



City of Escondido Zoning Administrator

MEETING AGENDA

201 North Broadway
City Hall – Parkview Conference Room

March 12, 2020
3:00 p.m.

A. Call to Order:

B. Agenda items:

1. MINOR CONDITIONAL USE PERMIT – PHG 19-0045; PHG 19-0073; PHG 19-0074; PHG 20-0002 AND PHG 20-0004:

A Minor Conditional Use Permit to install and operate five (5) AT&T small wireless facilities (referred to as nodes) in the public right-of-way. The proposed nodes involve new installation or the replacement of existing concrete street light poles or existing utility poles. All proposed node installations are designed to accommodate one canister-type antenna mounted on the top or on the side of the pole, and either two (2) or four (4) radio units mounted vertically onto the side of the pole. Additional associated equipment is proposed to be placed in new underground concrete vaults (handhole). The poles would vary in height, and the light fixtures would be upgraded to an LED fixture. Trenching and boring is required to extend power and telecommunication lines to the new facilities. The proposal also includes the adoption of the environmental determination prepared for the project.

Location: Five (5) locations within the public right-of-way, generally located along Ridgemont Circle, Willow Tree Lane, Third Avenue, Hale Avenue and Chestnut Street.

Applicant: Black & Veatch, Inc. (AT&T carrier)

Planner: Darren Parker

DECISION OF THE ZONING ADMINISTRATOR:

____ Approved, as set to form
____ Conditionally approved with the attached modifications
____ Denied
____ Continued to: ____ Date Certain (____) ____ Date Unknown
____ Referred to Planning Commission

2. MODIFICATION TO A PRECISE PLANNED DEVELOPMENT – PHG 19-0057:

A Modification to a Precise Development Plan for the addition of a 436-SF interior display area at an existing Mazda dealership, along with an exterior façade remodel and interior floor plan remodel. The proposal also includes the adoption of the environmental determination for the project.

Location: 1560 Auto Park Way (APN 232-542-04)

Applicant: Carl Chrisman, Wagner Architecture Group, Inc.

Planner: Ann Dolmage

DECISION OF THE ZONING ADMINISTRATOR:

____ Approved, as set to form
____ Conditionally approved with the attached modifications
____ Denied
____ Continued to: ____ Date Certain (____) ____ Date Unknown
____ Referred to Planning Commission

C. Adjournment:

ZONING ADMINISTRATOR

- CASE NUMBER:** PHG 19-0045 (SDG&E), PHG 19-0073, PHG 19-0074, PHG 20-0002, and PHG 20-0004
- APPLICANT:** Timothy J. Groves, Black and Veatch (AT&T carrier)
- PROJECT LOCATION:** Five (5) locations within the public right-of-way, generally located along Ridgemont Circle, Willow Tree Lane, Third Avenue, Hale Avenue and Chestnut Street.
- REQUEST:** A Minor Conditional Use Permit to install and operate five (5) AT&T small wireless facilities (referred to as nodes) in the public right-of-way. The proposed nodes involve new installation or the replacement of existing concrete street light poles or existing utility poles. All proposed node installations are designed to accommodate one canister-type antenna mounted on the top or on the side of the pole, and either two (2) or four (4) radio units mounted vertically onto the side of the pole. Additional associated equipment is proposed to be placed in new underground concrete vaults (handhole). The poles would vary in height, and the light fixtures would be upgraded to an LED fixture. Trenching and boring is required to extend power and telecommunication lines to the new facilities. The proposal also includes the adoption of the environmental determination prepared for the project.
- STAFF RECOMMENDATION:** Approve, subject to conditions
- GENERAL PLAN DESIGNATION:** N/A, Public Right-of Way
- ZONING:** Varies per adjacent site (street right-of-way)

BACKGROUND/PROJECT DESCRIPTION: AT&T Wireless proposes to install five (5) small cell wireless facilities (nodes) in the public right-of-way. All of the wireless facilities would be located adjacent to single-family or multi-family residential zones. Four (4) of the five (5) facilities would be located on new or replacement City light poles and the fifth facility would be located on an existing SDG&E wooden utility pole. Three (3) of the five (5) AT&T facilities consists of replacing an existing City light pole with a new 27-foot tall street light and mounting one (1) canister type

antenna (24-inches tall x 10-inches in diameter) to the top of the light pole with up to four (4), 7.8-inch wide x 4.13" deep x 7.8-inch long radio units mounted vertically onto the side of the street light pole. The new street light pole would still function and operate as a standard City street light pole, with a new LED fixture. The new street lights would be in conformance with the City's Design Standards for ornamental street lighting and visual impacts of the proposed facility would be minimized by incorporating a stealth type design into the street light. The proposed small cell facility located along Hidden Trails Road consists of the installation of a new City street light where one currently does not exist (Case No. PHG 19-0073). The proposed small wireless facility located towards the southeastern corner of 3rd Avenue and Upas Street (Planning Case No. PHG 19-0045) consists of the installation of one canister type antenna (24-inches tall x 15-inches in diameter); four (4), 7.8-inch wide x 7.8-inch long radio units, an a/c cut-off box; and power/telco conduits mounted onto an existing wooden utility pole on standoff brackets to provide required separation from the pole and SDG&E equipment. Additional associated equipment would be placed in small new underground concrete vaults (handhole). SDG&E would bring power to a handhole near the pole and conduit from the handhole to the pole.

A Minor Conditional Use Permit and public notice is required to permit the proposed five (5) small wireless facilities in the City's right-of-way, in accordance with Zoning Code Article 34, "Communication Antennas", Section 33-704(k), because the proposed nodes are either located along a non-circulation element street and/or along the front yard of a single-family residence or the pole-mounted equipment exceeds the maximum of twelve (12) inches in width and twelve (12) inches in depth. AT&T's proposal includes either two or four radio units mounted vertically onto the pole with a dimension of 13.4-inch wide x 16.5-inch long. A minor Conditional Use Permit also is required because all five (5) of the sites are either located along a non-circulation element street or along the front yard of a single-family residence.

The proposed small wireless antennas would provide AT&T wireless voice and data coverage to the surrounding area where there is currently a need for additional service coverage. The proposed wireless node(s) also would provide coverage to areas of Escondido that are otherwise very difficult or impractical to cover using traditional larger macro wireless telecommunications facilities. Conditions of approval have been added to this project to minimize the visual impacts to the public and adjacent residences. The Zoning Administrator is the authorized decision-maker for reviewing and granting discretionary approvals related to Minor Conditional Use Permits. It is important to note that this staff report has grouped together the five (5) applications for sake of exposition. Exhibits attached hereto are to be incorporated by reference to each case file and appended to each record of action to establish site improvement specifications and conditions and other requirements for the new small cell wireless facility installations.

REASON FOR STAFF RECOMMENDATION:

1. The proposed small wireless facilities would be located within the city's right-of-way, which permits wireless facilities subject to approval of a Minor Conditional Use Permit. The proposed facilities would enhance communication services throughout the City in areas where

there currently is a need for additional service coverage or capacity. The replacement street lights, utility poles and antennas would not exceed 30'-4" feet in height and the proposed facilities would not be out of character with the area because the facilities would still resemble and function as a street light pole or a utility pole. The proposed wireless equipment has been integrated into the design of the light pole and utility pole such that the average, untrained observer generally cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique. Associated support equipment is proposed to be placed in a small new underground concrete vault (handhole).

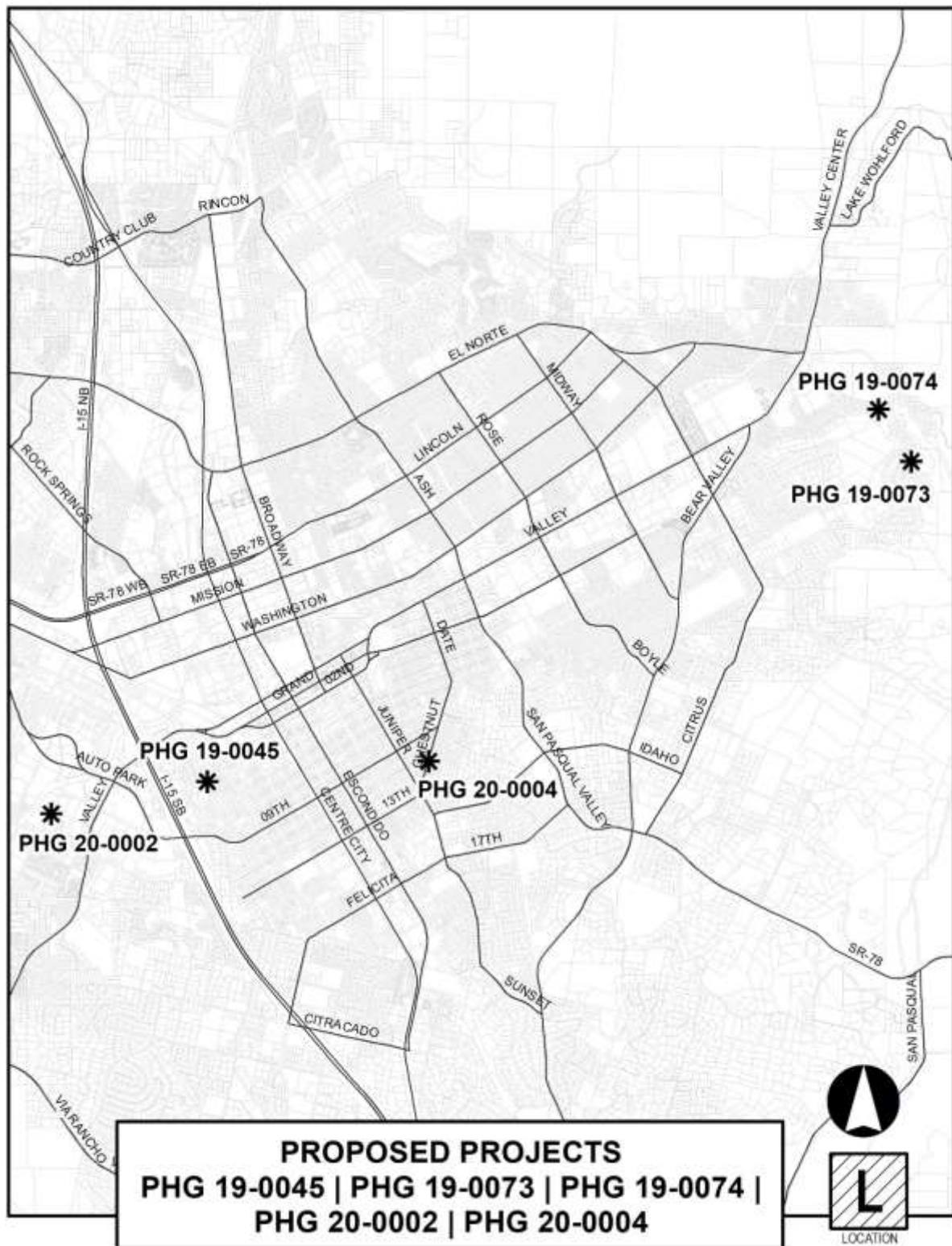
2. Staff believes that each of the five (5) small wireless facilities would not be hazardous to the health of nearby residents based on the results of an RF Compliance Certification (Radio Frequency) prepared by AT&T, on April 2, 2019. The study indicates the facility would be within the maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) guidelines.

