

# Council Meeting Agenda

September 14, 2011

CITY COUNCIL CHAMBERS

3:30 p.m. Closed Session; 4:30 p.m. Regular Session  
201 N. Broadway, Escondido, CA 92025

MAYOR	<b>Sam Abed</b>
DEPUTY MAYOR	<b>Marie Waldron</b>
COUNCIL MEMBERS	<b>Olga Diaz</b> <b>Ed Gallo</b> <b>Michael Morasco</b>
CITY MANAGER	<b>Clay Phillips</b>
CITY CLERK	<b>Marsha Whalen</b>
CITY ATTORNEY	<b>Jeffrey Epp</b>
DIRECTOR OF COMMUNITY DEVELOPMENT	<b>Barbara Redlitz</b>
DIRECTOR OF ENGINEERING SERVICES	<b>Ed Domingue</b>

**ELECTRONIC MEDIA:**

Electronic media which members of the public wish to be used during any public comment period should be submitted to the City Clerk's Office at least 24 hours prior to the Council meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Council during the meeting are part of the public record and may be retained by the Clerk.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.



# Council Meeting Agenda

September 14, 2011  
3:30 p.m. Meeting

## Escondido City Council Community Development Commission

### CALL TO ORDER

**ROLL CALL:** Diaz, Gallo, Morasco, Waldron, Abed

### ORAL COMMUNICATIONS

At this time the public may comment on items not appearing on the agenda. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.)

### CLOSED SESSION: (COUNCIL/CDC/RRB)

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
  - a. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Police Officers' Association
  - b. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Escondido Firefighters' Association
  
- II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
  - a. Property: 455 N. Spruce St., 480 N. Spruce St. and 525 N. Quince St.  
Agency Negotiator: Clay Phillips  
Negotiating parties: City and JMI Sports  
Under negotiation: Price and terms of payment

- b. Property: 272 E. Via Rancho Parkway  
Agency Negotiator: Clay Phillips  
Negotiating Parties: City and Westfield Shopping Town, Inc.  
Under negotiation: Price and terms of payment

**ADJOURNMENT**

**September 14, 2011  
4:30 p.m. Meeting**

**Escondido City Council  
Community Development Commission**

**CALL TO ORDER**

**MOMENT OF REFLECTION:**

*City Council agendas allow an opportunity for a moment of silence and reflection at the beginning of the evening meeting. The City does not participate in the selection of speakers for this portion of the agenda, and does not endorse or sanction any remarks made by individuals during this time. If you wish to be recognized during this portion of the agenda, please notify the City Clerk in advance.*

**FLAG SALUTE**

**ROLL CALL:** Diaz, Gallo, Morasco, Waldron, Abed

**PROCLAMATIONS:** National Neighborhood Day  
Pollution Prevention Week  
San Dieguito Riverpark

**ORAL COMMUNICATIONS**

At this time the public may comment on items not appearing on the agenda. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.) *NOTE: Depending on the number of requests, comments may be reduced to less than 3 minutes per speaker and limited to a total of 30 minutes. Any remaining speakers will be heard during Oral Communications at the end of the meeting.*

## CONSENT CALENDAR

Items on the Consent Calendar are not discussed individually and are approved in a single motion. However, Council members always have the option to have an item considered separately, either on their own request or at the request of staff or a member of the public.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES:**     **Regular Meeting of August 10, 2011**  
  **Regular Meeting of August 17, 2011**  
  **Regular Meeting of August 24, 2011**
  
4. **SECOND AMENDMENT TO THE CONSULTING AGREEMENT WITH SCS ENGINEERS FOR REMEDIATION OF THE ORANGE GLEN MARKET SITE** – Request Council authorize the Mayor and City Clerk to execute a second amendment to the Consulting Agreement with SCS Engineers in an amount not to exceed \$330,000 for continued engineering and construction support in the remediation of the Orange Glen Market site.

Staff Recommendation: Approval: **(Engineering Services: Ed Domingue)**

RESOLUTION NO. 2011-98

5. **CITY HOLIDAY CLOSURE SCHEDULE FOR YEAR 2012** – Request Council approve the holiday closure schedule for the year 2012.

Staff Recommendation: Approval **(Human Resources Department: Sheryl Bennett)**

RESOLUTION NO. 2011-119

## CONSENT - RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/CDC/RRB at a previous City Council/Community Development Commission/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

## PUBLIC HEARINGS

6. **MODIFICATION TO MASTER AND PRECISE DEVELOPMENT PLAN FOR 84 RESIDENTIAL UNITS IN THE CITY SQUARE CONDOMINIUM DEVELOPMENT (PHG 11-0009)** - Request Council approve the proposed modification to the Master and Precise Development Plan for the City Square condominium development.

Staff Recommendation: Approval **(Community Development/Planning Department: Barbara Redlitz)**

ORDINANCE NO.: 2011-12 Introduction and First Reading

7. **MODIFICATION TO DEVELOPMENT AGREEMENT FOR TRACT 892 (2004-52-PZ/PD/GE/DA)**

Staff Recommendation: **THIS ITEM HAS BEEN PULLED AND NO ACTION WILL BE TAKEN ON THE ITEM.**

## CURRENT BUSINESS

8. **FISCAL YEAR 2011-2012 AFFORDABLE HOUSING SET-ASIDE BUDGET AND COMMITMENTS REVIEW** – Request Council review all current and on-going commitments of the Affordable Housing Set-Aside Budget.

Staff Recommendation: None **(Housing Division: Jerry VanLeeuwen)**

9. **ADMINISTRATION OF DOWNTOWN BUSINESS IMPROVEMENT DISTRICT** – Request Council provide direction on the administration of fees collected by the City for the Downtown Business Improvement District.

Staff Recommendation: Provide direction to staff **(City Manager's Office: Joyce Masterson)**

10. **2011-2012 CITY COUNCIL ACTION PLAN** – Request Council adopt the 2011-2012 City Council Action Plan.

Staff Recommendation: Adoption **(City Manager's Office: Joyce Masterson)**

## FUTURE AGENDA

11. **FUTURE AGENDA ITEMS** - The purpose of this item is to identify issues presently known to staff or which members of the Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: None (**City Clerk's Office: Marsha Whalen**)

## ORAL COMMUNICATIONS

At this time the public may comment on items not appearing on the agenda. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda.

## COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

## ADJOURNMENT

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
September 21	No Meeting			
September 28	Wednesday	4:30 p.m.	Workshop: Charter City	Mitchell Room
October 5	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
October 12	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
October 19	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers



## TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker's form and give it to the City Clerk. Comments are generally limited to 3 minutes.

If you wish to speak concerning an item *not* on the agenda, you may do so under "Oral Communications." Please complete a Speaker's form as noted above.

Handouts for the City Council should be given to the City Clerk. To address the Council, use the podium in the center of the Chambers, STATE YOUR NAME FOR THE RECORD and speak directly into the microphone.

## AGENDA, STAFF REPORTS AND BACK-UP MATERIALS ARE AVAILABLE:

- Online at <http://www.ci.escondido.ca.us/government/agendas/PublishedMeetings.htm>
- In the City Clerk's Office at City Hall
- In the Library (239 S. Kalmia) during regular business hours and
- Placed in the Council Chambers (See: City Clerk/Minutes Clerk) immediately before and during the Council meeting.

**AVAILABILITY OF SUPPLEMENTAL MATERIALS AFTER AGENDA POSTING:** Any supplemental writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

## LIVE BROADCAST

Council meetings are broadcast live on Cox Cable Channel 19 and U-verse Channel 99 – Escondido Gov TV. They can also be viewed the following Sunday and Monday evenings at 6:00 p.m. on those same channels. The Council meetings are also available live via the Internet by accessing the City's website at [www.escondido.org](http://www.escondido.org), and selecting: City Council/broadcasts of City Council Meetings/live video streaming.

