

PLANNING COMMISSION

Agenda Item No.: _____
Date: September 14, 2010

CASE NUMBER: PHG 09-0040

APPLICANT: Craig W. Clark, Escondido Development, LLC

LOCATION: On West Valley Parkway in downtown Escondido northwesterly of the intersection of West Valley Pkwy and Maple Street, addressed as 250 West Valley Parkway (APN 229-372-20 & 229-381-15) currently developed as a parking lot between City Hall and the CCAE Conference Center totaling approximately 1.22 acres. Various offsite improvements would also be necessary to the City Hall Chiller Building to the east, the Conference Center to the west, Grape Day Park to the north, and intersection improvements at Maple Street and West Valley Parkway, Second Avenue and Maple Street, as well as Orange Street and West Grand Avenue.

TYPE OF PROJECT: Master Plan Modification and Precise Plan for a Hotel and Conference Center

PROJECT DESCRIPTION: A request to modify the previously approved Master Plan for a 75-foot tall, 196-room hotel connected to the existing Conference Center, to allow an increase in building size of 25,517 SF, up to 22% compact spaces in the underground parking garage, and approval of the project's Precise Plan.

STAFF RECOMMENDATIONS:

1. Approval of the modifications to the Master Plan (Case No. 2005-21-PD/SPA) as described in the project description.
2. Approval of the Precise Development Plan (Case No. PHG 01-0040).

GENERAL PLAN DESIGNATION/TIER: SPA-9, Central/Tier 1

ZONING: Downtown Specific Plan (SPA-9) Park View District, Vehicle Parking District #1, and Business Improvement District #1.

BACKGROUND/SUMMARY OF ISSUES:

The Preliminary and Master Development Plan for this project was approved by the City Council on August 23, 2006. An Extension of Time for the Planned Development approvals and an amended and restated Development and Disposition Agreement (DDA) addressing acquisition and development of the site were approved by the City Council on June 30, 2010. The hotel project includes the refurbishment and operation of the neighboring conference center existing to the west.

The Precise Plan proposes the increase in size of the hotel from 196,858 SF to 222,375 SF, 22 of the 100 parking spaces in level one of the underground parking garage to be compact spaces (i.e.; 8.5' wide, by 16' deep), and 25 of the 110 parking spaces in level 2 to be compact. These specific changes require a modification to the previously approved Master Plan.

Since the full submittal of the Hotel's Precise Plan to the City on July 29, 2010, the Downtown Business Association's Design Advisory Committee reviewed it on August 3rd, it was viewed and commented upon by the public in a special workshop held August 12th, and the Design Review Board reviewed and unanimously approved it on August 26th. In addition, the applicant's architects and engineers have had recent meetings with City departments, the Downtown Business Association (DBA), the California Center for the Arts (CCA), and Schmidt Design Group (designers of the approved Maple Street Plaza and Grape Day Park schematic Master Plan.) The hotel applicant's team made revisions to the project incorporating their suggestions in the hotel's design where possible. The latest architectural drawings and associated project information are posted on the City's website at:

<http://www.escondido.org/depts/cd/planning/index.html>.

A majority of the suggestions and concerns regarding the project have dealt with issues involving the opening on the hotel's eastern side between the hotel and City Hall known as "the Paseo" or pedestrian corridor. Because this is an important link between the Grand Avenue Historic Downtown and Grape Day Park, it is important that the corridor between City Hall and the hotel functions properly, is adequate in size,

includes appropriate enhancements, and integrates with the Maple Street Plaza and Grape Day Park designs.

SUMMARY OF ISSUES:

1. Whether the proposed enlargement of the hotel by 25,517 SF and 5 feet in height is appropriate.
2. Whether the inclusion of 47 compact parking spaces from the 210 garage spaces is appropriate for the proposed hotel use.
3. Whether the changes in the hotel's latest design and the connection to the existing Conference Center are appropriate.
4. Whether the design of the Paseo and its associated elements are sufficient for pedestrian and occasional vehicular access, provide an adequate visual link and aesthetic design qualities between the downtown, Maple Street Plaza and Grape Day Park, and overall enhance and vitalize the space.
5. Whether adequate access to adjacent facilities will be maintained during construction.