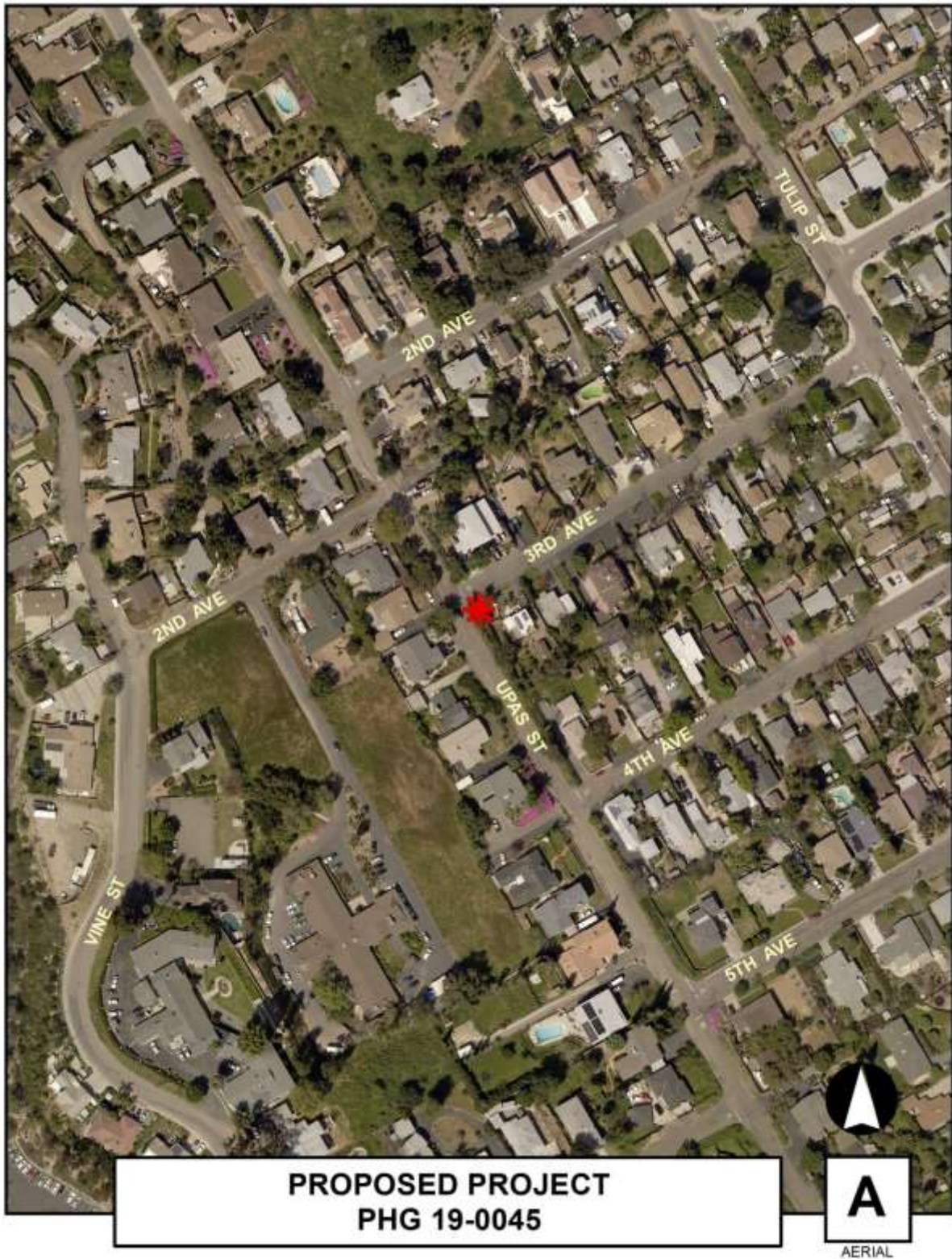
Respectfully submitted,

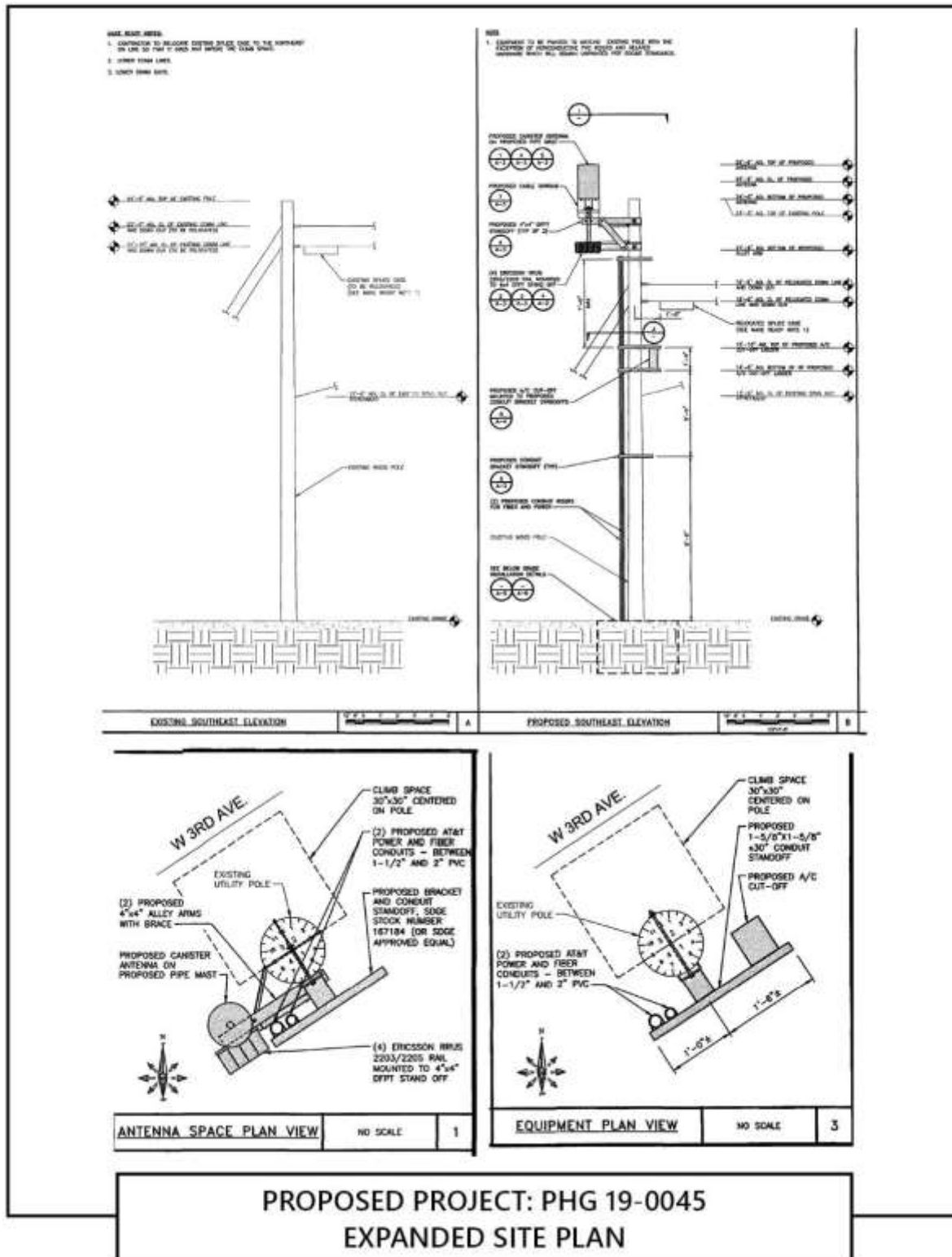
Darren Parker

Darren Parker
Associate Planner

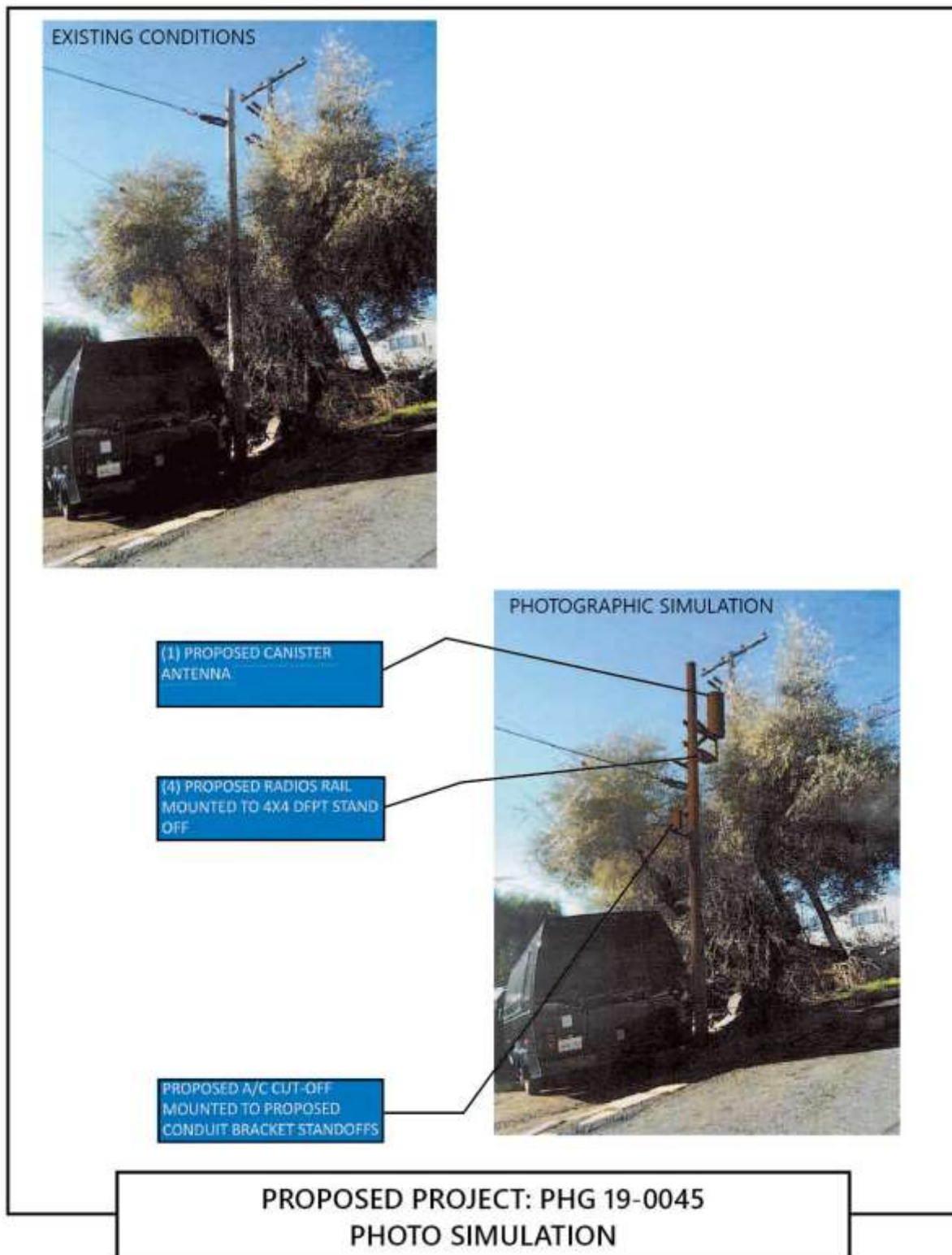
ATT&T Sites

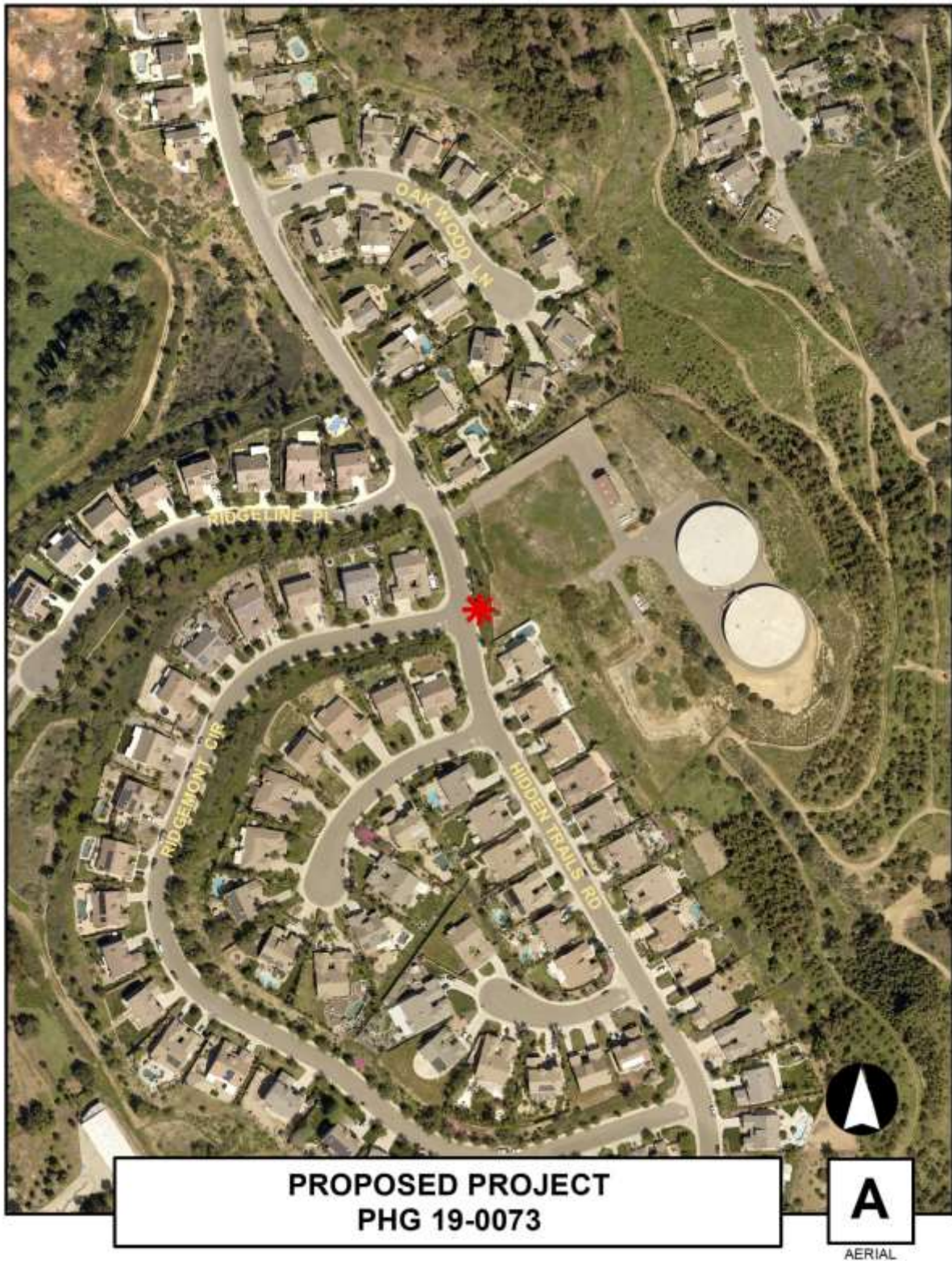




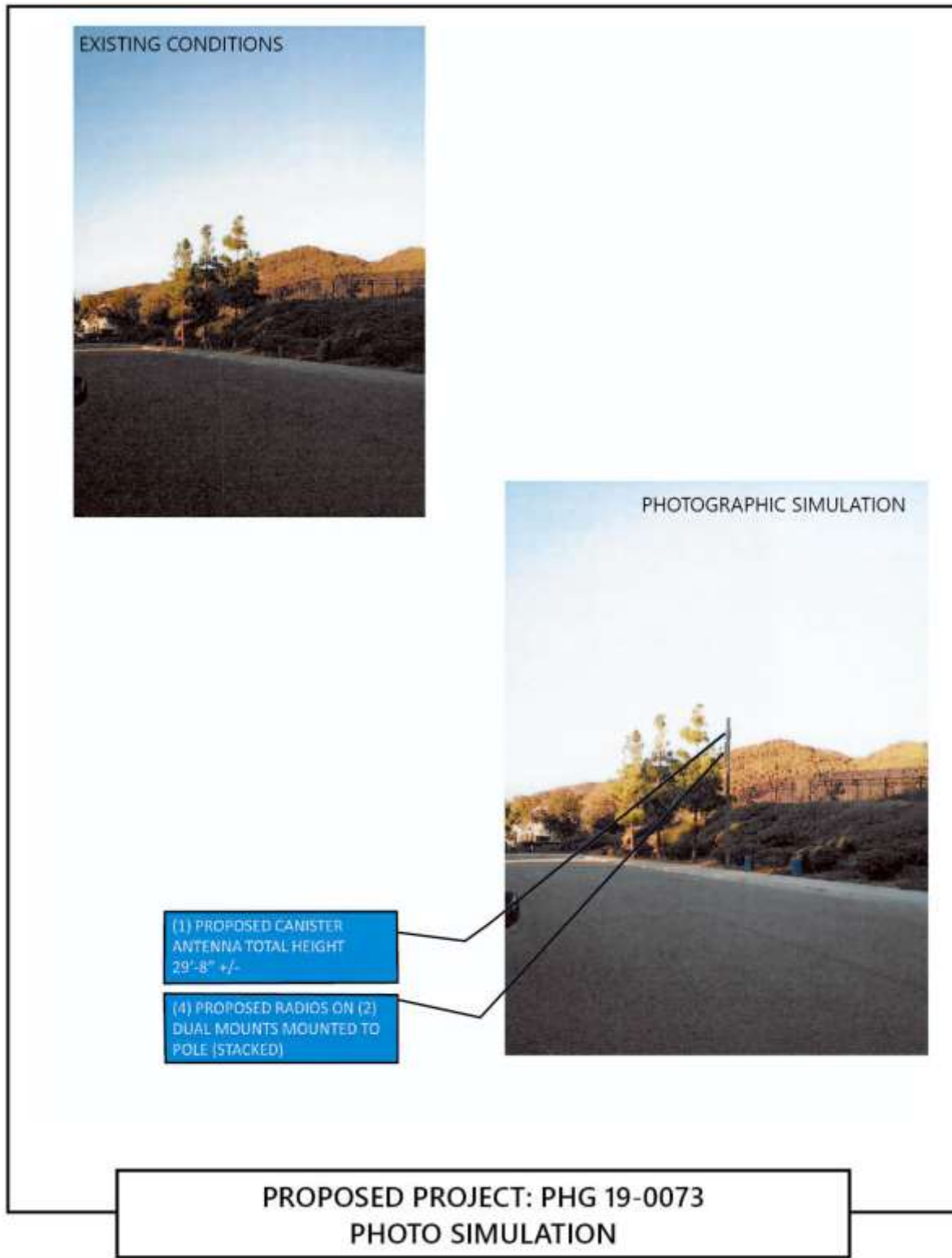




