 MND assumed that the remaining four dwelling units along South Escondido Boulevard located in the southwest portion of the property could be developed as specialty retail (i.e., mixed residential commercial use). Two-car garage parking was to be available with each residential unit. In addition, the original project included 19 open parking spaces available on the property site and up to 8 off-street parking spaces fronting the site along Escondido Boulevard. The total developed area for the residential and shopkeeper units in the original project was approximately 1.9 acres (75 percent) of the property and the remainder of the site was to be dedicated for paved parking and landscaping. The overall density of the project would be approximately 19.36 du/ac (49 residential units/2.53 acres).

Following environmental analysis of the project site, it was determined that jurisdictional wetland habitat would be impacted with project implementation. A Wetland Mitigation Plan (EDAW 2005) was prepared to address impacts to jurisdictional wetland habitat, and provides detailed information on existing conditions, implementation methods, maintenance, monitoring, and replanting activities. Off-site wetland mitigation is proposed at the Fenton Ranch site at the confluence of Guejito Creek and Santa Ysable Creek in San Pasqual Valley (APN 242-110-12). The 3-acre site is part of a 23.46-acre site with an open space designation placed on the area to be used as future mitigation.

PROJECT REVISIONS

The Proposed Project consists of 76 condominium type residential units to be situated in four, three-story buildings. The Proposed Project eliminates the previously approved commercial component and adds 27 residential units. The Proposed Project includes a combination of individual garages, carports and open spaces for a total of 144 parking spaces located throughout the development. No on-street parking would be provided along the project frontage. The total developed area for the Proposed Project is approximately 0.93 acres (38% percent) of the property and the remainder of the site is to be dedicated for paved parking and landscaping, with an overall density of 30.4 du/ac (76 units/2.50 net acres).

Since the original project was approved, the City updated its General Plan in 2012 and the new General Plan requires a minimum density of 30 units per acre for mixed-use projects and also for exclusively residential projects within the Centre City Parkway/Brotherton Road Target Area (page II-70). The Project includes a proposed amendment to the South Escondido Boulevard Neighborhood Plan (the "Plan") to allow for an exclusively residential project in conformance to the 2012 General Plan. Paragraph 6(c) (page 6) of the "Plan" already allowed an exclusively residential development in the South Escondido Neighborhood Area through the Planned Development. The Proposed Project includes the following amendment to the Neighborhood Plan: to include paragraph 6(d) to include the Project Site as follows:

Residential development without a commercial component may be permitted on the 2.53-acre property located on the eastern side South Escondido Boulevard between Citracado Parkway and Brotherton Road (APNs 238-141-31 and 238-141-36), and shall be processed in accordance with the planned development process specified in Article 19 of the Escondido Zoning Code. The density of any project on APN's 238-141-31 and 238-141-36 shall be a minimum of 30 dwelling units per acre and the maximum height shall be three stories.

IMPACT ANALYSIS

City staff have reviewed the adopted 2005 Initial Study/MND in conjunction with the current revised project, and has been determined that the proposed changes described in this Addendum would not result in any new significant impacts or a substantial increase in the severity of significant impacts identified for the previously adopted MND. Analysis of the current project compared to the previously approved development is as follows:

LAND USE AND PLANNING

The original mixed-use project and Proposed Project affect the same 2.53-acre project site and general development footprint, and would include a similar three-story residential type of land use. The Proposed Project proposes the same type of residential development as previously approved but eliminates the mixed-use/commercial component by removing the five shopkeeper units approved as part of the original project. The density of the original project was 19.36 du/ acre, which was consistent with the maximum density of up to 24 units/ acre for mixed-use projects within the South Escondido Boulevard Neighborhood Plan. The 2012 General Plan now allow allows both mixed-use and residential development but requires a minimum density of 30 units/acre for residential projects. The density of the Proposed Project is 30.4 du/ acre, which is in conformance with the 2012 General Plan and the Centre City Parkway/Brotherton Road Target Area (page II-70). Therefore, none of the modifications would result in new or substantially increased significant impacts related to land use and planning, including effects to an established community or conflicts with established plans, policies or regulations as described in the 2005 MND.

AESTHETICS - Visual impacts expected from the original approved project were not anticipated to result in any significant impacts to the surrounding area. The revised project would not result in any effects to visual resources that are more severe than those described in the original Mitigated Negative Declaration. The modified project proposes a similar three-story residential project as previously approved on the project site, but with an increase in density as described above. Any light and glare produced by the project would be in conformance with the City's outdoor lighting standards. As with the approved project, the modified project's aesthetic impact would be less than significant.

TRANSPORTATION/ TRAFFIC

A Traffic Study Report was prepared for the original project by Darnell & Associates, Inc. in January 2005 and updated on April 14, 2005. The effects on traffic were thoroughly measured as part of the 2005 MND, which concluded there would be no significant impacts to air traffic patterns, emergency access or parking capacity and there are no design features or incompatible uses that would substantially increase hazards. A Traffic Study Report also was prepared as part of the Environmental Impact Report (EIR) for the potential increase in density allowed for the project area with the 2012 General Plan. According to the trip generation rate for residential condominiums provided in the Institute of Transportation Engineers (ITE) Trip Generation Manual, the originally approved project was anticipated to

generate up to 543 average daily trips (ADT), 36 AM peak trips and 49 PM peak hour trips. Access to the site would be provided by a single driveway from South Escondido Boulevard, which is classified as a Local Collector Road (66' R-O-W). The Proposed Project is anticipated to generate approximately 608 ADT (8 trips per unit) which would be an increase of 63 daily trips (12 additional AM peak hour and 16 additional PM peak trips) compared to the original project. The Engineering Department indicated the relatively small increase in daily and peak hour trips would not result in any significant direct or near-term cumulative impacts to any of the study roadway segments analyzed, which would continue to operate at an acceptable LOS C or better. With the existing lane geometries, all key intersections analyzed would continue to operate at an acceptable mid-level LOS D or better with implementation of the proposed project and no mitigation measures would be required.

Therefore, the Proposed Project does not propose any substantial changes that would require major revisions to the analysis of the significance of transportation/traffic circulation impacts in the 2005 MND. There also have been no change in circumstances that would require major revisions to the analysis of the significance of transportation/traffic circulation impacts in the 2005 MND due to the occurrence of new or more severe transportation/traffic circulation impacts, and there is no new information of substantial importance concerning transportation/traffic circulation impacts that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted.

AIR QUALITY

When considering both the Regional Air Quality Standards and the City of Escondido's standards for air quality of the original project, the Proposed Project does not propose substantial changes that would require major revisions to the analysis of the significance of air quality impacts in the 2005 MND; there has been no change in circumstances that would require major revisions to the analysis of the significance of air quality impacts in the 2005 MND due to the occurrence of new or more severe air quality impacts; and, there is no new information of substantial importance concerning air quality impacts that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted. Implementation of Mitigation Measure "Air 1" in the adopted 2005 MND would remain applicable to the Proposed Project.

Greenhouse Gas Emissions - The 2012 General Plan discusses the City's goals to meet the State's targets for reducing Greenhouse Gas ("GHG") emissions and includes implementation tools to reach those goals, including the Escondido Climate Action Plan (E-CAP). The EIR for the GPU determined that with the GHG-reducing General Plan Update policies and E-CAP measures, the City's GHG emissions would be less than significant for projects consistent with the General Plan, as updated.

On August 22, 2012, the City published new GHG Emissions Thresholds and Screening Tables as part of a Draft Climate Action Plan (E-CAP), which was approved by the Planning Commission on October 22, 2013 and adopted by the City Council on December 4, 2013. The E-CAP provides established CEQA significance thresholds for GHG analyses.

The City has determined that projects emitting less than 2,500 metric tons of CO₂e will not result in a significant impact and presents a list of sample projects that generate less than 2,500 metric tons of CO₂e. The Proposed Project is smaller than those listed by the City and will produce GHG emissions that are less than significant (see, November 6, 2013 letter from Maestre Greve Associates, attached).

According to Appendix G of the CEQA Guidelines, impacts related to GHG emissions are normally considered significant if implementation of the proposed project would either: (a) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or (b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

The E-CAP states that "Mitigation of GHG emissions impacts through the Development Review Process ('DRP') provides one of the most substantial reduction strategies for reducing community-wide emissions associated with new development." To address the GHG from stationary sources, the E-CAP ensures that GHG emissions impacts are mitigated through the DRP.

For future projects, under the E-CAP guidelines, each project subject to CEQA would follow one of three scenarios for the GHG analysis:

- If the project is below the set screening threshold for GHGs, then the project's GHG emissions are determined less than significant and no further GHG analysis would be required. OR
- If the project is above the set screening threshold, then the project would be able to tier from the GHG analysis associated with the E-CAP by accumulating 100 points from the E-CAP Screening Tables for New Development document. OR
- If the project is above the GHG screening threshold and the project has unusual characteristics that make the Screening Tables analysis inappropriate for the project, then the project would need to complete a separate, independent GHG analysis.

The Proposed Project easily fits into the general project descriptions and features described in the Screening Tables provided in the E-CAP document; and therefore a project-specific technical analysis is not necessary to quantify and mitigate GHG emissions (see first bullet above).

Accordingly, as the Proposed Project is below the GHG emissions threshold requirements the Proposed Project does not present new information of substantial importance concerning GHG impacts.

BIOLOGICAL RESOURCES

The 2005 MND found potential impacts to biological resources based on a Biological Technical Report and Wetland Delineation prepared in for the project in November 2004.

The 2005 MND required implementation of Mitigation Measures "Bio 1-8", which, along with the requirements in the EDAW June 1005, ESCO Mixed Use Development (Shopper Cottages) Wetland Mitigation Plan, have been completed (see, November 12, 2013 Glenn Lukos Associates Regulatory Services letter, attached).

The original project and the Proposed Project include the same residential use with a similar design. The Proposed Project does not propose substantial changes that would require major revisions to the analysis of the potential impacts to the biological resources in the 2005 MND and the resulting Wetland Mitigation Plan; there has been no change in circumstances that would require major revisions to the analysis of the significance of the impacts due to the occurrence of new or more severe impacts; and, there is no new information of substantial importance concerning impacts to biological resources that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted. The same mitigation measures still would apply and be required for the project.

HYDROLOGY/ WATER QUALITY

The 2005 MND found that project implementation would not result in any significant impacts related to alteration of drainage patterns/directions; runoff volumes/velocities; the capacity of existing/planned drainage systems; flooding/floodplains; inundation by seiche, tsunami or mudflow; or water quality based on the Hydrology and Drainage Report dated December 16, 2004 and Stormwater Management Plan dated November 15, 2004 prepared by Hunsaker & Associates.

The 2005 MND found potential impacts to the wetland habitat, which impacts are less than significant with implementation of offsite mitigation measures. Implementation of Mitigation Measure "Bio 1" in the adopted 2005 MND would remain applicable to the Proposed Project and as the Proposed Project would be located in the same general location and would also be subject to the noted standards and best practices, it would not generate any new significant impacts related to sensitive habitats or substantially increase the severity of previously disclosed impacts. In addition, the applicant will be required to obtain/ reinstate Section 404 Nationwide Permit from the Corps, a Section 1600-1607 Streambed Alteration Agreement from the CDFG and a Section 401 Waste Discharge Certification from the RWQCB.

AGRICULTURAL RESOURCES, CULTURAL RESOURCES, GEOLOGY/ SOILS, HAZARDS AND HAZARDOUS MATERIALS, MINERAL RESOURCES, NOISE, POPULATION/ HOUSING, PUBLIC SERVICES, RECREATION, AND UTILITIES/ SERVICE SYSTEMS

The adopted 2005 MND concluded that potential impacts associated with all of the listed issues would be less than significant, based on considerations including the nature, location and extent of project-related disturbance and development and requirements for conformance with applicable regulatory and industry standards. The original and revised project descriptions would affect the same area, include the same types of land use, and would be constructed using similar grading and building practices. Accordingly, the impact conclusions noted for the listed issues in the adopted 2005 MND would also apply to the revised project description, with all associated potential impacts to be less than significant as summarized below by topic.

Agricultural- As described for the previous project description in the adopted 2005 MND, the Project Site is located within an urban redevelopment area of the City and there are no agricultural activities occurring on the project site. The 2005 MND concluded there would be no impacts and none of the modifications would result in new or substantially increased significant impacts related to agricultural resources as described in the 2005 MND.

Cultural- No historic, cultural or archaeological resources were identified for the 2005 MND based on the results of a record search and an archaeological field survey conducted by EDAW on October 28, 2004. The 2005 MND concluded there would be no impacts and none of the modifications would result in new or substantially increased significant impacts related to cultural resources. However, as recommended in the 2005 MND, if culturally significant human remains are found during project activities, work should be temporarily halted in that area and appropriate mitigation measures and protocols would be implemented with consultation with the City to avoid and minimize impacts.

Geology/ Soils- The 2005 MND identified less than significant impacts based on the location of the site relative to active faults and requirements for conformance to applicable design, construction and inspection standards and practices. Pacific Soils Engineering, Inc. prepared a Soils Report for the project in November 2004. Because the Proposed Project would be located in the same general location and would also be subject to the noted standards and best practices, it would not generate any new significant impacts related to geology/soils or substantially increase the severity of previously disclosed impacts.

Hazards and Hazardous Materials- The 2005 MND identified less than significant impacts for the original project based on a Phase I Environmental Assessment Report prepared by Phase One, Inc. in November 2004. Because the Proposed Project would encompass essentially the same area of grading/disturbance as the original project description, no new or substantially increased significant impacts related to hazards and hazardous materials would result from the Proposed Project.

Mineral Resources - The adopted 2005 MND concluded that the original Project Site does not contain any significant mineral resources, with no associated adverse impacts identified. Based on the same location and similar nature of the revised project design, this conclusion would also be applicable to the Proposed Project. As a result, no new or substantially increased significant impacts related to mineral resources would result from implementation of the Proposed Project.

Noise - Based on required conformance with applicable City standards related to construction and operational noise levels (including the General Plan Noise Element and Noise Ordinance), the adopted 2005 MND concluded that no significant noise impacts would result from implementation of the original project. Because the Proposed Project would be located in the same location and would also be subject to the noted standards, it would not generate new significant impacts related to noise or substantially increase the severity of previously disclosed impacts.

Population/ Housing - The adopted 2005 MND concluded that the original project design

would be consistent with the then applicable criteria in the City General Plan regarding the number, type, and density of proposed residential development. Because the General Plan designation was revised to increase the density and the revised project design would not change the previously proposed residential uses, the noted conclusion would also be applicable to the Proposed Project. As a result, no new or substantially increased significant impacts related to population/ housing would result from implementation of the Proposed Project.

Public Services- The adopted 2005 MND concluded that the original project design would not result in significant impacts to services including fire protection, law enforcement, schools, gas/ electric. Although the revised project design increases the previously proposed residential units, Section 4.14.7 of the Final EIR for the 2012 General Plan Update concludes that implementation of the General Plan does not contribute to significant impacts associated with fire or police protection services, school or library services. Accordingly, the Proposed Project would not generate new significant impacts related to public services or substantially increase the severity of previously disclosed impacts.

Recreation- The adopted 2005 MND concluded that the original project would not adversely affect existing parks or recreational facilities. Although the revised project design increases the previously proposed residential units, Section 4.15.7 of the Final EIR for the 2012 General Plan Update concludes that implementation of the General Plan does not contribute to significant impacts associated with parks or recreational facilities. As a result, no new or substantially increased significant impacts related to recreation would result from implementation of the Proposed Project.