REASONS FOR STAFF RECOMMENDATION:

1. Much of the size increase in the square footage and height of the hotel is due to enlargement of the guest rooms (not the number of rooms), back-of-house operations and volume in the underground parking garage levels. None of these has an impact on requirements such as a need for additional parking.
2. Design efforts to improve the pedestrian corridor to the east, drop the hotel's front entry loop to ground level, and better link the hotel with the existing Conference Center, resulted in underground parking with 22% compact spaces. Staff feels the inclusion of some compact spaces, while not optimal, is nonetheless acceptable. The proposed plans also provide four more new parking spaces than was achieved in the previously approved Master Plan.
3. The current proposal links the Conference Center into the hotel's "Great Room" concept and visually connects the hotel lobby to the hallway in front of every salon. There are no level changes or need for winding passages. It also integrates much more effectively with the outdoor patio space currently existing between the Conference Center and CCAE to the north.
4. The applicant's architects and engineers have worked closely with the Fire Department, SDG&E, the CCAE and other City departments to insure that the design of the Paseo as depicted in the current Precise Plan will meet all public safety and temporary vehicular access concerns. In addition, the hotel team has coordinated with the Maple Street Plaza and Grape Day Park designers to ensure that the Paseo properly integrates with and will provide a strong continuation of the experience envisioned in those designs.
5. The contractor is exploring various temporary offsite parking locations for their workers. Depending on which of these is chosen, shuttling may occur. Pedestrian flow and emergency access will be maintained by means of temporary protective walkways during construction. Alternative CCAE drop-off locations also occur on both Escondido Boulevard and the Woodward lot. Only minimal interruptions in Credit Union, City Hall, City Hall's Mitchell Room, the Conference Center, Grape Day Park and both CCAE theaters activities during certain construction phases are anticipated. Project-related deliveries and construction traffic will be limited to Valley Parkway. No construction-related lane closures and no temporary nor permanent roadways through Grape Day Park are part of this request.

Respectfully submitted,

Barbara J. Redlitz
Director of Planning

Paul K. Bingham
Assistant Planner II

ANALYSIS

A. LAND-USE COMPATIBILITY/SURROUNDING ZONING

- NORTH:** Downtown Specific Plan zoning (Park View District) / California Center for the Arts Escondido campus, including buildings up to 85 feet in height, are located north of the project site as is the western portion of Grape Day Park with extensive turf and large trees. The topography north of the proposed hotel is flat.
- SOUTH:** Downtown Specific Plan zoning (Historic Downtown District and Retail Core) / Fronting on West Valley Parkway (a Collector Road with three lanes of one-way traffic and on-street parking both sides) the project site faces the intersection of West Valley Parkway and Maple Street as well as one and two-story commercial businesses across the street. The topography south of the proposed hotel is flat.
- EAST:** Downtown Specific Plan zoning (Park View District) / City Hall campus, including buildings and structures up to 50 feet in height, are located east of the project site. The topography east of the proposed hotel is flat.
- WEST:** Downtown Specific Plan zoning (Park View District) / California Center for the Arts Escondido campus, including buildings up to 65 feet in height, are located west of the project site, as well as the Conference Center, which is to become part of the proposed hotel complex. The topography west of the proposed hotel is flat.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service – The Police Department did not have any further concerns or any more conditions to add to those already in the original Master Plan Conditions of Approval.
2. Effect on Fire Service – The design of the hotel reflects the input of the Fire Department. Modifications incorporated into the hotel design include the size, number, and location of the elevators, the location and nature of stand pipes and fire sprinklers, the width and location of the easterly and northerly emergency access roads, the limit of projections out from the building, and incorporation of various fire protection hardware. After revisions to the plans they have expressed no further concerns regarding their ability to serve the project site.
3. Traffic – The project is required to signalize the intersections of West Valley Parkway & Maple Street, West Second Avenue & Maple Street, and install a four-way stop at West Grand Avenue & Orange Street. The Engineering Department indicated that the increase in the hotel's square footage would not significantly impact the existing Levels of Service on the adjacent streets or intersections so long as the aforementioned intersections are improved as required.
4. Utilities – Water and sewer service to the hotel will be provided by the City of Escondido. The requirement to extend sewer lines northward and connect to an existing line in Grape Day Park is still planned. The City's Engineering and Utilities divisions have no further concerns regarding the ability to provide service to the hotel.
5. Drainage – The project will be required to meet all current Storm Water regulations. The parking structure is conditioned to incorporate waterproofing measures that will prevent migration of groundwater into the facility. All required dewatering will comply with current Regional Water Quality Board requirements.

