



CITY OF ESCONDIDO  
PLANNING DIVISION  
201 NORTH BROADWAY  
ESCONDIDO, CA 92025-2798  
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## MITIGATED NEGATIVE DECLARATION

(Case No.: ER 2004-33)  
ENVIRONMENTAL CHECKLIST  
SUPPLEMENTAL COMMENTS

### INTRODUCTION

This Mitigated Negative Declaration assesses the environmental effects of the proposed project involving the construction of a commercial development consisting of an automobile service facility and a restaurant on approximately 1.34 acres of land, located on the northwestern corner of the intersection of Centre City Parkway and Brotherton Road, addressed as 400 Brotherton Road (APN: 236-381-03).

An Initial Study Environmental Checklist was prepared for this project and is included as a separate attachment to the Supplemental Comments within this report. The information contained in the Initial Study Environmental Checklist and the Supplemental Comments will be used by the City of Escondido to determine potential impacts associated with the proposed development.

The detailed Supplemental Comments included in this document identifies and evaluates physical impacts to the environment associated with developing or implementing the proposed project based on preliminary review of a variety of environmental factors identified in the attached Environmental Checklist. In analyzing the project it has been determined that impacts related to noise and air quality would occur. Based on information and documentation incorporated in the analysis, it has been concluded that this Initial Study warrants issuing a Mitigated Negative Declaration (MND). The MND acknowledges that certain aspects of the project would cause significant impact(s) on the environment but those impacts would be reduced to an acceptable level by incorporating Mitigation Measures. As provided by CEQA, the City of Escondido will act as a responsible agency because of its role in reviewing and potentially approving or issuing permits for the project.

As mandated by CEQA Guidelines Section 15105, affected public agencies and the interested public may submit comments on the Mitigated Negative Declaration in writing before the end of the 20-day public review period starting on December 29, 2008 and ending on January 19, 2009. Written comments on this environmental document shall be submitted to the following address by 5:00 p.m. January 19, 2009. Following the close of the public comment review period, the City of Escondido will consider this Mitigated Negative Declaration and all received comments in determining the approval of this project.

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A hard copy of this document and any associated plans and/or documentation are available for review during normal operation hours for the duration of the public review period at the City of Escondido Planning Division

#### **DETAILED PROJECT DESCRIPTION / LOCATION**

The 1.34-acre site consists of a vacant, slightly sloping property located on the northwestern corner of Centre City Parkway and Brotherton Road. The property is located within the CG (General Commercial) zone and Area "B" of the South Escondido Boulevard Area Plan.

The proposed development consists of two commercial structures including an approximately 5,500 SF automated car wash and oil change facility and a 4,150 SF restaurant. Up to 50 parking spaces, including three accessible parking spaces, would be provided for customers and employees. The project includes a request to amend the South Escondido Boulevard Area Plan to allow car washes within Area "B" as a conditional use. A Conditional Use Permit is also requested for both the car wash and the oil change facility.

The proposed buildings have been designed in a contemporary manner with the inclusion of some craftsman elements. Both buildings are single-story with maximum height of 28'-8". The primary surface material is stucco with architectural stone used for the base and columns. A standing seam metal roof system is provided on both buildings. Other features include wood trellises, architectural brackets, roll-up doors with a wood-clad finish, back-lit frosted panels, and foam trim with a stucco finish. Proposed colors are generally in the cream, beige and tan range.

Access to the site would be provided from two driveways on Brotherton Road. The eastern driveway would have 30'-wide entry width and would provide primary access to the restaurant. The western driveway would have a 26'-wide entry width and would provide primary access to the car wash and oil change business. A 24'-wide fire lane would loop through the site connecting both driveways. Driveway access from Centre City Parkway would be prohibited. Frontage improvements would include an additional pavement width of approximately 20 feet on southbound Centre City Parkway to provide a deceleration lane for the right-turn onto Brotherton Road. Curb, gutter, sidewalk and bus stop improvements would also be upgraded along the site frontage on Brotherton Road.

An existing masonry retaining wall along the northern and western property lines would remain as part of the project. A new four-foot-high curving keystone retaining wall would be constructed as part of the cut slope in the northwestern corner. An existing three-foot-high masonry wall along the eastern property line would be removed and replaced by a new retaining wall up to 4.5 feet in height set back 18 feet from the Centre City Parkway right-of-way. The wall will be located on the western edge of an existing 18-foot-wide public utility easement that runs along the entire eastern boundary.

**ANTICIPATED PUBLIC HEARINGS:**

***-Planning Commission:***

The proposed project is tentatively scheduled for Planning Commission consideration on January 27, 2009. A separate public hearing notice will be mailed confirming the Planning Commission time and date.

***-City Council:***

The proposed project is tentatively scheduled for City Council consideration on February 27, 2009. A separate public hearing notice will be mailed confirming the City Council time and date.

## PROJECT ENVIRONMENTAL SETTING

The 1.34-acre project site is a vacant property nearly square in shape that is surrounded by streets on two sides and fill slopes for adjacent residential development on the other two sides. The slightly sloping site has a high elevation of 628' in the northwestern corner down to a low point of 618' on the southeastern corner. The property has been zoned for general commercial uses for many years. The property is significantly disturbed and there are no trees on the site. All vegetation consists of non-native weedy species. Several mature California pepper trees along the eastern boundary are actually located within the Centre City Parkway right-of-way.

The site is located on the northwestern corner of the intersection of Centre City Parkway and Brotherton Road. Centre City Parkway is designated as a Major Road and is constructed as a divided roadway with two travel lanes in each direction. Brotherton Road is an unclassified street and lacks full width improvements on the southern side opposite of the project site. Existing land uses across Centre City Parkway generally range from small commercial businesses along the street frontage with residential development of varying densities as one gets further east from Centre City Parkway. The property across Brotherton Road from the project site is currently vacant and was most recently occupied by a now-demolished restaurant/bar. The northern and western sides of the site are bordered by the backyards of single-family residences. The homes on the western side are located on Charise Street and include a mix of one and two-story homes that are situated approximately nine feet to 18 feet higher than the project site. The residences along the northern boundary are on Cara Street and also include one- and two-story homes that are approximately 16 feet to 18 feet higher than the project site. Each residential backyard has a wood fence located at the top of a fill slope constructed as part of the residential development that runs down to the retaining wall on the project site's northern and western property lines. The fill slope is landscaped with numerous ornamental trees and is owned and maintained by the residential HOA.

Existing utilities on the site include an eight-inch sewer line and a storm drain located within an 18-foot-wide public utility easement that runs along the eastern boundary of the site. There are also overhead utility lines along the southern and eastern boundaries of the site. While it is expected that some of these overhead lines would be undergrounded as part of the project. Others are too high in voltage to be placed underground and would be left as they exist.