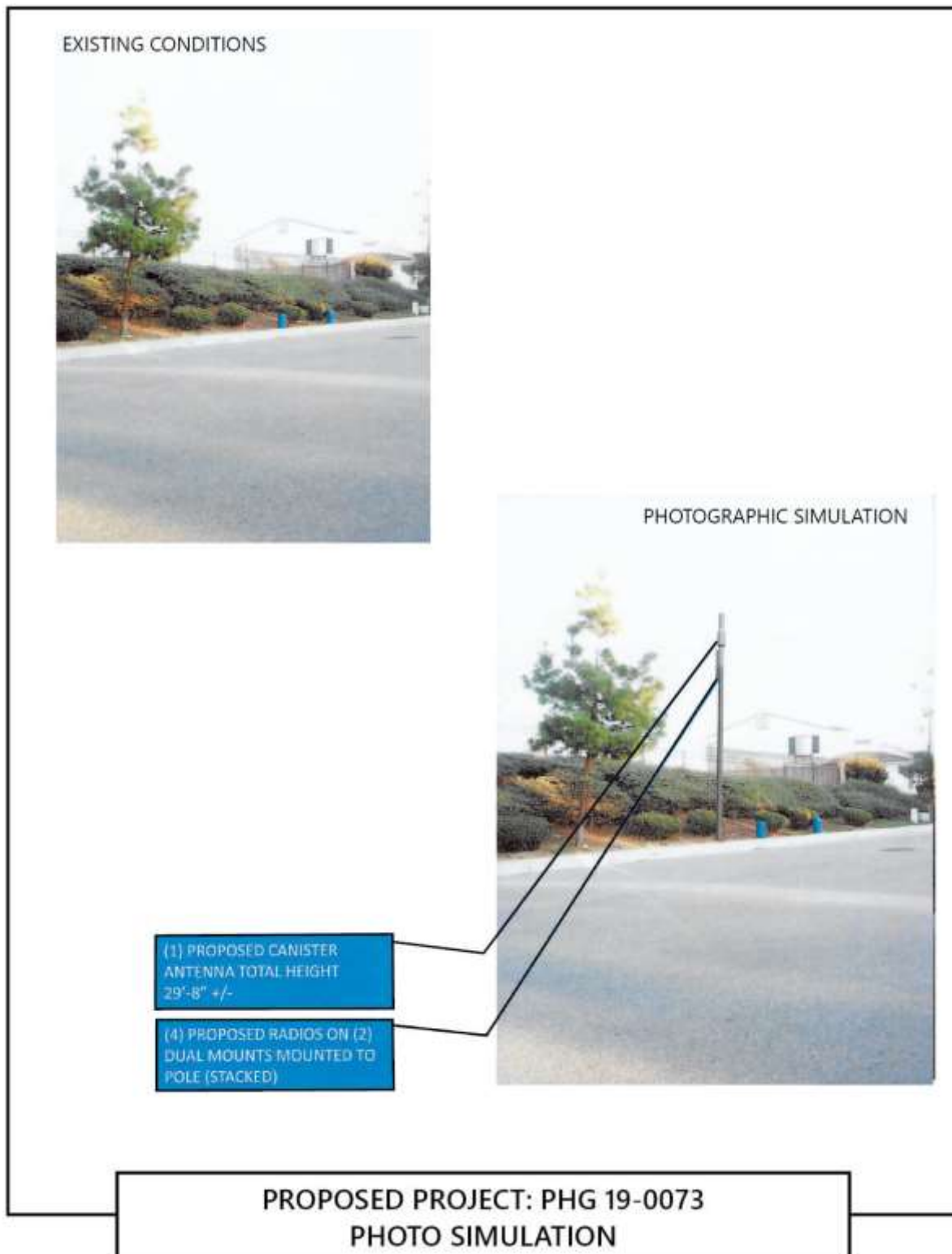


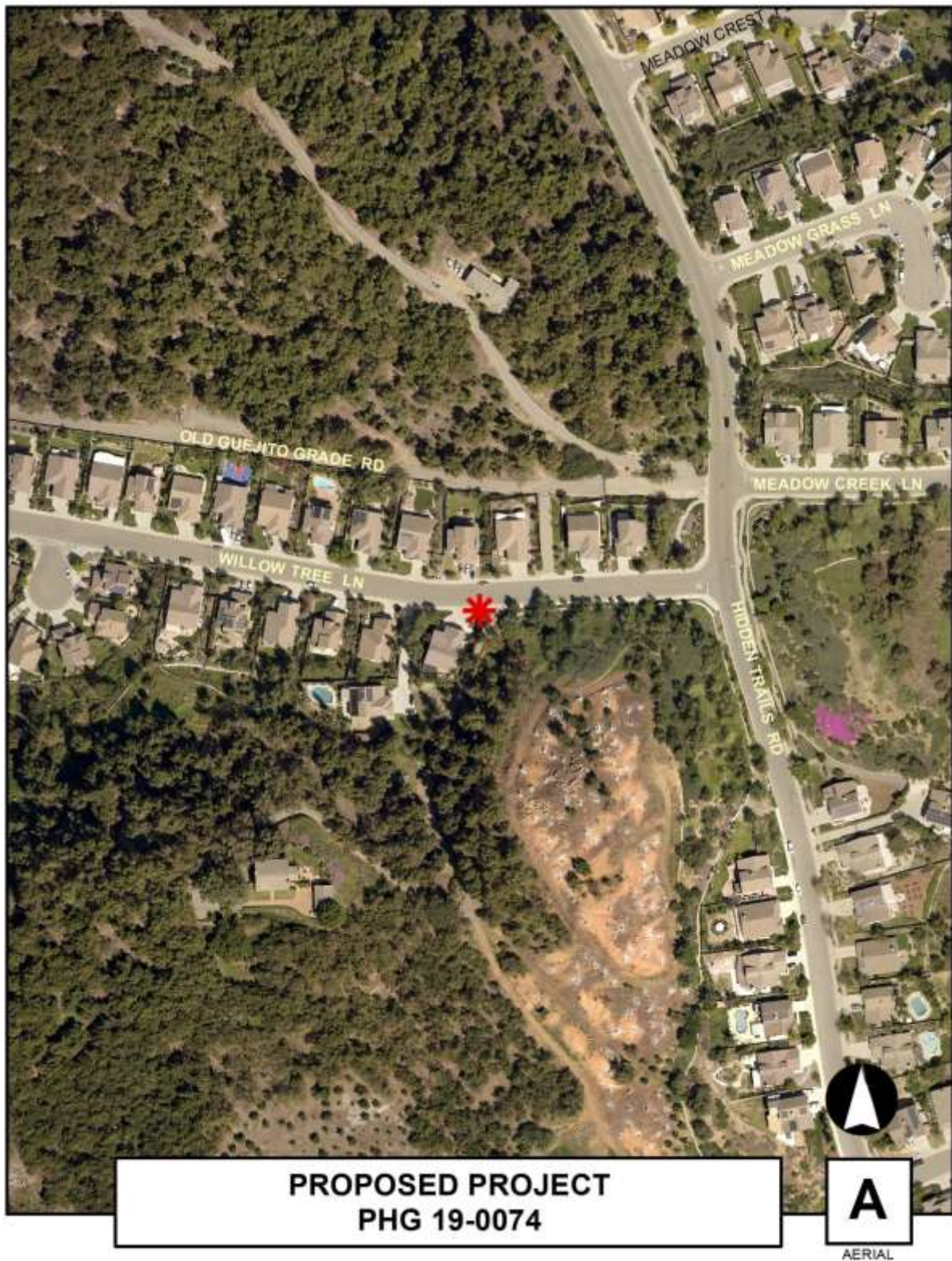


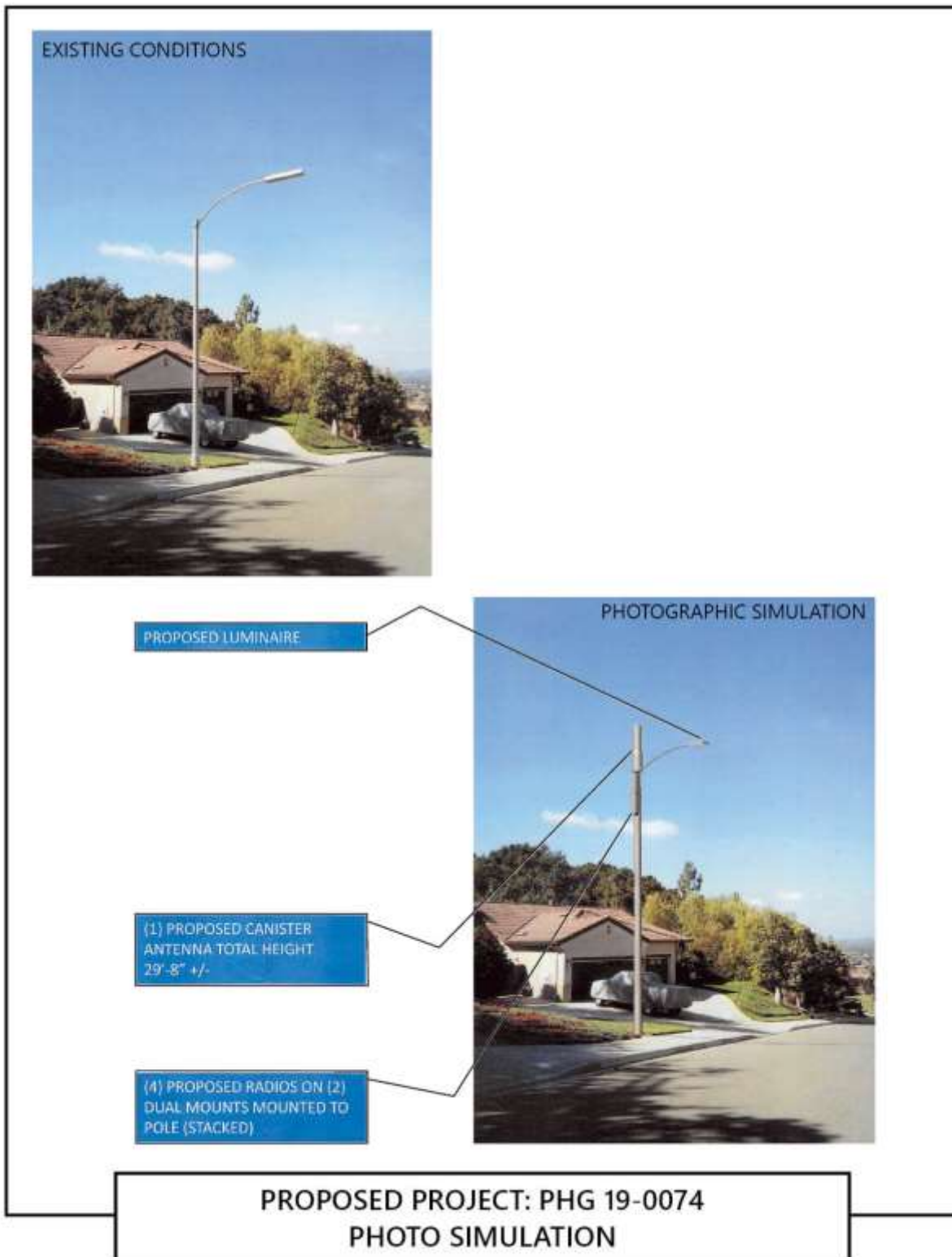






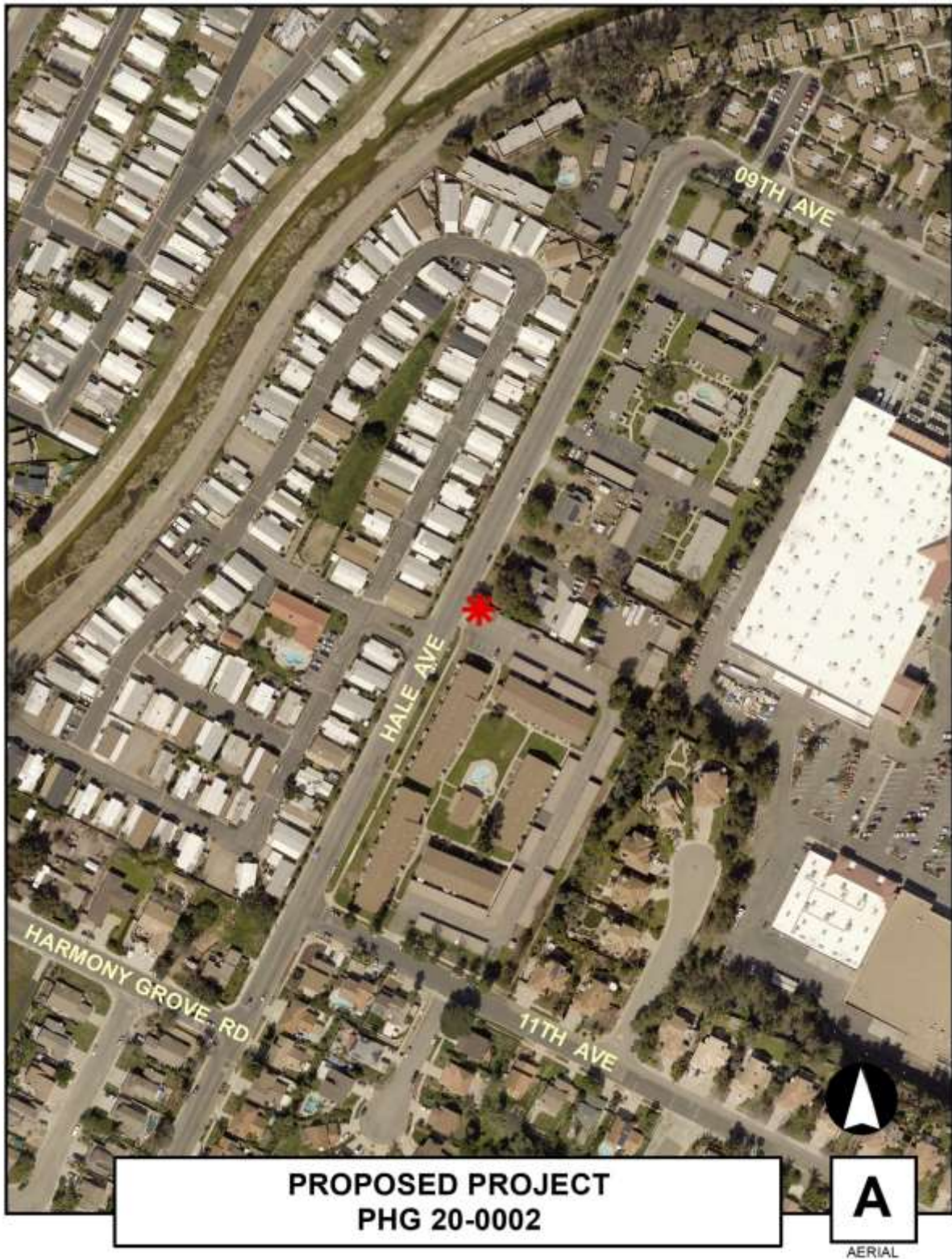




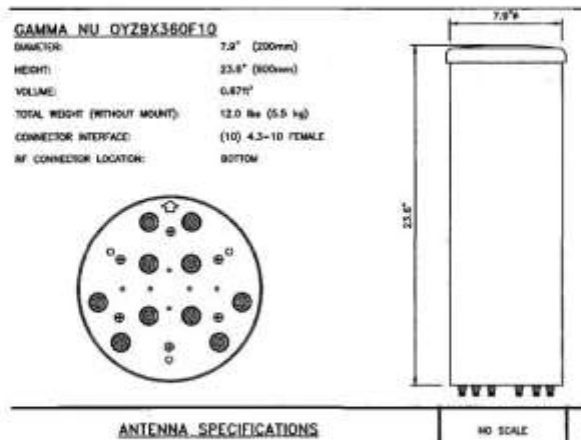
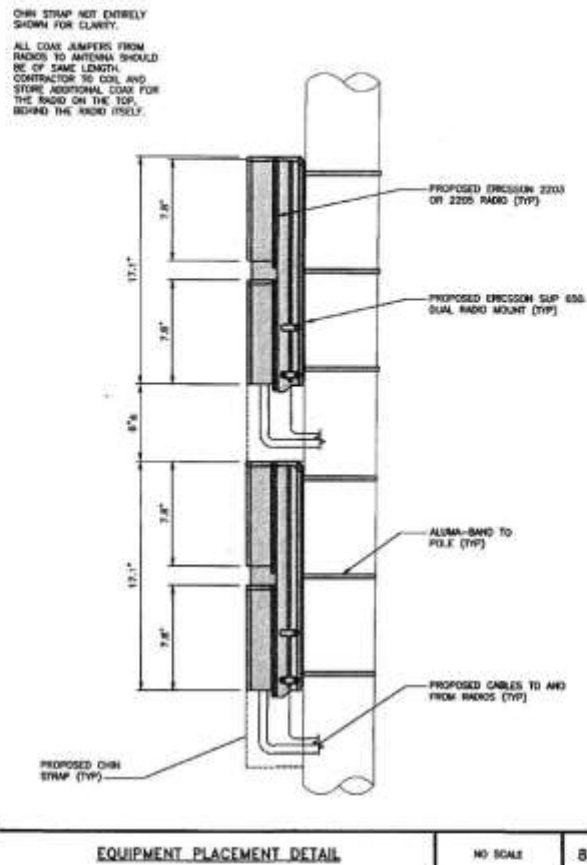