Utility and Service Systems- Based on analysis by applicable City departments, and review of related planning documents, the adopted 2005 MND concluded that the original project design would not result in significant impacts to services including sewer, municipal water, storm water, or refuse collection/disposal. Although the revised project design increases the previously proposed residential units, Section 4.17.7 of the Final EIR for the 2012 General Plan Update concludes that implementation of the General Plan does not contribute to significant impacts associated with the provision of new water and wastewater facilities; stormwater drainage facilities; sewer or energy. Section 4.17.7 of the Final EIR for the 2012 General Plan Update concludes that impacts associated with water supply and landfill capacity remain significant and unavoidable; however, the Proposed Project would not generate new significant impacts related to public services/ utilities or substantially increase the severity of previously disclosed impacts.

SUMMARY AND FINDINGS

The City previously prepared and adopted the 2005 MND, which is on file in the Planning Division. The CEQA Guidelines call for an addendum to an adopted Negative Declaration to be prepared if only minor technical changes or additions are necessary, or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. (See Section 15164.)

Pursuant to Section 15162(a) of the CEQA Guidelines and based upon a review of the current proposed project, it has been determined that:

1. No substantial changes are proposed in the project that would require major revisions of the 2005 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken that would require major revisions of the 2005 MND due to the involvement of new Significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 2005 MND was certified as complete, that shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the 2005 MND;
 - (B) Significant effects previously examined will be substantially more severe than shown in the 2005 MND;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives that are considerably different from those analyzed in the 2005 MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA is clear in its preference to use previously prepared environmental documents when anticipated project specific impacts have been clearly assessed. Section 15162 of the CEQA Guidelines prescribes criteria where a previously adopted Negative Declaration can be used and when a new Negative Declaration should be prepared.

The Impact Analysis in this Addendum indicates the proposed modification is in substantial conformance with the previously approved design and operation of the Project and therefore would have no new impacts not already identified in the previous 2005 MND. The 2005 MND did not identify any impacts associated with implementation of the Proposed Project that would be significant after mitigation. This Addendum does not identify any Proposed Project impacts that would be significant after mitigation and no new or additional mitigation is required.

There is substantial evidence to approve this Addendum pursuant to Sections 15164 and 15162 of the CEQA Guidelines. No additional environmental review is warranted, because the lead agency has determined that on the basis of substantial evidence in the whole record

the Proposed Project does not create any of the substantial effects on the environment that are identified in Section 15162(a)(1) through (a)(3). No circulation of this Addendum for public comment is required. (CEQA Guidelines Section 15164(c)).



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

013224
FILED
Gregory J. Smith, Recorder/County Clerk

SEP 08 2005

NOTICE OF DETERMINATION

DATE: August 29, 2005

BY et DEPUTY

TO: X Office of Planning Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: City of Escondido
201 North Broadway
Escondido, CA 92025

X San Diego County Recorder's Office
Attn: Wendy Chevalier
P. O. Box 121750
San Diego, CA 92112-1750

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

ER 2005-02 (Mitigated Negative Declaration for Escondido Shopkeeper Units, TR 911, 2005-03-CZ/PD)
Project Title/Case No.

2005061091 City of Escondido
State Clearinghouse Number (if submitted to State Clearinghouse) Lead Agency

Jay Paul, Associate Planner (760) 839-4537
Contact Person Telephone Number

Richardson Partners, Inc. (Robert Richardson) 6646 Elegant Tern Place, Carlsbad, Ca 92009
(760) 438-9711
Project Applicant, Address and Phone Number

2412 & 2424 S. Escondido Boulevard (APNs 238-141-31 & -36) City of Escondido, County of San Diego
Project Location (include County)

Project Description: Master and Precise Development Plan, and a one-lot Tentative Subdivision Map to develop a 49-unit, mixed-use project on approximately 2.53-acres of land within the General Commercial zone and South Escondido Boulevard Area Plan. A Zone Change from General Commercial (CG) to Planned Development-Mixed Use (PD-MU) also is requested. The project is a cluster of twelve, three-story buildings comprised of a total of 49 residential units of which five street-front dwelling units along South Escondido Boulevard would be designated as residential/specialty retail. Development of the site would remove an existing open drainage swale along with mature trees (including oak trees). Off-site mitigation for impacts to on-site biological/wetland habitat is proposed.

This is to advise that on August 24, 2005, the City of Escondido (City Council) adopted Mitigated Negative Declaration ER 2005-02 (CC Resolution No. 2005-193) and approved the above described project and has made the following determinations regarding the project:

1. The proposed project will not have a significant effect on the environment since any potential impacts have been mitigated to less than a significant level.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were adopted as part of the project and environmental review.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

A copy of the Mitigated Negative Declaration (ER 2005-02) and record of project approval is available for review by the general public at the City of Escondido Planning Division, 201 N. Broadway, Escondido, California 92025. Telephone number (760) 839-4671. The City of Escondido has complied with CEQA in preparation of the Mitigated Negative Declaration.

Name of Official Filing Notice Jay Paul, Associate Planner  Date: September 6, 2005

Date Received for Filing _____

Filing Fee Transmitted to County Clerk X

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on SEP 08 2005
Posted SEP 08 2005 Removed _____
Returned to agency on _____
Deputy 



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

Environmental Checklist Form

1. Project title: ESCO Mixed-Use Development (Shopkeepers Cottages) ER 2005-02, TR 911 and 2005-03-PD/CZ
2. Lead agency name and address: City of Escondido
201 North Broadway
Escondido, CA 92025
3. Contact person and phone number: Jay Paul, Planner
4. Project location: 2412 South Escondido Boulevard (APNs 238-141-31) and 2424 South Escondido Boulevard (APN 238-141-36) between Brotherton Road and Citracado Parkway.
5. Project sponsor's name and address: Robert Richardson, President
NCA-ESCO Escondido LLC (owner)
c/o: Richardson Partners, Inc.
6646 Elegant Tern Place
Carlsbad, CA 92009
6. General Plan Designation: General Commercial (GC)
7. Zoning: CG and PD – MU (South Escondido Boulevard Area Plan)
8. Description of project: Tentative Subdivision Map, Master and Precise Development Plan, and Zone Change

The proposed ESCO Mixed-Use Development project (ESCO) is a cluster of 12 building structures comprised of 49 multi-family attached residential units and five (5) commercial live-work units. The commercial units would be located in the northwestern portion of the property along South Escondido Boulevard and the residential units would be located throughout the remainder of the site. Two-car garage parking is available with each residential unit. In addition, there would be 19 parking spaces available on the property site and eight off-street parking spaces. Associated public infrastructure improvements such as utilities, storm drains, water, and sewer lines are included with the development of the proposed project. The project site is located on approximately 2.5 acres of undeveloped land in southern area of the City of Escondido. Mitigation will be located offsite for impacts to the existing onsite riparian habitat.
9. Surrounding land uses and setting:
North: Commercial, single family detached residences, and multi-family attached residences.
South: Commercial and single family detached residences.
East: Single family detached residences and multi-family attached residences.
West: Centre City Parkway, commercial and single family detached residences.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).
California Department of Fish and Game
California Regional Water Quality Control Board
U.S. Army Corps of Engineers

U.S. Army Corps of Engineers

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture Resources | ☒ Air Quality |
| ☒ Biological Resources | ☐ Cultural Resources | ☐ Geology/Soils |
| ☐ Hazards & Hazardous Materials | ☐ Hydrology/Water Quality | ☐ Land Use/Planning |
| ☐ Mineral Resources | ☐ Noise | ☐ Population/Housing |
| ☐ Public Services | ☐ Recreation | ☐ Transportation/Traffic |
| ☐ Utilities/Service Systems | ☐ Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
- ☒ I find that, although the proposed project might have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by, or agreed to, the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
- ☐ I find that the proposed project might have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT shall be required.
- ☐ I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT shall be required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that, although the proposed project might have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further shall be required.

Signature

JAY PAUL

Printed Name

Date

JUNE 16, 2005

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained

where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take into account the whole action involved, including off-site, on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact might occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect might be significant. If there are one or more "Potentially Significant Impact" entries once the determination is made, an EIR shall be required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to the tiering, program EIR, or other CEQA. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where it is available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of an adequately analyzed earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate references to information sources for potential impacts into the checklist (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies normally should address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance of criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant

Environmental Checklist

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING

Would the project:

- a. Physically divide an established community?

☐	☐	☐	☒
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The project does not propose the construction of any structures that would physically divide an established community.

- b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

☐	☐	☐	☒
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The project would not conflict with any applicable land use plan, policy, or regulation.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

☐	☐	☒	☐
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The project would not significantly conflict with any applicable habitat conservation plan or natural community conservation plan.

- d. Have a substantial adverse effect on a scenic vista?

☐	☐	☐	☒
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The project would not construct structures or modify the existing land form in such a way that would cause an adverse effect on a scenic vista.

- e. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

☐	☐	☐	☒
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The project does not propose activities or structures that would damage scenic resources such as trees, rock outcroppings, and historic buildings within a state scenic highway.

- f. Substantially degrade the existing visual character or quality of the site and its surroundings?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The project does not propose activities or structures that would degrade the existing visual character or quality of the site and its surroundings.

- g. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The project would not create any new source of light or glare that would adversely affect day or nighttime views of the area.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

☐ ☐ ☐ ☒

The project will not convert Farmland to non-agricultural use.

- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

☐ ☐ ☐ ☒

The project will occur within a general commercial zone and will not conflict with existing agricultural zoning or a Williamson Act contract.

- c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

☐ ☐ ☐ ☒

The project will not involve changes in the existing environment that could result in the conversion of Farmland to non-agricultural use.

III. TRANSPORTATION/TRAFFIC

Would the project:

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?

☐ ☐ ☒ ☐

The project would not generate a significant increase in traffic trips and would not permanently affect the traffic load and capacity of the street system.

- b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

☐ ☐ ☒ ☐

The project would not generate a significant increase in traffic trips and would not exceed a level of service standard for designated roads or highways.

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

☐ ☐ ☐ ☒

The project would not result in a change in air traffic patterns.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
The project would not alter the existing roadways or introduce incompatible uses.				
e. Result in inadequate emergency access?	☐	☐	☐	☒
The project would not result in permanent affects to emergency access.				
f. Result in inadequate parking capacity?	☐	☐	☐	☒
The project includes the design for adequate parking.				
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒
The project would not conflict with policies, plans, or programs supporting alternative transportation.				

IV. AIR QUALITY

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |
| The project would not generate a substantial amount of air pollution that would conflict with the implementation of the applicable air quality plan. | | | | |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☒ | ☐ |
| The project would not generate a substantial amount of air pollution that would violate air quality standards. | | | | |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ☐ | ☐ | ☒ | ☐ |
| The project would not generate a substantial amount of air pollution that would result in a cumulatively considerable net increase of any criteria pollutant. | | | | |
| d. Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☒ | ☐ | ☐ |
| The project would not generate a substantial amount of air pollution that would expose sensitive receptors to substantial pollutant concentrations with implementation of the proposed mitigation measure. | | | | |
| e. Create objectionable odors affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
The project would not create objectionable odors affecting a substantial number of people.				

V. BIOLOGICAL RESOURCES

Would the project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ☐ ☒ ☐ ☐

No direct or indirect impacts are expected to occur to sensitive plant communities. The project has the potential to impact one federally-listed species, least Bell's vireo (*Vireo bellii pusillus*), however, avoidance measures will reduce potential impacts to below a level of significance.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ☐ ☒ ☐ ☐

A drainage swale consisting of southern riparian scrub traverses through the project site. The project could have a substantial adverse effect on this sensitive riparian community. However, with the implementation of appropriate mitigation measures, these impacts would be reduced to below a level of significance.

- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ☐ ☒ ☐ ☐

The drainage swale is designated as waters of the U.S. Therefore, the project could have a substantial adverse effect on federally protected wetlands. However, with the implementation of appropriate mitigation measures, these impacts would be reduced to below a level of significance.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☒ ☐

The project would not interfere substantially with any aquatic or terrestrial wildlife migration corridors. All potential impacts would be avoided or minimized through project design specifications.

- e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance? ☐ ☐ ☒ ☐

The project would not interfere substantially with any local policies or ordinances. All potential impacts would be avoided or minimized through project design specifications.

- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☒ ☐

The project area is outside of the Focused Planning Areas determined by the MHCP. Conflicts with the provisions adopted by the MHCP are not expected.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. CULTURAL RESOURCES

Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

☐	☐	☐	☒
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Historic cultural resources have not been identified in the project area. There will be no impacts to known cultural resources.

- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

Archaeological cultural resources have not been identified in the project area. There will be no impacts to known archaeological resources.

- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

No unique paleontological resources are known to occur onsite. The alluvial deposits of mountain valleys and the crystalline basement rocks of the Penninsular Ranges are associated with the project site are assigned a low paleontological sensitivity.

- d. Disturb any human remains, including those interred outside of formal cemeteries?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

Based on the results of a records search and field survey, there are no known archaeological sites, human remains or burial sites in the project area.

VII. GEOLOGY AND SOILS

Would the project:

- a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

☐	☐	☐	☒
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The project is not located in an area mapped by the Alquist-Priolo Earthquake Fault Zoning Map and would not rupture a known earthquake fault.

- ii. Strong seismic ground shaking?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

The project does not include activities that would cause strong seismic ground shaking.

- iii. Seismic-related ground failure, including liquefaction?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

The project does not include activities that would cause seismic-related ground failure, including liquefaction.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
iv. Landslides?	☐	☐	☐	☒
The project does not include activities that would cause landslides, and the project is not located in an area prone to landslides.				
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
Ground disturbing activities proposed by the project have the potential to cause soil erosion. Best management practices implemented during ground disturbing activities would mitigate soil erosion impacts to a less than significant level.				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
The project does not include activities that would cause geologic instability.				
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
The project does not include the construction of structures on expansive soil.				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
The project does not include the construction of septic tanks or alternative wastewater disposal systems.				

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
The project does not involve the routine transport, use, or disposal of hazardous materials.				
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
The project does not involve the use or storage of hazardous materials that would result in a reasonably foreseeable upset or accident conditions.				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.				

- | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|--------------------------|
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☒ | ☐ |

Project activities are not located on a hazardous waste site list compiled pursuant to Government Code Section 65962.5. However, potential hazardous waste sites may be located in areas surrounding the project site that can contaminate the groundwater within the area.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within two miles of an airport and would not result in safety hazards for people residing or working in the project area.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within the vicinity of a private airstrip and would not result in safety hazards for people residing or working in the project area.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not include activities or structures that would impair implementation of, or physically interfere with, an emergency response plan.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not involve activities with a high fire risk and it is not located adjacent to wildlands. The project would not expose people or structures to significant risks involving wildland fires.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)? | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Project activities have the potential to discharge pollutants into the tributary of Lake Hodges. Standard BMPs would reduce potential water quality impacts to a less than significant level.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? The project does not withdraw groundwater or interfere with groundwater discharge in such a manner that would affect the groundwater table level.	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site? Project construction involves excavations and grading activities. Standard BMPs implemented during construction would adequately control erosion and siltation impacts to a less than significant level.	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts? The project involves excavations and grading activities and the removal of existing natural drainage swale. Project design will incorporate proper measures to reduce the rate and amount of surface runoff, including pollutants from affecting existing waterways or streams. BMPs implemented as part of the project activities protocol would minimize the risk of flooding to a less than significant level.	☐	☐	☒	☐
e. Cause significant alteration of receiving water quality during or following construction? Sediment load increases would occur during construction. Proper use of standard soil erosion measures and BMPs would reduce potential water quality impacts to a less than significant level.	☐	☐	☒	☐
f. Cause an increase of impervious surfaces and associated run-off? The project would increase the amount of impervious surfaces and associated runoff. Project design measures will be implemented to reduce increased runoff associated with new impervious surfaces.	☐	☐	☒	☐
g. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? The project includes activities that would create or contribute runoff water into existing or planned storm water drainage systems.	☐	☐	☒	☐
h. Cause potentially significant adverse impact on ground water quality? The project does not include activities that would discharge pollutants into ground water aquifers. BMPs implemented as part of the project would minimize the risk of discharges to surface waters that may be hydrologically connected to ground water.	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i. Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses? Increased runoff and sediments may occur with the increased impervious surfaces. Implementation of standard BMPs during construction and onsite storm water facilities would reduce potential water quality impacts to a less than significant level.	☐	☐	☒	☐
j. Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? The project is located within the San Dieguito Watershed and drains south into an unnamed intermittent tributary which is not listed on the 2002 Section 303(d) list; however, this unnamed intermittent tributary drains into Lake Hodges which is on the 2002 303(d) list for bacterial indicators (color, nitrogen, phosphorus, and total dissolved solids). The project would not have direct effects to the receiving waters with the proper installation of BMPs.	☐	☐	☒	☐
k. Create or exacerbate already existing environmentally sensitive areas? The project is located within the San Dieguito Watershed and drains south into an unnamed intermittent tributary which drains into Lake Hodges. Implementation of BMPs during project construction would adequately protect environmentally sensitive areas.	☐	☒	☐	☐
l. Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters? Project activities have the potential to discharge pollutants into the tributary of Lake Hodges. BMPs that will be implemented as part of the activities protocol would reduce potential water quality impacts to a less than significant level.	☐	☒	☐	☐
m. Impact aquatic, wetland or riparian habitat? The project site would result in the direct loss of a drainage swale consisting of riparian habitat. Offsite mitigation measures will mitigate the loss of this sensitive habitat. See discussion in the MND.	☐	☒	☐	☐
n. Otherwise substantially degrade water quality? The project does not include activities that would otherwise substantially degrade water quality. Appropriate BMPs and protocols would prevent significant impacts to water quality.	☐	☐	☒	☐
o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? The project proposes to construct residential housing, however, it would not alter the flood hazard area as the project site is located outside the 100-year flood zone.	☐	☐	☐	☒
p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? The project does not propose to construct structures that would impede or redirect flows within a 100-year flood hazard area as the project site is located outside the 100-year flood zone.	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
The project does not propose to construct a levee or dam and would not otherwise expose people or structures to a significant risk of flooding.				
r. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
The project does not include activities that would increase the risk of inundation by seiche, tsunami, or mudflow. BMPs implemented as part of the activities protocol would control erosion to a less than significant level.				

X. MINERAL RESOURCES

Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
The project would not change the existing availability of mineral resources that would be of value to the region and residents of the state.				
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan?	☐	☐	☐	☒
The project would not change the existing availability of locally important mineral resource recovery site. No known locally important mineral resource recovery site is located on the project site or within the vicinity of the project site.				

XI. NOISE

Would the project result in:

a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
The project activities are not expected to generate noise in excess of applicable standards due to the lack of nearby sensitive receptors. Where construction activities would generate excessive noise, noise abatement measures would be implemented to reduce noise impacts to a less than significant level.				
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
The project is not expected to include activities that would generate excessive groundborne vibration or groundborne noise levels.				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
The project does not include components that would cause a permanent increase in the existing ambient noise levels.				

- | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|--------------------------|
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |

Project activities may result in a temporary or periodic increase in noise generated from construction equipment and related activities. Noise abatement measures would be implemented to reduce noise impacts to a less than significant level.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within an airport land use plan or within two miles of an airport. The project would not expose nearby residents to noise levels that are cumulatively significant with airport noise.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not within the vicinity of a private airstrip and would not expose people to noise levels that are cumulatively significant with airport noise.

XII. POPULATION AND HOUSING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would create new homes and spaces for businesses resulting in an increase in population. The project is consistent with the goals and objectives with the City of Escondido General Plan and the Land Use Area Plan for South Escondido Boulevard Corridor.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not displace any existing housing.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is currently vacant and would be developed to involve mixed residential and commercial uses. The project would not displace people from their place of residence.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES

Would the project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

☐ ☐ ☒ ☐

The proposed project would not have a significant effect on the existing level of fire protection service and would not result in the need for expanded fire protection facilities.

Police protection?

☐ ☐ ☒ ☐

The project would not adversely affect the existing level of police protection service and would not result in the need for expanded police protection facilities.

Schools?

☐ ☐ ☒ ☐

The Escondido Union School District and the Escondido Union High School District have reported that the current enrollment/capacity ratio of the schools serving the project location is over the desired level. However, development fees would enable the Districts to provide interim facilities to house additional students. Therefore, the project would not adversely affect the existing school services and would not result in the need for construction of additional schools.

Parks?

☐ ☐ ☒ ☐

The project is not expected to result in adverse impacts to existing park facilities.

Libraries?

☐ ☐ ☒ ☐

Currently the Escondido Public Library is operating at capacity and increased use of existing services associated with new development has the potential to adversely affect library service. However, the amount of additional resources required is insignificant. Therefore, the project would not adversely affect library facilities in a manner that would result in the need for additional or expanded facilities.

XIV. RECREATION

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

☐ ☐ ☐ ☒

The project would not cause an increase in the use of existing neighborhood and regional parks or other recreational facilities that would create or accelerate substantial physical deterioration.

- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐ ☐ ☐ ☒

The project does not include recreational facilities or require the construction or expansion of recreational facilities.

XV. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ☐ ☐ ☐ ☒

The project is not expected to discharge effluent that would exceed wastewater treatment requirements of the San Diego Regional Water Quality Control Board.

- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ☒

The project would not require or result in the construction of new water or wastewater treatment facilities. The project would connect to existing water and wastewater pipeline located in the public right-of-way and would not include the expansion of the existing sewer pipeline capacity.

- c. Require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ☒

TBP based on revised storm drain plan.

- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? ☐ ☐ ☐ ☒

There are sufficient water supplies to support the project.

- e. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ☐ ☐ ☐ ☒

The project would not result in additional discharge to the wastewater treatment facility and would not require an expansion of waste water treatment capacity.

- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ☐ ☐ ☐ ☒

The project's solid waste disposal needs are minimal and can be adequately served by a landfill with sufficient permitted capacity.

- g. Comply with federal, state, and local statutes and regulations related to solid waste? ☐ ☐ ☐ ☒

The City of Escondido maintenance personnel dispose of solid waste in accordance with applicable solid waste regulations.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☒ | ☐ | ☐ |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | ☐ | ☐ | ☒ | ☐ |
| c. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☒ | ☐ | ☐ |

Source of Information/Material Used in Preparation of this Analysis

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

**MITIGATED NEGATIVE DECLARATION
FOR THE ESCONDIDO MIXED USE DEVELOPMENT PROJECT
(SHOPKEEPER COTTAGES)
ESCONDIDO, SAN DIEGO COUNTY, CALIFORNIA**

(City File Nos. ER 2005-02, TR 911 and 2005-03-PD/CZ)

**ENVIRONMENTAL CHECKLIST
SUPPLEMENTAL COMMENTS**

An Initial Study Environmental Checklist was prepared for this project and is included as a separate attachment to this Mitigated Negative Declaration (MND). The information contained in the Initial Study and the MND will be used by the City of Escondido to determine potential impacts associated with the proposed development.

INTRODUCTION

This Mitigated Negative Declaration (MND) assesses the environmental effects of the proposed Escondido Mixed-Use Development Project and is prepared in accordance with California Environmental Quality Act (CEQA) Public Resource Code Section 21064.5. A MND is prepared when an Initial Study Environmental Checklist indicates that no substantial evidence exists that the project or any of its aspects, with mitigation, may cause a significant impact on the environment. A MND is a written document that describes the potential impacts of a proposed project and why those impacts would not have a significant effect on the physical environment based upon implementation of mitigation measures that are a part of the project.

As mandated by CEQA Guidelines Section 15105, affected public agencies and the interested public may submit comments on the MND in writing before the end of the 30-day public review period starting on June 21, 2005 and ending on July 20, 2005. Written comments on the MND should be submitted to the following address by 5:00 p.m., July 20, 2005. Following the close of the public comment review period, the City of Escondido will consider this MND and received comments in determining the approval of this project.

City of Escondido
Planning Division
201 North Broadway
Escondido, CA 92025-2798

Contact: Jay Paul, Planner
Telephone: (760) 839-4537
Fax: (760) 839-4313

A hard copy of this document, technical studies and plans are available for review during normal operation hours for the duration of the public review period at the City of Escondido Planning Department. The proposed project is tentatively scheduled for Planning Commission consideration on August 9, 2005.

PROJECT DESCRIPTION

The proposed project consists of a Master and Precise Development Plan, and Tentative Subdivision Map to develop a mixed-use project on approximately 2.53-acres of land within the General Commercial zone and South Escondido Boulevard Area Plan. A Zone Change from General Commercial to Planned Development-Mixed Use also is requested. The project is a cluster of twelve, three-story building structures comprised of a total of 49 residential units of which five street-front dwelling units along South Escondido Boulevard would be designated as residential/specialty retail. The residential units will be located throughout the remainder of the site. For purposes of presenting a maximum buildout scenario, the noise, air quality, and traffic analysis of this report assume that the remaining four dwelling units along South Escondido Boulevard located in the southwest portion of the property could be developed as specialty retail (i.e., mixed residential/commercial use). Two-car garage parking is available with each residential unit. In addition, there will be 19 open parking spaces available on the property site and 8 off-street parking spaces fronting the site along Escondido Boulevard. Total developed area for the residential and shopkeeper units will be approximately 1.9 acres (75 percent) of the property and the remainder of the site will be dedicated for paved parking and landscaping.

On-site grading includes a combination of cut and fill slopes, with a retaining wall (up to 11 feet in height) proposed along the eastern and portion of the northern property boundary. On-site infrastructure improvements consist of storm drain facilities, water lines, sewer lines, and gas and electronic facilities. Development of the site would remove an existing open drainage swale which traverses through the property in a northwest to southeast direction, along with mature trees (including oak trees). Following environmental analysis of the project site, it was determined that jurisdictional wetland habitat would be impacted with project implementation. An off-site mitigation site was identified to address mitigation for the loss of jurisdictional wetland habitat. A Wetland Mitigation Plan (EDAW 2005) has been prepared to address impacts to jurisdictional wetland habitat, and provides detailed information on existing conditions, implementation methods, maintenance, monitoring, and replanting activities. Off-site wetland mitigation is proposed at the Fenton Ranch site at the confluence of Guejito Creek and Santa Ysable Creek in San Pasqual Valley (APN 242-110-12). The 3-acre site is part of a 23.46-acre site with an open space designation placed on the area to be used as future mitigation.

PROJECT LOCATION AND ENVIRONMENTAL SETTING

The project site is located within the City of Escondido along the eastern side of South Escondido Boulevard, north of Citracado Parkway and south of Brotherton Road, address as 2412 and 2424 S. Escondido Boulevard. The 2.53-acre property is zoned General Commercial and is within the Area Plan for the South Escondido Boulevard Corridor commercial area. The site consists of two vacant parcels (APN #238-141-31 and APN 238-141-36). The site is characterized by flat disturbed land from past land uses and contains an intermittent drainage swale that traverses the property in a northwest to southeast direction. There are two upland vegetation communities and one riparian community within the project area boundaries; ruderal/non-native grassland, ornamental, and southern willow scrub. The site contains mature trees including coast live oak and western sycamore. The project site fronts onto and takes access from Escondido Boulevard, which is classified as a Local Collector Road (66' R-O-W). Escondido Boulevard has not been improved to its ultimate width across the project frontage, to include curb, gutter and sidewalk. Curb, gutter and sidewalk have been installed immediately north and south of the project site. Overhead utility lines are located across the western boundary of the property. A paved pedestrian path previously was installed along the Escondido Boulevard frontage.

Surrounding zoning and land uses are as follows:

North: CG and R-1-10 zoning (General Commercial and Single-Family Residential, 10,000 SF min. lot size) General Commercial zoning and uses are located north of the project site. A retail building and parking lot is located immediately north of the project site. Chain-link fencing is located along most of the northern boundary of the project site. A single-family residence is located northeast of the site at a higher elevation. Off-site vegetation consists of a gently sloping hillside containing non-native grasses and some citrus trees on the residential property.

South: CG zoning (General Commercial) / General commercial zoning is located south of the project site. A single-story commercial building and paved parking used by the Elks club is located immediately south of the project site. Chain-link fencing is located along the southern boundary of the project site. The adjacent parcel to the south generally is situated at a similar or slightly lower elevation than the subject site. Off-site vegetation consists of a row of mature eucalyptus trees and a pine tree planted as part of the perimeter parking lot landscaping for the commercial parcel.

East: PD-R 18 zoning (Planned Development-Residential, 18 du/ac) / A 72-unit, multi-story residential condominium development is located immediately east of the project site. A combination masonry retaining wall/screen wall is located along the eastern property boundary. The adjacent condominium project is located at a lower elevation than the project site within the northeastern corner and generally at a similar elevation towards the southeastern corner. A row of open and covered parking spaces for the condominium project are located along the eastern property boundary. Off-site vegetation consists of perimeter parking lot landscaping including mature eucalyptus trees.

West: CG zoning (General Commercial) / General Commercial zoning and development is located west of the project site across South Escondido Boulevard and Centre City Parkway (which are designated as Circulation Element Streets on the Circulation Element). The project site fronts onto and takes access from Escondido Boulevard, which is classified as a Local Collector Road (66' R-O-W).

Fenton Ranch Site/Off-Site Mitigation – The proposed off-site mitigation area is located at the confluence of Guejito Creek and Santa Ysabel Creek in San Pasqual Valley, south of Highway 78 and is approximately 6.5 miles from the proposed development site. The proposed 3-acre mitigation site is located within the southeastern portion of a larger 23.46-acre open space parcel (APN 242-110-12). The property is zoned for agriculture. The owner of the property (Justine Fenton Trust) recorded a parcel map (#19095) with the County of San Diego with an open space designation placed on the area to be used for future mitigation. This open space parcel is adjacent to the City of San Diego Multiple Species Conservation Program (MSCP) (City of San Diego 1997) Multi-Habitat Planning Area (MHPA) San Pasqual Valley open space preserve.

PROJECT BACKGROUND/HISTORY

The subject project site previously was owned by State Farm Insurance Companies and was the subject of a biological constraints study conducted in March 2003. This survey was conducted to allow for cleanup activities to occur at the request of the City of Escondido. The property is now under ownership by NCA-ESCO Escondido,

LLC, which currently proposes to develop the site with a mixed-use of single-family, attached residential dwelling units and business/office-live/work lots on undeveloped land.