The zoning and land uses adjacent to the proposed development area are as follows:

- North: R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Single-family residences on lots approximately 4,500 SF to 5,000 SF in size. The backyards of the four adjacent single-family residences to the north are situated higher than the subject property and are separated from the site by a 16'-18'-high fill slope that is owned and maintained by their homeowners association. The width of the association property varies in this area from approximately 26 feet to 44 feet.
- South: CG zone (General Commercial). Across Brotherton Rd. is a 3.14 acre vacant parcel zoned for commercial uses. A former restaurant/bar on the property was recently demolished and the site remains in a highly disturbed, unimproved state.
- East: CG zone. Across Centre City Parkway is a small commercial center with associated parking on a 1.09 acre property.
- West: R-1-10 zone. Single-family residences on lots approximately 4,500 SF to 5,000 SF in size. The backyards of the five adjacent single-family residences to the west are situated higher than the

subject property and are separated from the site by a 9'-18'-high fill slope that is owned and maintained by their homeowners association. The width of the association property varies in this area from approximately 15 feet to 24 feet.

## I. LAND USE AND PLANNING

### **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;.*

The City of Escondido General Plan designates the proposed project site as General Commercial, which is characterized by a broad range of retail and service activities in local commercial, community shopping/office complexes and regional shopping centers. The site is zoned CG (General Commercial) and also is within Area "B" of the South Escondido Boulevard Area Plan. While the CG zoning would typically permit all three of the proposed uses (restaurant, car wash and oil change), the South Escondido Boulevard Area Plan is more restrictive.

The South Escondido Boulevard Area Plan was originally adopted in 1996 to implement strategies for the South Escondido Boulevard commercial corridor that would assist in revitalizing the neighborhood. The area plan is divided into two subareas (A and B) and is approximately 2.25 miles in length with Area "A" beginning at 5<sup>th</sup> Avenue and extending just south of Vermont Avenue, and Area "B" beginning just north of Brotherton Road and extending to the terminus of Escondido Boulevard at Centre City Parkway and Verda Avenue. The area plan includes goals and recommendations regarding existing and future land uses, development standards and regulations, and design guidelines that address issues raised by the community and chart a course of action to improve the neighborhood. As the plan was being developed and staff participated in a series of meetings with neighborhood residents and business owners, it became clear the revitalization process could not rely exclusively on the existing General Commercial zoning and some adjustments were necessary. In response to one of the guiding principles that the physical environment of the neighborhood should be more pedestrian friendly, the area plan is generally more restrictive for auto-related uses than the General Commercial zone. The South Escondido Boulevard Area Plan only permits car washes (SLUC 6416-6417) with a Conditional Use Permit on properties where automotive businesses such as gas stations, car lots and auto service/repair have been previously located. Oil change facilities would fall under the SLUC 6419 category (Other automobile services except repair and wash) which would also require a Conditional Use Permit.

The subject property has not been previously developed with an automotive business. Therefore, the proposed car wash would not be permitted under the current South Escondido Boulevard Area Plan. The proposed oil change facility would require the issuance of a Conditional Use Permit and the proposed restaurant would be a permitted use. The applicant is proposing to amend the South Escondido Boulevard Area Plan to make car washes a conditional use similar to the oil change facility. A Conditional Use Permit has been submitted for both the car wash and oil change facility.

The requested change to add car washes as a conditional use in the South Escondido Boulevard Area Plan could potentially have local environmental issues associated with a particular car wash location, but is not expected to have a significant land use policy effect because car washes are already permitted in the underlying General Commercial zone. Each Conditional Use Permit application for a car wash would be reviewed for potential environmental effects specific to that location and project design.

The site is located on the northwestern corner of the intersection of Centre City Parkway and Brotherton Road. The northern and western sides of the property are bordered by a manufactured fill slope with the backyards of single-family residences located at the top of the slope. As discussed in the following sections of this document, the project has the potential to create significant noise and air quality impacts for the adjacent residents although mitigation measures have been developed to reduce those impacts to a less than significant level. While the mitigated impacts would not rise to the level of environmental significance, it could be determined that the proximity of the proposed development to the existing residential neighborhood could result in a finding that nuisance issues associated with the use render the site inappropriate for the proposed development.

The proposed project would not disrupt or divide the physical arrangement of the area because the site is bordered on two sides by streets and has been zoned for commercial use for many years. Access to the project site currently is provided by Brotherton Road, which is a public street with a 60-foot-wide right-of-way. The street is not identified on the City's Circulation Element. Development of the project and proposed improvements would not significantly alter the existing circulation pattern throughout the surrounding neighborhood, nor preclude the development of surrounding parcels because no changes are proposed for the existing street circulation system and intersection controls. The project's construction also would not create any new land use barriers, or otherwise divide or disrupt the physical arrangement of the surrounding community because nearby commercial and residential properties would maintain their existing access to the city's circulation system. Further, the configuration of the areas' existing street network and sidewalks would not be affected by the project because proposed street and sidewalk improvements would only occur within existing public right-of-way and there is no proposal to vacate any existing right-of-way. Adequate public facilities are available and water and sewer service can be provided to the project with nominal extension of nearby existing facilities.

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

The proposed project would not conflict with applicable environmental plans since the subject site does not contain any sensitive species/habitat, or any area designated for preservation (as indicated on the latest MHCP maps) or any other conservation planning area. There are no existing trees on the property. The removal of any off-site mature trees in conjunction with the project would be replaced in conformance with the City's Landscape Ordinance with specimen sized trees at a minimum 1:1 ratio.

*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;*

The property slopes from the northwestern corner to the southeastern corner with an elevation change of 10 feet across the site. There are no significant visual resources on the site or any significantly prominent topographical features as identified in the City's General Plan or Area Plans. The property is not located on a ridgeline identified in

the Community Open Space/Conservation Element of the General Plan. Development of the proposed use would not significantly alter the developed character of the site nor adversely impact any scenic views through and across the property. Residents along the northern boundary of the site have southern views looking towards the San Dieguito River and Lake Hodges watershed. These residences are elevated approximately 16-18 feet above the project site. Both proposed buildings are single-story with maximum height of 28'-8". This height represents the maximum height of architectural tower elements on the buildings while most of the roof is less than this height. While some southern views from adjacent properties will be slightly modified by the placement of the two structures, it is not considered significant because the varied roof lines and distance between the two commercial buildings allows view corridors to be maintained through the site. Existing vegetation would be replaced by new landscaping. The project would not damage any significant scenic resources within a designated State scenic highway or create an aesthetically offensive site open to the public since the site is not located along a State scenic highway and the property would be developed with a commercial development in accordance with the underlying General Plan land-use designation. A moderate amount of grading is proposed for the site and any grading and subsequent compaction of the site, as necessary, will be per City standards (Article 55, Escondido Zoning Code) to the satisfaction of the City Engineer.