C. ENVIRONMENTAL STATUS

1. A revised Mitigated Negative Declaration (MND) was circulated for this project on July 27, 2006, City Log No. ER 2005-13. Key modifications were the incorporation of data from the Walker Parking Consultant's report, clarification of project traffic impacts with or without the closure of Maple, and evaluation of project impacts during special events such as Cruising Grand. The analysis identified several mitigation measures to address and mitigate potentially significant impacts to less than significant levels. The impacts evaluated include aesthetics, air quality, cultural resources, fire, geology & soils, parking, public services, transportation and water quality. The City Council certified the MND as adequate on August 23, 2006. A copy of this document, along with the mitigation measures, are posted on the City's website.

2. An Addendum to the Mitigated Negative Declaration dated September 8, 2010 has been prepared pursuant to CEQA Section 15164 to address changes in the project. No new significant impacts were identified and no additional mitigation measures are necessary.
3. A Mitigation Monitoring and Reporting Program remains valid and in force as approved with the original Master Plan. No additions or changes are necessary.
4. The project will have a de minimis impact on fish and wildlife resources as no stream courses, riparian habitat or other sensitive habitat or resources will be adversely impacted by the proposed project.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan:

The hotel site is included in Specific Plan Area 9 of the General Plan (also known as the Downtown Specific Plan). The hotel is within the SPA-9's Park View District (formerly Civic Center District), Vehicle Parking District #1, and the Business Improvement District #1. No General Plan Amendment is required.

Benefit of a Hotel to the Downtown:

The hotel proposes to physically connect to, refurbish and then operate the existing CCAE Conference Center wing. The hotel has been sized to accommodate groups likely to utilize these facilities. The hotel would expand conference marketing opportunities, and customers are likely to support downtown restaurants and shops which are within walking distance. The standards of a hotel are similar in scale and intensity to the adjacent CCAE and City Hall complexes and the use is consistent with Park View District language.

Increase in Building Size:

Much of the hotel's proposed increase in size is due to enlarging the guest rooms (not the number of rooms), back-of-house operations and volume in the underground parking garage levels. None of these changes has an impact on requirements such as a need for additional parking. The square footage changes include an increase of 252 SF in the restaurant area, a decrease of 944 SF in the fitness facility, and an increase of 1317 SF in meeting space, all of which were analyzed again by Walker Parking Consultants. They concluded that the peak need will be for 207 spaces. The garage provides 210 spaces.

The Park View District's standards allow building heights up to 85 feet through the Planned Development process. The existing CCAE Lyric Theater's flytower nearby is 85 feet in height. The original Master Plan for the hotel was approved for an overall building height of 75 feet. The applicant is asking to modify that to 75.6 feet. (While individual roof elements like parapets, stair and elevator towers, and mechanical penthouses will individually extend from 78 to 85 feet in height, the code excludes these from the height restrictions.)

Parking:

Walker Parking Consultants prepared a detailed, parking utilization study in 2006 which is posted on the City's website at: <http://www.ci.escondido.ca.us/depts/cd/planning/walker/study.pdf>. Their study factored in the nature and location of the hotel whereas the citywide standards do not. The citywide standards in effect since 1967 call for one space per hotel unit and one space for each 100 SF of restaurant/bar area.

The Walker parking study analyzed combined parking demands for each hour. It recognizes that peak parking demands for each activity occurs at different times, and that parking demand would be reduced since people already parked in the downtown and those staying in the hotel can walk to the restaurant.

Walker was updated their parking study for the hotel on August 25, 2010. Taking into account the changes in building volume shown in the Precise Plan, and the analyzing the activities associated with those changes, the consultants concluded that the peak parking demand would rise from 199 to 207 spaces. The new parking garage design provides 210 spaces, and the front entry loop provides an additional 3 spaces for a total of 213 spaces.

In Section 33-770 of the City's Zoning Code, up to thirty (30) percent of parking spaces required by Section 33-765 for industrial, office and multiple residential uses may be satisfied with compact parking spaces. Compact spaces are defined as having a stall size of eight and one-half (8.5) feet in width and sixteen (16) feet in length and to include the standard maneuvering space. Each is to be marked as use for compact or small cars only. Unlike other jurisdictions, compact spaces as defined in the City of Escondido's Code only differ from standard spaces in their length, i.e.; from 18 feet to 16 feet.