PROPOSED PROJECT: PHG 20-0002
EQUIPMENT DETAILS

EXISTING CONDITIONS



PHOTOGRAPHIC SIMULATION

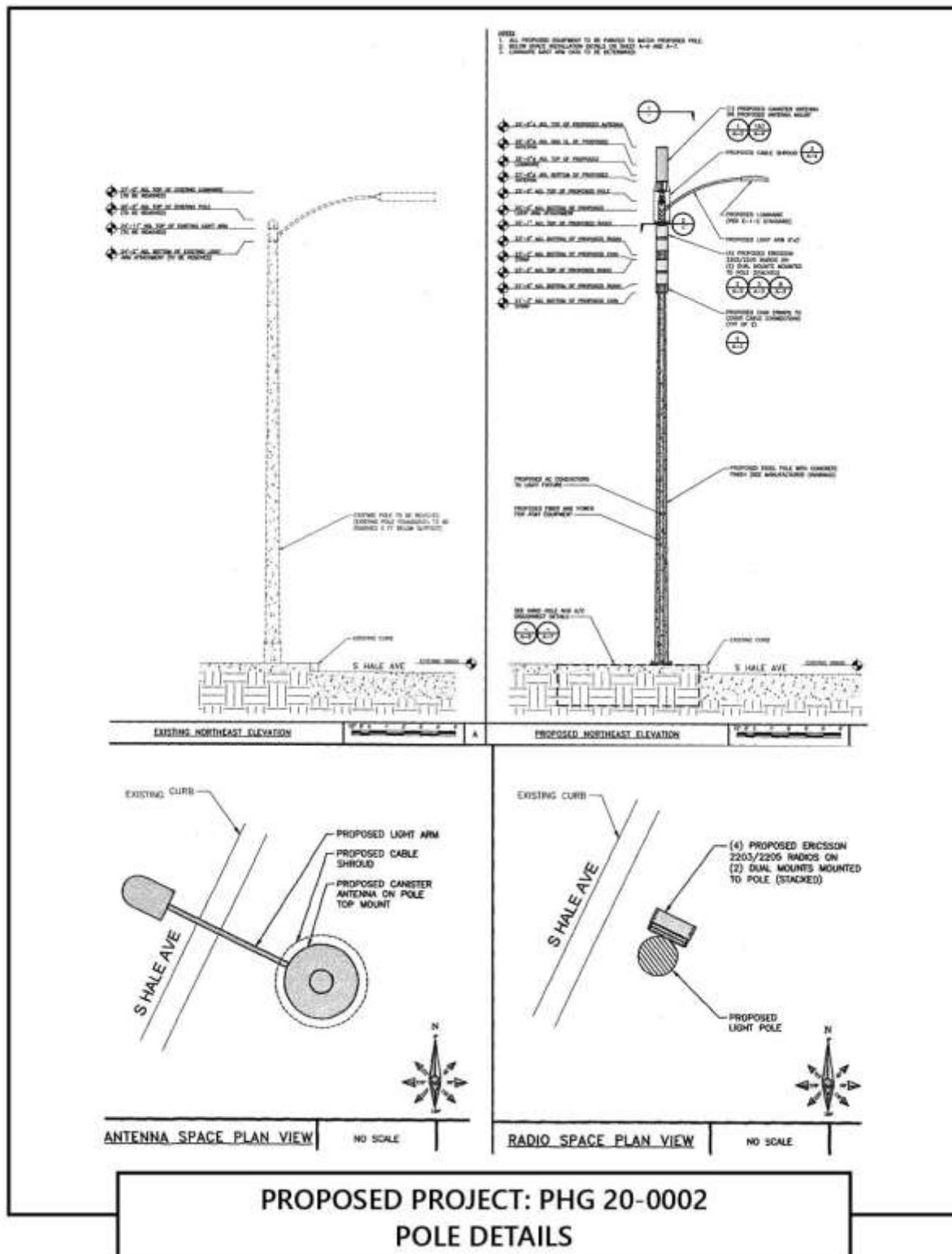
PROPOSED LUMINAIRE

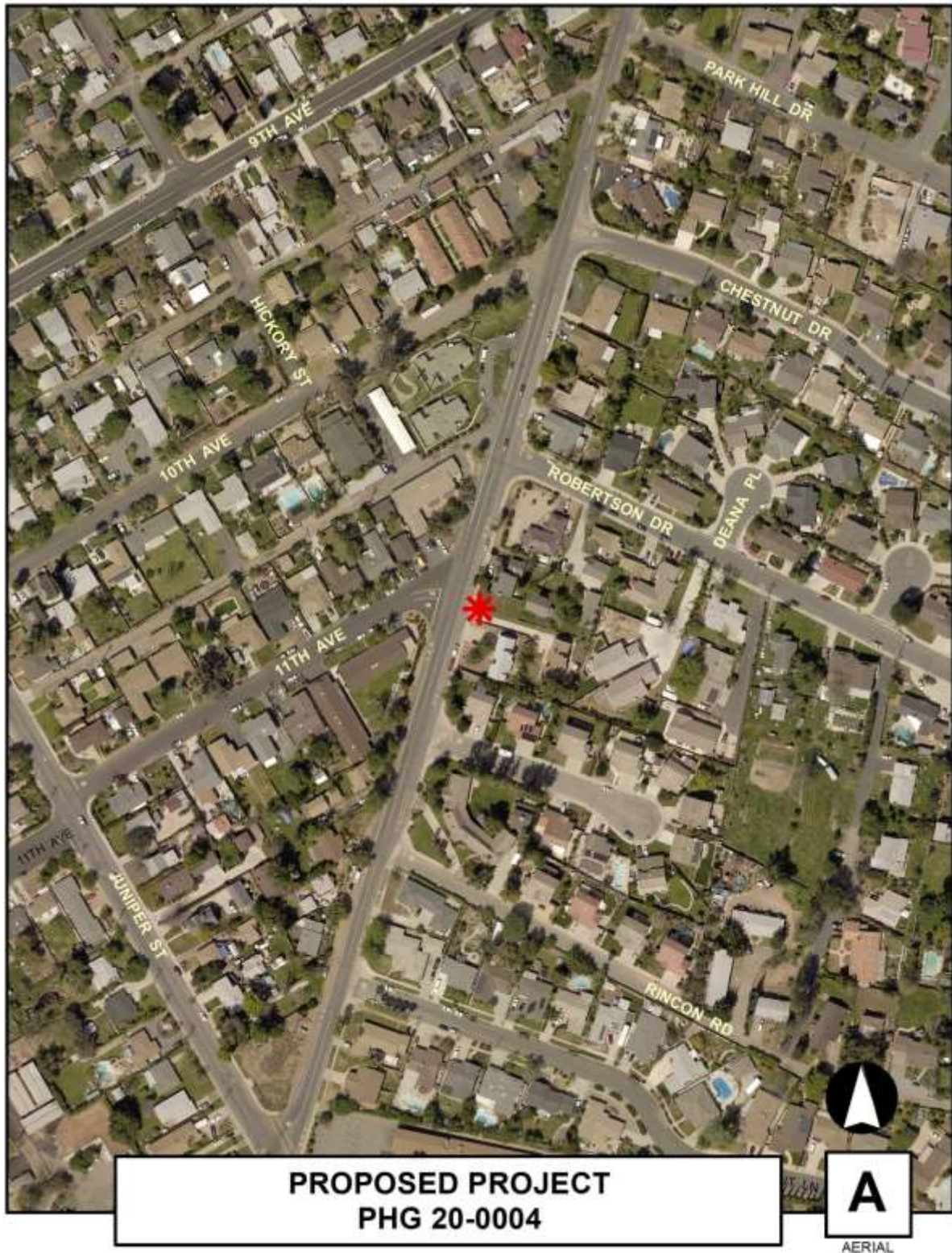
(1) PROPOSED CANISTER
ANTENNA TOTAL HEIGHT
29'-8" +/-

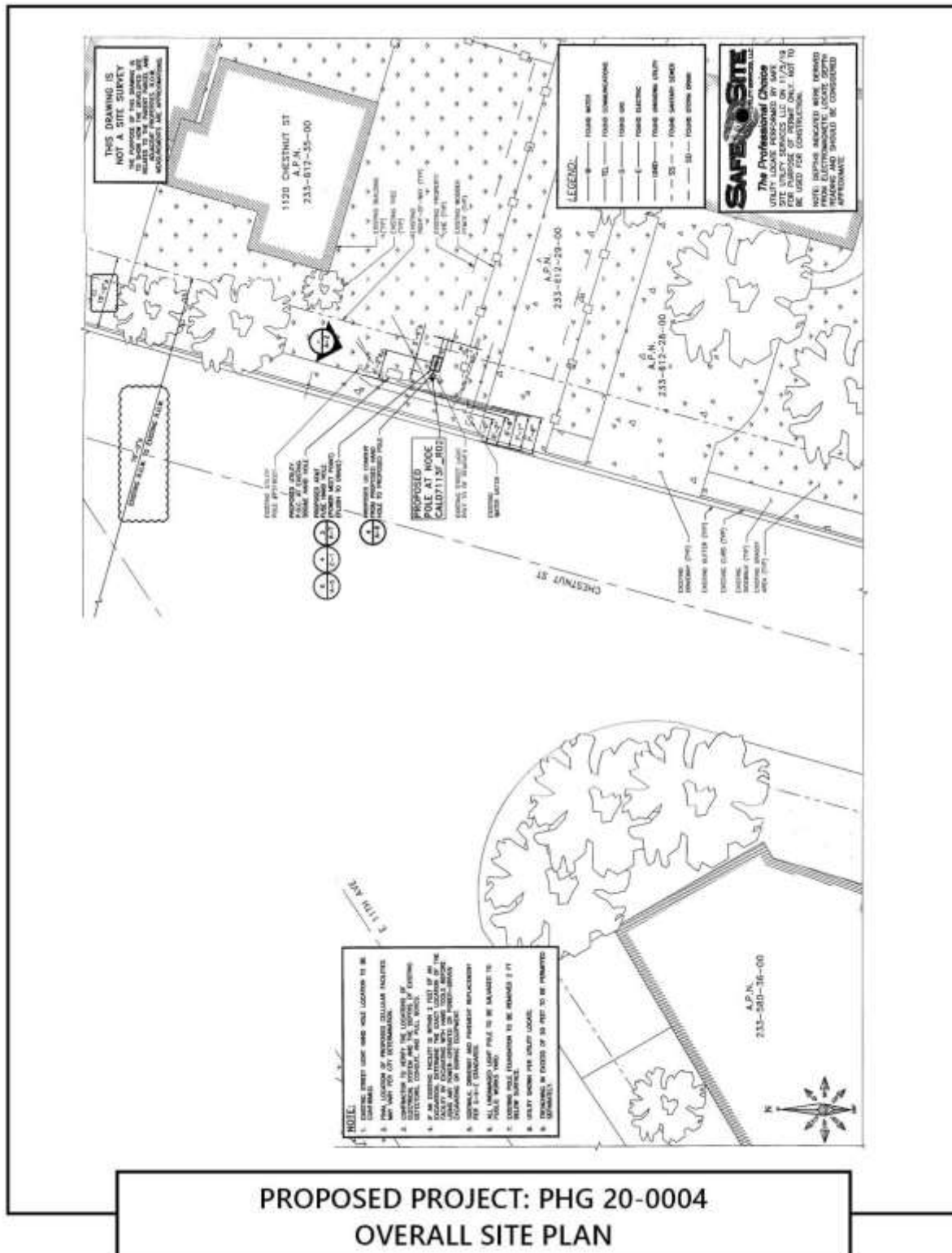
(4) PROPOSED RADIOS ON (2)
DUAL MOUNTS MOUNTED TO
POLE (STACKED)