Cumulative Impacts: Existing and planned developments have altered and would continue to alter the existing landforms and visual setting throughout the general project area. However, given the existing, approved and proposed development pattern in the project area, as well as what is anticipated in the General Plan buildout, the change in the visual setting would not represent a significant individual or cumulatively significant impact.

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

Development of the subject site would create some additional sources of light and glare in the area. The primary source of light would be from on-site parking, building and security lighting. Installation of the proposed exterior lighting would create potential light spillage and glare. Light spillage refers to light measured in foot candles, which reaches and illuminates objects beyond the intended target. Glare is a subjective term and relates principally to the direct view of the lights. A foot candle (fc) of illumination is equivalent to the illumination produced by one candle at a distance of one foot striking a surface one square foot in area. There is neither an adopted City standard or commonly accepted industry standard that prescribes acceptable limits on light spillage and glare. The City's Lighting Ordinance provisions state that lights should minimize unnecessary glare by:

- (a) Using outdoor light fixtures with good optical control to distribute the light in the most effective and efficient manner;
- (b) Using the minimum amount of light to meet the lighting criteria;
- (c) Using shielded outdoor light fixtures;
- (d) Require that certain outdoor light fixtures be turned off between 11:00 p.m. and sunrise.

As a means of comparison, the following table compares the foot candle illumination typically associated with various sources of light.

### Comparative Illumination of Typical Outdoor Light Sources

Light Source	Illumination Expressed in Foot Candles (fc)
Direct Sunlight	10,000 to 13,000 fc
Full Daylight	1,000 fc
Overcast Day	100 fc
Dusk	10 fc
Twilight	1 fc
Typical City Street Light	0.5 to 1.5 fc
Full Moon	0.01 to 0.02 fc
Typical interior office	30 to 40 fc-
Typical living room at night	6 fc
Front porch lit with 60 watt bulb	1.5 to 3 fc

Source: [www.EngineeringToolBox.com](http://www.EngineeringToolBox.com) Illuminance-Recommended Light Levels.  
[www.lashen.com](http://www.lashen.com) Typical Light Levels  
<http://phoenix.gov> Lighting White Paper

In order to estimate light spillage, a lighting analysis was provided to the City by the applicants electrical consultant, which evaluated the proposed fixtures and lamps and estimated the foot candle level near property lines. The applicant is proposing site lighting consisting of 70 watt metal halide lamps on pole fixtures that are 20 feet above grade. Shielding would be provided for the fixtures adjacent to the western property line. According to the photometric provided by the applicant, the site lighting would result in approximately 0.3 to 0.8 foot candle at the northern property line and approximately 0.7 to 1.7 foot candles at the western property line. As indicated in the table above, 0.5 to 1.5 foot candles is similar to what would be expected of a typical city street light. Actual light levels at the adjacent residential property lines are expected to be less than the measured levels on-site due to the width of the HOA slope area between the project and the residences as well as the height of the slope.

Glare generally is considered a nuisance and can become distracting. In order to address potential glare issues, the proposed light fixtures would be directed downward and shielded as needed, cutting off any potential glare onto adjacent properties. Appropriate shielding of the lamp and maintaining a downward angle would greatly reduce the potential for glare.

All proposed lighting near adjacent properties would be designed to minimize the overflow of light onto off-site areas. Compliance with the City's Outdoor Lighting Ordinance and implementation of the proposed electrical site plan would ensure that impacts related to light and glare, resulting from development of the site, are less than significant.

## II. AGRICULTURE RESOURCES

### Significance Criteria and Impact Analysis

*In determining whether impacts to agricultural resources are significant environmental effects, the City has referred 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. The effects of a project on agricultural resources are considered significant if the proposed project would:*

- 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; or,*
- 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 site is within an identified commercial area that is adjacent to developed residential properties. The site is not listed as Prime Agricultural Lands as identified in the General Plan Final EIR, which was prepared for the City's most recent General Plan revisions in 2000. The site does not appear to have been used for agricultural purposes and is not involved in a Williamson Act Contract or other agricultural land contract. Therefore, the proposed development would not result in significant individual or cumulative impacts to agricultural resources.

### **III. TRANSPORTATION/TRAFFIC**

*According to the City of Escondido Environmental Quality Regulation (Article 47, Sec. 33-924), impacts are considered significant if the project:*

1. *Causes the level of service (LOS) of a circulation element street to fall below a mid-range of LOS "D" and /or adds more than 200 ADT to a circulation element street with a LOS below the mid-range "D" yet above LOS "F". According to the Escondido General Plan, the minimum acceptable LOS is "C";*
2. *Exceeds, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads and highways;*
3. *Results in a change of air traffic patterns, including either an increase in traffic levels or in a location that results in substantial safety risks or increased hazards due to a design feature; or,*
4. *Results in inadequate emergency access or parking capacity, or conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).*
5. *General Plan Circulation Policy D2.3 states that: "...Due to the physical design characteristics, environmental resource considerations, existing development, freeway interchange impacts and incomplete system improvements, level of service "C" may not be feasible in all areas at all times. However, level of service "C" should be pursued in the ultimate implementation of the circulation system."*

Project Impacts - The property fronts onto and takes access from Brotherton Road, which is an unclassified street. The property also fronts on Centre City Parkway but will not take access from this street since access has previously been relinquished. An analysis of nearby street segments and intersections under current and future conditions was submitted as part of the Traffic Impact Analysis prepared by Linscott Law & Greenspan, dated December 23, 2008. At these locations, traffic operations were studied prior to and after implementation of the proposed project, and deficiencies and impacts were identified.

Under the City of Escondido's adopted standards, a direct significant impact would occur on a street if project implementation degrades the LOS to worse than mid-level "D" and increases the v/c ratio by more than 0.02. If the segment already operates at mid-LOS D or worse in the baseline condition, a significant cumulative impact

would result if the project increases v/c by more than 0.02. Based on SANDAG Traffic Generation Rates for the San Diego region, the proposed project is anticipated to generate approximately 1,645 Average Daily Trips (ADT) with 95 A.M. peak hour trips (48 inbound/47 outbound) and 139 P.M. peak hour trips (73 inbound/66 outbound). According to the Traffic Impact Analysis, a portion of the restaurant trips are not new to the street system, but are captured from trips already on the street system. These trips are termed "pass-by" trips and are assumed to already be on Centre City Parkway. A reduction of 20% was applied to the restaurant generated P.M. peak hour trips as suggested by the SANDAG data. Applying the pass-by reduction, the project is calculated to generate a net of approximately 1,579 ADT with 89 A.M. peak hour trips (45 inbound/44 outbound) and 130 P.M. peak hour trips (68 inbound/62 outbound).