Design efforts to create a wide pedestrian corridor to the east, drop the front entry loop of the hotel to ground level, and better link the hotel internals with the existing Conference Center, resulted in underground parking structure column locations producing 22% compact spaces. These spaces still have a standard width of 8.5 feet, but are 16 feet in length instead of 18. The standard back-up width of all drive isles in the parking garage remains 24 feet, meeting City standards. Because of the retention of standard 8.5-foot widths throughout, including no tandem spaces, and the availability of vehicle parking assistance by hotel personnel, staff feels the inclusion of some compact spaces, while not optimal, is nonetheless acceptable. The proposed garage layout also provides one more new parking space than was achieved in the previously approved Master Plan (210 vs. 209 spaces).

Connection of the Hotel to the Existing Conference Center:

The Master Plan depicted a connection to the existing Conference Center via a winding passage that included level changes, varying widths, and a need for way-finding signage. The current proposal links the Conference Center into the hotel's "Great Room" concept and visually will allow patrons to see from the hotel lobby all the way westward straight down the corridor to the last salon. There are no level changes or need for winding passages. It also integrates much more effectively with the outdoor patio space currently existing between the Conference Center and CCAE to the north, affording more opportunity for use during large events and as overflow space.

The Paseo and its connection with the Maple Street and Grape Day Park Designs:

A majority of comments at the DBA and DRB hearings and the public workshop were related to the corridor or paseo between the hotel and City Hall. Those voicing concern desired that the paseo's design be integrated with the approved Grape Day Park and Maple Street Plaza Preliminary and Master Plans approved by Council on May 5, 2010. In response, the hotel team has been coordinating with those design professionals to ensure that the paseo properly integrates with and will provide a strong continuation of the experience envisioned in those designs.

The applicant's architects and engineers have also worked closely with the Fire Department, SDG&E, the CCAE and other City departments to insure that the design of the paseo as depicted in the current Precise Plan will meet all public safety and temporary vehicular access concerns.

Access During Construction:

The contractor is exploring various temporary offsite parking locations for their workers. Depending on which of these is chosen, shuttling may occur. Pedestrian flow and emergency access will be maintained around the site throughout construction by means of temporary protective walkways as proposed in the Site Utilization Plan submitted July 29, 2010. Alternative CCAE drop-off locations also occur on both Escondido Boulevard and the Woodward lot. It is anticipated that the Credit Union, City Hall, City Hall's Mitchell Room, the Conference Center, Grape Day Park and both CCAE theaters will remain open and operating during construction. Temporary fencing, the use of alternate access routes, and only minimal interruptions in activities during certain phases are anticipated. Additionally, the hotel contractor will have weekly meetings with the CCAE and work with them to accommodate CCAE deliveries during construction. Meetings with the City, Credit Union and other groups will take place as needed. Project-related deliveries and construction traffic will be limited to Valley Parkway. No construction-related lane closures and no temporary nor permanent roadways through Grape Day Park are part of this request.

Access to The CCAE

Parents who currently use the parking lot on the hotel site to drop off their children for performances have expressed concern since they will now have to park and escort their children into the theatre. Concerns have also been expressed that non-experienced truck drivers, such as volunteer parents, who sometimes deliver props to the CCAE, will have a difficult time utilizing the proposed access drive on the eastern and northern sides of the hotel. Parents have also expressed concern that the access between City Hall and the CCAE is not available to drop off their children. Opportunities to drop off children will still occur in the Escondido Boulevard turnout as well as in the Woodward Parking lot. It is noted that these opportunities are less convenient than existing conditions for parents with young children that must be escorted to the door.

Staff explored the possibility of allowing the access road between the Hotel and City Hall to be used for dropping off children. However, its width and limited turnaround area make it unsuitable for anything other than emergency access and vehicles transporting materials to the CCAE. The CCAE staff has expressed some concern that it may not be easy for inexperienced truck drivers. Staff feels the turnaround area is large enough to accommodate infrequent truck traffic.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The properties currently contain the Art Center/Conference Center and City Hall buildings, parking lots, and extensive landscaping. Most of the construction for the proposed hotel will be confined to the area of the existing parking lot between the Conference Center and City Hall.