**Please turn off all cellular phones and pagers while the meeting is in session.**

**The City Council is scheduled to meet the first four Wednesdays of the month at 3:30 in Closed Session and 4:30 in Open Session.**

*(Verify schedule with City Clerk's Office)*

**Members of the Council also sit as the Community Development Commission and the Mobilehome Rent Review Board.**

## CITY HALL HOURS OF OPERATION

**Monday-Thursday 7:30 a.m. to 5:30 p.m.**



*If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4641. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.*

*Listening devices are available for the hearing impaired – please see the City Clerk.*

**CITY OF ESCONDIDO**  
**August 10, 2011**  
**3:30 p.m. Meeting Minutes**

**Escondido City Council**  
**Community Development Commission**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council and Community Development Commission was called to order at 3:30 p.m. on Wednesday, August 10, 2011 in the Council Chambers at City Hall with Mayor Abed presiding.

**ATTENDANCE**

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember Michael Morasco, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

**ORAL COMMUNICATIONS**

**CLOSED SESSION: (COUNCIL/CDC/RRB)**

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to recess to Closed Session. Motion carried unanimously.

**I. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)**

- |                      |  |
|----------------------|--|
| a. Property:         | Old Fire Station #3 located at 2165 Village Road (APN 224-610-09). |
| Agency Negotiator:   | Debra Lundy, Real Property Manager                                 |
| Negotiating Parties: | City and Genevieve Bolger, Androusian Armenian and Mark Pierce     |
| Under Negotiation:   | Price and terms of payment   |

**II. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Government Code §54956.9(a))**

- a. Name of case: City v. Shiva-Om, Inc, et al., Case No. 37-2010-00056343-CU-BT-NC

**III. CONFERENCE WITH LEGAL COUNSEL – ANITICIPATED LITIGATION**

- a. Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9(b):  
one case

**ADJOURNMENT**

Mayor Abed adjourned the meeting at 3:55 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**August 10, 2011**  
**4:30 p.m. Meeting Minutes**

**Escondido City Council**  
**Community Development Commission**  
**Mobilehome Rent Review Board**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council, Community Development Commission and Mobilehome Rent Review Board was called to order at 4:30 p.m. on Wednesday, August 10, 2011 in the Council Chambers at City Hall with Mayor Abed presiding.

**MOMENT OF REFLECTION**

**FLAG SALUTE**

Mayor Abed led the flag salute.

**ATTENDANCE**

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember Michael Morasco, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Engineering Services Director; Bob Zornado, Assistant City Clerk; and Liane Uhl, Minutes Clerk.

**PROCLAMATIONS**

Mayor Abed introduced Amir Iravani, NK Towing, who accepted a proclamation for the Five City Topsy Tow Program.

**ORAL COMMUNICATIONS**

**David McKay, Escondido**, indicated he was mistreated when arrested.

**Don Greene, Escondido**, stated he did not support leasing the East Valley Branch Library to an outside agency for private use.

**Charles Taylor, Escondido**, stated the Police were not shown respect at the town meeting on the previous evening.

**Wayne Louth, Escondido**, distributed information and reported on the Patriot Flag which would be coming back to Escondido in September.

## **CONSENT CALENDAR**

Mayor Abed removed item 5, Councilmember Diaz removed items 5 & 8, Councilmember Gallo removed item 12 and Councilmember Morasco removed item 4 from the Consent Calendar for discussion.

**MOTION:** Moved by Councilmember Waldron and seconded by Councilmember Diaz that the following Consent Calendar items be approved with the exception of items 4, 5, 8 and 12. Motion carried unanimously.

- 1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
- 2. APPROVAL OF WARRANT REGISTER (Council/CDC)**
- 3. APPROVAL OF MINUTES: Regular Meeting of June 22, 2011**
  
- 4. TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2011 –**  
Request Council receive and file the April through June, 2011 Treasurer's Report. (File No. 0490-55)

Staff Recommendation: Receive and file (**Treasurer's Office: Kenneth C. Hugins**)

Councilmember Morasco asked for clarification of the report.

Ken Hugins, City Treasurer, indicated the funds were spent by Council decision.

**COUNCIL ACTION:** No action, information only.

- 5. EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MANAGEMENT, UNCLASSIFIED, PART-TIME EMPLOYEES AND ELECTED OFFICIALS –** Request Council approve reducing EPMC for City employees. (File No. 0720-20)

Staff Recommendation: Approval (**Human Resources: Sheryl Bennett**)

- a. RESOLUTION NO. 2011-101**
- b. RESOLUTION NO. 2011-113**
- c. RESOLUTION NO. 2011-114**
- d. RESOLUTION NO. 2011-115R**

**Lisa Prazeau, Escondido**, stated the Council members were not reducing their pensions.

Councilmember Diaz asked for clarification of each resolution.

Sheryl Bennett, Human Resources Director, and Cindy Titgen, Benefits Manager, gave an explanation of each resolution.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Morasco to approve reducing EPMC for City employees to zero and adopt Resolution No. 2011-101, Resolution No. 2011-113 and Resolution No. 2011-114. Motion carried unanimously.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve Resolution No. 2011-115R reducing the City's contribution for elected officials to 4%. Motion carried unanimously.

6. **TIMED PARKING RESTRICTIONS** – Request Council rescind Resolution 2011-46 and approve restricted parking seven days a week at locations previously approved at the July 13, 2011, City Council hearing. (File No. 1050-50)

Staff Recommendation: Approval (**Engineering Services: Ed Domingue**)

**RESOLUTION NO. 2011-111**

7. **FISCAL YEAR 2011 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND BUDGET ADJUSTMENT** - Request Council approve a Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$56,047 from the U.S. Department of Justice; and authorize the Chief of Police and Police Department staff to submit grant documents on behalf of the City; and approve budget adjustments needed to set up and spend grant funds to support front-line law enforcement. (File No. 0480-70)

Staff Recommendation: Approval (**Police Department: Jim Maher**)

8. **FISCAL YEAR 2012 STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY DUI ENFORCEMENT AND AWARENESS PROGRAM GRANT AND BUDGET ADJUSTMENT** – Request Council authorize the Escondido Police Department to accept FY 2012 California Office of Traffic Safety (OTS) DUI Enforcement and Awareness Program Grant funds in the amount of \$262,141; and authorize the Chief of Police to submit grant documents on behalf of the City; and authorize staff to establish budget adjustments to spend additional grant funds. (File No. 0480-70)

Staff Recommendation: Approval (**Police Department: Jim Maher**)

Councilmember Diaz asked how many DUI and saturation checkpoints had been conducted.

Police Lieutenant Tom Albergo indicated that the Office of Traffic Safety had not yet released the 2010 statistics.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Waldron to authorize the Escondido Police Department to accept FY 2012 California Office of Traffic Safety (OTS) DUI Enforcement and Awareness Program Grant funds in the amount of \$262,141; authorize the Chief of Police to submit grant documents on behalf of the City; and authorize staff to establish budget adjustments to spend additional grant funds. Ayes: Abed, Gallo, Morasco, and Waldron. Noes: Diaz. Absent: None. Motion carried.