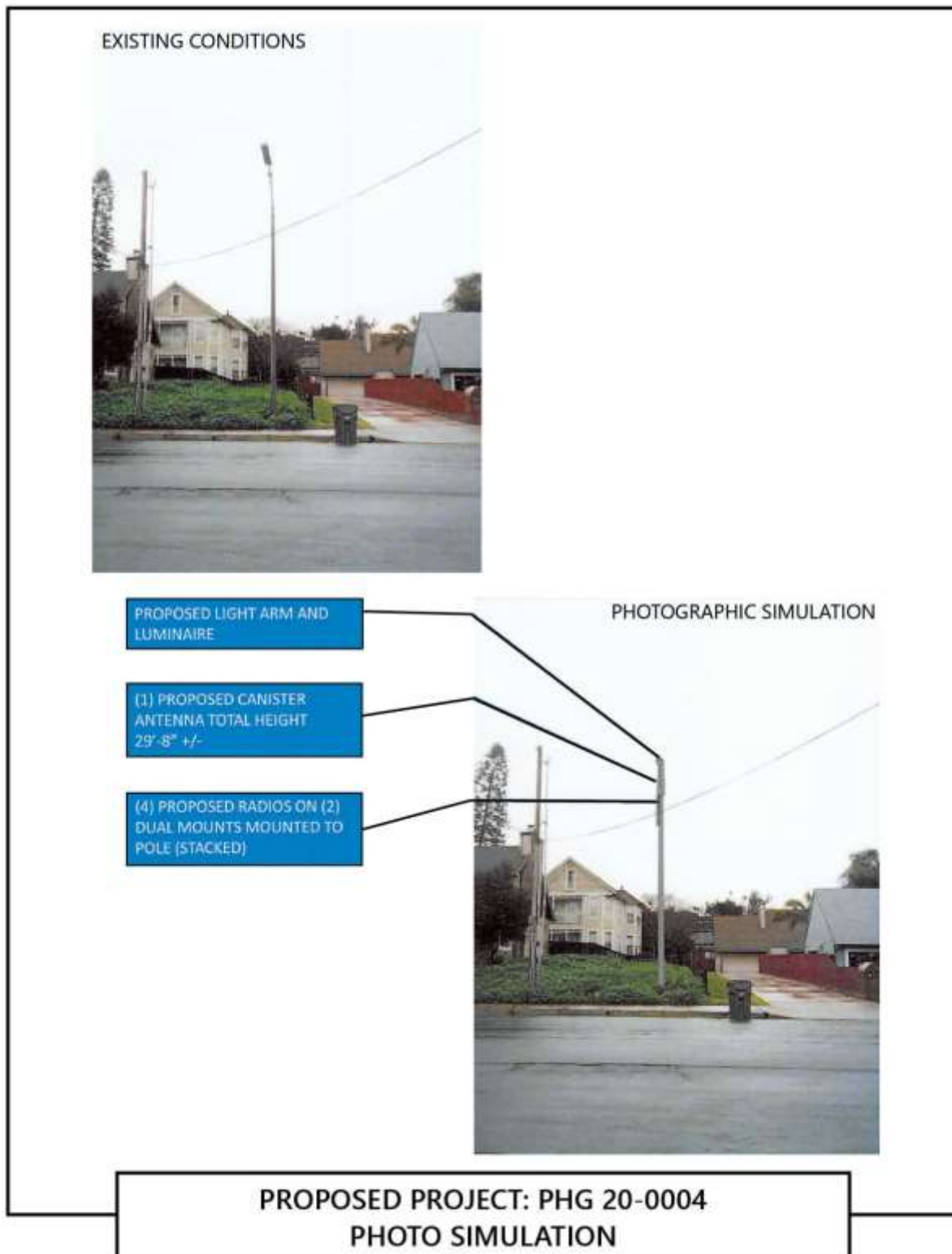


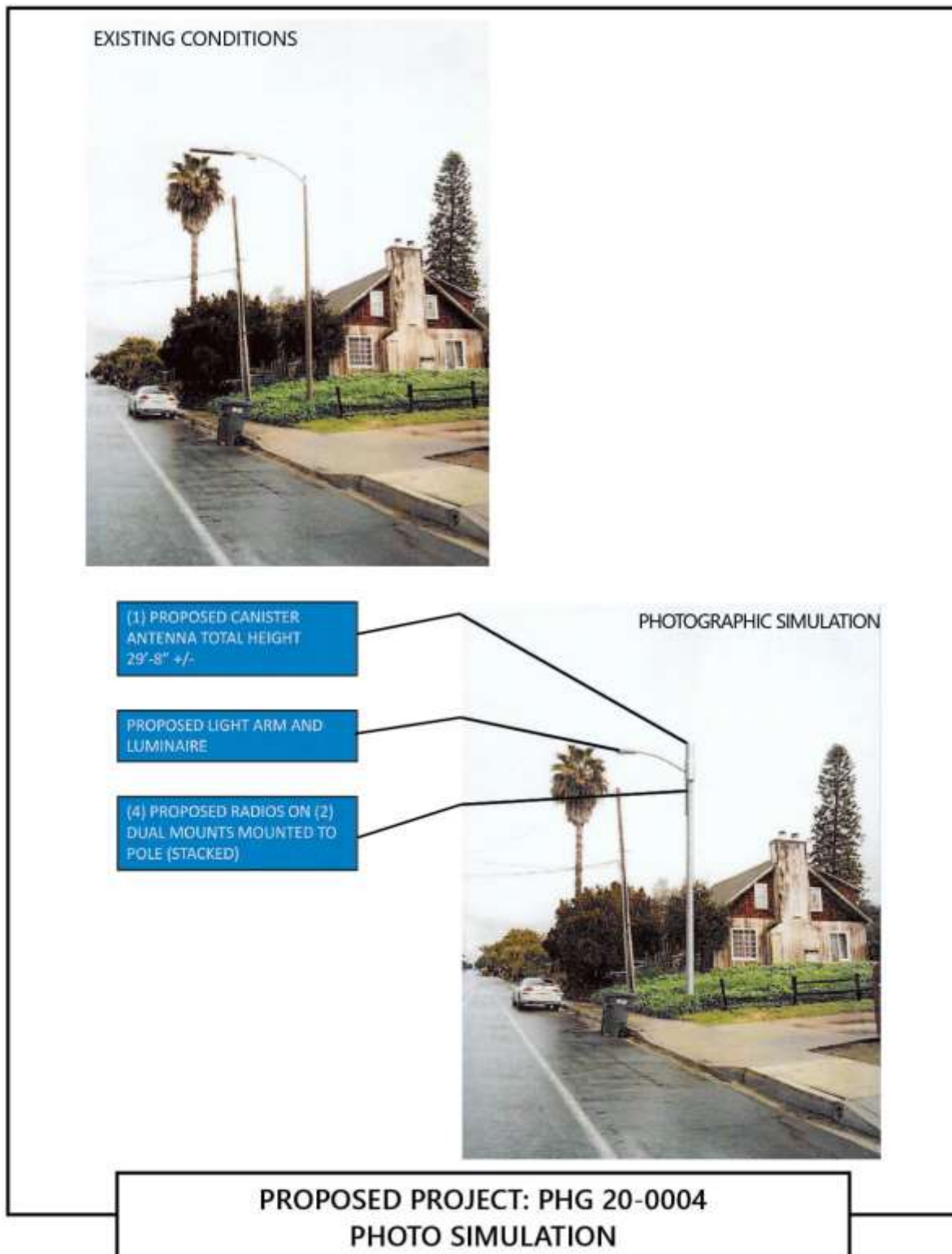
PROPOSED PROJECT: PHG 20-0002
PHOTO SIMULATION











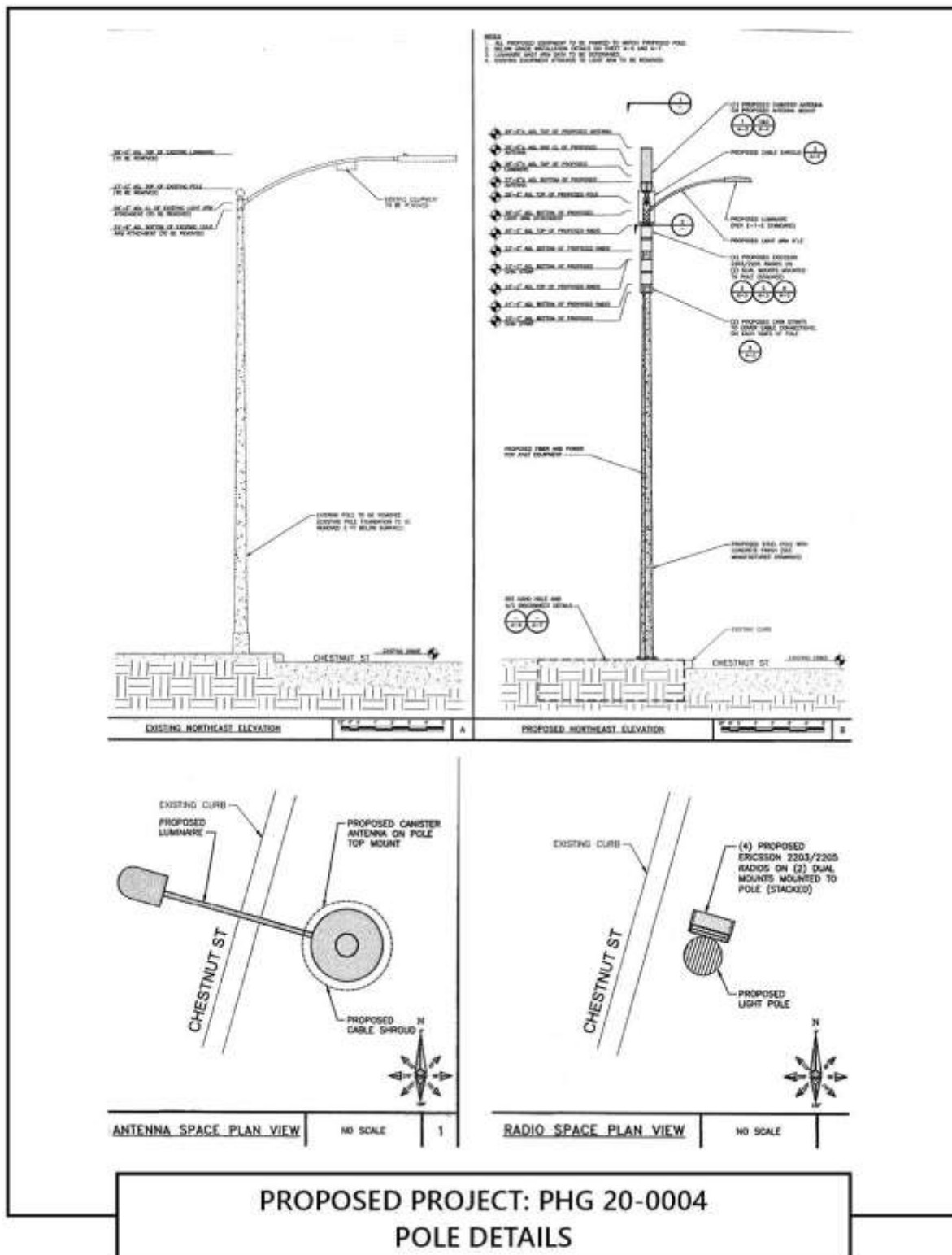


EXHIBIT “A”
FINDINGS OF FACT
PHG 19-0045 (SDG&E), PHG 19-0073, PHG 19-0074, PHG 20-0002,
and PHG 20-0004

Environmental Determination:

1. The proposed project is categorically exempt from environmental review in conformance with CEQA Section 15303, “New Construction of Small Structures.”

Conditional Use Permit:

1. All decisions granting or denying Conditional Use Permits shall be made in accordance with Section 33-1203 of the Escondido Zoning Code (Findings for Conditional Use Permits). The new construction of five (5) small wireless facilities has been reviewed and the Zoning Administrator concludes and finds, based on the analysis of the project described therein the March 12, 2020 Zoning Administrator Staff Report, that:
 - a. Granting the proposed Minor Conditional Use Permit to allow the construction of five (5) small wireless facilities within the public right-of-way would be based upon sound principles of land use and in response to services required by the community because the placement of the five (5) small wireless antenna structures (nodes) would enhance wireless service where there currently is a need for additional services coverage or capacity. In addition, each facility is relatively small and would not result in a substantial alteration of the present land use. Design features and Conditions of Approval have been incorporated to minimize any potential land-use compatibility.
 - b. Granting the proposed Minor Conditional Use Permit for the construction of five (5) small wireless facilities within the public right-of-way would not cause deterioration of bordering land uses or create special problems for the area in which it is located because the facilities would be appropriately integrated into existing utility pole(s) or replacement street light poles that would continue to function as a city street light or a utility pole. Additionally, RF emission generated from each site would be below the FCC accepted guidelines/standards. Pursuant to federal law and local government agency may regulate the placement and modification of a wireless communication facility on the basis of the environmental or health effects of radio frequency emissions to the extent that such facilities comply with federal law concerning emissions.
 - c. The proposed Minor Conditional Use Permit for five (5) small wireless facilities would be compatible with the surrounding neighborhoods because the facilities have been designed

to be appropriately incorporated into/mounted onto a street light or utility pole, and would be located in an area where existing street lights, utility poles or similar type infrastructure currently exist. Associated support equipment would be placed in small new underground concrete vaults (handhole). Conditions have been applied to reduce potential impacts to the immediate areas.

- d. The applicant, AT&T has analyzed and demonstrated that the site is necessary to close a significant gap in service to the community. Although the signal propagated from a small cell wireless node antenna spans over a shorter range than a conventional macro tower system, small wireless facilities/nodes can be an effective way too to close service coverage gaps and/or address capacity issues.
- e. The proposed location for five (5) small wireless facilities conforms to the requirements of Article 34, "Communication Antennas", Section 33-704 (k), because a Minor Conditional Use Permit is required if a small cell wireless facility is either exceeds design standards, is located along a non-circulation element street and/or along the front yard of a single-family residences. All five (5) sites are either located along a non-circulation element street or along the front of a single-family residence.
- f. That the design of the five (5) small wireless facilities conforms to the requirements of Article 34, "Communication Antennas", Section 33-704 (k), and any adopted guidelines to the maximum extent possible, as detailed in the Zoning Administrator staff report dated March 12, 2020.
- g. The applicant, AT&T, has demonstrated in good-faith effort to identify and evaluate more preferred locations and that alternative locations are not feasible, practical or potentially available. AT&T considered sites on other poles in the area but none of these sites is a desirable from construction, coverage or aesthetics perspectives. The proposed location was chosen based on design criteria for locating on city-owned light poles and the coverage and capacity needs for the area.

EXHIBIT “B”
CONDITIONS OF APPROVAL
AT&T Small Wireless Facilities (Nodes)
PHG 19-0045 (SDG&E), PHG 19-0073, PHG 19-0074, PHG 20-0002,
and PHG 20-0004

Planning Division Conditions

All small wireless facilities which are subject to these Guidelines, whether approved by the City of Escondido or deemed approved by law, shall be automatically subject to all standard conditions of approval set forth below, in addition to any specific conditions applied to the specific facility. For the purpose of these Conditions of Approval, the term “Applicant” shall also include the permittee, wireless carrier, or its successor(s) in interest in any small wireless facility, as may be applicable.

1. Should the applicant fail to protest these conditions and/or file a timely and valid appeal of this Small Wireless Facility Permit, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
 1. Acceptance of the permit by the applicant; and
 2. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this Small Wireless Facility Permit or other approval(s) applicable to said permit.
2. Compliance with all requirements contained in these Guidelines and Section 33-704(k) of the Escondido Zoning Code shall be strictly adhered to.
3. The applicant shall remove any Notice of Public Hearing signage within 24 hours following a public hearing for any small wireless facility.
4. All required permits and agreements must be in place prior to commencing installation of any facility.
5. It shall be the responsibility of the applicant to secure any permits, approvals, agreements and authorizations from other agencies. Failure on behalf of the City of Escondido to ensure that said permits, approvals, agreements and authorizations have been secured shall not alleviate the applicant from this responsibility.
6. All construction and operations shall comply with all applicable requirements of the Escondido Zoning Code, Escondido Municipal Code, and any other applicable policies and requirements of the City.

7. The applicant shall pay all additional fees and deposits required by the City at the time of application for an encroachment permit, including those fees required by any master license agreement.
8. All aspects of the facility shall strictly conform to the plans and other exhibits approved by the City and on-file with the Planning Division.
9. Colors, materials and design of the project shall conform to the exhibits and references in the staff report to the satisfaction of the Planning Division.
10. The radio units shall be flush mounted to the street light and noted on the building plans, to the extent feasible, unless otherwise shown on the plans.
11. The radio units, antennas, shrouds and extension poles/equipment shall be painted/textured to match the street light pole or utility pole and noted on the plans to the satisfaction of the Planning Division.
12. As of the date of permit issuance, the applicant certifies that the facility utilizes the least intrusive design and that no less intrusive designs are available.
13. Final inspections by the Planning and Field Engineering Divisions shall be required before commencement of operations of any facility. Any facility not installed in strict compliance with the approved permit(s) and these Guidelines shall be brought into compliance and subsequent inspection(s) shall be requested by the applicant. Operations shall not commence prior to the facility passing final inspection(s).
14. Prior to commencement of operations, it shall be the applicant's responsibility to ensure that the facility has passed all inspections required by any other agencies with jurisdictional authority.
15. Post-Installation Certification. Within 90 calendar days after the applicant commences full, unattended operations of a small wireless facility, the permittee shall provide documentation demonstrating that the facility has been installed and constructed in compliance with the approved plans. Such documentation shall include without limitation as-built drawings, GIS data, and site photographs. Failure to provide such certification shall be cause for the City to rescind approval of the installation of the facility until such time as the certification has been provided.
16. Build-Out Period. The small wireless facility permit and associated encroachment permit will automatically expire twelve (12) months from the approval date unless construction has commenced. Construction shall be completed within six (6) months of commencement.

17. The applicant shall provide the City with a post-installation assessment report signed by a third-party RF engineer certifying the wireless facility's compliance with applicable FCC rules and regulations.
18. Site Maintenance. The applicant shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean, and safe condition. Any such equipment, structures, etc., that, in the opinion of the Director, has become worn, weathered, or otherwise degraded, shall be repaired or replaced by the permittee at the permittee's sole expense. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 24 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.
19. Applicant hereby agrees to investigate complaints related to possible interference with electronic equipment in the surrounding area, to determine the cause of the interference. If the facility is determined to be the cause of the electronic interference, applicant shall resolve the issue in a timely manner, to the satisfaction of the Director.
20. Any facility suspected of causing interference with Fire Department or public safety communications shall be immediately taken out of operation and said interference shall be investigated. Should the facility be found to be the cause of the interference, the issue must be resolved prior to recommencing operation of the facility, to the satisfaction of the City of Escondido.
21. The final location of any small wireless facility shall be verified in the field to not interfere with visibility of any traffic control device or signage, or reduce sight distance below City and ASSHTO requirements, to the satisfaction of the City of Escondido prior to commencing operation of the facility.
22. Small wireless facilities installed on or as part of a new or replacement street light shall not be placed in locations subject to future public road widening or in conflict with future planned utility or storm drain infrastructure.
23. No facility shall be expanded, relocated, or otherwise modified without approval of subsequent permits by the City of Escondido.
24. Any application for the modification of an existing facility shall require replacement of any portion of the facility for which a less intrusive design has become available,
25. Any trenching in excess of fifty (50) feet will require a separate encroachment permit including a construction drawings submittal to the Engineering Services Department, and the owner of the proposed underground facilities will be required to execute a one-time Right-of-Way and Maintenance Agreement with the City of Escondido or provide evidence of prior Franchise Agreement rights.

26. Any City infrastructure removed in order to install a small wireless facility shall be so removed in a manner which does not damage said infrastructure, and said infrastructure shall be delivered to the City of Escondido public works yard, as directed by Field Engineering and Public Works staff.
27. Installation of any facility shall be in full compliance with all applicable city, regional, and state design standards and standard drawings.
28. The foundation of any removed street light shall be removed to a depth of at least two feet below finished grade.
29. All street light conduit and wiring splicing shall be reconnected in accordance with the City's standard drawings, to the satisfaction of the city engineer.
30. The applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages which have occurred as a result of construction activities for the facility, to the satisfaction of the city engineer. All curb, gutter, sidewalk and driveway repairs and replacements shall be in accordance with standard drawing G-6-E.
31. The applicant shall be responsible to repair and resurface all trenched roadways per City of Escondido Standard Drawing G-2-E, to the satisfaction of the City Engineer.
32. The applicant or contractor will be responsible to implement Best Management Practices (BMPs) to prevent storm water pollution in accordance with the approved Erosion Control Plan, CASQA Guidelines and City of Escondido Municipal Code during all phases of project construction to the satisfaction of the City Engineer.
33. Erosion and sediment controls, and other storm water pollution control measures, shall be provided to control sediment and silt from construction work areas. The applicant and contractor shall be responsible for maintaining all erosion and sediment controls throughout the construction work.
34. Compliance with Conditions and Laws. The applicant shall comply with all conditions specified. Failure to comply with any condition shall constitute grounds for revocation of the small wireless facility permit. The applicant shall also maintain compliance at all times with all federal, state and local regulations applicable to the permittee, the subject property, and the small wireless facility, which includes without limitation any laws applicable to human exposure to RF emissions. In the event that RF emissions for the site exceed FCC standards, the applicant will be required to immediately cease operation of the facility until such time that the violation is corrected to the satisfaction of the Director. The applicant expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve, or otherwise lessen the permittee's obligations to maintain compliance with all laws.

35. No small wireless facility may encroach into, over, or across any adjacent property line.
36. No encroachment onto adjacent private property shall be allowed during the construction of any small wireless facility without express written consent of the adjacent property owner. This shall include private property owned by the City of Escondido.
37. Small wireless facilities shall be maintained by the permittee(s) and subsequent owners in a manner that implements requirements of the Zoning Code, these Guidelines, and all other applicable standards and permit conditions. Landscaping, painting, and other concealment treatment for any facility shall be maintained as such over time.
38. The applicant shall use all reasonable efforts to avoid any and all unreasonable, undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal or other activities on or about the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Escondido Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent actual, immediate harm to property or persons, or any work during an emergency declared by the City or other state or federal government agency or official with authority to declare a state of emergency within the City. The Director may issue a stop work order for any activities that violate this condition in whole or in part.
39. Applicant's Contact Information. The applicant shall furnish the city engineer with accurate and up-to-date contact information for the person responsible for the small wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times and promptly provide the city engineer with updated contact information if either the responsible person or such person's contact information changes.
40. Indemnification. The applicant, permittee, and any successor-in-interest thereof, shall defend, indemnify and hold harmless the City of Escondido, and its agent's officers or employees, from (1) any claim, action or proceeding against the City, its agents, officers or employees to attack, set aside, void or annul an approval of the City, arising out of or concerning (PHG19-0045, PHG19-0073, PHG19-0074, PHG02-0002 & PHG20-0004) the small cell wireless facility permit, and (2) other claims of any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the small cell wireless facility permit or the small cell wireless facility. In the event the City becomes aware of any claims, the City will use best efforts to promptly notify the permittee and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably

withheld, the legal counsel providing the City's defense, and the permittee shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. Within ten calendar days of the service of a claim, the permittee shall execute a letter of agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. The permittee expressly acknowledges and agrees that such indemnification obligations will survive the expiration, revocation or other termination of this small cell wireless facility permit.