B. SUPPLEMENTAL DETAILS OF REQUEST

	<u>2006 Master Plan:</u>	<u>Proposed:</u>	<u>Change:</u>
1. Property Size:			
Hotel:	1.15 acres	1.22 acres	+0.07 acre (3049 SF)
Conference Center:	1.14 acres	1.16 acres	+0.02 acre (871 SF)
Total combined:	2.29 acres	2.38 acres	+0.09 acre (3920 SF)
2. Building area:			
Suites/Guest Services	93,588 SF	109,357 SF	+15,769 SF
120-Seat Restaurant/Bar:	3,028 SF	3,280 SF	+252 SF
Meeting Space:	1,299 SF	2,616 SF	+1,317 SF
Fitness/Health Club	1,976 SF	1,032 SF	-944 SF
Parking Level #1:	38,825 SF	42,105 SF	+3,280 SF
Parking Level #2:	39,545 SF	42,105 SF	+2,560 SF
Operations/Misc.:	18,597 SF	21,880 SF	+3,283 SF
Total Structure:	196,858 SF	222,375 SF	+25,517 SF
3. Building Height:	75 feet (9 stories with 7 above and 2 below ground)	75.6 feet	0.6 foot increase
4. Materials/Colors:	Typical high-rise steel & concrete construction, beige and white façade, green or blue glass	Same	Unchanged
5. Hotel Parking:	<u>2006 Master Plan:</u>	<u>Proposed:</u>	<u>Change:</u>
Surface Parking:			
Standard spaces:	0	2	+2
Handicap spaces:	0	1	+1
Tandem Spaces:	0	0	Unchanged
Compact Spaces:	0	0	Unchanged
Garage Parking:			
Standard spaces:	202	157	-45
Handicap spaces:	7	6	-1
Tandem Spaces:	0	0	Unchanged
Compact Spaces:	0	47	+47
Total Spaces:	209	213	+4

6. Noise Ordinance:	<u>2006 Master Plan:</u>	<u>Proposed:</u>	<u>Change:</u>
Single-family residential:	50 dB daytime 45 dB nighttime	Same	Unchanged
Multi-family residential:	55 dB daytime 50 dB nighttime	Same	Unchanged
Commercial:	60 dB daytime 55 dB nighttime	Same	Unchanged
Note: All figures shown with maximum dB at property line.			
7. Hours of Operation:	24/7	Same	Unchanged

C. CODE COMPLIANCE ANALYSIS

1. General Plan:	SPA-9 (Downtown Specific Plan)	
2. Zoning:	SPA-9's Park View District (also within Vehicle Parking District #1 and the Business Improvement District #1)	
3. Setbacks:	<u>Proposed</u>	<u>Required</u>
Front (south)	Approx 54'	10' encouraged (parking 5')
Rear (north)	Approx 54'	None
Side (east)	Approx 6'	None
Side (west)	0'	None
4. Building Height:	<u>Proposed</u>	<u>Required</u>
	75.55' (7 stories above ground)	Up to 85' through the PD/SP process
5. Parking:	<u>Proposed</u>	<u>Required</u>
Hotel-Business:	207 spaces	201 spaces**
Surplus spaces:	6 spaces	6 spaces**
Total:	213 spaces	207 spaces**

**The Walker Study demonstrates that when the hotel's proposed suites, restaurant/bar, kitchen, meeting room, office, fitness/health club, and hotel housekeeping spaces are coupled with the hourly demand for parking, the peak demand for parking will be 207 spaces at 10:00 PM on week nights, as figured at highest anticipated occupancy levels.

6. Hours of operation:	<u>Proposed</u>	<u>Required</u>
	24/7	Alcohol sales without the availability of food, or live entertainment will require a Conditional Use Permit. Other without food uses (nightclub, etc.) would require a CUP.
7. Noise Ordinance:	Single-family residential maximum at property line: 50 dB daytime, 45 dB nighttime. Multi-family residential maximum at property line: 55 dB daytime, 50 dB nighttime. Commercial maximum at property line: 60 dB daytime, 55 dB nighttime.	

EXHIBIT "A"