Permitting

Responsible agencies, as defined by CEQA, include public agencies other than the lead agency that have discretionary approval over the proposed project. These agencies have regulatory authority over various aspects of the proposed project and will function as responsible agencies for the project. The applicant will coordinate with these appropriate agencies to obtain all applicable permits for the proposed project as required by law, which include the following:

- U.S. Army Corps of Engineers (Corps) – Section 404 of the Clean Water Act
- California Regional Water Quality Control Board (RWQCB) – Section 401 Water Quality Certification
- California Department of Fish and Game (CDFG) – Section 1601 Streambed Alteration Agreement

1. LAND USE AND PLANNING

The project site is located in the southern portion of Escondido. Surrounding land areas consist of commercial uses to the north and south and residential uses to the east. According to the City of Escondido General Plan, the project site is designated as General Commercial (GC), which is characterized by a broad range of retail and service activities. In GC areas, building intensities should be typical of development permitted under the General Commercial (CG) zoning. Mix-use developments are allowed through the Planned Development process.

Significance Criteria and Impact Analysis

The effects of a project on existing or planned land uses are considered significant if the proposed project would:

- a. *Physically divide an established community?*
- b. *Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

No Impact. The City of Escondido designates the subject site as General Commercial with a mixed-use overlay, which is characterized by a broad range of retail and service activities. The property is adjacent to commercial development to the north and south, and high-density residential development to the east. The project fronts onto and takes access from a Circulation Element road (South Escondido Blvd.). The mix-use overlay designation allows for high-density residential and commercial/retail/office development. Mixed-use development is allowed within the Area Plan with a maximum density of up to 24 units/acre for residential. The proposed density of the project is 19.36 du/ac, which is consistent with the Area Plan density provisions. The project also would provide 80 percent of the allowable density for the site, which would be consistent with the City's Housing Element. Therefore, the project will not conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project, nor physically divide an established community.

- c. *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

Less Than Significant Impact. The project will not conflict with any local policies or ordinances protecting biological resources since impacts to southern willow scrub, riparian habitat and non-native grassland will be mitigated offsite. The removal of mature trees and protected trees (coast live oak) will be replaced in accordance with the City's Grading and Landscape requirements. The area is not designated on the City's Draft Multiple Habitat Conservation Plan (MHCP) Focus Planning Area or any other conservation planning area. Further discussion is provided in the Biological Resources section.

- d. Have a substantial adverse effect on a scenic vista?*
- e. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*
- f. Substantially degrade the existing visual character or quality of the site and its surroundings?*

No Impact. No scenic vistas are located on or surrounding the project site. The project will not substantially degrade the existing visual character or quality of the site and its surroundings since it is considered a small in-fill parcel along a commercial corridor, and does not contain any significant visual, topographical or historic features. The removal of vegetation and mature trees would be replaced in accordance with the City's Grading and Landscape requirements. The development will be consistent with the redevelopment goals for the project area.

- g. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

No Impact. The project will convert an undeveloped parcel into a mixed-use residential project resulting in the introduction of new nighttime lighting. The project area is located within an urban context along a Circulation Element Street, and the introduction of new light sources will not adversely affect day or nighttime views in the area. All lighting would be designed and installed in conformance with the City's Outdoor Lighting requirements.

2. AGRICULTURE RESOURCES

The project site is located within an urban redevelopment area in Escondido. Agriculture was the past dominant use on the project site and surrounding areas. Currently, the project area consists of mixed residential and commercial uses and no agricultural activities occur on the project site. There are two upland vegetation communities and one riparian community within the project area boundaries: ruderal/non-native grassland, ornamental, and southern willow scrub.

Significance Criteria and Impact Analysis

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

- b. *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*
- c. *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

No Impact. The project site is not located within an existing zone for agricultural use. The project site is located in a zone designated as CG within the City of Escondido and will not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use. The project is not in conflict with a Williamson Act contract.

3. TRANSPORTATION/TRAFFIC

A Traffic Study Report was prepared for the proposed project by Darnell & Associates, Inc. in January 2005, and update on April 14, 2005. The proposed project is estimated to generate 543 average daily trips (ADT), 36 AM peak trips and 49 PM peak hour trips. The project area is served by the following roadways:

- **Citracado Parkway:** Citracado Parkway is an east-west circulation element roadway. Between Felicita Road and Interstate 15 (I-15), Citracado Parkway is a four-lane divided roadway with no parking. The current cross-section of this portion of Citracado Parkway is equivalent to that of a four-lane Major Road with a capacity of 37,000 average daily trips (ADT) at LOS E. Under the City of Escondido's General Plan Circulation Element, Citracado Parkway from Felicita Road to I-15 is classified as a four-lane Major Road with a capacity of 37,000 ADT at LOS E.

Citracado Parkway from I-15 to Cranston Drive is a two-lane undivided roadway with no parking. The current cross-section of this section of Citracado Parkway is equivalent to that of a Local Collector with a capacity of 15,000 ADT at LOS E. Under the City of Escondido's General Plan Circulation Element, Citracado Parkway from I-15 to Cranston Drive is classified as a four-lane Collector Street with a capacity of 34,200 ADT at LOS E.

- **Brotherton Road:** Brotherton Road is an east-west two-lane undivided roadway with no street parking. The current cross-section of Brotherton Road is equivalent to that of a Local Collector with a capacity of 15,000 ADT at LOS E. Under the City of Escondido's General Plan Circulation Element, Brotherton Road between Centre City Parkway and Escondido Boulevard is classified as a four-lane Collector Street with a capacity of 34,200 ADT at LOS E.
- **Centre City Parkway:** Centre City Parkway is a north-south four-lane divided circulation element roadway with no street parking. The current and ultimate cross-section of Centre City Parkway is equivalent to that of a four-lane Major Road with a capacity of 37,000 ADT at LOS E.
- **Escondido Boulevard:** Escondido Boulevard is a north-south two-lane undivided roadway with no parking. The current and ultimate cross-section of Centre City Parkway is equivalent that of a Local Collector with a capacity of 15,000 ADT at LOS E.

Traffic Volumes and Intersection Conditions

All intersections analyzed currently operate at LOS C or better during both peak hours, except the Citracado Parkway/I-15 Northbound Ramp intersection, which operates at LOS D during both the AM and PM peak hours.

Significance Criteria and Impact Analysis

The effects of a project on transportation and traffic are considered to be significant if the proposed project would:

- a *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?*

Less than Significant Impact. The City of Escondido refers to the San Diego Traffic Engineers' Council (SANTEC) and the Institute of Transportation Engineers (ITE) Guidelines for Traffic Impact Studies (TIS) in the San Diego Region, February 29, 2000 Draft to determine the significance of traffic impacts in regard to requiring mitigation. The SANTEC/ITE guidelines consider an increase in V/C ratio (volume to capacity ratio) of 0.02 or less or an increase in delay of two (2) seconds or less on roadways and intersections operating at LOS D, E, or F to be insignificant.

The following table summarizes the trip generation rates and volumes for the project, which would generate a total of 543 ADT, 36 morning peak hour trips, and 49 afternoon peak hour trips. For purposes of the traffic analysis, the project assumes that 9 units (up to 3,789 square feet) of the 49 multi-family apartments could potentially be available as specialty retail use.

Project Trip Generation Rates and Calculations Summary

Trip Generation Rates								
Land Use	Daily Trip Rate	AM Peak Hour Trip Rate			PM Peak Hour Trip Rate			
		Total - % of Daily	% In	% Out	Total - % of Daily	% In	% Out	
Multi-Family Apartments	8 Trips/DU	8%	20%	80%	9%	70%	30%	
Specialty Retail	40 Trips/ksf	3%	60%	40%	9%	50%	50%	
Trip Generation								
Land Use	Total # of Units	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			Total	In	Out	Total	In	Out
Multi-Family Apartments	49	392	31	6	25	35	25	10
Specialty Retail	3.78	151	5	3	2	14	7	7
Total:		543	36	9	27	49	32	17

Based on the analysis, all study roadway segments analyzed would continue to operate at an acceptable LOS C or better with the addition of the proposed project. All intersections currently operate at LOS D or better, which is considered an acceptable LOS by the City of Escondido. The intersections were analyzed with the traffic generated by the proposed project added to the existing traffic volumes. With the existing lane geometries, all key intersections analyzed would continue to operate at an acceptable LOS D or better with implementation of the proposed project.

- b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?*

Less Than Significant Impact. The potential impact of the proposed project was evaluated within the context of the cumulative impact of both near-term conditions and year 2030 conditions. The roadway segments were analyzed under near-term cumulative conditions with and without the proposed project. All key roadway segments would continue to operate at an acceptable LOS C or better under near-term cumulative conditions with project implementation.

The key project intersections were also analyzed under near-term cumulative conditions with and without the proposed project. With the existing lane geometries, two intersections, Citracado Parkway/I-15 Southbound Off Ramp and Citracado Parkway /I-15 Northbound Ramp, would operate at LOS E in the PM peak hour. This decrease in LOS would occur with or without the addition of proposed project traffic. The total cumulative traffic (including the proposed project traffic) would increase the PM peak hour delay at the Citracado Parkway/I-15 Southbound Off Ramp and Citracado Parkway I-15 Northbound Ramp intersections by 18.3 seconds and 10.2 seconds, respectively. The proposed project, however, would account for only 0.6 and 0.3 seconds of the total increase in delay, respectively. Therefore, based on the SANTEC/ITE guidelines, the project is not considered to have a significant near-term cumulative impact at either intersection and mitigation is not required.

The project proposes to provide one access point off of South Escondido Boulevard. All critical movements at this project access from South Escondido Boulevard would operate at LOS B or better under near-term cumulative conditions without the addition of acceleration/deceleration lanes. Under year 2030 conditions, it was assumed that all roadway segments were built out to ultimate Circulation Element Classifications. With the exception of Centre City Parkway, all key roadway segments would continue to operate at an acceptable LOS C or better under year 2030 conditions. The segment of Centre City Parkway from north of Brotherton Road to south of Citracado Parkway would operate at LOS F under 2030 conditions. This decrease in LOS would occur with or without the proposed project. The proposed project would increase the year 2030 cumulative condition V/C ratio by 0.004. Based on the SANTEC/ITE guidelines, the project is not considered to have a significant year 2030 impact.

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. The project is not located within the vicinity of a public or private airstrip and would not result in a change in air traffic patterns, increase in traffic levels, or a change in location that results in substantial safety risks

- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

No Impact. The project does not include a design feature or incompatible uses that would substantially increase hazards. No new roadways would be constructed or designed with the project. The project is consistent with the surrounding land uses and existing development.

e. Result in inadequate emergency access?

No Impact. The proposed development would not result in inadequate emergency access. South Escondido Boulevard provides adequate emergency vehicle access to the site. Emergency and non emergency response times of the Escondido Fire Department would remain the same with the proposed development.

f. Result in inadequate parking capacity?

No Impact. The project includes a two-car garage with each residential dwelling unit and 19 paved parking spaces, which is in conformance with the Escondido Zoning Code parking requirements. Eight off-street parking spaces also would be available along the project frontage.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Impact. The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. The project provides for higher density development along a transportation node, and public transportation is provided throughout Escondido.

4. AIR QUALITY

Significance Criteria and Impact Analysis

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

Construction-Related Emissions

It is anticipated that project construction would begin September 2005 and last approximately 22 months. Total exhaust emission levels, which include construction equipment emissions, construction workers' travel, and construction material hauling, were estimated using the URBEMIS 2002, an air emission modeling software developed in cooperation with the CARB and California air districts, including the SDAPCD. Construction-related emissions generated by the proposed project would be below the annual thresholds of significance. Therefore, construction activities associated with the proposed project would not have a significant impact on air quality.

Estimated Annual Construction Emissions

	Estimated Emissions			
	VOC	NO _x	CO	PM ₁₀
2005 Maximum Daily Emissions (Tons/Year)	0.2	1.6	1.3	0.3
2006 Maximum Daily Emissions (Tons/Year)	1.2	6.1	6.0	0.3

2007 Maximum Daily Emissions (Tons/Year)	1.1	2.9	3.2	0.1
Annual Thresholds for Construction Emissions (Tons/Year)	50	50	100	50
Exceedance of Annual Thresholds (Tons/Year)	No	No	No	No

Source: Jones & Stokes Associates 2004

Operations-Related Emissions

Operations emissions were estimated using the emissions program URBEMIS 2002. Motor vehicle emissions would be the primary source of pollutants resulting from implementation of the proposed project. This project is estimated to generate 543 ADT. Estimated daily emissions associated with project-generated trips and area sources would not exceed the thresholds of significance for any criteria pollutant. As a result, operation of the proposed project would result in a less than significant impact on air quality.

Estimated Emissions for the Operation

	Pollutant emissions (Tons/Year)			
	VOC	NOx	CO	PM ₁₀
Operations Emissions - Area Sources	0.5	0.1	0.1	0.00
Operations Emissions - Vehicles	0.9	1.3	11.2	1.0
Total Emissions	1.4	1.4	11.3	1.0
Daily Threshold for Operations Emissions	50	50	100	50
Exceed Threshold?	No	No	No	No

Source: Jones & Stokes Associates, 2004

Local Air Quality

The proposed project would increase traffic volumes on Escondido Boulevard by less than 2 percent; as this is the only road providing access to the proposed project, the increase in vehicles would be less on other roadways. Thus, the proposed project would not result in a substantial increase in the number of vehicles operating in cold start mode or substantially increase the number of vehicles on local roadways

Consistency with the RAQS

Consistency with the Regional Air-Quality Standards (RAQS) assumptions is determined by analyzing the project with the assumptions in the RAQS. Forecasts used in the RAQS are developed by the San Diego Association of Governments (SANDAG). The SANDAG forecasts are based local general plans and other related documents that are used to develop population projections and traffic projections. The current City plans allow for and encourage the project site to be developed as mixed use residential, thus, the proposed project would not exceed the assumptions used to develop the RAQS and would not obstruct or conflict with the SDAPCD's RAQS.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant Impact. As shown in the previous analysis, neither the construction nor operation of the proposed project would exceed SDAPCD thresholds and the project would not cause an unacceptable concentration of CO at any project-affected intersection. Therefore, the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation and would have a less than significant impact on local and regional air quality.

- c. *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Less Than Significant Impact. The impact analysis is based in part on 2030 cumulative traffic conditions in the project area. As shown in that analysis, the proposed project would not result in violations of the state or federal ambient air quality standards. The proposed project would be consistent with the SDAPCD RAQS, which is a long-range air quality planning document. Thus, the proposed project would have a less than significant impact on cumulative regional and local air quality.

- d. *Expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant with Mitigation. The closest sensitive receptors are residences bordering the northern portion of the project site. The closest known school is Miller Elementary School, located at 1975 Miller Avenue, at a distance of approximately 2,700 feet. No known medical or other care facilities are within half a mile of the proposed project site. As discussed above, the impacts to air quality would be less than significant. However, there is potential for higher than average diesel particulate emission concentrations in and around equipment staging areas. Therefore, staging areas would be required to be located at least 300 feet away from the residential areas north of the proposed project site when feasible.

- e. *Create objectionable odors affecting a substantial number of people?*

Less Than Significant Impact.

The proposed project would not have any significant odor sources and it is not anticipated that operational uses would occur that would have the potential for objectionable odors. Odors would be similar in nature to odors from surrounding residential and commercial land uses. Therefore, less than significant impacts would occur.