41. **Permit Revocation.** Any permit granted under these Guidelines may be revoked by the Director if the facility is not operating in compliance with these conditions or any applicable federal, state, or local laws.
42. **Abandoned Facilities.** The small wireless facility authorized under this small wireless facility permit shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a small cell wireless facility is abandoned or deemed abandoned, the applicant or support structure owner (if not on a City-owned support structure) shall completely remove the small wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Escondido Municipal Code and Escondido Zoning Code. In the event that neither the applicant or support structure owner (if not on City-owned infrastructure) complies with the removal and restoration obligations under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee and support structure owner (if not on City-owned infrastructure) shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and restoration activities.
43. **Landscaping.** The applicant shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged, destroyed or displaced, the permittee shall hire and pay for a licensed arborist to select, plant and maintain replacement landscaping in the nearest appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be a minimum 24-inch box specimen tree or larger, as determined by the Director, and shall be the same species as the tree which was removed unless determined by the Director that a different species is appropriate for the location. The applicant shall, at all times, be responsible to maintain any replacement landscape features and maintain any new landscaping installed in conjunction with the small wireless facility.
44. **Protected trees.** Any protected trees damaged as a result of the installation of a small wireless facility shall be assessed by a licensed arborist. All recommendations of the licensed

arborist intended to restore the tree shall be carried out by the applicant. Should any protected tree be destroyed or otherwise displaced as a result of the installation of any facility shall be replaced at a ratio recommended by the licensed arborist. This condition shall apply to any protected trees damaged, destroyed or otherwise displaced during construction, operation and removal of any facility if the facility is determined to be the cause of said damage, destruction or displacement.

45. Cooperation with RF Compliance Evaluations. At all times relevant to this permit, the applicant and the property owner (if not on City-owned infrastructure) shall reasonably cooperate with efforts by the City to evaluate whether the facility complies with all applicable FCC rules and regulations for human exposure to RF emissions. Such cooperation shall be at no cost to the City and may include, but not be limited to: (1) furnishing the City with a post-installation assessment report signed by an RF engineer certifying the wireless facility's compliance with applicable FCC rules and regulations; (2) providing technical data such as the frequencies in use, power output levels and antenna specifications, reasonably necessary to evaluate compliance with maximum permissible exposure levels set by the FCC; and (3) promptly responding to all requests by the City or its designee for information and cooperation with respect to any of the foregoing.
46. Future Undergrounding Programs. If other public utilities or communications providers in the public rights-of-way underground their facilities in the segment of the public right-of-way where the applicant's small wireless facility is located, the applicant must underground its equipment except the antennas, any electric meter and any other equipment that must be placed above ground in order to function. Accessory equipment that requires an environmentally controlled underground vault to function are not exempt from this condition. Such undergrounding shall occur at the applicant's sole cost and expense.
47. Small wireless facilities which have been installed on utility poles which are removed as part of a utility undergrounding project, and any facilities that are strand-mounted between such poles, shall be removed by the permittee with no compensation provided by the City or other entity carrying out the undergrounding project. The existence of small wireless facilities shall not prevent the City or other entity from carrying out an undergrounding project. Replacement of the facility shall be subject to a new small wireless facility permit. This condition includes utility poles and lines which are required to be placed underground as a condition of approval of a development project.
48. Small wireless facilities which are required to be removed or relocated as a result of a public works project shall be so removed or relocated at the sole expense of the permittee.
49. Any relocation of a small wireless facility required as a result of public works or utility undergrounding projects shall be processed in the same manner as a new small wireless facility.

50. Electric Meter Upgrades. If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric meter and enclosure, the permittee on its own initiative and at its sole cost and expense shall remove the separate or ground-mounted electric meter and enclosure. Prior to removing the electric meter, the permittee shall apply for any encroachment and other ministerial permit(s) required to perform the removal. Upon removal, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment.
51. All conditions of approval shall be binding as to the applicant and all successors in interest to permittee.
52. Existing City-owned structures on which any small wireless facility is placed shall remain the property of the City. Any new or replacement structures in the right-of-way which are subject to a master license agreement shall become the property of the City of Escondido in the event that an applicant removes or abandons any small wireless facility installed on said structure(s).
53. No additional antennas or expansion of this facility shall be permitted without a modification of the Conditional Use Permit and a public hearing before the Zoning Administrator, or as allowed by the relevant State or Federal law. Minor changes within the approved size and design parameters may be permitted by the Director of Community Development and the Building Division.
54. The City of Escondido hereby notifies the applicant that the San Diego County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). The applicant shall remit to the City of Escondido Planning Division a check payable to the "San Diego County Clerk" in the amount of \$50.00 within two working days of the date of this letter. Per California Environmental Quality Act (CEQA) section 15062, the filing of a Notice of Exemption and the posting with the San Diego County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's determination that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

Engineering Division Conditions

GENERAL NOTES

1. All work to be done in accordance with the standard specifications for public works construction, 2015 edition, effective December 07, 2016 by resolution no. 2016-17 and the design standards and standard drawings of the city of Escondido effective April 02, 2014 by resolution 2014-08, along with any amendments thereto.

2. All contractors working in the public right of way shall obtain a separate encroachment permit from the director of engineering services, inspection of all work is required. Contact the engineering field office at (760) 839-4664 to arrange for encroachment permits and inspection. Twenty-four-hour advance notice is required for inspection. No work shall be performed in the public right of way on Saturdays, Sundays or legal holidays without the express permission of the city engineer.
3. It shall be the responsibility of the contractor to locate all substructures, whether shown or not, and protect them from damage. The expense of repair or replacement of said substructures shall be borne by the contractor.
4. Location and elevation of all existing improvements within the area of work shall be confirmed by field measurement prior to construction of new work. Contractor will make exploratory excavations and locate existing underground facilities sufficiently ahead of construction to permit revisions to plans if revisions are necessary because of actual location of existing facilities.

SMALL WIRELESS FACILITIES

1. All structural calculations shall be provided on plans and stamped by a California registered civil engineer for all facilities mounted to city street light poles and other public infrastructure, front and side elevations sections and attachment details, and detailed site plan showing all existing and proposed facilities.
2. All existing city street light poles to be removed shall be “carefully” salvaged to the Public Works Yard. The pole foundation shall be removed to a minimum depth of 2 (two) feet below finish grade.
3. All existing and new street light poles shall be retrofitted or constructed in accordance with the City of Escondido Design Standards and Standard Drawing E-1-E. This includes the retrofitting of existing street light poles with a new L.E.D. luminaire.
4. All street light conduit and wiring splicing shall be reconnected in accordance with the City’s Standard Drawings E-1-E and to the satisfaction of the Public Works Director.
5. Street light poles installed by the applicant shall have a separate SDG&E power source directly connecting to the small cell facilities, unless prior agreements have been made otherwise. Wireless company shall be responsible for all maintenance and repair cost of the poles, and light fixtures as per the executed agreement.

DIRECTIONAL BORE AND TRENCHING UTILITY NOTES

1. All temporary paving placed by any contractor, subcontractor or utility company shall remain in the public right of way for not more than 30 calendar days on residential streets and 72 hours on arterials, major roads, collectors and local collectors, prior to placement of permanent pavement. All temporary paving placed in the public right of way shall be maintained continuously in accordance with City of Escondido Standard Drawing No. G-3-E.
2. All underground utilities to be installed before construction of curbs, gutters, sidewalks or surfacing of streets.

3. Contractor shall notify utility companies prior to starting work near company facilities and coordinate his work with company representatives. It shall be the responsibility of the developer to contact the utility companies, advise them of the proposed improvements and bear the cost of relocations, if needed.
4. The city may not be able to mark-out all sewer laterals and water services. If any sewer laterals or water services are broken as part of the construction, they will be repaired immediately at the contractor's expense.
5. When a future conflict exists with the fiber optic conduit and cables, they shall be relocated upon the city's request, at the owner's expense.
6. All fiber optic conduit shall be provided with a 6-inch wide strip of polyethylene nonmetallic detection tape one foot over the pipe. In addition, a #12 tracer copper wire shall be installed over all nonmetallic or undetectable conduits to aid in the detection/tracing of underground utility lines.
7. At all points where the proposed conduit trench intersects a pre-existing water main trench, the pre-existing water main trench shall be backfilled with a 1-sack slurry backfill mix up to the top of the existing water main. All trench conduit installations shall conform with City of Escondido Standard Drawing G-2-E Narrow Trench Backfill. Maintain a minimum horizontal clearance of 5 (five) feet from outside of conduit to outside of sewer, water, and storm drain. Maintain a minimum vertical clearance of 1 (one) foot with all conflicts with City of Escondido utilities.
8. All jack and bore conduit installations and related work shall be constructed in accordance with Standard Drawing No. M-3-E. Maintain a minimum horizontal clearance of 5 (five) feet from outside of conduit to outside of sewer, water, and storm drain. Maintain a minimum vertical clearance of 3 (three) feet with all conflicts with City of Escondido utilities.
9. Where applicable, an encroachment permit shall be obtained from CALTRANS and from San Diego County Water Authority for work within their right-of-way and/or easement. Clearance from Rincon, Vallecitos, and/or Valley Center Water District shall be obtained for any work within their service area or waterline facilities. It will be the applicant's responsibility to notify and/or make all arrangements with other agencies or Water Districts as may be necessary for City approval.
10. Any work performed in a public street moratorium area, including trench and bore pits, shall be required to resurface the roadway in accordance with the City's Municipal Code. All other surface treatment shall be per Standard Drawing G-2-E.
11. All new connector handholes and pull boxes shall be installed at the ultimate right-of-way, back of sidewalk, and to the satisfaction of the City Engineer.
12. The applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities for this subject project. All curb, gutter, sidewalk and driveway repairs and replacements shall be in accordance with San Diego Area Regional Standard Drawings.

STORM WATER POLLUTION PREVENTION NOTES

1. Best management practices (BMPS) shall be implemented during all phases of construction in conformance with the City of Escondido's Municipal code. All BMP's shall be installed in accordance with the most recent version of the CASQAS Handbook.
2. Inspection, modification and maintenance of the BMP's shall be implemented as necessary. In the event of failure or refusal to properly maintain the BMP's, the City may issue emergency maintenance work to be completed to protect adjacent private and public property. The cost (including an initial mobilization amount" and any fines assessed to the City shall be charged to the owner of the project.
3. Necessary materials to implement the required BMPs' shall be available on site to facilitate rapid deployment or to repair any BMP failures.
4. City Staff shall be alerted by the contractor, permittee or owner, as needed for emergency work during rainstorms.
5. Run-on flow onto the site shall be properly managed and planned for to prevent failure of BMP's and /or illegal discharges from the project site into the storm drain.
6. Storm drain inlet protection shall be installed at storm drain inlet to prevent sediment from entering the storm drain system.
7. Street sweeping vehicles with vacuums and water tanks shall be used to keep paved streets free of loose soil and/or construction debris.

ZONING ADMINISTRATOR

CASE NUMBER: PHG 19-0057

APPLICANT: Carl Chrisman, Wagner Architecture Group, Inc.

PROJECT LOCATION: 1560 Auto Park Way (APN 232-542-04)

REQUEST: A Modification to a Precise Development Plan for the addition of a 436-SF interior display area at an existing Mazda dealership, along with an exterior façade remodel and interior floor plan remodel. The proposal also includes the adoption of the environmental determination for the project.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: PC (Planned Development- Commercial)

ZONING: PD-C (Planned Development- Commercial)

BACKGROUND/PROJECT DESCRIPTION: The subject property is 1.57 acres in size and is occupied by a Mazda car dealership and service center. It is located within the Escondido Auto Park, which is covered by a Master Development Plan for the park as a whole (Case File No. 80-173-PD), as well as various Precise Development Plans for individual businesses within the park. The original Precise Development Plan to develop the Mazda site was approved under 87-15-PD. The most recent modification to that Precise Development Plan, 2006-15-PD, allowed the enclosure of a covered outdoor area to create approximately 2,152 square feet of additional indoor space for retail display and customer waiting areas.

The project proposes to add a 436-square-foot “jewel box” (an enclosed, windowed display room) at the southwest corner of the existing building. This room would display up to two vehicles at a time (one at floor level, and one on an elevated lift). Glass doors on the west side of the room would allow staff to easily insert and remove vehicles as needed.

The project would also remodel the interior of the existing building to create a floorplan that better suits the dealership’s current needs. The existing floorplan consists of a main showroom and customer lounge at the front of the building, various business functions toward the center of the building (including offices, a reception and sales consulting area, and a service write-up area), and a parts department at the rear of the building. The proposed floorplan would move the reception function closer to the front of the building, and convert the main showroom into a smaller “main studio” for display of for-sale cars, and a “delivery studio” for cars in the process of being

purchased. Offices would remain in the center of the building, but their walls would be reconfigured slightly. In the service write-up area, interior walls would be removed to eliminate the smaller offices and work stations that currently exist, and convert the space to an open format, with a centralized service desk/counter. No changes would be made to the second floor of the building.

Finally, the project would update the exterior façade of the main dealership building with new materials and colors. The main material for the existing building is white stucco, with gray accents. The project would install metal paneling in Winter White and Elegant Black on the front elevation of the main building, as well as on the service canopy that connects the main building to the service building. New windows and a new storefront system would also be installed on the front elevation, including new sliding doors leading into the building's main/delivery studio. Both side elevations (east and west) would be painted in Snowbank (white), with an accent band in Flagstone (gray) along the base of the wall. On the west elevation, a new storefront window system with sliding doors would be installed under the service canopy, to lead into the reconfigured service write-up area. An existing window system near the southwest corner of the building would be replaced with a smaller window and stucco would be used to fill in the gap, to match the surrounding wall. No changes would be made to the rear (north) elevation of the building.

Staff believes the issues are as follows:

1. Whether the proposed "jewel box" addition and façade design are appropriate for the site.
2. Whether adequate parking can be provided on the site to accommodate the proposed expansion.

ENVIRONMENTAL STATUS:

The project is exempt from CEQA in conformance with Section 15301, "Existing Facilities".

REASON FOR STAFF RECOMMENDATION:

1. The proposed changes would support a use that already exists at this location. The dual-level design of the jewel box display area would enable the dealership to display two vehicles within a minimal footprint. The exterior façade change would update the appearance of the building with a neutral palette and with materials common to other dealerships within the Escondido Auto Park (such as metal paneling), while the remodel of the existing interior space would create a floorplan that better suits the needs of the business. The project underwent design review on November 14, 2019, and recommendations from those reviews have been incorporated into the project design and/or designated as conditions of approval.
2. The most recent previous Precise Plan Modification for the Mazda site (2006-15-PD) established a parking requirement of 33 spaces for customer and employee use, based on

the square footages for indoor display, outdoor display, service garage, and storage (no office space was factored into the parking calculations). Since the current project would add a small amount of new floor area to the building (for the jewel box), parking requirements have been recalculated at a ratio of one space per 1,000 square feet for both floors of the main building, one space per 250 square feet for the service garage, and one space per 20 outdoor display spaces. The office spaces and storage spaces within the building were not calculated at the typical ratios of one space per 300 square feet and one space per 800 square feet, respectively, since that would have resulted in an overall parking requirement much higher than what was established under 2006-15-PD, which would have been very difficult for the applicant to satisfy. The project has been conditioned to require the applicant to identify all employee and customer spaces on construction plans and in the field.