FINDINGS OF FACT/ FACTORS TO BE CONSIDERED 2005-21-PD/SPA, PHG 09-0040

Modification to the Master Development Plan and Precise Plan

1. Granting approval of the proposed modifications to the Master Plan and approving the Precise Plan would be based on sound principles of land use and in response to services required by the community since the project site is located in close proximity to the Center for the Arts, City Hall and the Historic Downtown where currently no hotels exist. Multiple studies conducted by PKF Consultants have demonstrated a need for a hotel and show that a hotel and connected conference center facility will be successful.
2. The site is suitable for the type of development proposed since the project site is in the Park View District and the site is near other similar large structures. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without significantly degrading the level of service on the adjoining streets or intersections.
3. The site is physically suitable for the proposed building intensity of the underlying General Plan S-P land-use designation as described in the sections above. The proposed project would not result in any adverse impacts to historical or biological resources on and off the site.
4. The design of the structure and the type of improvements proposed by this project are not likely to cause serious public health problems since the project would not degrade the levels of service on the adjoining streets or drainage systems. Adequate water and sewer could be provided to the site. The project would not create any significant noise impacts to adjacent properties due to the existing ambient noise levels, nature of the project, and limited traffic increase created by the project. Appropriate interior noise levels would be provided in conformance with the Escondido General Plan and City's Noise Ordinance requirements.
5. All of the requirements of the California Environmental Quality Act (CEQA) have been met and a revised Mitigated Negative Declaration ER 2005-13 was circulated for the proposed project on July 27, 2006 and approved by the City Council on August 23, 2006. An Addendum to the Mitigated Negative Declaration has been prepared pursuant to CEQA Section 15164 to address changes to the proposed project.
6. The design of the project has provided, to the extent feasible, for future passive or natural heating or cooling opportunities.
7. All permits and approvals applicable to the proposed project pursuant to the Escondido Zoning Code will have been obtained prior to occupancy.

EXHIBIT “B” CONDITIONS OF APPROVAL

(Ultimate responsibility for each Condition of Approval will fall on either the developer or City in accordance with the terms of the Amended and Restated Disposition and Development Agreement)

General

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees, unless otherwise specified in the Conditions of Approval.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Department, Director of Building, and the Fire Chief.
3. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees, commissioners, or board members assumes responsibility for the accuracy of said legal description.
4. Fire hydrant spacing and location must be approved by the Fire Department prior to commencement of construction. The number, timing and minimum GPM fire flow shall be coordinated with the Fire Marshall.
5. 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 Marshall.
6. All habitable space within the proposed project shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. A final interior noise assessment shall be submitted with the building plans demonstrating compliance with the interior noise requirements. Recommendation of the study shall be included in the building plans.
7. The location of proposed fences and walls shall be indicated on the grading, building and landscape plans, and design, color and material of the walls indicated on the building and landscape plans. All safety fencing around the pool shall be depicted on the building plans and installed to the satisfaction of the Planning Division and Police Department prior to occupancy.
8. This project shall conform to the Public Art Partnership Program, Article 37 of the Escondido Zoning Code.
9. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
10. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08), to the satisfaction of the Planning Division.
11. Prior to issuance of building permits, an analysis shall be conducted to ensure that operation of the wireless equipment on the top of the CCAE flytower will not be impacted, and that Radio Frequency exposure levels of hotel occupants fall within acceptable limits to the satisfaction of the Planning Division.
12. Vents for the underground parking structure shall not discharge at ground level. Plans for discharging air shall be included on the building plans and installed to the satisfaction of the Building and Planning Divisions.
13. The access road/paseo between City Hall and the hotel shall be consistent with the design drawings to the satisfaction of the Planning Division and Fire Department. The developer shall coordinate paseo design efforts with the designer of the approved Maple Street Plaza and Grape Day Park plans to ensure integration of these projects to satisfaction of the Director of Community Development.

14. A permit for the sale of alcoholic beverages shall be obtained prior to any sales of alcohol. A Conditional Use Permit shall be required to permit alcohol sales to occur when food sales shall be available at all times alcohol is sold.
15. Prior to building permit issuance, plans for relocating the service door at the northeast corner of the California Center for the Arts Escondido Theater shall be to the satisfaction of the Director of Community Development.
16. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
17. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
18. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the Design Review Board on August 26 and September 9, 2010, and the exhibits and details in the staff report to the satisfaction of the Planning Division.

Parking

1. The hotel shall have two (2) levels of underground parking providing a minimum of 210 parking spaces. All new parking spaces shall be double-striped. Standard size spaces shall be a minimum dimension of eight and one-half feet wide and 18 feet deep with a 24' backup space as a minimum. A maximum of 47 compact spaces conforming to the standards given in Sec. 33-770 of the Zoning Code shall be allowed. A minimum of six (6) garage parking spaces shall be provided for disabled persons. Said spaces shall comply with Section 1129B of the California Building Code.
2. The hotel shall provide a minimum of two (2) surface parking spaces meeting the standards in Sec. 33-769 of the Zoning Code. In addition, one (1) surface parking space shall be provided for disabled persons. Said space shall comply with Section 1129B of the California Building Code.
3. Parking space striping/markings and wheel stops shall be drawn on the building plans, or a note shall be included on the plans indicating the intended striping/markings. The grading plans shall indicate that the slope of disabled access parking spaces will not exceed 2%.
4. The City reserves the right to enforce and regulate conditions within the parking garage as they relate to public safety and accessibility.