9. **BID AWARD FOR THE REVISED ASH STREET-CHANNEL PEDESTRIAN BICYCLE PATH UNDERCROSSING** – Request Council authorize the Mayor and City Clerk to execute an agreement with Southland Paving, Inc. in the amount of \$2,042,983 for the construction of the Revised Ash Street-Channel Pedestrian Bicycle Path Undercrossing. (File No. 0600-10 [A-3019])

Staff Recommendation: Approval (**Engineering Services: Ed Domingue**)

**RESOLUTION NO. 2011-96**

10. **BID AWARD FOR THE FIBER OPTIC BACKBONE PROJECT** – Request Council authorize the Mayor and City Clerk to execute an agreement with John Griffin, Inc. in the amount of \$102,276 for the Fiber Optic Backbone Project. (File No. 0600-10 [A-3022])

Staff Recommendation: Approval (**Engineering Services: Ed Domingue**)

**RESOLUTION NO. 2011-106**

11. **NOTICE OF COMPLETION FOR THE AQUA AMMONIA TANK PROJECT** – Request Council authorize the Director of Utilities to file a Notice of Completion for the Aqua Ammonia Tank Project. (File No. 0600-10 [A-2993])

Staff Recommendation: Approval (**Utilities Division: Lori Vereker**)

**RESOLUTION NO. 2011-110**

12. **AWARD OF CONTRACT FOR THE ARCHITECTURAL DESIGN OF HALE AVENUE RESOURCE RECOVERY FACILITY EXPANSION PHASE III ADMINISTRATION BUILDING AND BUDGET ADJUSTMENT** – Request Council authorize the Mayor and City Clerk to execute an agreement with HB&A Architects, Inc. in the amount of \$372,650 for the Architectural Design of the HARRF Phase II Administration Building; and approve a budget adjustment in the amount of \$450,000. (File No. 0600-10 [A-3028])

Staff Recommendation: Approval (**Utilities Division: Craig Whittemore**)

**RESOLUTION NO. 2011-108**

Councilmember Gallo asked why the numbers were different.

Craig Whittemore, Deputy Utilities Director, indicated the difference was for conducting geological studies before the architectural design.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to authorize the Mayor and City Clerk to execute an agreement with HB&A Architects, Inc. in the amount of \$372,650 for the Architectural Design of the HARRF Phase II Administration Building; approve a budget adjustment in the amount of \$450,000 and adopt Resolution No. 2011-108. Ayes: Abed, Gallo, Morasco and Waldron. Noes: None. Absent: Diaz. Motion carried.

13. **BID AWARD FOR THE SECONDARY CLARIFIERS REHABILITATION PROJECT** – Request Council authorize the Mayor and City Clerk to execute an Agreement with Stanek Constructors, Inc. in the amount of \$443,700 for the Secondary Clarifiers Rehabilitation Project at the Hale Avenue Resource Recovery Facility. (File No. 0600-10 [A-3025])

Staff Recommendation: Approval (**Utilities Division: Lori Vereker**)

**RESOLUTION NO. 2011-109**

14. **AWARD BID FOR WATER METERS** – Request Council determine the bid from Aqua Metric Sales to be non-responsive and accept the apparent low bid from HD Supply Waterworks in the amount of \$148,605 as the lowest responsive and responsible bidder. (File No. 0600-10 Misc.)

Staff Recommendation: Approval (**Finance Department: Gil Rojas**)

**RESOLUTION NO. 2011-107**

## CONSENT - RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/CDC/RRB at a previous City Council/Community Development Commission/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

- 15. SHORT FORM RENT INCREASE APPLICATION FOR TOWN AND COUNTRY CLUB PARK –** Request Council approve a rent increase of 50% of the change in the Consumer Price Index for the period of December 31, 2008, to December 31, 2010. This amount equals an average increase of \$5.07 per space per month. (Approved by Council on July 13, 2011, with a vote of 3/2.) (File No. 0697-20-9799)

Staff Recommendation: Approval (**Housing Division: Jerry VanLeeuwen**)

### RESOLUTION RRB 2011-06 (R)

## CURRENT BUSINESS

- 16. REQUEST FOR EXTENSION OF TIME AND FEE WAIVER FOR THE TALK OF THE TOWN CARWASH PROJECT (2004-66-CUP, PHG 11-0015) –** Request Council approve a one-year extension of time for the previously approved Conditional Use Permit for Talk of the Town project on the northwestern corner of Centre City Parkway and Brotherton Road. (File No. 0800-40, 2004-66-CUP, PGH 11--0015)

Staff Recommendation: Approval (**Community Development/Planning: Barbara Redlitz**)

### RESOLUTION NO. 2011-75

Bill Martin, Planning Department, gave the staff report and presented a series of slides.

**Linda Bailey, Applicant's Representative**, explained why the extension was needed.

**Lisa Prazeau, Escondido**, asked Council not to grant the time extension or fee waiver.

**Kimber Allison, Escondido**, presented slides and requested that Council not extend the CUP.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Waldron to approve a one-year extension of time for the previously approved Conditional Use Permit for Talk of the Town project on the northwestern corner of Centre City Parkway and Brotherton Road and adopt Resolution No. 2011-75. Ayes: Abed, Gallo and Waldron. Noes: Diaz. Abstain: Morasco. Motion carried.

- 17. 2013-2020 HOUSING ELEMENT (PHG 11-0028) –** Request Council authorize staff to submit the document to the State Department of Community Development (HCD) for a 60-day review and comment period. (File No. 0875-55)

Staff Recommendation: Approval: (**Community Development/Planning: Barbara Redlitz**)

Jay Petrek, Planning Department, gave the staff report and presented a series of slides.



**Don Greene, Escondido**, suggested the City keep the mobilehome parks safe from sham conversions.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to authorize staff to submit the document to the State Department of Community Development (HCD) for a 60-day review and comment period. Motion carried unanimously.

- 18. LABOR NEGOTIATIONS IMPASSE – ESCONDIDO CITY EMPLOYEES’ ASSOCIATION – ADMINISTRATIVE, CLERICAL AND ENGINEERING BARGAINING UNIT** – Discussion of Impasse options. (File No. 0740-25)

Staff Recommendation: Provide direction to staff (**Human Resources: Sheryl Bennett**)

- a. **RESOLUTION NO. 2011-103**
- b. **RESOLUTION NO. 2011-105**

Sheryl Bennett, Human Resources Manager, gave the staff report and presented a series of slides.

**Dennis Hayes, Attorney**, urged Council to reinstate the four holidays to the ECEA.

**Ralph Ginese, Escondido**, stated the City’s requests were unethical.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Waldron to direct staff to implement the first year, FY 2011-12, of the Management Teams’ Best, Last and Final offer and adopt Resolution No. 2011-103 and Resolution No. 2011-105. Ayes: Abed, Gallo, Morasco and Waldron. Noes: Diaz. Absent: None. Motion carried.

- 19. LABOR NEGOTIATIONS IMPASSE – ESCONDIDO CITY EMPLOYEES’ ASSOCIATION – SUPERVISORY BARGAINING UNIT** – Discussion of Impasse options. (File No. 0740-25)

Staff Recommendation: Provide direction to staff (**Human Resources: Sheryl Bennett**)

- a. **RESOLUTION NO. 2011-104**
- b. **RESOLUTION NO. 2011-112**

Sheryl Bennett, Human Resources Manager, gave the staff report.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Waldron to direct staff to implement the first year, FY 2011-12, of the Management Teams’ Best, Last and Final offer and adopt Resolution No. 2011-104 and Resolution No. 2011-112. Ayes: Abed, Gallo, Morasco and Waldron. Noes: Diaz. Absent: None. Motion carried.

## **FUTURE AGENDA**

- 20. FUTURE AGENDA ITEMS** - The purpose of this item is to identify issues presently known to staff or which members of the Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: None (**City Clerk’s Office: Marsha Whalen**)

Councilmember Gallo asked when the sign ordinance would be scheduled. Barbara Redlitz, Community Development Director, indicated this would be included in the Council Action Plan on Image and Appearance scheduled on the August 17, 2011 agenda.

Councilmember Diaz asked when the Charter City would be on the agenda. Councilmember Waldron indicated an informal workshop was scheduled on September 28, 2011.

**ORAL COMMUNICATIONS**

None

**COUNCIL MEMBERS COMMITTEE REPORTS/COMMENTS/BRIEFING**

Councilmember Waldron indicated the Regional Solid Waste Association (RSWA) discussed household hazardous waste education and information outreach and gave a check to the City Clerk for the Recycling Fund in the amount of \$1,000.