Mitigation Measures

Due to potential for short-term impacts to sensitive receptors from diesel emissions, implementation of the following mitigation measure is designed to reduce impacts to air to below a level of significance.

Air 1: The project proponent will ensure construction equipment staging areas are located a minimum of 300 feet from residential land uses, when feasible. The staging area(s) shall be identified on the grading and building plans.

5. BIOLOGICAL RESOURCES

A Biological Technical Report and Wetland Delineation were prepared in November 2004 and are included in this MND.

Existing Setting – Project Site

The project site is characterized by flat disturbed land from past land uses and the main feature of the site is an intermittent drainage, which traverses the site in a northwest to southeast direction. The entire 2.53-acre project

site is surrounded by development and the drainage is part of an unnamed tributary of the San Dieguito River that occurs approximately 1,800 feet south of the project area. Development has channelized (above- and underground) the stream between the project site and the downstream portion of the tributary. The drainage channel is bare of vegetation, possibly from recent scouring due to flooding, but the immediate banks are dominated by tall, dense stands of riparian vegetation. Two soil series occur on the site: the Ramona series [Ramona sandy loam (RaB)] and the Bonsall series [Bonsall sandy loam (BiC)] (Bowman 1973). Neither of these series is on the Natural Resources Conservation Service's (formerly the Soil Conservation Service) local hydric soils list (SCS 1992).

A site visit was conducted on October 25, 2004, by project biologists. There are two upland vegetation communities and one riparian community within the project area boundaries: ruderal/non-native grassland, ornamental, and southern willow scrub. The relatively high number of nonnative species observed during the surveys reflects the fact that most vegetation communities on the project site are highly disturbed. All wildlife species observed onsite are typical, but not exclusive to an urban setting with disturbed vegetation communities.

Of the vegetation communities onsite, southern willow scrub is considered sensitive. Southern willow scrub habitat is considered "rare" by the CDFG and "worthy of consideration" by the CNDDDB (CDFG 2003a, 2003b). The City of Escondido also includes this vegetation among the sensitive native vegetation communities occurring in the region. The southern willow scrub on the project site can be characterized as a recovering, dense stand of riparian habitat that has undergone disturbances from past land uses such as grading and/or agricultural practices onsite. The riparian habitat is dominated by young, adult, arroyo willows (*Salix lasiolepis*). Two individuals of western sycamore (*Platanus racemosa*) also occur in the overstory. California rose (*Rosa californica*) is the sole dominant shrub species. Exotic grasses such as smilo grass (*Piptatherum miliaceum*) and ripgut brome (*Bromus diandrus*) and the native western ragweed (*Ambrosia psilostachya*) dominate the understory.

Approximately 30 juvenile, coast live oak individuals (*Quercus agrifolia* var. *agrifolia*) are scattered throughout this habitat. All of these individuals are 2 to 10 feet in height with a diameter at breast height (dbh) of 1 to 2 inches. Oak trees with a dbh of 4 inches or greater when measured from 4.5 feet above the ground are considered mature trees under the City's Municipal Code. Oak trees with a dbh of greater than 10 inches are considered a protected tree under the Municipal Code. Only one coast live oak located in the northeastern corner of the property qualifies as a protected tree as it has a dbh of 12 inches. No other oak trees are located on the project site. All other oak trees are immature individuals under the 4-inch dbh threshold.

Off-Site Mitigation Area

The proposed off-site mitigation site (Fenton Ranch) has been subject to disturbance from past sand mining, vegetation removal, and invasive exotic species. Currently, the three-acre mitigation site includes approximately 1.8-acres of disturbed wetland, 0.6 acre of arroyo willow riparian scrub/forest, 0.5 acre of unvegetated floodway channel, and 0.1 acre of disturbed upland vegetation. Sensitive wildlife species documented on the mitigation site include arroyo toad (*Bufo californicus*) and least Bell's vireo (*Vireo belli pusillus*). Measures to avoid and minimize impacts to these resources are included in this document and in the attached Mitigation Plan.

Significance Criteria and Impact Analysis

The effects of a project on biological resources are considered to be significant if the proposed project would:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant with Mitigation Incorporation. No sensitive plant species are known or reported on the project site. Due to the disturbed condition of the site and the presence of only one natural habitat (i.e., southern willow scrub) only two sensitive plant species, both restricted to riparian habitats, have any potential for occurrence onsite: the federally endangered San Diego ambrosia (*Ambrosia pumila*), which is a narrow endemic as identified by the MHCP, and the San Diego marsh elder (*Iva hayesiana*), a California Native Plant Society List 2 species also covered by the MHCP. San Diego ambrosia was not observed during the survey, which was conducted during the end of its flowering period (May-October). Due to the disturbed condition of the project site, this species is not expected to occur onsite. San Diego marsh elder is a herbaceous perennial species that occurs in southern willow scrub, oak woodland, and southern riparian forest habitat. This species was not observed during the surveys and, being a herbaceous perennial, would be observable at any time of the year. This species is not expected to occur onsite.

No sensitive animal species were observed onsite during the biological reconnaissance. However, there is a low potential for least Bell's vireo (*Vireo bellii pusillus*) and southern willow flycatcher (*Empidonax traillii extimus*) to occur within the project site due to the suitable dense structure of the southern willow scrub habitat onsite and known recorded locations of these species approximately one mile south of the project area (City of Escondido 2001). The biological survey conducted by EDAW in the spring of 2003 concluded that this species was not present in the project area. However, there is a low potential for this migratory species to forage within the project boundary due to marginally suitable habitat onsite, proximity to the San Dieguito River, and the species' known distribution south of the project vicinity (City of Escondido 2001). However, this species is not expected to nest and breed onsite.

The least Bell's vireo is a federally and state-listed endangered species and is covered by the MHCP. It inhabits riparian woodlands, scrub, and thickets. The biological survey conducted by EDAW in the spring of 2003 concluded that this species was not present in the project area. However, there is a low potential for this species to forage and nest (suitable habitat for at least one pair to nest) within the project boundary due to marginally but dense suitable habitat onsite, proximity to the San Dieguito River, and the species' known distribution south of the project vicinity (City of Escondido 2001).

Approximately 0.43 acre of southern willow scrub would be directly impacted by the proposed project. Southern willow scrub habitat is the only habitat onsite classified as sensitive according to the guidelines of the MHCP, CDFG, and the Corps. Because this habitat is classified as jurisdictional wetland habitat by the resource agencies, impacts to this sensitive vegetation would be considered significant. The Corps and CDFG regulate any activity in defined wetland habitats. Approximately 0.04 acre of Corps jurisdictional wetlands would be permanently impacted. In addition, approximately 0.43 acre of habitat under jurisdiction of CDFG would be permanently impacted by the proposed project. Southern willow scrub habitat is located on the project site.

The project area is surrounded by urban development on all sides, and therefore does not act as a local wildlife corridor for migratory species. Because the onsite riparian community has been fragmented from large expanses of natural habitat in the region, the ability of the site to facilitate wildlife movement is extremely limited. However, the project area may aid in an avian wildlife migration as a stepping-stone preserve. Stepping-stone preserves are small islands of habitat surrounded by development that allow for wildlife movement for highly mobile species, such as birds, that can migrate from one large area of habitat to another.

One protected oak tree with a dbh of 12 inches would be impacted by the project and mitigated to below a level of significance. All other oak trees on the project site are considered immature trees and do not require mitigation. In addition, all impacts to southern willow scrub and riparian habitat will be mitigated to below a level of significance.

The project area is outside the City of Escondido Focused Planning Areas as determined by the MHCP. No conflicts with the provisions adopted by the MHCP are expected. All impacts to southern willow scrub and riparian habitat will be mitigated to below a level of significance. The proposed development would impact approximately 2.1 acres of ruderal/non-native grassland, which is considered sensitive because of the habitat value to wildlife. Impacts must be mitigated per the City's Draft MHCP Subarea Plan by purchase of similar habitat or payment of monies (purchase credits) to a habitat mitigation bank at a ratio of 0.5:1.

Off-site mitigation - Off-site mitigation is proposed at the Fenton Ranch site at the confluence of Guejito Creek and Santa Ysabel Creek in San Pasqual Valley, south of Highway 78 and is approximately 6.5 miles from the proposed development site. The three-acre site is part of a 23.46-acre site with an open space designation placed on the area to be used as mitigation.

This mitigation site is ecologically appropriate for enhancement restoration. It provides sufficient mitigation acreage within a contiguous open space system and it occurs in the same watershed (San Dieguito Hydrologic Unit) as the proposed development project. Within the proposed 3-acre mitigation site, a total of 1.72-acre of wetland enhancement is proposed which will provide mitigation at a 4:1 replacement ratio for the 0.43 acre of wetland that would be lost. Preservation of the 3-acre site would be slightly below a 7:1 replacement ratio. However, the remaining 1.28 acres of preservation area (3 acres – 1.72 acres of wetland enhancement) could be available as future mitigation area for other projects. The proposed mitigation will focus on enhancement of the existing wetlands on the site which will involve the conversion of at least 1.72-acres of nonnative wetland to willow cottonwood scrub/woodland habitat for the project impact to 0.04 acre of unvegetated waters of the U.S. and 0.43 acre of arroyo willow scrub habitat. Implementation of the wetland mitigation plan herein including a 5-year maintenance and monitoring program will result in an enhanced site with approximately 2.4 acres of willow cottonwood habitat, 0.5 acre of unvegetated sandy floodway area, and 0.1 acre of enhanced upland habitat. An

overall goal of the project is to establish good quality wetland/riparian habitat that will be self-sustaining without long-term irrigation.

To protect sensitive wildlife species, the maintenance and monitoring personnel will only walk in and out of the site to perform mitigation activities and the mitigation work will be performed with hand tools. In addition, time of year work restrictions on the mitigation site will apply under certain site conditions (i.e., when water is flowing or ponding). Arroyo toad and least Bell's vireo biological monitors approved by the USFWS will monitor for presence of these species and help direct the mitigation work. The primary mitigation activities will include (1) protection of sensitive avifauna and herpetofauna; (2) protection of existing scattered native plants; (3) removal of invasive exotic species; (4) native planting and seeding; and (5) monitoring and maintenance for up to 5 years to verify the restored habitat is established and mitigation success standards are achieved. The only proposed activity between March 15 and August 15 would be 3 to 4 maintenance visits during a 5 month period to check and maintain container plants and the drip irrigation system (under monitoring supervision of a Service-approved and/or permitted biologist for arroyo toad, least Bell's vireo, and southwestern willow flycatcher).

Mitigation Measures

The following mitigation measures are designed to reduce impacts to biological resources to below a level of significance.

Bio 1: Mitigation for the loss of 0.43 acre of southern willow scrub shall be designed to accomplish the "no net loss" policy defined by the Corps. "No net loss of wetlands" refers to a no net loss of both wetland area and function (USEPA and the Department of the Army 1990). A Conceptual Mitigation Plan has been prepared to provide specific measures for the proposed mitigation required by the Corps and CDFG. Generally, all direct permanent impacts to jurisdictional wetland habitat are mitigated in kind at an off-site mitigation area(s), preferably in the same watershed, through some combination of creation, restoration, enhancement, and/or preservation of existing habitat. Mitigation will include a minimum 1:1 creation ratio component to adhere to the federal policy of a no net loss of wetlands. The CDFG also requires replacement of affected habitat, typically at ratios similar to the Corps. The CDFG typically requires a minimum ratio of 1:1 creation for all permanent impacts to habitats within their jurisdiction. Generally, the resource agencies require more than a 1:1 replacement ratio and it is anticipated that a ratio of 2:1 is likely to be required. The Mitigation Plan provides for a 4:1 replacement ratio for the 0.43 acre of arroyo willow scrub habitat and 0.04 acre of unvegetated waters of the U.S.

The acquisition of high-quality, in-kind habitat at an offsite location may be considered at the agencies' discretion. The use of mitigation credits at an approved mitigation bank will be possible if the project is located in one of the bank's service areas and the appropriate habitat credits are available.

In addition, the applicant will be required to obtain a Section 404 Nationwide Permit from the Corps, a Section 1600-1607 Streambed Alteration Agreement from the CDFG, and a Section 401 Waste Discharge Certification from the RWQCB.

Bio 2: To avoid potential impacts to the federally protected least Bell's vireo, construction activities will occur outside the breeding season (March 15 through September 15). However, if construction activities do occur during the breeding season, then U.S. Fish and Wildlife Service (USFWS) protocol surveys will be required to determine the presence or absence of the least Bell's vireo. If the surveys determine that the least Bell's vireo is

not present and nesting onsite, construction can proceed during the breeding season, as long as there are also no migratory birds nesting onsite. If the surveys determine that the least Bell's vireo is breeding onsite, construction cannot proceed during its breeding season and a Section 7 Consultation with the USFWS will be required to determine appropriate mitigation.

The southern willow flycatcher is not expected to nest or breed onsite, only possibly migrate through the site. As such, protocol level surveys for this species are not deemed necessary.

Pre-construction surveys will be conducted by a qualified biologist to determine the presence or absence of migratory birds protected under the Migratory Bird Treaty Act. The nest survey will also determine if migratory birds are nesting onsite. If no nesting activity is observed, construction activity can proceed. If the biologist determines that migratory birds are nesting onsite, construction shall be avoided until after the young have fledged from the nest and it is no longer occupied. Results of the nest survey will be submitted to the CDFG via a letter report.

Should construction halt for any reason for longer than 1 week after the commencement of activities and potential nesting habitat still remains onsite, an additional focused survey for migratory bird nests will be required 1 week prior to the recommencement of construction (only if during the breeding season for migratory birds, which typically extends from February 1 through September 30). If the surveys determine that no species or nests were observed, construction could recommence during the nesting season.

Bio 3: According to Chapter 33, Article 55, Section 33-1069 of the Municipal Code, if protected trees cannot be preserved on site, they shall be replaced at a minimum of 2:1. The number, size, and species of the replacement trees shall be determined on a case-by-case basis based on the characteristics and condition of the individual tree(s) involved. The preferred replacement is a tree(s) of equal size. Given the size of the one impacted oak tree, it is recommended that nursery-grown specimen trees (24-inch box) be used as replacement trees. As such, two 24-inch box replacement trees would offset the impacts to the one protected oak tree. If possible, these replacement trees should be planted as part of any wetland/riparian restoration component for this project, or the trees incorporated into the landscape plan for the project. In accordance with the California Department of Fish and Game recommendations, oak trees shall be mitigated in the following manner:

In the disturbed upland area of the project, two oaks (*Quercus agrifolia*) will be impacted. One has a diameter at breast height of approx. 12 inches and the other approx. 3 inches. These two upland oaks shall be mitigated by planting acorns or 1-gallon oaks at a ratio of 5:1 for impacts to the 12-inch DBH oak and at a ratio of 3:1 for impacts to the 3-inch DBH oak. As an alternative, impacts to these two oaks may be mitigated at a 3:1 ratio through purchase of oak credits at a mitigation bank.

Mitigation for impacts to the 30, 1 to 2-inch DBH oak saplings that are within the southern willow scrub habitat will need to be determined through the Streambed Alteration Agreement process.

Bio 4: Impacted non-native grassland (2.1 acres) will be mitigated at a 0.5:1 ratio through either of the following:

- Purchase of similar habitat as approved by the Wildlife Agencies; or
- Purchase of credits from an approved habitat mitigation bank.