Development Standards/Landscaping:

1. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. All vegetation (including existing vegetation required as part of previous project approvals) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
2. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. The landscape plan shall be modified to include additional drought tolerant plant materials in the landscape areas to the satisfaction of the Planning Division.

4. 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.
5. Street trees shall be provided along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
6. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.
7. Any existing trees to remain on the project site and any to be relocated, removed or replaced shall be identified on the landscape and grading plans, to the satisfaction of the Planning Division.
8. Any proposed walls and retaining walls shall be constructed out of decorative material to the satisfaction of the Planning Division. The materials and location of the wall(s) shall be identified on the final landscape plans.
9. The revised site plan and/or landscape plan shall incorporate measures to the satisfaction of the Planning Division, which screen peripheral views of exterior parking and loading areas.

Development Standards/Fire:

1. Fire protection equipment and improvements shall be subject to the approval of the Fire Department.
2. Adequate water supply for fire protection, either temporary or permanent, shall be made available prior to combustible material being brought onsite. In addition, access for use of heavy fire fighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is completed.
3. Distance between stand pipe connections is not to exceed 300'.
4. Electric switches for all gates shall be dual Knox Key for Fire and Police and Strobe light activated.
5. Repeater or amplifier systems to be provided throughout hotel building for proper operation of 800 MHz radio systems.
6. FDC and PIV locations must be indicated on the hotel, conference center, and community theater project plans to the satisfaction of the Fire Department prior to approval.
7. Stairwell access doors shall be provided to the satisfaction of the City's Fire Chief.
9. Water availability for fire suppression and location of industrial hydrants around the proposed structure to be provided to the satisfaction of the City's Fire Chief.
10. Fire Control Room in the hotel structure must be labeled for the hotel structure and the contents supplied in that room must be to the satisfaction of the City's Fire Chief.
11. Fire Access Lanes and Fire Apparatus shall be to the satisfaction of the City's Fire Chief.

Development Standards/Building:

1. A 911 or public telephone shall be required around the proposed pool and spa area.
2. Safety bollards in numbers, sizes and locations acceptable to the City's Police, Fire, Planning and Building Departments shall be installed in front of the hotel entrance and elsewhere deemed vital for building security.
3. A system of cameras, an entity to monitor activity and respond as appropriate, shall be designed and installed in all parking garages to the satisfaction of the Police Department.
4. Disabled accessible paths of travel are required from the public way to the satisfaction of the Building Division.
5. A vertical clearance for disabled accessible vans of 8'-2" must be maintained.
6. Disabled accessible parking and unloading space locations to comply with CBC. Unloading space to be on the passenger side of the vehicle. Per section 1129B CBC persons using these spaces shall not be compelled to wheel or walk behind any vehicle other than their own.
7. All parking structure walkways will require a minimum of 48" clear width, accessible path of travel. Wheel stops or other design elements must address this requirement.

Signage:

1. "No Loitering/Skateboarding" signs sponsored by the City of Escondido are to be put up around the property per the City's Police Department. (For assistance call John Russo at 760-839-4948.)
2. Prior to building permit issuance, plans for the relocation, modification, or elimination of the existing CCAE sign shall be approved by the Planning and Building Divisions. Said plans shall be prepared in consultation with the CCAE staff.
3. Approval of this project in no way implies approval of any other signs or sign location. Signage consistent with the Park View District and the City's applicable Zoning Code shall require a Comprehensive Sign Program be approved for the project prior to building permit issuance.

Development Standards/Other:

1. The standard Storm Water Urban Runoff forms and Hazardous Waste disclosure statements must be completed and returned to the Planning Division prior to final approvals.
2. Exterior lighting for safety and security purposes is recommended by the City of Escondido's Police Department. All new lighting shall be shielded and arranged so as not to reflect upon adjoining property or streets. Exterior lighting shall conform to Article 35 of the Zoning Code.
3. All new utility service shall be undergrounded.
4. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning, Engineering, and Building Departments have been completed.
5. The plans submitted for building permit shall include notes or details containing the necessary work involved in complying with these project conditions.
6. A plan must be submitted to provide continuous AC, utilities and parking to the CCAE & City Hall during and after construction.
7. An ADA Boarding pad, bus stop shelter & trash shall be added on the north side of West Valley Parkway.
8. All new trash bins shall have covered enclosures with drainage to a clarifier.
9. Prior to commencement of construction, a plan must be submitted for the necessary rerouting of utilities between the CCAE & City Hall including sewer, electrical, fiber optic data, copper phone, gas, drainage, hot water, chilled water, and other existing and future lines impacted by the project's construction and is subject to approval by the

City's Building and Engineering Departments. Said improvements shall be relocated as necessary to maintain service to City Hall and the CCAE prior to the commencement of construction.