The analysis of near-term scenarios concluded that under Existing + Cumulative Projects + Project all signalized and unsignalized intersections are calculated to continue operate at Level of Service (LOS) D or better. All street segments are calculated to operate at LOS B or better. No significant impacts are anticipated to the street segments since all continue to operate at LOS B or better. No mitigation is required for the intersections because the increase in delay does not reach two seconds or greater for those intersections operating in the LOS D range.

The analysis of Year 2030 long-term scenarios with the project traffic included indicates that all signalized and unsignalized intersections are calculated to operate at LOS D or better except the minor street left-turn movement at Felicita Avenue/Brotherton Road, which is calculated to operate at LOS F during the A.M. peak hour and LOS E during the P.M. peak hour. Similarly, the segment of Centre City Parkway between Felicita Avenue and Brotherton Road is calculated to continue to operate at LOS F. The project contributes long-term cumulative impacts at these locations and mitigation will be required.

In order to reduce long-term, Year 2030 cumulative traffic impacts to a less than significant level, the following mitigation measures are required.

#### Mitigation Measures

1. *Contribute a fair share amount of approximately 2.18% towards the cost of installing a traffic signal at the intersection of Felicita Avenue and Brotherton Road.*
2. *Contribute a fair share amount of approximately 2.16% towards the cost of improving the segment of Centre City Parkway, between Felicita Avenue and Brotherton Road to City of Escondido Major Road standards.*

#### Queuing on the Centre City Parkway to Southbound I-15 On-Ramp

Currently, queues are formed on the Centre City Parkway On-Ramp to Southbound I-15 during the A.M. peak hour. The total storage available is approximately 2,000 feet. Two general purpose lanes and one carpool lane are provided on the on-ramp. The total observed A.M. peak hour traffic on the southbound on-ramp is 864. The queues are reported to backup northwards towards Citracado Parkway during the winter season. The queues were observed for a period of one hour during the A.M. peak hour on a weekday. The longest queue observed was 8 cars or 200 feet in one lane, at 7:45 A.M. The total available storage is 2,000 feet, while the current queue is only 200 feet, or 1/10<sup>th</sup>. Seasonal variation in the queue lengths may be expected. The project is expected to add 10 vehicles during the A.M. peak hour or one vehicle every six minutes. Therefore, the current

queue lengths are expected to increase by less than one vehicle during the A.M. peak hour, due to the project traffic. This is not considered to be significant.

Design Features/Hazards/Emergency Access – The proposed development would not result in inadequate emergency access, as determined by the Fire Department. Emergency and non emergency response times of the Escondido Fire Department would remain the same with the proposed development. Appropriate sight distance along Brotherton Road would be provided at the project driveways and a looped fire lane has been provided through the site.

Temporary Construction Traffic – Temporary construction-related traffic impacts would occur during grading and construction activities. Moderate grading is anticipated to prepare the site and equipment used for grading and excavation generally would remain on site and would not contribute to a substantial increase in traffic. Approximately 29 truck loads (18 cubic yards per truck) equal to 58 truck trips would be anticipated over the course of the grading operations to bring in the fill material to the site. Additional traffic would be associated with employee trips to and from the site, equipment delivery and removal, and other related activities. Potential impacts from hauling and construction operations would be avoided by requiring the project proponent to coordinate and implement safety/traffic control measures with the City that minimize potential conflicts. All measures would be implemented prior to the onset of construction activities.

On-Site Parking – The project has been designed to provide 51 parking spaces for the various commercial uses where the Escondido Zoning Code would require 50 parking spaces. The appropriate number of accessible parking spaces have been included on the site plan.

Airport-Impacts - 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.

Adopted Plans/Policies – The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. As requested by the North County Transit District, one new bus stop will be constructed by the applicant along the project frontage on Brotherton Road.

#### **IV. 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. Impacts would be significant if the project:*

- a. Conflicts with or obstruct implementation of the applicable air quality plan;*
- b. Violates any air quality standard or contribute substantially to an existing or projected air quality violation;*
- c. Results 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;*
- d. Exposes sensitive receptors to substantial pollutant concentrations; or,*
- e. Creates objectionable odors affecting a substantial number of people.*

**City of Escondido Significance Criteria:**

*Project related impacts exceeding any of the following South Coast Air Quality Management District (SCAQMD) daily emissions criteria can be considered significant:*

- Carbon Monoxide (CO) 550 lbs
- Reactive Organic Gases (ROG) 55 lbs
- Oxides of Nitrogen (NOx) 55 lbs
- Fine Particulate Matter (PM) 150 lbs

The project area is within the San Diego Air Basin (SDAB). Air quality at a particular location is a function of the kinds and amounts of pollutants being emitted into the air locally, and throughout the basin, and the dispersal rates of pollutants within the region. The major factors affecting pollutant dispersion are wind, speed and direction, the vertical dispersion of pollutants (which is affected by inversions) and the local topography. The air basin currently is designated a state and federal non-attainment area for ozone and particulate matter. However, in the SDAB, part of the ozone contamination is derived from the South Coast Air Basin (located in the Los Angeles area). This occurs during periods of westerly winds (Santa Ana condition) when air pollutants are windborne over the ocean, drift to the south and then, when the westerly winds cease, are blown easterly into the SDAB. Local agencies can control neither the source nor transportation of pollutants from outside the basin. The Air Pollution Control District (APCD) policy therefore, has been to control local sources effectively enough to reduce locally produced contamination to clean air standards.

For long-term emissions, the direct impacts of a project can be measured by the project's consistency with regional plans to improve and maintain air quality. Local air-quality impacts are directly related to the number of vehicle trips and operation levels on adjacent streets and intersections. For planning purposes, the APCD assumed the City's General Plan designation of General Commercial for the site in calculating the air quality impacts. According to CEQA Guidelines, a project normally is considered to have a significant air quality impact if it violates any ambient air quality standard, contributes substantially to an existing or projected air-quality violation, or exposes sensitive receptors to substantial pollution concentrations.

Project-Related Impacts – Long-term emissions are related to the amount of vehicular traffic generated by the project. The Engineering Department indicated the anticipated additional trips generated from the project would not significantly impact the existing Levels of Service on the adjacent streets or intersections. Therefore, the anticipated daily emissions would not exceed local or South Coast Air Quality Management District (SCAQMD) daily emissions criteria. Since the project would not deteriorate the level of service on adjacent streets and intersections, and is not anticipated to exceed SCAQMD thresholds of significance, the project would not result in a significant impact to local or regional air quality. While the proposed project would have an incremental impact to basin-wide air-quality, the individual impacts attributed to the project are immeasurably small on a regional scale and would not cause ambient air-quality standards to be exceeded on a regional scale. Therefore, the project will not have a significant impact on air quality and no mitigation measures are required for mobile sources.