Mayor Abed indicated The Sound of Music was scheduled at Kit Carson Park on Thursdays, Fridays and Saturdays at 8:00 p.m. August 5-27, 2011. Tickets are available at [www.patioplayhouse.org](http://www.patioplayhouse.org).

**ADJOURNMENT**

Mayor Abed adjourned the meeting at 8:38 p.m.

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MAYOR

\_\_\_\_\_  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIO**  
**August 17, 2011**  
**3:30 p.m. Meeting Minutes**

**Escondido City Council**  
**Community Development Commission**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council and Community Development Commission was called to order at 3:30 p.m. on Wednesday, August 17, 2011 in the Council Chambers at City Hall with Mayor Sam Abed presiding.

**ATTENDANCE**

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember Michael Morasco, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

**ORAL COMMUNICATIONS**

**CLOSED SESSION: (COUNCIL/CDC/RRB)**

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Gallo to recess to Closed Session. Motion carried unanimously.

- I. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
- a. Property: 455 Quince Street  
Agency Negotiators: Charlie Grimm  
Negotiating parties: City and Wickline Bedding  
Under negotiation: Price and terms of payment
  - b. Property: 525 Quince Street  
Agency Negotiators: Charlie Grimm  
Negotiating parties: City and Salvation Army  
Under negotiation: Price and terms of payment
- II. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))**
- a. City of Escondido v. AT&T Services, Inc., et al., Case No. 37-2010-00060712-CU-BC-NC

**ADJOURNMENT**

Mayor Abed adjourned the meeting at 3:50 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**August 17, 2011**  
**4:30 p.m. Meeting Minutes**

**Escondido City Council**  
**Community Development Commission**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council and Community Development Commission was called to order at 4:30 p.m. on Wednesday, August 17, 2011 in the Council Chambers at City Hall with Mayor Abed presiding.

**MOMENT OF REFLECTION**

**FLAG SALUTE**

Mayor Abed led the flag salute.

**ATTENDANCE**

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember Michael Morasco, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

**PROCLAMATIONS**

Mayor Abed introduced Coach Dennis Snyder who accepted a proclamation for Heritage K-8 Charter School.

**ORAL COMMUNICATIONS**

**Roy Garrett, Escondido**, asked Council to re-open the East Valley Branch Library and not lease it to a private entity.

## CONSENT CALENDAR

Mayor Abed removed items 4 and 5 from the Consent Calendar for discussion.

**MOTION:** Moved by Councilmember Waldron and seconded by Councilmember Morasco that the following Consent Calendar items be approved with the exception of items 4 and 5. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES: None Scheduled**
  
4. **BALLPARK-BUSINESS PARK BUDGET ADJUSTMENT** – Request City Council and the Community Development Commission approve a budget adjustment that will place \$118,285 into the Community Development Commission (CDC) budget for ongoing consulting services pertaining to the development of a minor league ballpark or business park. (File No. 0430-80)

Staff Recommendation: Approval (**City Manager's Office: Joyce Masterson**)

Councilmember Gallo asked for clarification of the difference between a report for a ballpark and a report for a business park.

Joyce Masterson, Assistant to the City Manager, indicated a consultant was needed to amend the redevelopment plan to include a business park. The other budget adjustments were for environmental studies for relocation of the Public Works Yard and the newly acquired property at 480 N. Spruce.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve a budget adjustment that will place \$118,285 into the Community Development Commission (CDC) budget for ongoing consulting services pertaining to the development of a minor league ballpark or business park. Motion carried unanimously.

5. **ESTABLISHING THE PROPERTY TAX RATE AND FIXED CHARGE ASSESSMENTS FOR GENERAL OBLIGATION BONDED INDEBTEDNESS** – Request Council establish the property tax rate and fixed charge assessments for bonded indebtedness for the Fiscal Year 2011-12. (File No. 0440-35)

Staff Recommendation: Approval (**Finance Department: Gil Rojas**)

### RESOLUTION NO. 2011-100

Councilmember Gallo indicated that taxes were going down.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to establish the property tax rate and fixed charge assessments for bonded indebtedness for the Fiscal Year 2011-12 and adopt Resolution No. 2011-100. Motion carried unanimously.

## CONSENT - RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)

None

## CURRENT BUSINESS

6. **APPROVAL OF THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM AND ENFORCEABLE OBLIGATION SCHEDULE** – Request Council consider and adopt ordinances providing for a voluntary alternative redevelopment program, including an enforceable obligation schedule, and thereby permit the continued existence and operation of the Redevelopment Agency of the City of Escondido. (File No. 0860-20)

Staff Recommendation: Approval (**Finance Department: Gil Rojas**)

- a. **ORDINANCE NO. 2011-11R – Introduction and First Reading**
- b. **ORDINANCE NO. 2011-13R – Urgency Ordinance**

Gil Rojas, Finance Director, gave the staff report and presented a series of slides.

**Doris Payne-Camp, SD Housing Federation**, urged Council to participate in the voluntary program.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to adopt Emergency Ordinance 2011-13R, which is effective immediately, and Ordinance 2011-11R, to include the additional language in Section 4 of both Ordinances to read: "In the event a stay is issued, this Ordinance will not be effective until the stay is lifted"; and permitting the continued existence and operation of the Redevelopment Agency of the City of Escondido; authorize staff to use \$3.5 million of fiscal year 2011-12 Housing Set-Aside Funds as well as General Fund monies to make payment to the State; authorize General Funds to assist the Agency in cash flow for bond and tax sharing payments in September and October (these cash advances will be paid back by June 30, 2012); and approve the Enforceable Obligations Schedule as presented in the staff report. Motion carried unanimously.

## WORKSHOP

7. **PRELIMINARY CITY COUNCIL ACTION PLAN – EMBRACE DIVERSITY** – Request Council provide direction regarding proposed content for the Embrace Diversity element of the 2011-2012 City Council Action Plan. Continued from June 22, 2011. (File No. 0610-95)

Staff Recommendation: Provide direction to staff (**City Manager's Office: Joyce Masterson and Human Resources: Sheryl Bennett**)

Joyce Masterson, Assistant to the City Manager, and Sheryl Bennett, Human Resources Director, gave the staff report and presented a series of slides.

**Mark Skok, Escondido**, indicated the Council should ask the Latino Community what they would like for the City.

**Iris Mendoza, Escondido**, urged Council to have more communication with the Latino Community.

**COUNCIL ACTION: Provided direction to staff.**

8. **PRELIMINARY CITY COUNCIL ACTION PLAN – IMAGE AND APPEARANCE** – Request Council provide direction regarding proposed content for the Image and Appearance element of the 2011-2012 City Council Action Plan. (File No. 0610-95)

Staff Recommendation: Provide direction to staff (**City Manager's Office: Joyce Masterson and Community Development/Planning: Barbara Redlitz**)

Joyce Masterson, Assistant to the City Manager, and Barbara Redlitz, Community Development Director, gave the staff report and presented a series of slides.

**Carol Rea, Escondido**, indicated the Design Review Board was critical to the image and appearance of the City and should not be eliminated.

**Kevin Niems Escondido**, urged Council to allow feather flags.

**COUNCIL ACTION: Provided direction to staff.**

## **FUTURE AGENDA**

9. **FUTURE AGENDA ITEMS** - The purpose of this item is to identify issues presently known to staff or which members of the Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: None (**City Clerk's Office: Marsha Whalen**)

## **ORAL COMMUNICATIONS**

**Ann McDonald, Escondido**, indicated the newspaper didn't have enough news on Escondido.

## **COUNCIL MEMBERS COMMITTEE REPORTS/COMMENTS/BRIEFING**

Councilmember Gallo noted the passing of Ted Verdugo and wished Happy Birthday to Julie Abbott.

Councilmember Diaz asked staff give her a report on the fines for late BID fees.