10. The applicant is to enter into an agreement to relocate the existing City Hall washer and dryer prior to demolition of the Chiller building and be responsible for the provision of a temporary generator during construction.
11. Within five (5) days of the conveyance of the lease described in the latest amended and restated Disposition and Development Agreement (DDA) approved June 30, 2010, all Planning fees are to be paid in full.
12. These Conditions of Approval are meant to be consistent with the DDA. In the event of a conflict, the DDA language supersedes.
13. If the construction of the hotel creates significant traffic delays or other concerns along Valley Parkway, the Director of Community Development may require that the developer construct a temporary road for construction vehicles utilizing access through Grape Day Park to the satisfaction of the Planning Department.

ENGINEERING CONDITIONS OF APPROVAL

Marriott Hotel

GENERAL

1. As surety for the construction of required 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 issuance of building permit.
2. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

STREET IMPROVEMENTS AND TRAFFIC

1. A new traffic signal system shall be installed at the intersection of Valley Parkway and Maple Street. The intersection shall also be improved to comply with the new ADA standards (including reconstruction of the existing cross gutter at proposed hotel project entrance) to the satisfaction of the City Engineer. Traffic signal system and striping plans shall be prepared and submitted for review and approval by the City Engineer.
2. A new traffic signal system shall be installed at the intersection of Second Avenue and Maple Street. The intersection shall also be improved to comply with the new ADA standards to the satisfaction of the City Engineer. Traffic signal system and striping plans shall be prepared and submitted for review and approval by the City Engineer.
3. A complete signing and striping plan for all improved intersections and roadways shall be prepared and submitted to the City Engineer for review and approval. Any removal of existing striping and all new signing and striping shall be done in accordance with the approved signing and striping plans.
4. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1. 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 Geotechnical Report. The Geotechnical engineer will be required to indicate in the Geotechnical Report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. The developer shall implement Best Management Practices during all phases of construction to control sediment and pollutants from the project site.
3. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

4. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.
5. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

DRAINAGE

1. Drainage improvements shall be in accordance with the requirements of the Water Quality Technical Report prepared by the project engineer and approved by the City Engineer.
2. The approved Water Quality Technical Report provides for storm water treatment measures and maintenance requirements shall be implemented by the developer in accordance with the provisions of the report.

WATER SUPPLY

- a) All water main locations and sizing shall be to the satisfaction of the Utilities Director. Required water main improvements shall include the followings:
 - a). Provide new water service for domestic use and fire protection for the Hotel, Conference Center and Community Theater from the existing 10 inch public water main on Valley Parkway or alternative method approve by the City Engineer.
 - b). Relocate existing Community Theater's water service currently served by the existing 10 inch water line that needs to be abandoned and removed due to conflict with the proposed hotel building.
 - c). Abandon a section of the existing 10 inch water line that is located under the future Marriott Hotel building. All work shall be designed and constructed to the satisfaction of the Utilities Director.
2. Fire hydrants shall be installed at locations approved by the Fire Marshal.

SEWER

1. All sewer locations and sizing of mains shall be to the satisfaction of the Utilities Director. Required sewer improvements shall include the followings:
 - a) Abandon the existing sewer lateral for the City Hall's generator building that is in conflict with the hotel parking structure.
 - b) Relocated the existing 6 inch sewer lateral for the Community Theater.
 - c) Upsize the existing 8 inch sewer main in Grape day Park to 12 inch to accommodate for the additional sewer flow from the Marriott Hotel project.

- d) Construct a sewer lateral for the Hotel that connects to the proposed 12 inch sewer main in Grape Day Park.

REPAYMENTS AND FEES

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

UTILITY UNDERGROUNDING AND RELOCATION

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

All existing public and private and public utilities and communication lines, including services to the City Hall building and Arts Center complex, that are in conflict with proposed project shall be relocated prior to begin project grading, to the satisfaction of the City Engineer.