Off-Site Mitigation Site

The following mitigation measures are designed to reduce impacts to biological resources on the off-site mitigation site (Fenton Ranch) to below a level of significance:

Bio 5: A biological monitor knowledgeable of arroyo toad biology and field identification shall be present daily when planting holes are dug for container plants between September 15 and March 15, and when container plants and the drips irrigation system are checked and maintained (i.e. 3 to 4 times) between March 15 and August. Locals where arroyo toad activity is documented during this monitoring shall be flagged and planting locations shall be shifted an appropriate distance from the toad locales. Documentation from the biological monitor submitted to the Service will include depth and locale where toads may be found, distance from and elevation above the stream bed, type of vegetation in which arroyo toad is found, and number of toads detected and affected (if any).

Bio 6: Data collection by the biological monitor shall be analyzed annually during the 5-year program to determine what activities have direct impacts on arroyo toad, which activities appear to have no impact. Monitoring will not be discontinued without concurrence from the Service.

Bio 7: Work is not planned in the more open sandy habitat adjacent (e.g., within 40 feet) to the creek bottom, except for removal of scattered exotic plants. Work adjacent to the creek bottom shall be limited to periods of time when there is no surface flow. Removal of exotics adjacent to the creek bottom shall be performed September 15 to when there is creek flow. After stream flow commences, if the channel subsequently becomes dry, the maintenance activities may resume upon agreement between a qualified biologist and the Service, and continue until March 15.

Bio 8: A biological monitor shall inspect the site immediately after heavy seasonal rains and prior to re-initiation of exotics removal, planting, seeding and maintenance of the drip irrigation system.

6. CULTURAL RESOURCES

The archaeological field survey was conducted by EDAW on October 28, 2004, to identify surface cultural remains and assess the potential for buried deposits. No cultural resources were found within the project area. No further archaeological work is recommended for the current project area unless cultural resources are found during ground-disturbing construction activities. A records search also did not find anything of significance associated with the project site.

Significance Criteria and Impact Analysis

The effects of a project on cultural resources are considered to be significant if the proposed project would:

- a. *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*
- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*
- c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*
- d. *Disturb any human remains, including those interred outside of formal cemeteries?*

No Impact. No historic, cultural or archaeological resources have been identified in the project area based upon the results of a records search and field survey. No impacts to known cultural or archaeological resources would occur. No unique paleontological resources are known to occur onsite. Should fossils be encountered during site excavation, appropriate recovery and salvaging measures would be implemented to avoid direct impacts to the resources. There are no known human remains or burial sites in the project area based upon the results of a records search and field survey. If culturally significant human remains are found during project activities, work should be temporarily halted in that area and appropriate mitigation measures and protocols would be implemented with consultation with the City of Escondido to avoid and minimize impacts.

7. GEOLOGY AND SOILS

The project site is characterized with elevations ranging from approximately 615 feet at the northeast corner to 592 feet at the southeast portion. Gentle natural slopes drain toward the northeast and southwest into an unnamed tributary drainage to the San Dieguito River. A Geological Technical and Soils Report was prepared for the proposed project by Hunsaker & Associates in November 2004. The project site is underlain by granitic rock, older alluvium, alluvium, and undocumented fill. The fill consists of light to medium brown silty sand to sandy silts that are dry to slightly moist. Abundant construction debris (i.e., asphalt, wood, etc.) is present in the undocumented fill. Fill thicknesses are estimated to vary between 3 and 8 feet with possibly deeper local variations. Highly decomposed granitic rock crops out in the northeast corner of the property. This unit is deeply weathered and consists of a fine- to coarse-grained dark to medium crystalline rock. It is likely that moderate to heavy ripping may be required to excavate this unit below 5 feet from existing grade. The depth of groundwater from the existing ground surface is 18.2 feet to 22 feet. Groundwater was encountered in the hollow-stem auger borings at elevation 578 to 579 feet. A higher perched zone was observed at approximate elevation of 584 feet. Groundwater is not expected to impact remedial grading operations.

Significance Criteria and Impact Analysis

The effects of a project on geology and soils are considered to be significant if the proposed project would:

- a. *Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:*
 - i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
 - ii. *Strong seismic ground shaking?*

Less Than Significant Impact. The project site is not located within proximity to active faults as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The closest known active faults are the Rose Canyon Fault and the Elsinore Fault. The Rose Canyon Fault is located 15.4 miles southwest of the project site. The Julian segment of the Elsinore Fault is approximately 17.8 miles northeast of the project site. Accordingly, fault surface rupture is not likely at this project.

- iii. *Seismic-related ground failure, including liquefaction?*
- iv. *Landslides?*

Less Than Significant Impact. Due to the relatively shallow groundwater conditions, a preliminary screening evaluation was performed for liquefaction susceptibility. Preliminary screening data indicate that the potential for liquefaction at this site is relatively low. This is in consideration of (1) the recommended removal of all undocumented fill and alluvium; (2) the age (pre-Pleistocene) of the left-in-place materials; and (3) relative in situ density of the older alluvium. As such, no special mitigation measures other than those required by code are recommended to mitigate liquefaction susceptibility. Other seismic hazards such as earthquake-induced flooding, landslides, rockfall, secondary ground rupture, and tsunamis are not determined to be significant at this site.

b. Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Although surface flow was absent along the tributary drainage at the time of the field investigation, saturated conditions could be encountered as a result of seasonal precipitation. Depending on the occurrence of surface flow, special excavation requirements may be required for remedial grading along this tributary drainage. In addition, dependent upon the alignment and depth of the proposed drainage structure, specialized grading techniques and/or dewatering could be required for construction.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. Due to the relatively shallow groundwater conditions, a preliminary screening evaluation was conducted for liquefaction susceptibility. Preliminary screening data indicate that the potential for liquefaction at this site is relatively low. This is in consideration of (1) the recommended removal of all undocumented fill and alluvium; (2) the age (pre-Pleistocene) of the left-in-place materials; and (3) relative in situ density of the older alluvium. As such, no special mitigation measures other than those required by code are recommended to mitigate liquefaction susceptibility.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less Than Significant Impact. Laboratory testing was conducted as part of this geotechnical investigation. The review of the subsurface investigation and laboratory testing indicates that the onsite soils are predominately fine- to medium-grained silty sands to clayey sands that will likely exhibit "low" to "medium" expansion potential. Limited chemical testing was conducted on soil samples collected from the site; however, test results show that the soluble sulfate potential for the majority of the onsite soils can be classified as negligible.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The project site would be serviced by an existing wastewater/sewer pipeline system with the City of Escondido. No septic tanks or alternative wastewater disposal system would be utilized as part of the project.

8. HAZARDS AND HAZARDOUS MATERIALS

A Phase I Environmental Assessment Report prepared by Phase One, Inc. in November 2004. During a site reconnaissance visit by Phase One, Inc. on October 25, 2004, no waterways, pits, lagoons, or ponds were observed on or offsite. A pole-mounted transformer is located along the western boundary of the project site. No evidence of existing or previously existing aboveground or underground storage tanks was observed on the project site. No storage or handling of hazardous substances was observed in the areas inspected during the site visit. No clarifiers, sumps, trenches, floor drains, or industrial discharge points were noted during the site visit. No staining or other unusual surface conditions were observed on the project site. No disfigured, discolored, dying, or stressed vegetation was observed on the property. Agriculture was the past dominant use on the project site and surrounding areas. Historical city and street directory review listed a produce store from the late 1960s and an antiques store from the late 1980s at the project address. The building structure listed at the project address utilized a septic tank and was permitted for demolition and site cleanup in 1991.

A Phase I Assessment previously was conducted in 1990 for the project site and indicated the property was occupied by a vacant building, trash and debris, fill material, and a septic tank. The 1990 Phase I analysis indicated the project site was being used as a holding place for soils and other material generated by the grading operations for a site at the corner of South Escondido Boulevard and Citracado Parkway. This report concluded there was no level of concern for the project site regarding hazards and hazardous materials.

Significance Criteria and Impact Analysis

The effects of a project on hazards and hazardous materials are considered to be significant if the proposed project would:

- a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. The project does not involve the routine transport, use, or disposal of hazardous materials. The project does not involve the use or storage of hazardous materials that would result in a reasonably foreseeable upset or accident conditions. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school.

- d. *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Less Than Significant Impact. Project activities are not located on a hazardous waste site list compiled pursuant to Government Code Section 65962.5. Past agricultural uses on the project site may have the potential of related residual agricultural chemicals within the soils. Due to past agricultural use on the project site, the sampling of near-surface soil for agricultural chemicals is recommended (Phase One, Inc. 2004).

- e. *For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?*
- f. *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. The project is not located within an airport land-use plan, an airport land-use plan that is to be adopted, or within 2 miles of a public airport. The project is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.

- g. *Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?*

No Impact. The project does not include activities or structures that would impair implementation of, or physically interfere with, an emergency response plan. The proposed development is not expected to result in the need for additional emergency and fire facilities. South Escondido Boulevard provides adequate emergency vehicle access to the site. Emergency and nonemergency response times of the Escondido Fire Department would remain the same with the proposed development.

- h. *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

No Impact. The project is not located within or adjacent to wildlands, nor within an area designated as a high hazard fire severity zone.

9. HYDROLOGY AND WATER QUALITY

A Hydrology and Drainage Report (December 16, 2004) and Stormwater Management Plan (November 15, 2004) was prepared by Hunsaker & Associates. Runoff from the project site drains in a southeastern direction within an existing earthen trapezoidal channel discharging into an existing 48-inch reinforced concrete pipe (RCP) storm drain located at the southeastern corner of the site. The runoff continues to flow south into an unnamed intermittent tributary of Lake Hodges. This unnamed intermittent tributary is identified as part of the San Dieguito River Hydrologic Unit. The development of the site would not cause any diversion to or from the existing watershed draining to the existing 48-inch RCP storm drain system. Total existing runoff from the site is 140.5 cubic feet per second (cfs) and includes offsite watershed contributions for a total drainage area of approximately 89.5 acres. The project site currently contributes approximately 3.2 cfs to the total flow of 140.5 cfs from upstream sources. The proposed project would produce 5.2 cfs, an increase of 2.0 cfs.

Significance Criteria and Impact Analysis

The effects of a project on hydrology and water quality are considered to be significant if the proposed project would:

- a. *Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)?*

Less Than Significant Impact. Typical urban pollutants associated with residential and mixed-use developments include oil, grease, paints, solvents, antifreeze, cleaners, various fluids and fuels, trash/debris, fertilizers, and organic matter, which require proper use, storage, and disposal. Under the National Pollutant Discharge elimination System (NPDES) Stormwater Permit issued in 1990 to the County of San Diego and to the City of Escondido, as one of the co-permittees, all development and significant redevelopment is obligated to implement structural and on-structural non-point source pollution control measures known as Best Management Practices (BMPs) to limit urban pollutants reaching the waters of the U.S. to the maximum extent practical. The NPDES permit requires the preparation of a site-specific Stormwater Pollution Prevention Plan (SWPPP). The implementation of this permit system requires that specific management practices be implemented at the time of construction.

Stormwater runoff generated by the project area would discharge to a new storm drain system, a 48-inch RCP system, located beneath the site. The new RCP system replaces the existing open trapezoidal channel. The developed system is designed to convey both the offsite and onsite flow volumes per the City of Escondido drainage design standards. Runoff from impervious areas on the project site would be directed into four storm drains connected directly to the new RCP system. These storm drains include a drain catchment and filtration liner designed to collect contaminants and debris prior to discharge into storm drain systems. This storm drain filter insert is suitable for all pollutants typically found on land developments, including heavy metals and hydrocarbons. These inserts are installed within the storm drain inlet and the pollutants are absorbed within the insert until it is replaced by a new filtration liner. Maintenance of the filter requires inspections three times a year (dry season – October, rainy season – February, and the end of June) to ensure that filter unit and media are functioning properly, have not become clogged, do not need to be replaced, and have proper removal of accumulated sediment. The storm drains and RCP system will sufficiently treat the runoff generated by the development. In addition, any manufactured slopes or unpaved areas will be landscaped with suitable ground cover or installed with an erosion control system and properly maintained. Maintenance of the on-site storm drain system would be performed as part of the Homeowners' Association duties, and included as conditions of approval of the project and identified in the project CC&Rs.

- b. *Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

No Impact. Groundwater depth on the project site is 18.5 to 22 feet below the existing ground surface. The project would not withdraw groundwater or interfere with groundwater recharge and groundwater table level. Remedial grading operations associated with the project development are not expected to impact groundwater or be a factor during removal and recompaction onsite.

- c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site?*
- d. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts?*
- e. *Cause significant alteration of receiving water quality during or following construction?*
- f. *Cause an increase of impervious surfaces and associated runoff?*
- g. *Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*
- h. *Cause potentially significant adverse impact on ground water quality?*
- i. *Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses?*
- j. *Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?*
- n. *Otherwise substantially degrade water quality?*

Less Than Significant Impact. Standard BMPs would be implemented during construction to adequately control erosion and siltation impacts to a less than significant level. The development of the site would not cause any diversion to or from the existing watershed draining to the existing 48-inch RCP storm drain system. The project would include a new 48-inch RCP system located beneath the site to replace the existing open trapezoidal channel. Runoff from impervious areas on the project site is directed into four storm drains connected directly to the new RCP system. The storm drains and RCP system will sufficiently treat the runoff generated by the development as previously discussed. The new storm drainage system is designed to convey both the offsite and onsite flow volumes per the City of Escondido drainage design standards. In addition, any manufactured slopes or undeveloped areas would be landscaped with suitable ground cover or installed with an erosion control system. Proper use of erosion and sediment control measures as well as BMPs (which are standard requirements as part of the grading permit) would reduce potential water quality impacts to less than significant.

Groundwater depth on the project site is 18.5 to 22 feet below the existing ground surface. Remedial grading operations associated with the project development are not expected to impact groundwater or be a factor during removal and recompaction onsite. The project does not include activities that would discharge pollutants into groundwater aquifers.

The project site is located within the San Dieguito Watershed and drains into an unnamed tributary of Lake Hodges. Lake Hodges is the nearest 303(d) impaired water body to the project site at approximately 1.25 miles from the project site. The Pacific Ocean Shoreline is approximately 19.7 miles from the project site and is impaired by color, nitrogen phosphorus, and total dissolved solids. Typical pollutants associated with attached residential developments similar to the project include sediments, nutrients, trash and debris, oxygen demanding substances, and pesticides. Implementation of standard BMPs during construction, storm drains, and the underground RCP storm drainage system would reduce potential water quality impacts to less than significant.

- k. *Create or exacerbate already existing environmentally sensitive areas?*
- l. *Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters?*

m. Impact aquatic, wetland or riparian habitat?

Less Than Significant Impact with Mitigation. Approximately 0.43 acre of southern willow scrub would be directly impacted by the proposed project, which is classified as sensitive according to the guidelines of the MHCP, CDFG, and the Corps. Because this habitat is classified as jurisdictional wetland habitat by the resource agencies, impacts to this sensitive vegetation would be significant. Offsite mitigation will reduce impacts to jurisdictional wetlands to below a level of significance, as described in the Biology Section of this analysis.