**ADJOURNMENT**

Mayor Abed adjourned the meeting at 7:50 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**August 24, 2011**  
**4:30 p.m. Meeting Minutes**

**Escondido City Council**  
**Community Development Commission**  
**Mobilehome Rent Review Board**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council, Community Development Commission and Mobilehome Rent Review Board was called to order at 4:30 p.m. on Wednesday, August 24, 2011 in the Council Chambers at City Hall with Mayor Abed presiding.

**MOMENT OF REFLECTION**

**FLAG SALUTE**

Mayor Abed led the flag salute.

**ATTENDANCE**

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember Michael Morasco, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

**ORAL COMMUNICATIONS**

**Andrea France, Escondido**, invited Council to attend the NAACP Blue and Gold event to be held at the California Center for the Arts, Escondido on October 29, 2011.

**Wayne Louth, Escondido**, distributed information and invited the Council to attend the Patriot Flag Retirement event on October 2, 2011 at the American Legion Post 149.

**CONSENT CALENDAR**

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz that the following Consent Calendar items be approved. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES: Regular Meeting of July 13, 2011**
4. **AGREEMENT BETWEEN THE CITY OF ESCONDIDO AND JEFF KATZ ARCHITECTURE FOR ARCHITECTURAL SERVICES FOR FIRE STATION #4** – Request Council authorize the Mayor and City Clerk to execute a contract with Jeff Katz Architecture for \$200,000.00 for the reconstruction of Fire Station #4. (File No. 0600-10 [A-3029])

Staff Recommendation: Approval (**Fire Department: Michael Lowry**)

**RESOLUTION NO. 2011-117**

5. **PURCHASE OF UNLEADED FUEL** – Request Council authorize the purchase of unleaded fuel for the City fleet in the amount of \$260,000.00, through a cooperative purchase agreement with the City of San Diego, pursuant to Municipal Code Section 10-90. This fuel will be purchased from The SOCO Group Incorporated. (File No. 0470-25)

Staff Recommendation: Approval (**Community Services/Fleet Services: Jerry Van Leeuwen**)

**CONSENT - RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)**

The following Resolutions and Ordinances were heard and acted upon by the City Council/CDC/RRB at a previous City Council/Community Development Commission/Mobilehome Rent Review meeting. (The titles of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

6. **ADOPTION OF THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM AND ENFORCEABLE OBLIGATION SCHEDULE** – Approved on August 17, 2011, with a vote of 5/0. (File No. 0860-20)

**ORDINANCE NO. 2011-11 (R) Adoption and Second Reading**

**PUBLIC HEARINGS**

7. **SHORT-FORM RENT INCREASE APPLICATION FOR CASA GRANDE MOBILE ESTATES**  
Request Council approve a rent increase of 75% of the change in the Consumer Price Index for the period from December 31, 2008, to December 31, 2010, in the amount of \$6.31 per space per month. (File No. 0697-20-9800)

Staff Recommendation: Approval: (**Housing Division: Jerry VanLeeuwen**)

**RESOLUTION NO. RRB 2011-07**

Michelle Henderson, Housing Division, gave the staff report and presented a series of slides.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

**Don Greene, Escondido**, presented a series of slides and asked Council to reduce the rent increase amount to 40% of CPI.

**Sue Pebley, Park Owner**, indicated she had a good relationship with the residents and asked Council to grant the rent increase.

**Phil Soumerai, Escondido**, stated he did not want a rent increase.

Mayor Abed asked if anyone else wanted to speak on this issue in any way. No one asked to be heard. Therefore, he closed the public hearing.

**MOTION:** Moved by Councilmember Waldron and seconded by Councilmember Gallo to approve the short-form rent increase and adopt Resolution No. RRB 2011-07. Motion carried unanimously.

## **FUTURE AGENDA**

- 8. FUTURE AGENDA ITEMS** - The purpose of this item is to identify issues presently known to staff or which members of the Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: None (**City Clerk's Office: Marsha Whalen**)

Councilmember Waldron indicated the workshop discussion on the Charter City was scheduled for Wednesday, September 28, 2011 at 4:30 p.m. in the Mitchell Room. Councilmember Diaz stated this workshop would take place in lieu of the regularly scheduled Council Meeting in Council Chambers.

## **ORAL COMMUNICATIONS**

None

## **COUNCIL MEMBERS COMMITTEE REPORTS/COMMENTS/BRIEFING**

Councilmember Diaz stated the Escondido Police Athletic League (PAL) was holding a fundraising basketball game on Saturday, August 27, 2011 at Calvin Christian High School starting at 3:30 p.m.

Mayor Abed indicated SANDAG was buying the Highway 125 Toll Road in Otay Mesa and the California Center for the Arts, Escondido was partnering with the City on a 9/11 Memorial Event on Sunday, September 11, 2011.

**ADJOURNMENT**

Mayor Abed adjourned the meeting at 5:48 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MINUTES CLERK



There is no material for this agenda item

**THE FOLLOWING ITEM(S) WILL BE DISTRIBUTED WHEN AVAILABLE:**

**Staff Report: Second Amendment to Consulting Agreement for Remediation of the Orange Glen Market Site**

**Resolution No. 2011-98**

Ordinance No.

Exhibits/Attachments

**CITY COUNCIL**

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ file No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 5**  
**Date: September 14, 2011**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Sheryl Bennett, Director of Human Resources

**SUBJECT:** Year 2012 Holidays

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2011-119 to designate the days that City offices will be closed in the year 2012 for holiday observances.

FISCAL ANALYSIS:

None

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

Not applicable.

PREVIOUS ACTION:

Each year the City Council adopts a resolution, as required by State law, to designate the days that City offices will be closed for holiday observances.

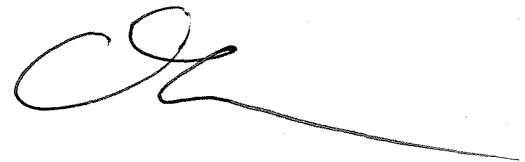
BACKGROUND:

Holidays are considered to be an employee benefit and are, therefore, a part of the negotiation process with our various bargaining units. There are ten recognized holidays each year.

Respectfully submitted,



Sheryl Bennett  
Director of Human Resources



Clay Phillips  
City Manager

RESOLUTION NO. 2011-119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, DESIGNATING HOLIDAYS ON WHICH CITY OFFICES SHALL BE CLOSED FOR CALENDAR YEAR 2012

WHEREAS, Section 6700 of the California Government Code designates days that are holidays in the State; and

WHEREAS, Section 6702 of the California Government Code provides that City offices shall be closed on designated State holidays unless otherwise provided by the City; and

WHEREAS, this City Council desires and deems it to be in the best public interest to designate those holidays on which City offices will be closed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the public offices of the City shall be closed on the following dates in observance of indicated holidays except with respect to offices that are required to be left open for reasons of public safety:

January 1, 2012	New Year's Day (Observed Monday, January 2, 2012)
January 16, 2012	Martin Luther King, Jr. Day
February 20, 2012	Presidents' Day
May 28, 2012	Memorial Day
July 4, 2012	Independence Day
September 3, 2012	Labor Day
November 11, 2012	Veterans Day (Observed Monday, November 12 , 2012)
November 22, 2012	Thanksgiving Day
November 23, 2012	Day After Thanksgiving (Float Holiday due to Dark Friday)
December 25, 2012	Christmas Day



# CITY COUNCIL

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 6**  
**Date: September 14, 2011**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Barbara J. Redlitz, Director of Community Development  
**SUBJECT:** Modification to Master and Precise Development Plan for 84 Residential Units in the City Square Condominium Development (PHG 11-0009)

STAFF RECOMMENDATION:

It is requested that Council introduce Ordinance No. 2011-12 approving the proposed modification to the Master and Precise Development Plan for the City Square condominium development.

