

CHAPTER 8 RESPONSE TO COMMENTS

This chapter contains all comments received on the Draft Environmental Impact Report (EIR) and responses thereto and is organized as follows:

- 8.1 List of Commenters
- 8.2 Common Responses
- 8.3 Comment Letters Received and Responses to Comments

The focus of the responses to comments in Chapter 8 is on the disposition of significant environmental issues raised in the comments, as specified by Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines. Detailed responses are not provided to comments on the merits of the proposed Project. When a comment is not directed to significant environmental issues, the responses indicate that the comment has been acknowledged and no further response is necessary.

A number of comments received on the Draft EIR were similar in nature and expressed similar environmental concerns. Rather than repeat responses, the themes of recurring comments have been summarized, and common responses on these topics are provided in Section 8.2 of this chapter. Cross-references to these common responses are provided in response to specific comments.

8.1 List of Commenters

During the public review period, a total of 485 comment letters were received on the Draft EIR. Of these, 231 letters were in opposition, 254 letters were in support. Of the support letters, 63 letters were duplicates sent under separate cover.

Several letters received presented either general support or general opposition for the Project and did not include specific comments related to the EIR. Given that these letters presented general comments, a general response is all that is required under CEQA (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47). These letters have been grouped together and are responded to with a common response found in Section 8.2, Common Responses (see Sections 8.2.1, General Opposition, and 8.2.2, General Support).

The comment letters that require individual responses have been categorized by sender (e.g., agency, organization, individual) and assigned a unique letter-number designation based on category. The list of commenters and the unique letter-number designators for each letter are listed in Appendix 8-1, List of Commenters. Individual comments within each letter are bracketed and subsequently

numbered in the right-hand margin of the comment letter. Bracketed/numbered comment letters are placed adjacent to the responses of the same letter in Section 8.3.

It should also be noted that many commenters submitted multiple comment letters. In total (including all general and specific comment letters), there were 172 unique commenters that submitted letters of opposition, and 134 unique commenters that submitted letters of support, for a total of 306 unique commenters.

8.2 Common Responses to Recurring Comments

A number of the comments received on the Draft EIR addressed the same or similar issues and environmental concerns. Rather than repeat responses to recurring comments in each letter, the common responses outlined in Sections 8.2.1 through 8.2.4 were prepared.

- 8.2.1 General Opposition
- 8.2.2 General Support
- 8.2.3 Transportation
- 8.2.4 Land Use Compatibility and Zoning

8.2.1 General Opposition

The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter, including general opposition to the Project, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. Given that the comment is general, a general response is all that is required (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47). Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

8.2.2 General Support

The City acknowledges the comment and notes it expresses the opinions of the commenter, including general support of the Project, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. Given that the comment is general, a general response is all that is required (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47). Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

8.2.3 Transportation

General Traffic Concerns

Many comments raised general concerns regarding traffic. As discussed in EIR Section 2.7, Transportation and Traffic, with implementation of mitigation measures M-TR-1 through M-TR-7, all impacts associated with transportation and traffic would be reduced to less than significant, with the exception of Impact TR-11, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City can ensure that Caltrans will permit the improvement to be made. Therefore, although the impact could be mitigated to a level that is less than significant, the impact at this location is considered significant and unavoidable for purposes of the analysis. If a project results in significant and unavoidable environmental impacts, the lead agency is required to prepare a statement of overriding considerations, which reflects the ultimate balancing of competing public objectives (including environmental, legal, technical, social, and economic factors). Therefore, a statement of overriding considerations must be considered and adopted by the decision makers with the Draft EIR, if the Project is approved.

The Project will also implement a Specific Alignment Plan (SAP) for Country Club Lane from El Norte Parkway to Nutmeg Street. The SAP would provide a series of intersection improvements designed to calm traffic speeds and enhance pedestrian and bicycle circulation. Traffic calming measures would be introduced along West Country Club Lane to reduce traffic speeds, encourage pedestrian and bicycle use, and improve public safety.

Construction-Related Traffic

Several comments received during the public review period stated that the Draft EIR lacks analysis of construction traffic impacts. The commenters are referred to the Construction Traffic Analysis incorporated at Section 12.0 of Appendix 2.7-1 of the Draft EIR. In sum, the analysis noted that, as the Project will be constructed in phases and sub-phases, which would not generate more than the Project's 4,500 average daily trips (ADT), no capacity impacts are anticipated to occur during any construction phase. Furthermore, traffic control plans would be prepared to ensure efficient ingress/egress of trucks and equipment, and to maintain access to the degree possible to Country Club Lane during construction.

While the City considers this evaluation adequate, nevertheless, in response to the comments received, a supplemental construction traffic analysis has been prepared to provide additional detail concerning the potential effects of construction traffic to area circulation (see Appendix 8-2). The supplemental analysis evaluated the effects to all street system components analyzed in the Project transportation impact analysis, including peak-hour intersection analysis, daily street

segment volume analysis, peak-hour ramp meter analysis, and peak-hour freeway mainline analysis. Confirming the analysis in the Draft EIR, the supplemental analysis determined that Project construction traffic will result in a less than significant impact to each of the evaluated roadways, intersections, ramp meters, and freeway segments.