Respectfully submitted,

Ann Dolmage

Ann Dolmage
Associate Planner

Exhibits:

- A. Findings of Fact
- B. Conditions of Approval
- C. Location Maps
- D. Project Plans

EXHIBIT “A”
FINDINGS OF FACT
PHG 19-0057

Modification to a Precise Development Plan:

1. The changes to the Precise Development Plan are consistent with the purpose, character, and established development standards of the Master Development Plan for the Escondido Auto Park (City File No. 80-173-PD), approved on December 31, 1980, by the City Council.
2. The said Modification to a Precise Development Plan have been reviewed and the Zoning Administrator concludes and finds, based on the analysis of the project described therein the March 12, 2019 Zoning Administrator staff report, that:
 - a. The location and design of the proposed project is consistent with the goals and policies of the Escondido General Plan. The proposed design modification would not diminish the Quality-Of-Life Standards of the General Plan as the project would not materially degrade the level of service on the adjacent street or public facilities, or create excessive noise. Adequate on-site parking, circulation, and public services would be provided to the site.
 - b. The location and design of the proposed project allows it to be well integrated with its surroundings. The project would add a small amount of floor area to an existing use, and remodel both the interior layout and the exterior appearance of the use. The project site is surrounded by other auto dealerships and related services. The proposed exterior changes would be consistent with the design of other dealerships in the park. The project would not cause deterioration of bordering land uses.
 - c. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion on adjoining streets, according to the Engineering Services Department.
 - d. All public facilities, sewer and water services are existing or would be available to the subject site.
 - e. The project will not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties. The auto dealership building is existing and adjacent to other auto dealerships. The size of the proposed “jewel box” addition would be minimal in relation to the size of the existing building. The proposed exterior façade remodel would produce an attractive design, using quality building materials similar to those used on nearby businesses.
 - f. The proposed Modification to a Precise Development Plan shall have a beneficial effect by providing services needed/requested by the city residents and the business community.

- g. The approval of the Modification to a Precise Plan would be based on sound principles of land use because quality design and adequate parking, circulation, utilities, and access would be provided for the development of the project.

EXHIBIT “B”
CONDITIONS OF APPROVAL
PHG 19-0057

This Project is conditionally approved as set forth on the application received by the City of Escondido on **October 29, 2019**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, and Colored Elevations; all designated as approved on **March 12, 2020**, and shall not be altered without express authorization by the Community Development Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, or its successor(s) in interest, as may be applicable.

A. General:

- 1. Acceptance of Permit.** Should the Applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a.** Acceptance of the Permit by the Applicant; and
 - b.** Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
- 2. Permit Expiration.** The Permit shall automatically expire after one (1) year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

3. Conformance to Approved Plans.

- a.** The operation and/or use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.

- b. Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
 - c. Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Community Development to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.
4. **Limitations on Use.** Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.
5. **Certificate of Occupancy.**
 - a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
6. **Availability of Permit Conditions.**
 - a. The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.
7. **Right to Entry.** The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.
8. **Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

- 9. Fees.** The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.
- 10. Public Partnership Program.** All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
- 11. CEQA - Clerk Recording.**

 - a. Exemption.** The City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Section 15062, the Applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the Project (the final approval being the date of this letter) a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the Project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.
- 12. Legal Description Adequacy.** The legal description attached to the application has been provided by the Applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
- 13. Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that

the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

14. Indemnification. The Applicant shall hold harmless the City, its Council Members, its Commission and Boards, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of any approval or denial of the application and from and against any and all claims, losses, proceedings, damages, causes of action, liabilities, costs and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of Applicant, or their respective contractors, licensees, invitees, agents, sublessees, servants or employees, wherever on or adjacent to the property the same may occur; (ii) any use of the property, or any accident, injury, death or damage to any person or property occurring in, or on or about the property, or any part thereof, or from the conduct of the Applicant or owner's business or from any activity, work or thing done, permitted or suffered by Applicant or owner or its sublessees, contractors, employees, or invitees, in or about the property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of Applicant's or owner's part to be performed under the terms of this Agreement, or arising from any negligence of Applicant or owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, Applicant or owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City. Applicant further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by City in such action(s), including reasonable attorney's fees.

B. Construction, Maintenance, and Operation Obligations:

1. Code Requirements. All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Community Development, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes

governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

2. **Agency License and Permitting.** At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.
3. **Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
4. **Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit, with any sign permit application, a graphic or list of all signs to be removed and retained, along with any new signage proposed.
5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
7. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.
8. **Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.

9. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
10. **Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
11. **Trash Enclosures.** Appropriate trash enclosure(s) or other approved trash system shall be approved by the Planning and Engineering Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
12. **Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
13. **Temporary Trailers.** Temporary trailers may be installed on the project site to house employees displaced by project construction. Temporary trailers require a permit from the Building Division. An improvement agreement shall be recorded and a bond shall be posted with the Community Development Department prior to final occupancy of the trailers, to ensure their timely removal after construction is complete.
14. **Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.

C. Parking and Loading/Unloading.

1. A minimum of 34 parking spaces shall be provided at all times. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.

3. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.

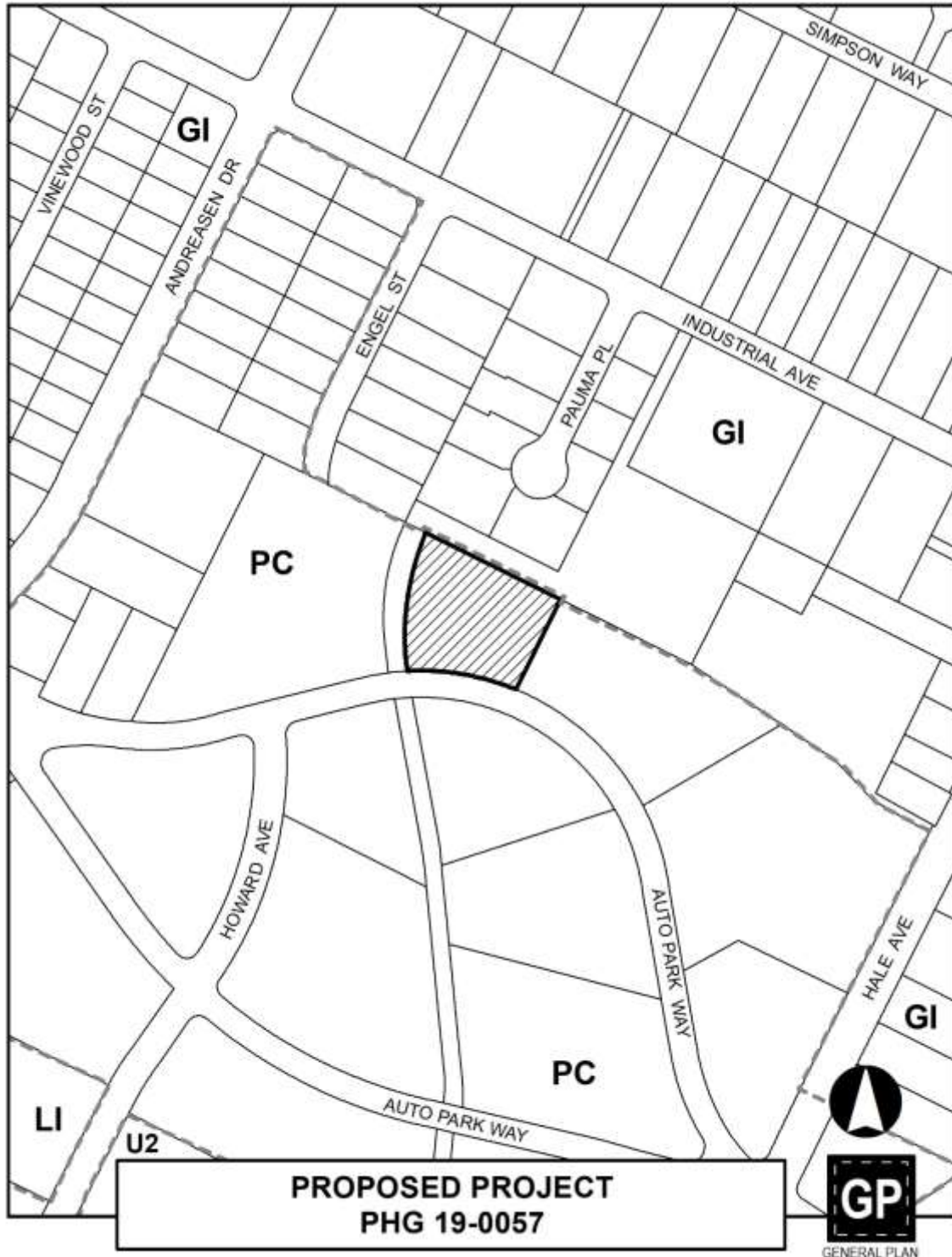
1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.

E. Fire Conditions

1. Fire underground, sprinkler, and alarm plans shall be a deferred submittal to the Fire Department.
2. The fire sprinkler system shall comply with NFPA 13.

EXHIBIT "C"

**LOCATION MAPS
PHG 19-0057**



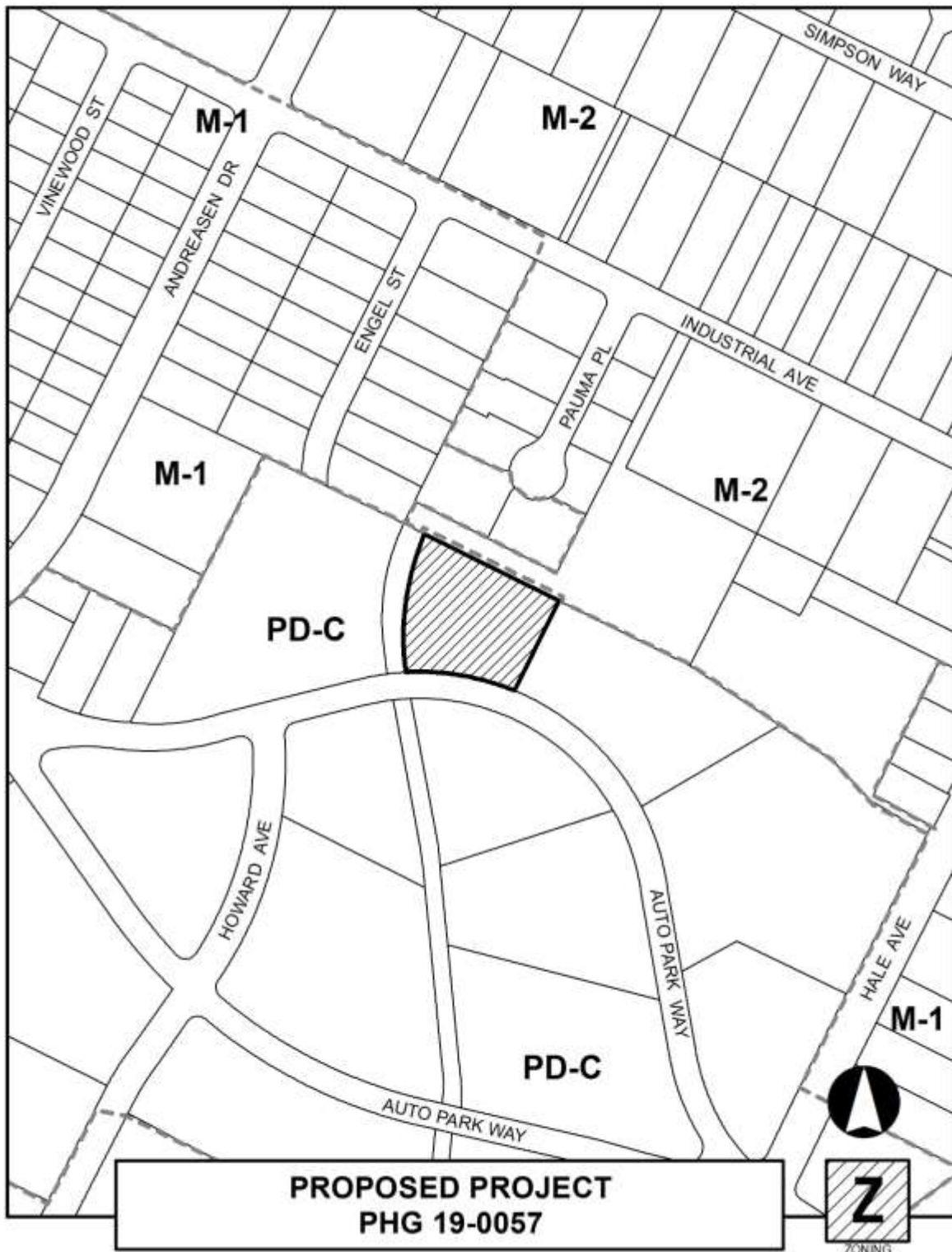


EXHIBIT "D"

**PROJECT PLANS
PHG 19-0057**



Site Plan

GENERAL SITE NOTES

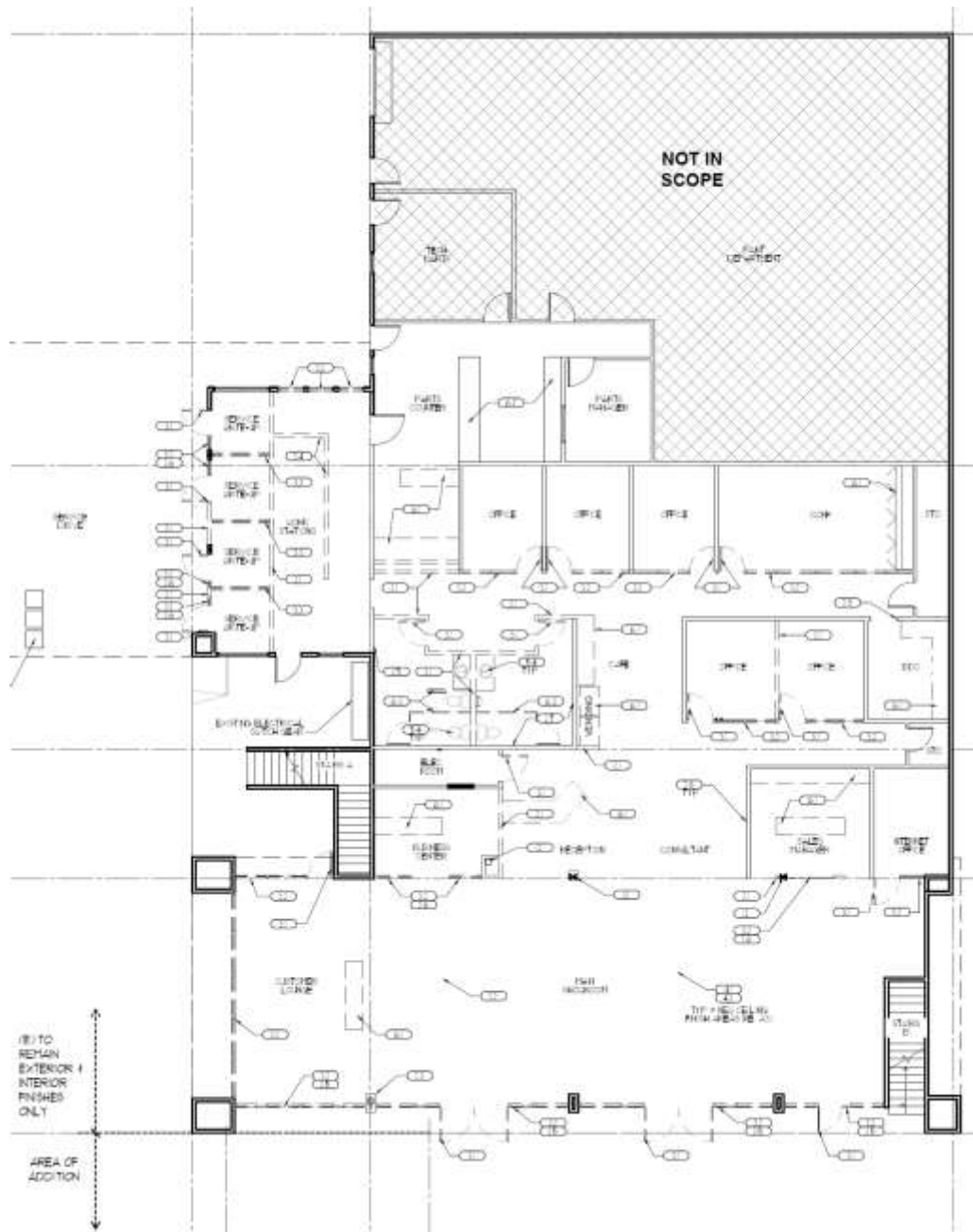
- A. SITE SIZE = 13.91 ACRES
- B. ARCHITECTURAL SITE PLAN FOR REFERENCE ONLY - ALL SITE CONDITIONS ARE EXISTING, NO CHANGES PROPOSED (UNLESS SPECIFICALLY NOTED OTHERWISE)
- C. THIS DRAWING HAS BEEN DEVELOPED FROM ARCHIVE DRAWINGS PROVIDED BY THE OWNER AND MAY NOT REFLECT EXISTING FIELD CONDITIONS, LAND SURVEY OR TOPOGRAPHICAL INFORMATION. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL CONDITIONS.
- D. THE CONTRACTOR SHALL VERIFY WITH OWNER ALL WORK TO BE DONE TO PREPARE THE SITE FOR NEW OR REMODELED CONSTRUCTION. THE CONTRACTOR WILL BE RESPONSIBLE FOR SITE SURVEY, ALL DIMENSIONS, STRUCTURAL CALCULATIONS, DETAILS, ETC. SETBACKS SHALL TAKE ALL NECESSARY PRECAUTIONS TO LOCATE AND PROTECT ANY EXISTING UNDERGROUND OR CONCEALED ELECTRICAL CONDUITS, PLUMBING OR OTHER UTILITIES PRIOR TO COMMENCING ANY WORK ON THE PROJECT. CALL DIG ALERT BEFORE YOU DIG.
- E. IF DISCREPANCIES WITH DIMENSIONS OF SITE PLAN TO FLOOR PLAN AND LOCAL ZONING ORDINANCES CANNOT BE MET, NOTIFY WAGNER, ARCHITECTURE GROUP PRIOR TO COMMENCING ANY WORK.
- F. ALL FINISH GRADES AROUND THE EXTERIOR OF THE STRUCTURE SHALL BE SLOPED TO DRAIN SURFACE WATER AWAY FROM THE STRUCTURE OR STRUCTURES, 5% DRAINAGE AROUND/WAY FROM BUILDING FOR A MINIMUM DISTANCE OF 10 FT. OF BUILDING FOUNDATION (CRC R4013). SURFACE SLOPE OF EXTERIOR PAVING SHALL NOT EXCEED 1/4" PER FOOT (2%) UP TO DOOR'S THRESHOLD FOR A MIN DISTANCE OF 5 FEET OUT FROM ALL EXTERIOR DOOR OPENINGS (CBC SEC. 1003316).
- G. THERE SHALL BE NO GRADING OR PERMANENT STRUCTURES WITHIN THE PUBLIC UTILITY EASEMENTS.
- H. NO TREES OR DEEP ROOTED BUSHES WITHIN 5' OF THE SEWER MAIN.
- I. PROVIDE DCA OR MINIMUM 1" METER, 1" WATER SERVICE AND 1" BACKFLOW PREVENTER FOR NEW FIRE SPRINKLER SYSTEM.
- J. EXISTING DCA'S MUST MEET CURRENT COE WATER STANDARDS.