PLANNING COMMISSION RECOMMENDATION:

On August 9, 2011, the Planning Commission voted 6-0 (Caster absent) to recommend approval of the proposed modification to the Master and Precise Development Plan.

PROJECT DESCRIPTION:

A modification to the Master and Precise Development Plan (2005-28-PD) for the City Square residential condominium development to revise the architecture and building layout for the remaining 84 condominium units approved as part of Escondido Tract 921. The building design would change from linear buildings with a mix of three and four-stories and tandem garages, to building clusters with three-story townhomes and attached, side-by-side garages. A mix of two and three-bedroom units would be provided with unit sizes ranging from approximately 1,105 to 1,477 square feet. No changes are proposed to the two existing residential buildings on the site that were constructed under the original planned development. Proposed architectural features and building materials for the new buildings would be compatible with the two existing buildings, and the proposed building colors would match the existing colors.

LOCATION:

The proposed modification area includes the southern approximately 3.18 acres of the 3.65-acre City Square site that is located on the southern side of Second Avenue, between Centre City Parkway and Orange Street, addressed as 313 S. Orange Street.

FISCAL ANALYSIS:

None

GENERAL PLAN ANALYSIS:

The General Plan land use designation on the subject site is SPA #9 (Specific Planning Area #9), which encompasses the Downtown area. The SPA designation allows high-density residential, retail, commercial, service and mixed uses. The Interim Downtown Specific Plan establishes permitted land uses, residential densities and development standards for each of the districts in the specific plan area.

ENVIRONMENTAL REVIEW:

A Mitigated Negative Declaration, City Log No. ER 2005-20, was issued on July 14, 2005, for the 102-unit, City Square condominium development. Mitigation measures were developed to ensure the proper handling and removal of any asbestos containing materials during the demolition of buildings that previously existed on the site. Pursuant to CEQA Section 15162, no additional environmental review need be prepared for the subsequent changes proposed by the project since there are no substantial changes in the project that require major revisions to the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.

BACKGROUND:

The 102-unit City Square condominium development was approved by the City Council on August 17, 2005. Project entitlements included a one-lot Tentative Map, Preliminary, Master and Precise Development Plan and a Specific Plan Amendment to allow ground-floor residential development in the Professional Office District of the Downtown Specific Plan. A final map recorded a year later, and Barratt American constructed two of the eight approved buildings adjacent to Second Avenue. The Barratt building designs included three and four-story row-house designs with double-stacked floor plans and tandem garages that received a mixed reception in the marketplace. Barratt was discussing with city staff the possibility of retrofitting elevators into some unit designs when the company was overcome by financial difficulties and future phases of the project stalled. The existing 18 units were purchased by separate owners and most appear to be occupied. The remaining vacant property approved for 84 additional units eventually lapsed into foreclosure and was ultimately purchased by the applicant.

The applicant is now proposing to address some of the design issues that confronted the previous owner by modifying the Master and Precise Development Plan to change the project to a three-story townhome design using complimentary contemporary architecture. Floor plans have been simplified, more buildings with fewer units have been grouped in clusters instead of a linear arrangement, landscaped courtyards have been incorporated into the common areas, and tandem garages have

been eliminated in favor of standard two-car garages. No changes are proposed to the number of condominium units in the development as shown on the approved tentative and final maps.

PLANNING COMMISSION RECOMMENDATION AND SUMMARY:

On August 9, 2011, the Planning Commission voted 6-0 to recommend approval of the proposed modification to the Master and Precise Development Plan. The commission was supportive of the proposed changes to the building layout, architecture, and the elimination of tandem garages noting the changes resulted in a better project. The Planning Commission recommendation for approval included several revisions to the conditions suggested by staff, as well as a suggestion to enhance the project by shifting the development several feet west away from Orange Street.

The modified conditions primarily corrected typos that had been carried over from the previous project approval. One notable change to the Engineering conditions (Water Supply No. 3) provided an option allowing the applicant to refurbish a 50-year-old, off-site water main that crosses Centre City Parkway instead of replacing the entire pipe. The applicant still had concerns about the need for the off-site improvement, and requested to be relieved of the entire condition or at least be reimbursed for the work. The Planning Commission modified the condition as recommended by the Engineering Division to allow refurbishment, but suggested the applicant and staff should discuss the possibility of reimbursement.

Much of the discussion during the Planning Commission meeting involved the design and placement of the two buildings along Orange Street. The two buildings on Orange Street are designed in a linear form and contain a total of 18 units. Staff had suggested a modification to the conditions to require a wall or railing around the elevated stoop entries to enhance the sense of separation and security from the nearby sidewalk, and encourage residents to actively use the stoop area. The Planning Commission concurred with staff's approach to create separation, but felt a wall would not be appropriate and opted for railing instead. Several commissioners also commented that the placement of the buildings seemed too close to Orange Street and suggested the entire development should be shifted several feet west to increase the setback along Orange Street. Although not specifically added as a condition, it was suggested that this alternative should be considered by the applicant. The applicant has since noted that shifting the development as suggested would cause conflicts with existing easements and underground utilities, including a large storm drain pipe and water mains, resulting in significant additional cost.

ANALYSIS:

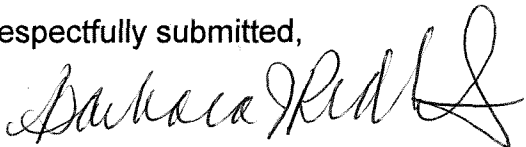
Development standards in the Southern Gateway District include a maximum height of 57 feet, no side or rear yard setback requirements, a maximum dwelling unit density of 45 units per acre, a requirement for 300 SF of open space per unit, and standard multi-family parking ratios. The proposed revisions to the remaining portion of the City Square development would be consistent with these standards. The maximum building height is proposed to be 37 feet, side and rear yard setbacks range from 0 feet to five feet, the proposed density remains 28 dwelling units per acre, a total of 49,293 SF of open space will be provided which equals 483 SF per unit, and the amount of parking provided exceeds multi-family requirements based on the number of two-bedroom and three-bedroom units proposed.

The two existing Barratt-designed buildings incorporate a contemporary "row-house" architecture, with stucco and "hardiplank" siding, balconies with steel railings, a mix of flat roofs with parapets and sloping shed roofs with exposed rafter tails, metal canopies, white vinyl windows, and deep earth tone building colors. All residential units have private balconies and two units share entrance foyers on the ground floor. More than half of the units in the original design were proposed to front on a landscaped pedestrian paseo.

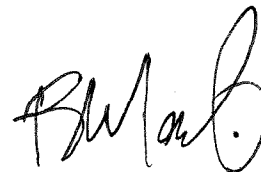
The proposed revision to the site design and architecture takes the same number of remaining units and groups them into smaller building clusters that incorporate a contemporary townhome style of architecture. Fire access is provided by a circular loop through the site with vehicle courts branching from loop driveway. All tandem garages have been eliminated in favor of traditional two-car garages; and the double-stacked floor plans have been simplified to two floors of living area directly above the garage and entryway. Proposed architectural forms are similar to the existing buildings in that block forms with varying wall planes and articulated building heights are still proposed. A mix of flat roofs and sloping shed roofs with exposed rafter tails are provided on all the proposed buildings to maintain continuity with the existing buildings. Each proposed unit has at least one exterior balcony on the second or third floor. All units fronting on Orange Street have elevated stoop entries. Similar building materials are also incorporated into the revised design including stucco wall surfaces and horizontal lap siding, metal canopies and steel balcony railings. The applicant will enhance compatibility by incorporating the same rust, gold, gray and taupe color palette for the new buildings as well.

The open space paseo that ran through the center of the previous design has been replaced by a series of interconnected courtyards surrounded by residential units. At least 55 of the proposed 84 units will front on a substantial common open space area. On June 9, 2011, the Design Review Board reviewed the proposal for the second time and commended the applicant on the proposed design and response to their previous comments. The board voted 6-0 to recommend approval of the proposed modification to the Master and Precise Development Plan.