Construction-Related Emissions

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emission include:

- Fugitive dust from grading activities;
- Construction equipment exhaust;
- Construction-related trips by worker, delivery trucks and material-hauling trucks; and

- Construction-related power consumption.

Typical earthwork operations would include clearing, grubbing, general pad formation and construction of retaining walls. Proposed grading consists of approximately 975 cubic yards of cut and approximately 1,488 cubic yards of fill, with import of approximately 513 cubic yards of material. Construction equipment primarily would be utilized in an incremental fashion over the course of construction. Due to the relatively small amount of grading anticipated and small size of the project, no significant earthwork or diesel truck impacts are anticipated. Approximately 29 truck loads (18 cubic yards per truck) equal to 58 truck trips would be anticipated over the course of the grading operations to bring in the fill material to the site. It is expected that this volume of material could be brought onto the site within one or two days. Maximum daily emissions of NO<sub>x</sub> during construction periods are not projected to exceed City thresholds or APCD standards based on similar studies performed for similar size grading operations.

Construction activities also are a source of fugitive dust emissions that may be a substantial, but temporary impact on local air quality. Dust from grading and other site preparation would generate particulate matter emission. With appropriate use of grading and operation procedures (in conformance with APCD Best Management Practice for dust control), the project would not generate significant particulate matter or dust. The City of Escondido Grading Ordinance and erosion control requirements include provisions for dust control to reduce impacts to air quality during grading and construction activities. At a minimum, these ordinances and provisions require projects to perform regular watering and timely revegetation of disturbed areas to minimize the dust and airborne nuisance impacts to off-site receptors.

Emissions from construction equipment, worker and delivery and material-hauling trucks, and construction-related power consumption would be temporary and would result in an extremely small contribution to the SDAB and therefore would not result in a significant impact. Operations emissions come from area sources, including natural gas for space and water heating, and gasoline-powered landscaping and maintenance equipment, and from vehicle operations associated with the project. The proposed project would not significantly increase traffic volumes on local streets and intersections, as indicated in the Traffic/Transportation Section III above, and 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. Therefore, the project would not cause an unacceptable concentration of CO at any project-affected intersection.

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 on 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 with commercial retail and service businesses, 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.

Odors – The proposed development includes a 4,150 SF restaurant that is expected to offer “family-style” dining, but would not be limited as to the type of cuisine. It is expected that grilling or other cooking methods could potentially generate noticeable odors from the exhaust vents on the roof of the building. The proposed restaurant is located in close proximity to existing residences to the north and west with the closest residence

being located about 70 feet north of the restaurant. The elevated nature of the residential properties also put them more in line with the anticipated height of the exhaust vents.

While the prevailing winds generally blow easterly away from the residential neighborhood, there is a high likelihood that during unsettled weather or Santa Ana events, smoke and odors from the restaurant could negatively impact nearby residents. In recent years, several technologies have been developed to allow restaurants to be good neighbors by effectively controlling their emissions. The most common kitchen emission filtration method involves the use of electrostatic precipitation. Kitchen smoke and grease vapors are pulled up into the hood through fireproof ducts leading to a filtration unit where electrostatic precipitation occurs. Dual-stage electrostatic precipitators include two parts: the charging and the collecting sections. In the charging section, the incoming smoke, grease, mist and other particulates pass by ionizer wires which impart a positive electrical charge to these contaminants. The positively charged contaminants are then drawn through the collection section which contains a secondary electrical field with negatively charged aluminum plates. Since opposite charges attract, the positively charged contaminants collect on the negatively charged aluminum plates, removing them from the air stream. Clean air then flows out of the filtration unit and out through the exhaust fan. Variations of this design include low maintenance, self-cleaning options.

In order to reduce potential smoke and odor impacts to a less than significant level, the following mitigation measure shall be incorporated into the project design.

Mitigation Measure

1. *The restaurant kitchen equipment shall include an emission control system such as an electrostatic precipitation filtration system or other filtration system satisfactory to the Planning Division.*

During construction, diesel equipment operating at the site may generate some nuisance odors. However, due to the temporary nature of construction, odors associated with project construction would not be considered significant.

Global Climate Change - Global climate change alleged to be caused by greenhouse gases (GHG) is currently one of the important and widely debated scientific, economic, and political issues in the United States. Global climate change is a change in the average weather of the earth, which can be measured by wind patterns, storms, precipitation, and temperature. With the adoption of AB 32, the California Global Warming Solutions Act of 2006, the State of California has determined that global warming proposes a serious threat to the State's economy, public health and environment. As such, actions which may contribute to global warming are to be addressed in CEQA documents. The adopted legislation requires the reduction of GHG emissions to 1990 levels by 2020. This means cutting approximately 30% from business-as-usual emission levels projected for 2020, or about 15% from today's levels. Greenhouse gasses to be considered and regulated include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

An individual project of this scale and nature would not generate enough greenhouse gas emissions to significantly influence global climate change. Greenhouse gas emissions occur in a worldwide system and the project does participate in this potential impact through its incremental contribution, which is combined with the cumulative increase of all other sources of greenhouse gases. There currently are no published thresholds for measuring the significance of a project's cumulative contribution to global climate change. The State of California currently is working to define the greenhouse gas inventory which existed in 1990 to provide a statewide benchmark against which to measure progress. Once that inventory is determined, AB 32 measures

future acceptable emissions against that standard over a period of several years. The incremental contribution to CHG from this project is not considered significant due to the relatively small size and potential impact from the project.

## **V. BIOLOGICAL RESOURCES**

### **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/ ordinance that protect biological resources (e.g. tree preservation policy or ordinance); or,*
- 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 1.34-acre site has been disturbed and all native plant cover has been removed from the project site. The site does not contain any sensitive or protected plants, habitat or animal species. No mature trees exist on the project site. The development of the proposed project would not conflict with the provisions of an adopted or proposed Habitat Conservation Plan. A review of the City's draft MHCP planning efforts indicates that the project site is not considered biologically significant or strategically located to warrant being included in a regional or local natural open space preserve.

No plant or animal species recognized as threatened or endangered by the U.S. Fish and Wildlife Service, or California Department of Fish and Game are located or anticipated to be present within the proposed development area, and no mitigation measures are required. The property is not listed as an open space corridor or animal migration corridor on any City open space planning maps, nor is the site listed on the City' Parks, Trails and Open Space Plan, or any local or regional plan. No Resource Agency permits would be required for the proposed development since the project would not remove any protected or endangered habitats.