KEY SITE NOTES







ALL SITE CONDITIONS ARE EXISTING, PREVIOUSLY APPROVED. NO CHANGES PROPOSED (UNLESS SPECIFICALLY NOTED OTHERWISE)

1. CONCRETE PAVING WITH 4'-0" X 4'-0" JOINT PATTERN TO MATCH EXISTING
2. CONCRETE CURB
3. PROPERTY LINE
4. PROPOSED ROLLED CURB & SIDEWALK/ DISPLAY PAD
5. LANDSCAPE LOCATIONS.
6. SIGNAGE. REFER TO EW SIGNAGE BRAND BOOK FOR DIRECTIONAL AND PYLON SIGN REQUIREMENTS.
7. SIDE WALK
8. EXISTING LOW SWING GATES
9. PROPOSED KNOX BOX LOCATION
10. PROPOSED DEDICATED ACCESSIBLE PATH OF TRAVEL
11. PROPOSED DETECTABLE WARNING LOCATION
12. PROPOSED CURBS MARKING FIRE LANES TO BE PAINTED OSHA RED ON TOP AND FACE. 'FIRE LANE' SHALL BE STENCILED ON THE TOP AND FACE WITH 4" WHITE LETTERS SPACED 30" O.C. ON SECTIONS OF CURB LESS THAN 25' ONLY ONE STENCILING OF 'FIRE LANE' NECESSARY ON TOP AND FACE
13. BUILDING ADDRESS, MINIMUM 12 INCH HIGH WITH A MINIMUM 1-1/2 INCH STROKE IN CONTRASTING COLOR TO BACKGROUND
14. PROPOSED BICYCLE RACK
15. PROPOSED FDC/PIV LOCATION. FDC SHALL BE WITHIN 40'-0" OF A HYDRANT
16. PROPOSED FREE STANDING MONUMENT SIGN UNDER SEPARATE PERMIT.
17. EXISTING PALM TREES
18. EXISTING PUBLIC SIDEWALK/ACCESSIBLE SITE ENTRY
19. EXISTING FIRE HYDRANT

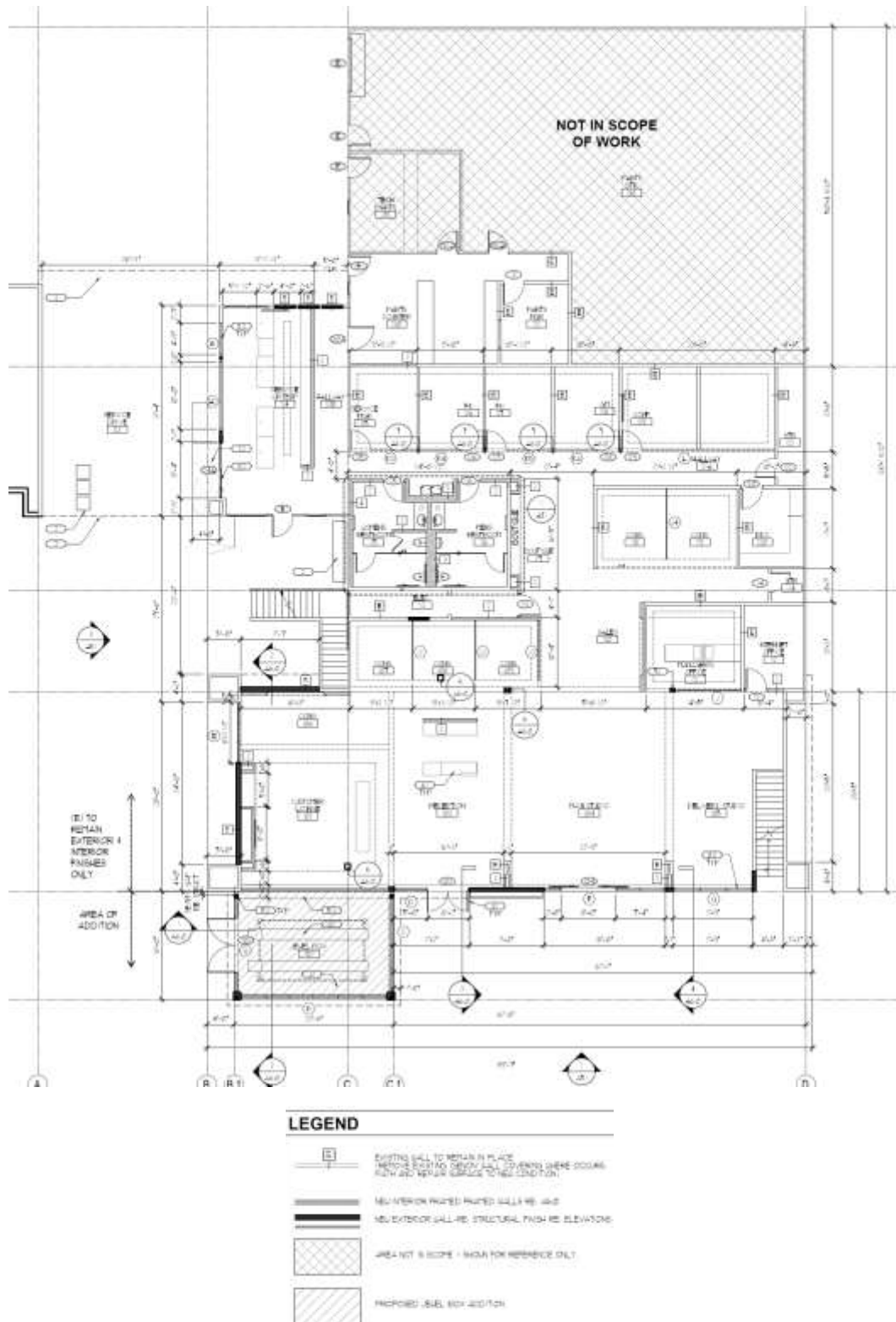
Site Plan- Notes



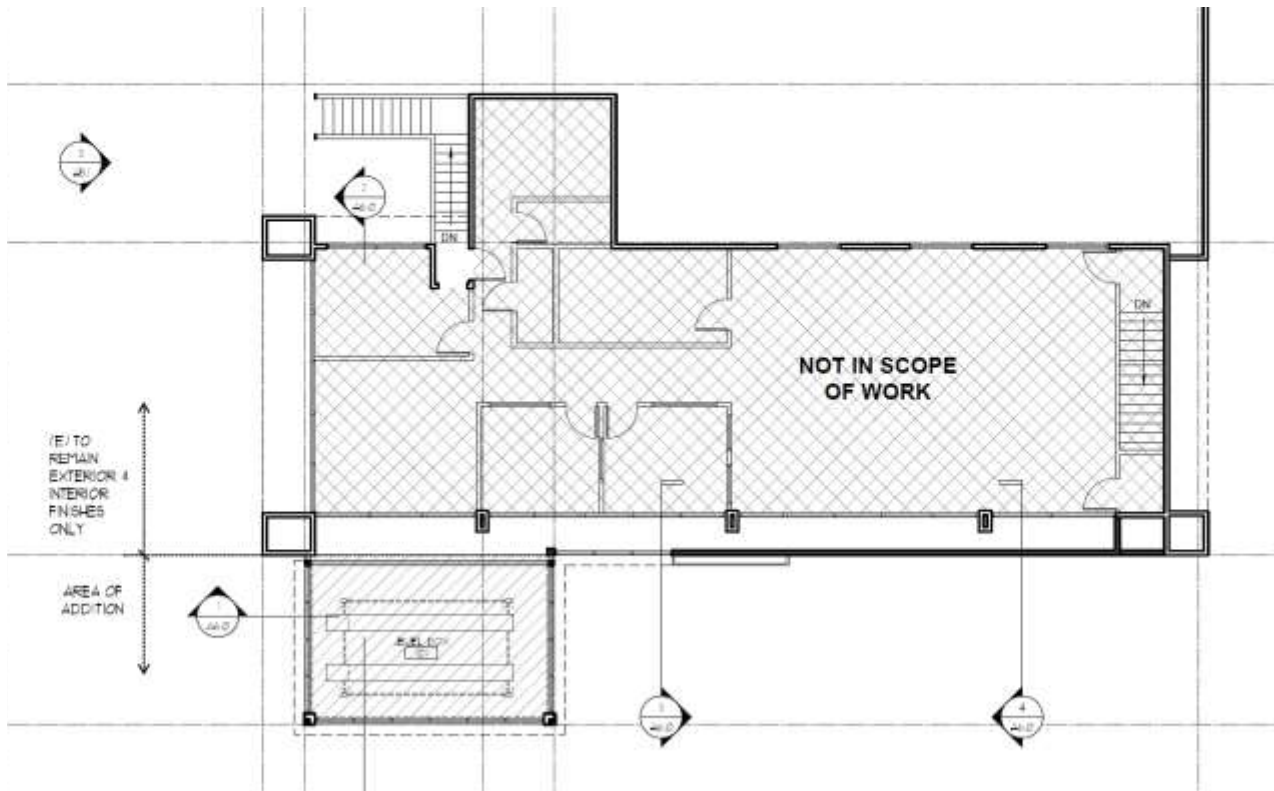
DEMO LEGEND

	(E) WALL TO BE DEMOLISHED		(E) WALL TO REMAIN
	(E) WINDOW/STOREFRONT TO BE DEMOLISHED		(E) WINDOW/STOREFRONT TO REMAIN
	(E) DOOR TO BE DEMOLISHED		(E) DOOR TO REMAIN

Demo First Floor Plan

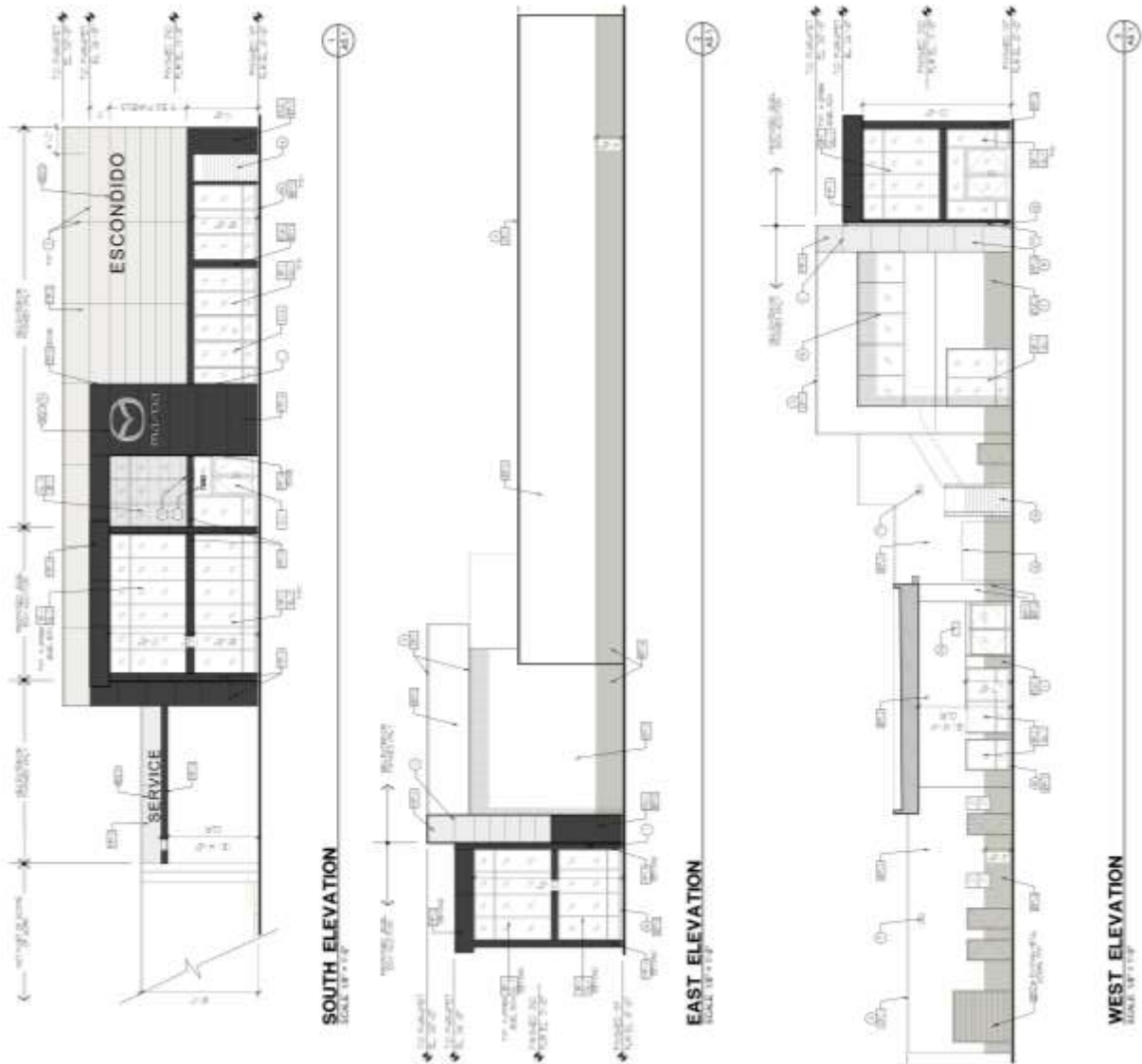


Proposed First Floor Plan



Existing Second Floor Plan (No Change)

Elevations



March 12, 2020
Zoning Administrator Meeting
PHG 19-0057

[illegible]

Elevations- Key



Photos- Existing Exterior



Visual Simulation- Proposed Exterior