Respectfully submitted,



Barbara J. Redlitz  
Director of Community Development



Bill Martin  
Principal Planner

PLANNING COMMISSION MINUTES

8/9/11

LOCATION: New Life Presbyterian Church, 615 W. Citracado Parkway (APN 238-110-37).

Jay Paul, Associate Planner, referenced the staff report and noted that staff recommended approval based on the following: 1) The proposed project would be consistent with the Communication Antennas Ordinance since the antenna panels would be located within an existing tower feature that was designed to accommodate wireless facilities, and any additional support equipment would be placed within an existing enclosure area. The facility would not result in any adverse visual impacts since the antenna panels would be completely screened within an existing structure rather than construction of an additional structure; the facility was located on a non-residential site in a residential zone that was sufficient in size to support the facility without negatively impacting adjacent properties; and the facility would be in conformance with FCC emission standards; and 2) The proposed facility would not result in a potential health hazards to nearby residents since the Radio Frequency (RF) study prepared for the proposed project indicated the facility would be within maximum permissible exposure (MPE) limits and Federal Communication Commission(FCC) standards.

**ACTION:**

Moved by Commissioner Winton, seconded by Commissioner Weber, to approve staff's recommendation. Motion carried unanimously. (6-0)

**2. MODIFICATION TO MASTER AND PRECISE DEVELOPMENT PLAN – PHG 11-0009:**

REQUEST: A modification to the Master and Precise Development Plan (2005-28-PD) for the City Square residential condominium development to revise the architecture and building layout for the remaining 84 condominium units approved as part of Escondido Tract 921. The building design would change from linear buildings with a mix of three and four-stories and tandem garages, to building clusters with three-story townhomes and attached, side-by-side garages. A mix of two and three-bedroom units would be provided with unit sizes ranging from approximately 1,105 to 1,477 square feet. No changes are proposed to the two existing residential buildings on the site that were constructed under the original planned development. Proposed architectural features and building materials for the new buildings would be compatible with the two existing buildings, and the proposed building colors would match the existing colors.

**LOCATION:** The proposed modification area includes the southern approximately 3.18 acres of the 3.65-acre City Square site that is located on the southern side of Second Avenue, between Centre City Parkway and Orange Street, addressed as 313 S. Orange Street.

Bill Martin, Principal Planner, referenced the staff report and noted that staff issues were whether the revised project was still consistent with the Interim Downtown Specific Plan, whether the proposed architecture and materials were consistent with the existing residential buildings on the site, and the appropriateness of the proposed design for the elevated stoop entries for the units fronting on Orange Street. Staff recommended approval based on the following: 1) At the time the Interim Downtown Specific Plan was adopted in 2007, the City Square development had already been approved and partially constructed within the Professional Office District. The new Interim Downtown Specific Plan eliminated the Professional Office District and the site was now located in the Southern Gateway District development standards including building height, setbacks, density, open space and parking; 2) Although the building design had changed significantly from a double-stacked, three and four-story row-house design to a more traditional three-story townhome design, the proposed architecture and building materials were similar to the two existing residential buildings on the site. The applicant will enhance compatibility by incorporating the same color palette for the new buildings as well. The proposed revisions received unanimous support from the Design Review Board; and 3) The visual prominence of the Orange Street streetscape, that combines an urban setting and minimal building setback, required careful consideration of the entryways for the units fronting on Orange Street. Although the elevated stoops provide separation from the public sidewalk, staff felt additional wall height should be incorporated around the small stoops to create a space that provided a greater sense of security and encouraged homeowners to actually use the area. Mr. Martin then referenced modifications to Condition Nos. 3, 7, 11, 18, and 19.

Discussion ensued regarding a clarification of the distance from curb to building face on Orange Street as well as whether consideration had been given to increasing this building setback by shifting the project to the west.

**Ken Baumgartner, Escondido**, provided the background history for the project, noting their desire was to create a better project and at the same time stay consistent with the units that had already been constructed.

**Erick Van Wechel, Fallbrook**, provided an architectural presentation outlining the project.

Vice-chairman Campbell asked if the visitor parking was designated for visitors only. Mr. Van Wechel replied in the affirmative and indicated that parking would be controlled through the project CC&Rs.

Commissioner McQuead and Mr. Van Wechel discussed the setbacks for the elevated entries along Orange Street.

Commissioner McQuead asked if security was of concern in the entry space. Mr. Van Wechel replied in the negative and noted that every unit had a second floor balcony, noting the lower wall was more for a meet and greet area.

Commissioner Winton asked if the Building Code required a railing when the surface was more than 30 inches above grade. Mr. Van Wechel replied in the affirmative and noted they would conform to the code. He also stated they felt a wall was out of place and a little heavy for the stoops.

Mr. Baumgartner noted they were in favor of the entry wall design approved by the Design Review Board. He asked that they be allowed to work with staff regarding installing a railing for the stoops if allowed. He then referenced Page 40 with regard to the repayment of the off-site water/sewer improvements and asked that they be allowed to request the repayment for said improvements.

Commissioner Lehman and staff discussed the current sewer and waterlines as outlined on Page 40, Item 1. Commissioner Lehman asked if the original conditions called for this subject condition. Mr. Tunnell replied in the negative and noted that the Utility Department did identify the subject pipeline as needing replaced or redone.

Commissioner Winton asked if the subject waterline served fire hydrants. Mr. Baumgartner replied in the affirmative. He also stated that due to the age of the pipelines the City wanted the pipe upgraded.

Commissioner Weber asked how long the subject pipeline would be. Mr. Baumgartner noted that the pipeline was between 100 and 120 feet long. He also noted that they had no problem upgrading it, but felt it was fair to be reimbursed.

Commissioner Weber asked if all of the 102 units would be under one HOA. Mr. Baumgartner replied in the affirmative.

Commissioner Weber was in favor of the new design but was concerned with the Orange Street frontage with regard to the size and scale of the buildings being in close proximity to the curb line. He was opposed to requiring walls along the Orange Street frontage for the stoops, feeling railings would be better. He also

felt the sewer and water improvements should be left up to the Utility Department to decide.

Commissioner Winton was in favor of the project, but noted concern with the Orange Street frontage being monolithic. He also stated that he was in favor of walls along the stoops.

Commissioner Yerkes was in favor of railings versus walls for the stoops.

Commissioner McQuead felt the building setback along Orange Street should be increased. He also stated that he was in favor of railings versus walls for the stoops.

**ACTION:**

Moved by Commissioner Lehman, seconded by Commissioner McQuead, to approve staff's recommendation. The motion included revising Condition No. 27 to require railings versus walls as well as approving added Condition Nos. 3, 7, 11, 18, and 19. The motion also included directing staff to work with the applicant on the repayment of offsite waterline improvements, and recommend the applicant work with staff to increase the building setbacks along the Orange Street side. Motion carried unanimously. (6-0)

**CURRENT BUSINESS:**

1. **Modification to Precise Plan Case No. PHG 11-0020 (Continued from July 26, 2011) for Perry Infiniti to add a translucent glass curtain wall architectural feature and extend vehicle repair bays.**

Location: 855 La Terraza Blvd.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were whether the architecture for the proposed expansion would be consistent with the existing building design. Staff recommended approval based on the following: 1) The proposed expansion was appropriate because the proposed curtain wall entry feature presented a clean, modern facade that would facilitate brand identity while creating visual interest. The proposed expansion to the service area would utilize the same split-face block to appear virtually identical to the existing building. Both expansion areas will match or be slightly lower than existing building heights.

**Bruce Steingraber, Escondido**, noted that the savings between the two walls was approximately \$250,000.





## PLANNING COMMISSION

Agenda Item No.: G.2

Date: August 9, 2011

**CASE NUMBER:** PHG 11-0009

**APPLICANT:** Project Design Consultants

**LOCATION:** The proposed modification area includes the southern approximately 3.18 acres of the 3.65-acre City Square site that is located on the southern side of Second Avenue, between Centre City Parkway and Orange Street, addressed as 313 S. Orange Street.