## **VI. CULTURAL RESOURCES**

### **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; or,
- d. Disturb any human remains, including those interred outside of formal cemeteries.

The site's current condition is highly disturbed from past activities that include the construction of the residential development on the northern and western boundaries of the site as well as the annual mowing of weeds and illegal dumping. Based on the highly disturbed nature of the site and a review of aerial photographs and the City's Archaeological Resource Inventory, it is not anticipated that there are any cultural or historically sensitive resources located on the site. There are no structures currently located on the site and it does not appear the site has ever been developed. No significant archaeological or paleontological impact has been identified for the project site and no prehistoric resources have been previously recorded on the project site. The City of Escondido General Plan EIR (1990) does not include the project site in areas identified as having potential paleontological resources. The site also does not contain any resources listed on the City's Historic Sites. Therefore, the project would not result in a significant impact to these resources.

## VII. GEOLOGY AND SOILS

### **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;
  - iii. Seismic-related ground failure, including liquefaction; or,
  - iv. Landslides.

Although Escondido is located within a Seismic Zone 4, 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 approximately 15 miles southwest of the project site. The Julian segment of the Elsinore Fault is approximately 17 miles northeast of the project site. Accordingly, fault surface rupture is not likely at this project. In the event of a major earthquake on these faults or other faults within the Southern California region, the site could be subjected to moderate to severe ground shaking. However, the site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general.

- b. Result in substantial soil erosion or the loss of topsoil;
- 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; or,
- 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 topography of the site generally slopes and drains from the northwest to the southeast. Elevations on the site range from 628' in the northwestern corner down to a low point of 618' on the southeastern corner. Proposed grading consists of approximately 975 cubic yards of cut and approximately 1,488 cubic yards of fill, with import of approximately 513 cubic yards of material.

The proposed grading would not result in a significant visual impact since all proposed slopes and retaining walls are generally less than four feet in height. All slope heights would be within the acceptable limits of the City's Grading Ordinance and no exemptions are necessary. If any potential groundwater or drainage issues are encountered they are effectively addressed through appropriate grading and drainage techniques/improvements. Due to the limited depth of cut needed to construct building pads it is anticipated that blasting will not be required. The proposed development would not result in any substantial soil erosion or the loss of topsoil because all areas not developed with structures, paving or hardscape would be landscaped. Appropriate compaction of the site would be required to support the proposed buildings and other improvements. Appropriate on-site drainage facilities would be constructed in conformance with the city's grading and storm water provisions. Other potential geologic hazards such as tsunamis, seiches, liquefaction or should be considered to be negligible or nonexistent. Grading and development of the site would be constructed in conformance with any recommendations of a final soils and engineering report, and therefore a significant geology and soils impact would not occur.

- 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 site would be served by an existing wastewater/sewer pipeline system within the City of Escondido. No septic tanks or alternative wastewater disposal system would be utilized as part of the project.

## **VIII. 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; or,*
- 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*

The project would be required to comply with all applicable Fire, Building, and Health and Safety Codes, which would eliminate any potential risk of upset. The site is not located within a 100-year floodplain. Development of the auto service building would include the use and storage of oil, vehicle fluids, cleaning agents and other materials which are categorized as hazardous substances. However, the risk of an accidental release is

considered minimal since there will be no bulk sales and all technicians associated with the auto service function will be properly trained to handle any standard hazardous materials used as part of their work. Accordingly, the project will not create a significant risk of upset or hazard to human health and safety.

The site is not listed on the County of San Diego Site Assessment Mitigation List or any of the searched regulatory databases. No significant odors, pools of liquid, significantly stained soils, indicators of underground storage tanks, pits or ponds were observed on the site. No evidence or indication of releases of petroleum hydrocarbons, heavy metals, hazardous chemicals, or other "recognized environmental conditions" have been revealed at the subject site in its present or previous conditions. Development of the site would not involve the routine transport or disposal of hazardous materials. The project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school. Water for the site would be provided by the City of Escondido from existing mains located within the adjacent streets/easements. No groundwater wells would be used to supply water for the site. Accordingly, the project will not create a significant risk of upset or hazard to human health and safety.

- 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, impacts would occur if the project results in safety hazard for people residing or working in the project area; or,*
- f. For a project within the vicinity of a private airstrip, the project results in a safety hazard for people residing or working in the project area; or,*
- g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan; or,*
- 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 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.

Based on comments from the Police and Fire Departments 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. The project would be required to comply with all applicable Fire, Building, and Health and Safety Code, which would eliminate any potential risk of upset.

The Escondido Fire Department has indicated their ability to adequately serve the proposed project. The project would not expose people or structures to a significant risk of loss, injury or death involving wild fires since the site is in an urban setting and would be irrigated. The project is located within an identified High Fire Hazard Area as indicated on the Fire Severity Zone Map (November 2007). Project design features including on-site fire hydrants and sprinklers in both buildings render potential fire hazards to below a level of significance.

## **IX. HYDROLOGY AND WATER QUALITY**

### **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);*
- 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);*
- 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;*
- 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; or,*
- m. *Impact aquatic, wetland or riparian habitat.*

The topography of the site generally slopes and drains from the northwest to the southeast. Elevations on the site range from 628' in the northwestern corner down to a low point of 618' on the southeastern corner. Runoff from the site currently drains toward an small headwall behind the curb return and an existing storm drain inlet at the end of the curb return on Brotherton Road. The headwall picks up runoff from a seasonal drainage swale along the western side of Centre City Parkway where it is then carried south through a 24-inch concrete masonry pipe. The existing storm drain inlet directs runoff to a 24 x 35-inch concrete masonry pipe that also runs south under Brotherton Road to point where both pipes outlet into a densely vegetated open ditch.

The amount of run-off from the site would be expected to increase upon development due to additional impervious surfaces associated with the development of the project. According to the Water Quality Technical Report for Talk of the Town, prepared by K&S Engineering, dated March 2008, the decrease in permeable surface area produces a total runoff from the site for a 50-year design storm event of 8.04 cfs as compared to the 4.60 cfs before development. In general, the project surface drains via overland flow to a series of ribbon gutters and curbs and gutters before discharging into a to a vegetated biofilter swale for storm water treatment. The biofilter terminates in a constructed "F" Type inlet. The "F" inlet is located on the existing storm drain

located on the eastern side of the project paralleling Centre City Parkway. The Engineering Division has indicated the existing storm drain system is adequately sized to accommodate the proposed development and the proposed increase in drainage is not considered significant and would not pose any adverse impacts to downstream facilities. The project would be required to comply with National Pollution Discharge Elimination System (NPDES) standards; consequently, the Engineering Department has determined that runoff from the project would not be considered significant and the project would not materially degrade the existing drainage facilities. The City would provide sewer and water service from mains located within the adjacent street or easements; consequently, no significant impact is expected to occur to the groundwater table. The project is outside the 100-year flood plain area as identified on current Flood Insurance Rate Maps (FIRM). Therefore, the project site is not subject to potential flooding, landslides or mudflows.