- o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*
- p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*
- q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*
- r. Inundation by seiche, tsunami, or mudflow?*

No Impact. The project site is located outside the 100-year flood zone according to SanGIS. Therefore, no structures would impede or redirect flood flows. The project does not propose to construct a levee or dam and would not otherwise expose people or structures to a significant risk of flooding. The project does not include activities that would increase the risk of inundation by seiche, tsunami, or mudflow. BMPs implemented as part of the activities protocol would control erosion to a less than significant level.

Mitigation Measures

No impacts to hydrology and water quality are expected to occur with the proposed design features and BMPs, which are required conditions of the project. Therefore, no mitigation measures are required. Impacts to wetland and riparian habitat is covered in the Biology Section, and appropriate mitigation measures are incorporated to reduce potential impacts to less than a significant level.

10. MINERAL RESOURCES

Existing Setting

No known mineral resources are located on or surrounding the project site.

Significance Criteria and Impact Analysis

The effects of a project on mineral resources are considered to be significant if the proposed project would:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan?*

No Impact. No known locally important mineral resource recovery site is located on the project site or within the vicinity of the project site. The project would not change the existing availability of mineral resources that would be of value to the region and residents of the state.

11. NOISE

The project area is dominated by vehicle traffic noise from local roadways. Traffic data and calculations used to evaluate potential noise impacts. Existing noise levels at and near the project site were observed and measured on Thursday, October 25, 2004, between the hours of 10:30 a.m. and 11:30 a.m. The Noise Element of the City's General Plan establishes policies that are intended to provide an acceptable noise environment for new noise sensitive developments with the City (City of Escondido 1990). The Federal Highway Administration's (FHWA) Traffic Noise Model (TNM), version 2.5, was used to predict existing and future peak hour traffic noise levels at specific receptor locations. The project site is currently exposed to noise levels ranging 63 to 73 dBA CNEL. The highest noise levels occur along the western property line where noise levels are considered normally unacceptable for residential uses and conditionally acceptable for commercial uses. Within 20 feet of the project site's western property line, the noise levels drop to conditionally acceptable for residential land uses. No portion of the project site is considered normally acceptable for residential land uses under existing conditions.

Measured and Observed Noise Levels, Thursday, October 25, 2004

ID	Location	Noise Level, dBA			Comments
		Leq	Min	Max	
1	Southwest corner of project site, 50 ft. west of the centerline of Escondido Blvd.	65.5	50.7	76.4	The major noise source was traffic on Centre City Parkway. Escondido Blvd. was a secondary source. Other noise sources included birds, dogs barking in distance, and aircraft overflights.
2	5 ft. west of eastern property boundary	52.6	43.7	67.0	The major noise source was traffic on Centre City Parkway. Other noise sources included birds, parking lot noise from residential uses west of the site, and aircraft overflights.
3	Northwest corner of project site, 10 ft. south of northern property line	52.8	44.6	61.7	The major noise source was traffic on Centre City Parkway. Other noise sources included birds and parking lot noise from commercial land uses north of the site.
4	Elk Lodge parking lot, 170 ft. west of the centerline of Escondido Blvd.	57.2	47.0	64.1	The major noise source was traffic on Centre City Parkway. Other noise sources included birds and dogs barking in distance.

Significance Criteria and Impact Analysis

The effects of a project on noise are considered to be significant if the proposed project would result in:

- Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?*
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Construction Noise

Less Than Significant Impact. Noise impacts from construction are a function of the noise generated by the construction equipment, the location and sensitivity of nearby land uses, and the timing and duration of the noise-generating activities. Noise levels within and adjacent to the specific construction sites would increase during the construction period. Construction would not cause long-term impacts since it would be temporary and daily construction activities would be limited by the City's Noise Ordinance (Sections 17-234 and 17-238) to hours of less noise sensitivity. The northeastern portion of the site will require additional effort to remove 2 to 5 feet of granite. However, the removal of the granite would be done by a single dozer and, other than occasional cracking and popping from the rock, would not result in substantially greater noise generation than that of typical construction. No pile driving or explosives blasting would occur as a result of the project and, thus, no significant vibrations or groundborne noise would be associated with construction of the proposed project.

For purposes of analysis of this project, a maximum 1-hour average noise level of 75 dBA at a distance of 50 feet from the construction area is assumed to occur. Noise levels of other activities, such as framing or paving, would be less. Peak noise events may occur during trenching and during backfill, when there may be a combination of noise from several pieces of equipment, including the noise of backup alarms. Construction noise typically attenuates at a rate of 6 dBA per doubling of distance. At a distance of 50 feet, maximum, or peak, noise levels could reach as high as 88 dBA during peak construction activity. Peak noise construction levels at the nearby residences would be heard above the ambient noise levels and could create temporary annoyance; however, it should be noted that peak noise levels would occur only sporadically since not all equipment would be operating at all times. Existing noise sensitive land uses east of the project site share a common 6-foot high masonry wall, which would further reduce noise generated during construction. The average hourly noise levels at the nearest property line with residential land uses would be approximately 73 dBA L_{eq} , which is below 75 dBA L_{eq} specified in the City's noise ordinance. Therefore, construction noise levels would be temporary in nature at any individual construction site and would not exceed City noise level standards for construction activities. The Air-Quality Section contains a mitigation measure that requires staging areas to be located at least 300 feet from the eastern property boundary. This also would help reduce potential noise impacts to the adjacent residential development to the east.

Noise-Land Use Compatibility and Future Traffic Noise Levels

Less Than Significant Impact. Noise levels within the proposed project site would be primarily influenced by traffic noise from Centre City Parkway and Escondido Boulevard. Internal project streets would contribute a minor amount of traffic noise to the overall site as these streets would have limited speeds, would not create any new thoroughfares, and would only be used by residents of the proposed development and their guests. Existing noise levels generated by traffic on local roadways exceed the City's Noise Element standard of 60 dBA CNEL for noise sensitive land uses throughout the project site.

Contours developed with the proposed project's traffic show that the noise levels would vary little due to the proposed project. Additionally, with the development of the proposed project, noise levels farther from the roadway would be substantially lower due to the shielding provided by the first row of buildings. Structures associated with the proposed project would attenuate noise levels within the project site between 3 dBA and 14 dBA depending on location, with the greatest noise level reduction occurring at the common area located between buildings 7, 8 and 9. The common area is considered the primary outdoor use area and noise levels in this area

are estimated to be below 60 dBA CNEL. Based on the modeling conducted, six buildings (1, 2, 3, 10, 11, and 12) would be exposed to exterior noise levels in excess of 60 dBA CNEL. Where proposed buildings would be exposed to exterior noise levels in excess of 60 dBA CNEL, the project proponent would be required to demonstrate that interior noise levels in the living areas would remain below 45 dBA. To meet this interior noise level goal, it is likely many of these units would require windows to be kept in a closed position, which would require these units to have air conditioning units included in the initial design. It should be noted that the nine units fronting Escondido Boulevard will likely require additional measures to attenuate interior noise levels to 45 dBA. These measures most likely would include mechanical ventilation and higher Sound Transmission Coefficient (STC) ratings for windows and doors. An Interior Noise Assessment (INA) would be required as part of the building plan submittal to ensure the final architectural plans would be in conformance with the interior 45 dBA requirements. This is a standard condition for all project within an identified noise contour and would be included in the project conditions of approval.

Operational Noise

Less Than Significant Impact. The dominant noise generated by the operation of the proposed project would be from traffic (the project would contribute to an increase in local traffic volumes, resulting in higher noise levels along local roadways). Other noise sources would include mechanical equipment, such as air conditioners, which would be required to comply with the City's noise ordinance. The increases due to the project are estimated to be no greater than 0.8 dBA, which would not be perceptible. Further, the change of traffic noise level from existing to future, including the project, would not exceed 0.3 dBA. These increases would be less than the 3 dBA significance criterion. Therefore, traffic noise impact would not be significant.

- e. *For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. No private or public airstrips are located within 2 miles of the proposed project site; thus, people residing or working in the project area would not be exposed to excessive noise levels due to airport operations.

12. POPULATION AND HOUSING

Significance Criteria and Impact Analysis

The effects of a project on population and housing are considered to be significant if the proposed project would:

- a. *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*
- b. *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c. *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

No Impact. The project site is located on a vacant and undeveloped in-fill lot along South Escondido Boulevard in the City of Escondido. Population within the surrounding area and city would incrementally increase as a result of this residential project. However, the density of this development would be in conformance with the General

Plan's land-use designation of General Commercial and South Escondido Boulevard Area Plan, which allows mixed-use project with a maximum density of 24 dwelling units per acre. The development would contribute to the City's Regional Share housing requirements. The project would not be considered growth inducing since the project site is within an existing urban area and adequate public facilities are available within the area to serve the project.

13. PUBLIC SERVICES

Significance Criteria and Impact Analysis

The effects of a project on public services are considered to be significant if the proposed project would:

- a. *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

- i. *Fire protection*

Less Than Significant Impact. The proposed development is not expected to result in the need for additional emergency and fire facilities. Emergency and nonemergency response times of the Escondido Fire Department would remain the same with the proposed development. South Escondido Boulevard provides adequate emergency vehicle access to the site. The existing service capacity of the Escondido Fire Department would be sufficient to maintain the current response time of 5 minutes for both emergency and nonemergency situations.

- ii. *Police protection*

Less Than Significant Impact. The proposed development is not expected to result in the need for additional police services (e.g., equipment and staff). Response times would remain the same with the proposed project. Additionally, funds from the Public Safety Bond passed in November 2004 would provide for a new joint fire/police facility. This new facility would provide for additional police service and ensure response times are maintained. The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities or staff.

- iii. *Schools*

Less Than Significant Impact.

The City of Escondido is served by the EUSD (grades K-8) and the EUHSD (grades 9-12). Facilities include:

- L.R. Green School, 3115 Las Palmas Avenue
- Bear Valley Middle School, 3003 Bear Valley Parkway
- San Pasqual High School, 3300 Bear Valley Parkway

Based on a student generation rate of 0.23 students per multi-family unit (City of Escondido 2004), the project is expected to generate approximately 10 new students. The incremental increase of students associated with the proposed project is minimal; however, due to the current deficiency in school facilities, this increase would be considered an adverse impact. The latest development fees adopted by both school districts (effective May 13,

2004) are \$2.69 per square foot of residential construction and \$0.36 per square foot of commercial construction. These fees are collected by the EUSD and the proper portion is remitted to the EUHSD. These development fees are intended to offset the impacts of increased student-to-teacher ratios by increasing total EUSD funds earmarked for additional staff and facilities. Payment of fees would provide for additional school service capacity. This impact would therefore be less than significant. The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered EUSD or EUHSD facilities.

iv. Parks

Less Than Significant Impact.

The nearest park facility to the project site is Kit Carson Park, located less than 1 mile east of the site. Existing park facilities are expected to be adequate for the provision of services to new development. No substantial increase in park space is anticipated with development of the proposed project.

v. Libraries

Less Than Significant Impact. The quality of life standards for library service in Escondido provide for 8 library collection items per household, 1.6 square feet per household, 3 staff persons for every 2,300 households, and 1 public computer workstation for every 1,150 households. To maintain this standard for the proposed project, the library would have to add 392 books, 78 square feet of space, and approximately 2 hours of staff time per week. No additional computer work stations would be required with implementation of the project. Currently, the Escondido Library plans to double their capacity, making the library approximately 85,000 square feet with a stock of 86,000 books. These expansion plans would sufficiently support the increased demand resulting from the project, therefore making any impacts associated with the project less than significant. The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities or staff.

vi. Gas/Electric

No Impact. SDG&E would provide gas and electric facilities to the project. The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered SDG&E facilities.

14. UTILITIES AND SERVICE SYSTEMS

Significance Criteria and Impact Analysis

The effects of a project on utilities and service systems are considered to be significant if the proposed project would:

- a. *exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.*
- b. *require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.*
- c. *require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.*

- d. *have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.*
- e. *result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.*
- f. *be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.*
- g. *comply with federal, state, and local statutes and regulations related to solid waste.*

Solid Waste – Escondido Disposal, Inc. (EDI) currently provides solid waste removal service for the Escondido area. EDI also operates a solid waste transfer station at their Washington Avenue site where solid waste is consolidated into larger transfer trucks and taken to a class III landfill for disposal. Solid waste pick-up will be available for the project by EDI for all phases of project implementation, including from construction to residential curbside collection.

Sewer Service – Escondido's wastewater treatment plant, located on Hale Avenue, has the capacity to handle the increase in demand for service. The project also complies with established General Plan Quality-of-Life Standards for Sewer Service. Sewer service could be provided by the extension of mains within the adjoining street system.

Water Service – Water service would be provided to the site by the City of Escondido. The Engineering Division indicated that no significant impacts are anticipated as a result of the project. Water service could be provided by the extension of mains within the adjoining street system.

Drainage Facilities – See analysis contained within Water Section No. IV.

MANDATORY FINDINGS OF SIGNIFICANCE

Potential impacts to the environment as a result of this project are in the areas of biology and air quality. With the implementation of the mitigation measures and conditions of approval, the project is not expected to have any significant impacts, either long-term, nor will it cause substantial adverse effects on human beings, either directly or indirectly. The project will not degrade the quality of the environment for plant or animal communities since the project will not cause fish and wildlife populations to drop below self-sustaining levels nor reduce the number or restrict the range of endangered plants or animals. A Wetland Mitigation Plan (EDAW 2005) has been prepared to address impacts to jurisdictional wetland habitat, and provides detailed information on existing conditions, implementation methods, maintenance, monitoring, and replanting activities. Off-site wetland mitigation is proposed at the Fenton Ranch site at the confluence of Guejito Creek and Santa Ysable Creek in San Pasqual Valley. The 3-acre site is part of a 23.46-acre site with an open space designation placed on the area to be used as mitigation.

Due to potential for short-term impacts to sensitive receptors from diesel emissions, location of equipment staging areas away from adjacent residential development to the east is designed to reduce impacts to air to below a level of significance. Construction related impacts are considered temporary and not significant.

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

Summary of Mitigation Measures

ER 2005-02

Biology

Bio 1: Mitigation for the loss of 0.43 acre of southern willow scrub shall be designed to accomplish the “no net loss” policy defined by the Corps. “No net loss of wetlands” refers to a no net loss of both wetland area and function (USEPA and the Department of the Army 1990). A Conceptual Mitigation Plan has been prepared to provide specific measures for the proposed mitigation required by the Corps and CDFG. Generally, all direct permanent impacts to jurisdictional wetland habitat are mitigated in kind at an offsite mitigation area(s), preferably in the same watershed, through some combination of creation, restoration, enhancement, and/or preservation of existing habitat. Mitigation will include a minimum 1:1 creation ratio component to adhere to the federal policy of a no net loss of wetlands. The CDFG also requires replacement of affected habitat, typically at ratios similar to the Corps. The CDFG typically requires a minimum ratio of 1:1 creation for all permanent impacts to habitats within their jurisdiction. Generally, the resource agencies require more than a 1:1 replacement ratio and it is anticipated that a ratio of 2:1 is likely to be required. The Mitigation Plan provides for a 4:1 replacement ratio for the 0.43 acre of arroyo willow scrub habitat and 0.04 acre of unvegetated waters of the U.S.

The acquisition of high-quality, in-kind habitat at an offsite location may be considered at the agencies' discretion. The use of mitigation credits at an approved mitigation bank will be possible if the project is located in one of the bank's service areas and the appropriate habitat credits are available.