This supplemental analysis thus confirms the Project would result in less than significant construction traffic impacts, as previously disclosed. As no new or more severe significant impacts have been identified and the Draft EIR was fundamentally correct and adequate, this information is insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines. Recirculation of the Draft EIR is not required.

8.2.4 Land Use Compatibility and Zoning

Several comments received during the public review period raised concerns about the Project's density and overall land use compatibility with the surrounding area.

The issues of land use compatibility were fully analyzed in Section 3.1.5, Land Use, of the EIR. As stated in Section 3.1.5:

“The Project site is currently designated in the Land Use Element of the General Plan as Residential Urban I, which allows for up to 5.5 dwelling units per acre. The Project includes a total of 392 dwelling units on approximately 109.3 acres, which results in a density of 3.6 dwelling units per acre... The location, density, and intensity of suburban-style development within this community area have mainly developed through planned residential development and are generally characterized by low-density single-family neighborhoods, with pockets of medium-density single-family development (duplex units and small detached homes). The design of the Project site as proposed with the 48-acre Open Space System and greenbelt is context sensitive, and would visually and physically be compatible with surrounding land uses.”

The location, density, and intensity of suburban-style development within the surrounding communities are generally characterized by low-density single-family neighborhoods with pockets of medium-density single-family development (duplex units and small, detached homes). Planned development projects to the northwest of the Project site resulted in residential development of detached single-family homes on lots approximately 4,000 to 6,000 square feet. Further north there are detached single-family homes on approximately 5,000-square-foot lots that typically average from 40 to 45 feet in width. A smaller residential development that abuts the Project site to the north consists of duplex residential units on 2,000-square-foot lots. Located central to and north of the Project site are detached single-family homes on approximately 7,000-

square-foot lots, flanking Villages 1 and 2. As the topography rises to the north of the Project site, another residential development project adjacent to the former golf course consists of duplex dwelling units on lots that are approximately 4,000 square feet. Another smaller residential development that protrudes into the Project site has duplex dwelling units on 2,000-square-foot lots. To the south of the Project site, there are several residential developments of 2,000-square-foot lots with both duplex units and detached single-family homes. Other areas to the south have lots ranging from 2,000 to 7,000 square feet, which average about 40 feet in width. Overall, densities range from 2.7 to 8.3 dwelling units per acre (see Figure 1-7, Surrounding Land Uses).

As discussed in EIR Chapter 1, Project Description, Location, and Environmental Setting, the Project has been designed to incorporate smart growth principles to connect new residential development with the surrounding land uses described above. Pursuant to the Specific Plan Guidelines, the Project would be developed using architectural elements and themes from the surrounding neighborhoods. The Project would accommodate a variety of housing types, from detached single-family suburban-style homes to attached, single-family homes in clustered units. The Project also proposes variation in story-height so that different prototypes can be offered, similar to the development pattern of the surrounding neighborhood. Furthermore, the development standards ensure a variety of product design and allow a diversity of product arrangements.

The Project would include an Open Space System with walkways, a greenbelt, parks, and recreational/pedestrian amenities, which provides a landscaped buffer between surrounding land uses and the new residential development.

To further demonstrate the Project's compatibility with the surrounding area, the EIR concluded the Project would not result in physical impacts to the environment and to CEQA areas of land use compatibility. The following sections of the EIR include a discussion and analysis related to areas of land use compatibility and determined impacts would be less than significant: Aesthetics (Section 3.1.1), Air Quality (Section 2.1), and Noise (Section 2.6).

The only exception is Transportation and Traffic (Section 2.7), where all impacts would be reduced to less than significant, with the exception of Impact TR-11. This improvement would be located within the jurisdiction and control of the State of California Department of Transportation (Caltrans), and neither the applicant nor the City can ensure that Caltrans will permit the improvement to be made. Therefore, although the impact could be mitigated to a level that is less than significant, the impact at this location is considered significant and unavoidable for purposes of the analysis.

As indicated in many of the comment letters received, the Project's zoning currently requires a 7,000-square-foot minimum lot size. The Project does not meet this zoning requirement.

However, the Specific Plan process is applied where comprehensive planning is important to achieve a desired vision, as discussed in the City's General Plan Land Use Element. Specific Plan areas are zoned Specific Plan (S-P) and allow for the Specific Plan document to prescribe development standards and guidelines. The Project's impacts on the environment, as they relate to the proposed density and lot sizes, are analyzed in the EIR. It should also be noted that Chapter 4 of the EIR, Project Alternatives, analyzes two reduced-density projects under which the existing R-1-7 zoning would remain. Thus, these alternatives would have one large lot size (7,000 square feet) across the entire Project site. The alternatives will be considered by the decision makers.