Typical urban pollutants associated with this type of project include oil, grease, 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 non-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. Post-construction BMPs include vegetated biofilter swales along the southern edge of the development for the filtration and settlement of silt, sediment, and other pollutants. The biofilter swales are comprised of two approximately 60-foot lengths that are connected and considered one swale in the Water Quality Technical Report. The biofilter then discharges into an existing Type "F" inlet. A final Water Quality Technical Report for the project will determine the full range of methods necessary to ensure water quality is not adversely affected.

The project would not withdraw groundwater or interfere with groundwater recharge and groundwater table level. Grading operations associated with the project development are not expected to impact groundwater or be a factor during removal and any recompaction onsite. Water service to the site would be provided by the City of Escondido. 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. The project does not include activities that would discharge pollutants into groundwater aquifers.

- 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 project 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; or,*
- r. Inundate the site by seiche, tsunami, or mudflow.*

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.

## **X. MINERAL RESOURCES**

### **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; or,*
- 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 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.

## **XI. NOISE**

### **Significance Criteria and Impact Analysis**

The effects of a project on noise are considered to be significant if the proposed project would 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;*
- b. *Exposure of persons to, or generation of, 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; or,*
- d. *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.*

### **Operational Noise**

Noise generally is defined as loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity and that interferes with or disrupts normal activities. The human environment is characterized by a certain consistent noise level which varies by location and is termed ambient noise. The City's Noise Ordinance establishes acceptable sound level limits associated with each type of land use. Property line noise limits vary depending on whether the receiving property is zoned for commercial or residential use. In this case, the commercial limits of 60 dBA from 7:00 a.m. to 10:00 p.m. (daytime) and 55 dBA from 10:00 p.m. to 7:00 a.m. (nighttime) have been applied to the southern and eastern property lines; and the residential limits of 50 dBA from 7:00 a.m. to 10:00 p.m. and 45 dBA from 10:00 p.m. to 7:00 a.m. have been applied to the northern and western property lines.

According to the Noise Impact Analysis prepared by Eiler Associates, dated March 14, 2007, the measured daytime ambient noise level on the site is 54.8 dBA near the center of the property. The proposed project is expected to produce two types of significant noise sources, which are the carwash dryer unit and the restaurant building HVAC equipment. Additional equipment planned to be installed for the proposed project that are not considered to significant noise sources include the conveyor wash system in the carwash tunnel as well as supporting equipment including pumps, compressors, and a vacuum motor and canister system that are planned to be isolated in a dedicated equipment room equipped with passive rooftop ventilation. Additionally,

the oil change facility is considered to be a very light duty automotive service operation relying on hand tools and is not considered to be a significant noise source.

The proposed carwash facility is expected to utilize a new Aerodry Advantage dryer system to be installed within the carwash tunnel and set back about six feet from the exit on the southern side of the building. The manufacturer has indicated the unit has an unmitigated noise level of 82.5 dBA measured at five feet from the source. The proposed restaurant building is expected to utilize four ground-mounted Carrier 38HDC-060 (or similar model with equal or less noise emissions) HVAC units installed adjacent to the northern side of the building behind a wall. These units are expected to produce an unmitigated noise level of 73.5 dBA per unit.

The Noise Impact Analysis assumed a worst case scenario for operations consisting of 30 minutes per hour for the carwash dryer based on the anticipated number of carwash cycles per hour for a busy facility. The ground-mounted HVAC units were considered to be in constant operation for the purposes of the analysis. Based on the project information studied in the analysis, the project equipment noise levels are expected to exceed City of Escondido property line noise limits at the northern property line where daytime noise levels would be as high as 59.1 dBA. Noise levels at the western property line would range up to 44.1 dBA and would be consistent with City of Escondido noise standards for residential zones. Noise levels at the southern property line would range up to 58.5 dBA and would be consistent with City of Escondido noise standards for commercial zones.

Mitigation will be required to reduce the noise impacts to a less than significant level and meet City of Escondido property line noise limits. The Noise Impact Analysis concludes the required noise levels can be achieved by constructing two sound attenuation barriers on the site. A wall to limit the noise impacts from the carwash dryer system will be required along the northern boundary of the planter/island immediately north of the carwash tunnel entrance. The wall shall extend approximately 81 feet and be built to a height of six feet relative to the adjacent grade elevation as shown on the site plan. The enclosure for the HVAC units at the restaurant building shall meet sound attenuation standards with a minimum height of eight feet relative to the adjacent grade elevation. An additional project design element that ensures compliance with the Noise Ordinance standards is that the carwash dryer system be set back within the carwash tunnel approximately six feet from the exit allowing the tunnel structure to function as a sound attenuation barrier. Once these mitigation measures have been constructed as part of the project, the calculated noise levels at the northern property line would be up to 47.5 dBA during daytime hours (7:00 a.m. to 10:00 p.m.) and 43.2 dBA during the nighttime hours (10:00 p.m. to 7:00 a.m.). These levels would be consistent with Noise Ordinance limits for residential zones.

Noise impacts associated with the operation of mechanical equipment on the site can be reduced to a less than significant level with the implementation of the following mitigation measures.

Mitigation Measures:

1. *A wall to limit the noise impacts from the carwash dryer system will be required along the northern boundary of the planter/island immediately north of the carwash tunnel entrance. The wall shall extend approximately 81 feet and be built to a height of six feet relative to the adjacent grade elevation as shown on the site plan.*
2. *An enclosure/wall shall be provided for the HVAC units at the restaurant building and shall meet sound attenuation standards with a minimum height of eight feet relative to the adjacent grade elevation.*

3. *The carwash dryer system shall not to exceed 82.5 dBA unmitigated noise level at 5 feet and shall be set back within the carwash tunnel approximately six feet from the exit allowing the tunnel structure to function as a sound attenuation barrier*
4. *All carwash supporting equipment including pumps, compressors, and vacuum motor and canister system shall be installed within a dedicated equipment room equipped with passive rooftop ventilation.*
5. *In order to meet daytime noise limits as defined in the Escondido Noise Ordinance, the carwash must cease operating no later than 10:00 p.m.*
6. *The use of pneumatic tools shall be prohibited at the oil change facility.*

While the mitigation measures listed above would reduce the environmental effect of the noise impacts to a less than significant level, it should be noted that nuisance noise from the start/stop cycle of car wash and shouted commands in the oil change facility may still be audible to neighbors. This will have to be taken into consideration by the Planning Commission and City Council when determining whether all the land uses included in the project are appropriate for this particular site.