In addition, the applicant will be required to obtain a Section 404 Nationwide Permit from the Corps, a Section 1600-1607 Streambed Alteration Agreement from the CDFG, and a Section 401 Waste Discharge Certification from the RWQCB.

Bio 2: To avoid potential impacts to the federally protected least Bell's vireo, construction activities will occur outside the breeding season (March 15 through September 15). However, if construction activities do occur during the breeding season, then U.S. Fish and Wildlife Service (USFWS) protocol surveys will be required to determine the presence or absence of the least Bell's vireo. If the surveys determine that the least Bell's vireo is not present and nesting onsite, construction can proceed during the breeding season, as long as there are also no migratory birds nesting onsite. If the surveys determine that the least Bell's vireo is breeding onsite, construction cannot proceed during its breeding season and a Section 7 Consultation with the USFWS will be required to determine appropriate mitigation.

The southern willow flycatcher is not expected to nest or breed onsite, only possibly migrate through the site. As such, protocol level surveys for this species are not deemed necessary.

Pre-construction surveys will be conducted by a qualified biologist to determine the presence or absence of migratory birds protected under the Migratory Bird Treaty Act. The nest survey will also determine if migratory birds are nesting onsite. If no nesting activity is observed, construction activity can proceed. If the biologist determines that migratory birds are nesting onsite, construction shall be avoided until after the young have fledged from the nest and it is no longer occupied. Results of the nest survey will be submitted to the CDFG via a letter report.

Should construction halt for any reason for longer than 1 week after the commencement of activities and potential nesting habitat still remains onsite, an additional focused survey for migratory bird nests will be required 1 week prior to the recommencement of construction (only if during the breeding season for migratory birds, which typically extends from February 1 through September 30). If the surveys determine that no species or nests were observed, construction could recommence during the nesting season.

Bio 3: According to Chapter 33, Article 55, Section 33-1069 of the Municipal Code, if protected trees cannot be preserved on site, they shall be replaced at a minimum of 2:1. The number, size, and species of the replacement trees shall be determined on a case-by-case basis based on the characteristics and condition of the individual tree(s) involved. The preferred replacement is a tree(s) of equal size. Given the size of the one impacted oak tree, it is recommended that nursery-grown specimen trees (24-inch box) be used as replacement trees. As such, two 24-inch box replacement trees would offset the impacts to the one protected oak tree. If possible, these replacement trees should be planted as part of any wetland/riparian restoration component for this project. In accordance with the California Department of Fish and Game recommendations, oak trees shall be mitigated in the following manner:

In the disturbed upland area of the project, two oaks (*Quercus agrifolia*) will be impacted. One has a diameter at breast height of approx. 12 inches and the other approx. 3 inches. These two upland oaks shall be mitigated by planting acorns or 1-gallon oaks at a ratio of 5:1 for impacts to the 12-inch DBH oak and at a ratio of 3:1 for impacts to the 3-inch DBH oak. As an alternative, impacts to these two oaks may be mitigated at a 3:1 ratio through purchase of oak credits at a mitigation bank.

Mitigation for impacts to the 30, 1 to 2-inch DBH oak saplings that are within the southern willow scrub habitat will need to be determined through the Streambed Alteration Agreement process.

Bio 4: Impacted non-native grassland (2.1 acres) will be mitigated at a 0.5:1 ratio through either of the following:

- a. Purchase of similar habitat as approved by the Wildlife Agencies; or
- b. Payment of monies to an approved habitat mitigation bank.

Off-site Mitigation

The following mitigation measures are designed to reduce impacts to biological resources on the offsite mitigation site to below a level of significance:

Bio 5: A biological monitor knowledgeable of arroyo toad biology and field identification shall be present daily when planting holes are dug for container plants between September 15 and March 15, and when container plants and the drips irrigation system are checked and maintained (i.e. 3 to 4 times) between March 15 and August. Locals where arroyo toad activity is documented during this monitoring shall be flagged and planting locations shall be shifted an appropriate distance from the toad locales. Documentation from the biological monitor submitted to the Service will include depth and locale where toads may be found, distance from and elevation above the stream bed, type of vegetation in which arroyo toad is found, and number of toads detected and affected (if any).

Bio 6: Data collection by the biological monitor shall be analyzed annually during the 5-year program to determine what activities have direct impacts on arroyo toad, which activities appear to have no impact. Monitoring will not be discontinued without concurrence from the Service.

Bio 7: Work is not planned in the more open sandy habitat adjacent (e.g., within 40 feet) to the creek bottom, except for removal of scattered exotic plants. Work adjacent to the creek bottom shall be limited to periods of time when there is no surface flow. Removal of exotics adjacent to the creek bottom shall be performed September 15 to when there is creek flow. After stream flow commences, if the channel subsequently becomes dry, the maintenance activities may resume upon agreement between a qualified biologist and the Service, and continue until March 15.

Bio 8: A biological monitor shall inspect the site immediately after heavy seasonal rains and prior to re-initiation of exotics removal, planting, seeding and maintenance of the drip irrigation system.

Air Quality

Air 1: The project proponent will ensure construction equipment staging areas are located a minimum of 300 feet from residential land uses, when feasible. The staging area(s) shall be identified on the grading and building plans.

PERSONS/ORGANIZATIONS CONSULTED

The following firms and individuals were responsible for the contents of this Draft MND.

Lead Agency

City of Escondido, Planning Division
201 North Broadway
Escondido, CA 92025-2798

Jay Paul, City Planner

Applicant

NCA-ESCO Escondido, LCC
c/o: Richardson Partners, Inc.

Bob Richardson

Civil Engineers/Hydrology/Water Quality

Hunsaker & Associates – San Diego, Inc.

Environmental Analysis

EDAW, Inc. was responsible for the preparation of this document and included the following individuals:

Teresa Wilkinson, Senior Project Manager
Julie Wang, Senior Environmental Analyst
Jenny Lovell, Environmental Analyst
Bill Maddux, Acoustical Engineer
Danielle Tannourji, Biologist
Rebecca Apple, Principal Archaeologist
Tanya Wahoff, Archaeologist
Therese Tempereau, Technical Editor
Camille Lill, GIS Coordinator
Marisa Fabrigas, Word Processor
Robin Rice, Word Processor

Transportation/Traffic and Circulation Assessment

Darnell & Associates

Phase I Environmental Assessment

PhaseOne, Inc.

The following individuals/agencies were contacted for information during the preparation of this Draft MND.

Escondido Union School District

Linda Faulkner, Elementary Facilities

Escondido Union High School District

Terri Stafford, Business Services

City of Escondido Police Department
Duane White, Police Chief

City of Escondido Fire Department
Michael Calhoun, Fire Marshall

Escondido Public Library
Laura Mitchell, City Librarian

San Diego Gas & Electric (SDG&E)
Jody Sutton, Planner

ATTACHMENT "A"

MITIGATION MONITORING REPORT

PROJECT NAME: Escondido Mixed-Use Development Project
PROJECT DESCRIPTION: Mixed-use development of attached residential dwelling units and commercial/retail shopkeeper units

NEG. NEC. NO. ER 2005-02
ASSOC. CASE NO.: TR 911, 2005-03-PD/CZ
APPROVAL BODY/DATE:
PROJECT MANAGER: Jay Paul, Assoc. Planner
 (760) 839-4537

PROJECT LOCATION: 2412 & 2424 S. Escondido Blvd. (APN 238-141-31 and -36).
CONTACT PERSON: Robert Richardson, Richardson Partners, Inc.
PHONE NUMBER: (760) 438-9711

Phase at which the Mitigation Measures are to be Implemented

NATURE OF IMPACT	MITIGATION MEASURE	ID NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Air Quality Construction equipment could result in diesel particulate emission concentrations.	Prior to issuance of grading plans and building permits, and as a condition of project approval, ensure plans designate that equipment staging areas are located a minimum of 300 feet from residential land uses, when feasible.	Air 1	Planning Division Engineering Division		
Biological Resources Direct impacts from development could result in the loss of southern willow scrub habitat.	Prior to issuance of Grading Permits Mitigation for the loss of 0.43 acre of southern willow scrub. A Mitigation Plan will be prepared and approved to provide specific measures for the proposed mitigation required by the Corps and California Department of Fish and Game (CDFG). All direct permanent impacts to jurisdictional wetland habitat are mitigated in kind at an offsite mitigation area(s), preferably in the same watershed, through some enhancement, and/or preservation of existing habitat. Mitigation will include a minimum 1:1 creation ratio component to adhere to the federal policy of a no net loss of wetlands. The CDFG also requires replacement of affected habitat, typically at ratios similar to the Corps. The CDFG typically requires a minimum ratio of 1:1 creation for all permanent impacts to habitats within their jurisdiction. Generally, the resource agencies require more than a 1:1 replacement ratio and a ratio of 2:1 is likely to be required. The Mitigation Plan provides for a 4:1 replacement ratio for the 0.43 acre of arroyo willow scrub habitat and 0.04 acre of unvegetated waters of the U.S.	Bio 1	Project Applicant		

NATURE OF IMPACT	MITIGATION MEASURE	ID NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Biological Resources Direct impacts from development could result in the loss of southern willow scrub	Prior to the issuance of grading permits and a condition of project approval Applicant to obtain a Section 404 Nationwide Permit from the Corps, a Section 1600-1607 Streambed Alteration Agreement from the CDFG, and a Section 401 Waste Discharge Certification from the Regional Water Quality Control.	Bio 1	Project Applicant		
Biological Resources	Prior to issuance of grading permits Ensure required Agency permits have been issued and incorporate any recommendations into plans.	Bio 1	Planning Division Engineering Div. Building Division		
Biological Resources Construction noise could result in potential temporary impacts to least Bell's vireo.	Prior to the issuance of grading and building permits, and a condition of project approval To avoid potential impacts to the federally protected least Bell's vireo, construction activities will occur outside the breeding season (March 15 through September 15). However, if construction activities do occur during the breeding season, then U.S. Fish and Wildlife Service (USFWS) protocol surveys would be required to determine the presence or absence of least Bell's vireo. If the surveys determine that least Bell's vireo is not present and nesting onsite, construction can proceed during the breeding season, as long as there are also no migratory birds nesting onsite. If the surveys determine that least Bell's vireo is breeding onsite, construction cannot proceed during its breeding season and a Section 7 Consultation with the USFWS would be required to determine appropriate mitigation. Pre-construction surveys will be conducted by a qualified biologist to determine the presence or absence of migratory birds protected under the Migratory Bird Treaty Act. The nest survey will also determine if migratory birds are nesting onsite. If no nesting activity is observed, construction activity can proceed. If the biologist determines that migratory birds are nesting onsite, construction shall be avoided until after the young have fledged from the nest and it is no longer occupied. Results of the nest survey will be submitted to the CDFG via a letter report. Should construction halt for any reason for longer than 1 week after the commencement of activities and potential nesting habitat still remains onsite, an additional focused survey for migratory bird nests would be required 1 week prior to the recommencement of construction (only if during the breeding season for migratory birds, which typically extends from February 1 through September 30). If the surveys determine that no species or nests were observed, construction could recommence during the nesting season.	Bio 2	Project Applicant Planning Division verify preconstruction surveys and results		

NATURE OF IMPACT	MITIGATION MEASURE	ID NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Biological Resources: Direct impacts from development would result in the loss of one mature oak tree with a dbh of 12 inches.	Nursery-grown specimen trees (24-inch box) be used as replacement trees. As such, two 24-inch box replacement trees would offset the impacts to the one protected oak tree. If possible, these replacement trees should be planted as part of any wetland/riparian restoration component for this project, or be planted on-site as part of the landscape plan. Prior to the issuance of grading permits Impacted non-native grassland (2.1 acres) will be mitigated at a 0.5:1 ratio through either of the following: a. Purchase of similar habitat as approved by the Wildlife Agencies; or b. Purchase of credits from an approved habitat mitigation bank.	Bio 3	Planning Division Engineering Division Building Division		
Biological Resources: Direct impacts from development would result in the loss of non-native grassland	Prior to the issuance of grading permits Impacted non-native grassland (2.1 acres) will be mitigated at a 0.5:1 ratio through either of the following: a. Purchase of similar habitat as approved by the Wildlife Agencies; or b. Purchase of credits from an approved habitat mitigation bank.	Bio 4	Project Applicant		
Biological Resources: Direct impacts from development would result in the loss of non-native grassland	Prior to the issuance of grading permits, and condition of project approval: Verify appropriate off-site mitigation has been approved or credits obtained for impacts to non-native grassland	Bio 4	Planning Division Engineering Div.		
Biological Resources: Off-site mitigation area (Fenton Ranch)	A biological monitor knowledgeable of arroyo toad biology and field identification shall be present daily when planting holes are dug for container plants between September 15 and March 15, and when container plants and the drips irrigation system are checked and maintained (i.e. 3 to 4 times) between March 15 and August. Locals where arroyo toad activity is documented during this monitoring shall be flagged and planting locations shall be shifted an appropriate distance from the toad locales. Documentation from the biological monitor submitted to the Service will include depth and locale where toads may be found, distance from and elevation above the stream bed, type of vegetation in which arroyo toad is found, and number of toads detected and affected (if any).	Bio 5	Project Applicant Wildlife Agencies		
Biological Resources: Off-site mitigation area (Fenton Ranch)	Data collection by the biological monitor shall be analyzed annually during the 5-year program to determine what activities have direct impacts on arroyo toad, which activities appear to have no impact. Monitoring will not be discontinued without concurrence from the Service.	Bio 6	Project Applicant Wildlife Agencies		
Biological Resources: Off-site mitigation area (Fenton Ranch)	Work is not planned in the more open sandy habitat adjacent (e.g., within 40 feet) to the creek bottom, except for removal of scattered exotic plants. Work adjacent to the creek bottom shall be limited to periods of time when there is no surface flow. Removal of exotics adjacent to the creek bottom shall be performed September 15 to when there is creek flow. After stream flow commences, if the channel subsequently becomes dry, the maintenance activities may resume upon agreement between a qualified biologist and the Service, and continue until March 15.	Bio 7	Project Applicant Wildlife Agencies		

NATURE OF IMPACT	MITIGATION MEASURE	ID NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Biological Resources: Off-site mitigation area (Fenton Ranch)	A biological monitor shall inspect the site immediately after heavy seasonal rains and prior to re-initiation of exotics removal, planting, seeding and maintenance of the drip irrigation system.	Biology	Project Applicant Wildlife Agencies		
Noise: Noise levels post-development may impact interior noise levels	Prior to the issuance of building permits, the project proponent shall submit an interior noise analysis to demonstrate to the City Planning Department that interior noise levels will remain below 45 dBA Leq.	Noise 1	Project Applicant		
Noise: Noise levels post-development may impact interior noise levels	Prior to the issuance of building permits, recommendations from the interior noise analysis shall be incorporated into the building plans.	Noise 1	Planning Division Building Division		

CODE COMPLIANCE

Ongoing monitoring to ensure compliance with all mitigation measures, conditions of approval, operational requirements, standards, codes and regulations.	Project Applicant City of Escondido Planning Division Wildlife Agencies	Public Works Dept. Code Enforcement Div. Police Dept.	Building Dept. City Attorney Fire Dept.
Enforcement of the project conditions, mitigation measures, codes, standards and regulations are handled through inspection and evaluation procedures by the above mentioned City Departments and upon failure to comply with the conditions, the project may be referred to the Planning Commission for review and possible modification or revocation of the permit.	City of Escondido		