### **Construction Noise**

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. Upon completion of the project, all construction noise would cease. No pile driving or explosives blasting is anticipated as a result of the project and, thus, no significant vibrations or groundborne noise would be associated with construction of the proposed project.

- 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, significant impact would occur if the project exposed people residing or working in the project area to excessive noise levels; or ,*
- f. *For a project within the vicinity of a private airstrip, if the project exposed people residing or working in the project area to excessive noise levels.*

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.

## **XII. 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?*

Population within the surrounding area and would not incrementally increase as a result of this commercial project. The intensity of this development would be in conformance with the General Plan's land-use designation of General Commercial. The site is considered an "infill" project site and is located within a developed area of the city and near similar commercial development and vacant land designated for commercial development. Therefore, the proposed development of a commercial auto service facility and restaurant would not significantly alter the location, distribution or population density within the area, nor would it adversely impact the City's housing demand.

The site does not contain any existing housing or rental units that would be displaced. The proposed project is a small commercial development that would not create a demand for additional housing. The project would not be considered growth inducing since the project site is within a developed area and adequate public facilities are available within the area to serve the project.

### **XIII. 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*

The site design includes a 24-foot wide fire lane that loops through the project and connects both driveways on Brotherton Road. The site is served by Fire Station No. 5, which is located at 2319 Felicita Road. Development of the site would contribute incremental increases in demand for fire services. Comments received from the Escondido Fire Department indicate that fire sprinklers will be required for the buildings and that a fire hydrant must be located within 50 feet of the fire department connection. The Escondido Fire Department indicated their ability to adequately serve the proposed project and no significant impacts to fire services are anticipated.

- ii. *Police protection*

Development of the site would result in an incremental increase in demand for Police Services. However, the Escondido Police Department indicated their ability to adequately serve the proposed project and no significant impacts to police services are anticipated.

- iii. *Schools*

The site is within the Escondido Union School District and the Escondido Union High School District. The proposed development is not residential in nature and would not create an additional demand for school facilities. No significant impacts to school services are anticipated.

*iv. Parks*

The project would not affect existing recreational opportunities since the site currently is not used for recreational activities and is not listed as a potential park site in the City's Master Plan of Parks, Trails and Open Space. The proposed development is not residential in nature and would not create an additional demand for park facilities. Therefore, no significant impact to recreational resources would occur as a result of the project.

*v. Libraries*

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities or staff. The project would not result in a significant increase in demand on library services, or the development of additional library spaces, books or other related items since it is a commercial development.

*vi. Gas/Electric*

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.

#### **XIV. 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 – Sewer from the site would flow south through a 6” lateral to the existing 8” main in Brotherton Road. Escondido’s wastewater treatment plant, located on Hale Avenue, has the capacity to handle the potential increase in demand for service generated by the project. The anticipated increase would be relatively small and would have an insignificant impact to the existing facilities. 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 or easements.

Water Service – Water service for the project would be provided by the City of Escondido. There is an existing 10” water main in Brotherton Road that would provide service into the site. An existing fire hydrant on the southern boundary of the property is located inside the proposed eastern driveway and would be relocated approximately 38 feet further east. The Utilities Division has not noted any issues with the ability to provide adequate water service to the site.

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 Traffic and Circulation, Air Quality and Noise. 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. 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**

In order to reduce long-term Year 2030 cumulative traffic impacts to a less than significant level, the following mitigation measures are required.

### Transportation/Traffic Mitigation Measures

1. *Contribute a fair share amount of approximately 2.18% towards the cost of installing a traffic signal at the intersection of Felicita Avenue and Brotherton Road.*
2. *Contribute a fair share amount of approximately 2.16% towards the cost of improving the segment of Centre City Parkway, between Felicita Avenue and Brotherton Road to City of Escondido Major Road standards.*

In order to reduce potential restaurant smoke and odor impacts to a less than significant level, the following mitigation measure shall be incorporated into the project design.

### Air Quality Mitigation Measure

1. *The restaurant kitchen equipment shall include an emission control system such as an electrostatic precipitation filtration system or other filtration system satisfactory to the Planning Division.*

Noise impacts associated with the operation of mechanical equipment on the site can be reduced to a less than significant level with the implementation of the following mitigation measures.

### Noise Mitigation Measures:

1. *A wall to limit the noise impacts from the carwash dryer system will be required along the northern boundary of the planter/island immediately north of the carwash tunnel entrance. The wall shall extend approximately 81 feet and be built to a height of six feet relative to the adjacent grade elevation as shown on the site plan.*
2. *An enclosure/wall shall be provided for the HVAC units at the restaurant building and shall meet sound attenuation standards with a minimum height of eight feet relative to the adjacent grade elevation.*
3. *The carwash dryer system shall not to exceed 82.5 dBA unmitigated noise level at 5 feet and shall be set back within the carwash tunnel approximately six feet from the exit allowing the tunnel structure to function as a sound attenuation barrier*
4. *All carwash supporting equipment including pumps, compressors, and vacuum motor and canister system shall be installed within a dedicated equipment room equipped with passive rooftop ventilation.*

5. *In order to meet daytime noise limits as defined in the Escondido Noise Ordinance, the carwash must cease operating no later than 10:00 p.m.*
6. *The use of pneumatic tools shall be prohibited at the oil change facility.*

## **Materials Use in Preparation of this Analysis**

Escondido General Plan and Environmental Impact Report

Escondido General Plan Update and Environmental Impact Report, 2000

Escondido Zoning Code and Land Use Maps

SANDAG Summary of Trip Generation Rates

Escondido Historic Sites Survey

City of Escondido

Public Works Department

Engineering Division

Traffic Division

Building Division

Fire Department

Police Department

Planning Division

FIRM maps (Flood Insurance Rate Maps)

Draft MHCP maps (Multiple Habitat Conservation Program)

USGS Map for San Diego (Escondido) area

County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List

Traffic Impact Analysis prepared by Linscott Law & Greenspan Engineers, dated December 23, 2008

Noise Impact Analysis prepared by Eiler Associates, dated March 14, 2007

Preliminary Noise Study prepared by Medlin & Associates, dated November 11, 2004

Water Quality Technical Report prepared by K&S Engineering, dated March 2008.

Escondido Drainage Master Plan (1995)

Recommendations by the Association of Environmental Professionals (AEP) on How to Analyze Greenhouse Gas Emissions and Global Climate Change in CEQA Documents (Comment Draft, March 5, 2007).