**TYPE OF PROJECT:** Modification to Master and Precise Development Plan

**PROJECT DESCRIPTION:** A modification to the Master and Precise Development Plan (2005-28-PD) for the City Square residential condominium development to revise the architecture and building layout for the remaining 84 condominium units approved as part of Escondido Tract 921. The building design would change from linear buildings with a mix of three and four-stories and tandem garages, to building clusters with three-story townhomes and attached, side-by-side garages. A mix of two and three-bedroom units would be provided with unit sizes ranging from approximately 1,105 to 1,477 square feet. No changes are proposed to the two existing residential buildings on the site that were constructed under the original planned development. Proposed architectural features and building materials for the new buildings would be compatible with the two existing buildings, and the proposed building colors would match the existing colors.

**STAFF RECOMMENDATION:** Approval

**GENERAL PLAN DESIGNATION:** SPA #9 (Specific Planning Area #9)

**ZONING:** SP (Southern Gateway District of the Downtown Specific Plan)

**BACKGROUND/SUMMARY OF ISSUES:** The 102-unit City Square condominium development was approved by the City Council on August 17, 2005. Project entitlements included a one-lot Tentative Map, Preliminary, Master and Precise Development Plan and a Specific Plan Amendment to allow ground-floor residential development in the Professional Office District of the Downtown Specific Plan. A final map recorded a year later and Barratt American constructed two of the eight approved buildings adjacent to Second Avenue. The Barratt building designs included three and four-story row-house designs with double-stacked floor plans and tandem garages that received a mixed reception in the marketplace. Barratt was discussing with city staff the possibility of retrofitting elevators into some unit designs when the company was overcome by financial difficulties and future phases of the project stalled. The existing 18 units were purchased by separate owners and most appear to be occupied. The remaining vacant property approved for 84 additional units eventually lapsed into foreclosure and was ultimately purchased by the applicant.

The applicant is now proposing to address some of the design issues that confronted the previous owner by modifying the Master and Precise Development Plan to change the project to a three-story townhome design using complimentary contemporary architecture. Floor plans have been simplified, more buildings with fewer units have been grouped in clusters instead of a linear arrangement, landscaped courtyards have been incorporated into the common areas, and tandem garages have been eliminated in favor of standard two-car garages. No changes are proposed to the number of condominium units in the development as shown on the approved tentative and final maps.

Staff feels that the issues are as follow:

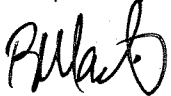
1. Whether the revised project is still consistent with the Interim Downtown Specific Plan.

2. Whether the proposed architecture and materials are consistent with the existing residential buildings on the site.
3. Appropriateness of the proposed design for the elevated stoop entries for the units fronting on Orange Street.

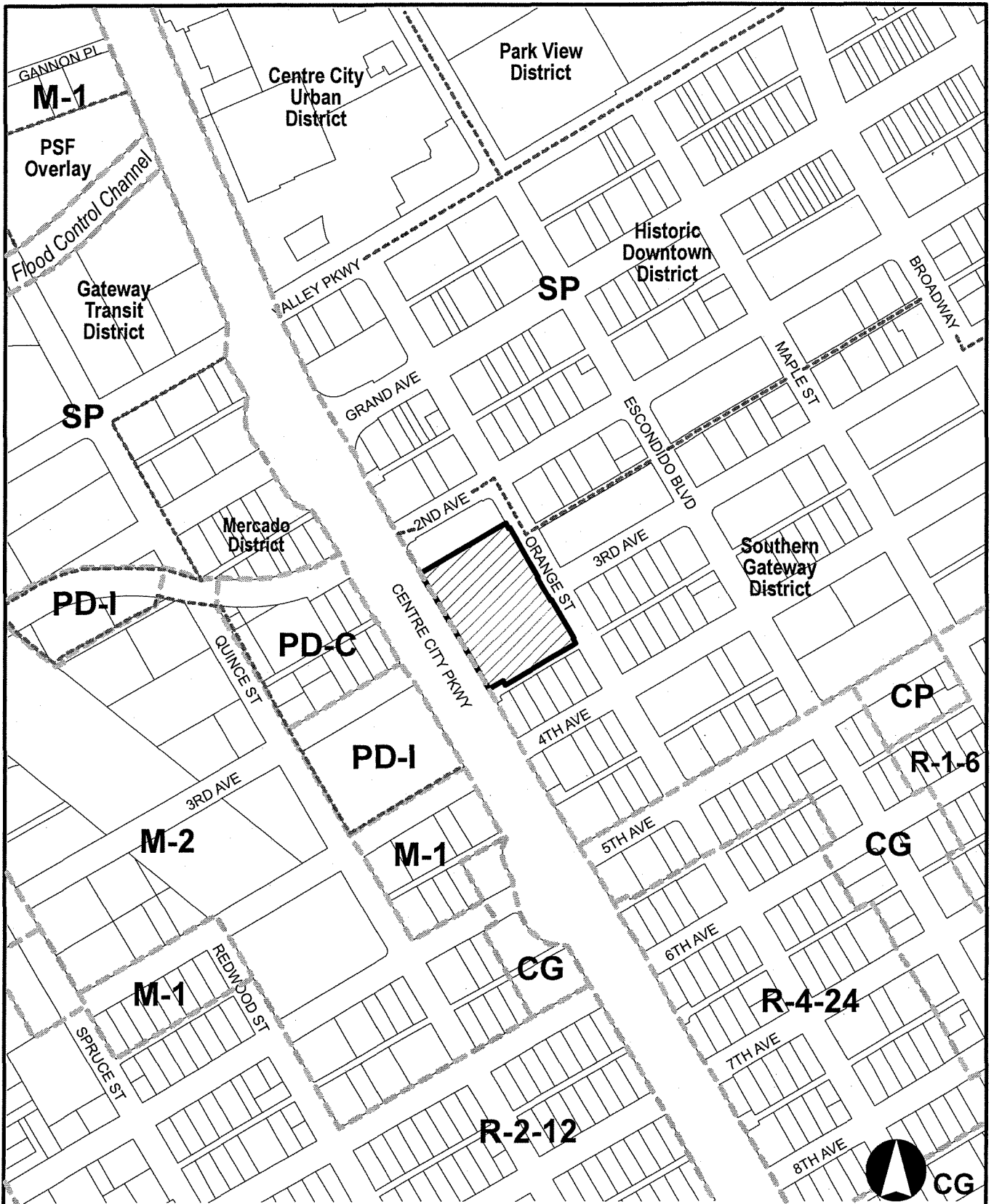
**REASONS FOR STAFF RECOMMENDATION:**

1. At the time the Interim Downtown Specific Plan was adopted in 2007, the City Square development had already been approved and partially constructed within the Professional Office District. The new Interim Downtown Specific Plan eliminated the Professional Office District and the site is now located in the Southern Gateway District. The proposed project remains consistent with all Southern Gateway District development standards including building height, setbacks, density, open space and parking.
2. Although the building designs have changed significantly from a double-stacked, three and four-story row-house design to a more traditional three-story townhome design, the proposed architecture and building materials are similar to the two existing residential buildings on the site. The applicant will enhance compatibility by incorporating the same color palette for the new buildings as well. The proposed revisions received unanimous support from the Design Review Board.
3. The visual prominence of the Orange Street streetscape that combines an urban setting and minimal building setback requires careful consideration of the entryways for the units fronting on Orange Street. Although the elevated stoops provide separation from the public sidewalk, staff feels additional wall height should be incorporated around the small stoops to create a space that provides a greater sense of security and encourages homeowners to actually use the area.

Respectfully Submitted,



Bill Martin  
Principal Planner

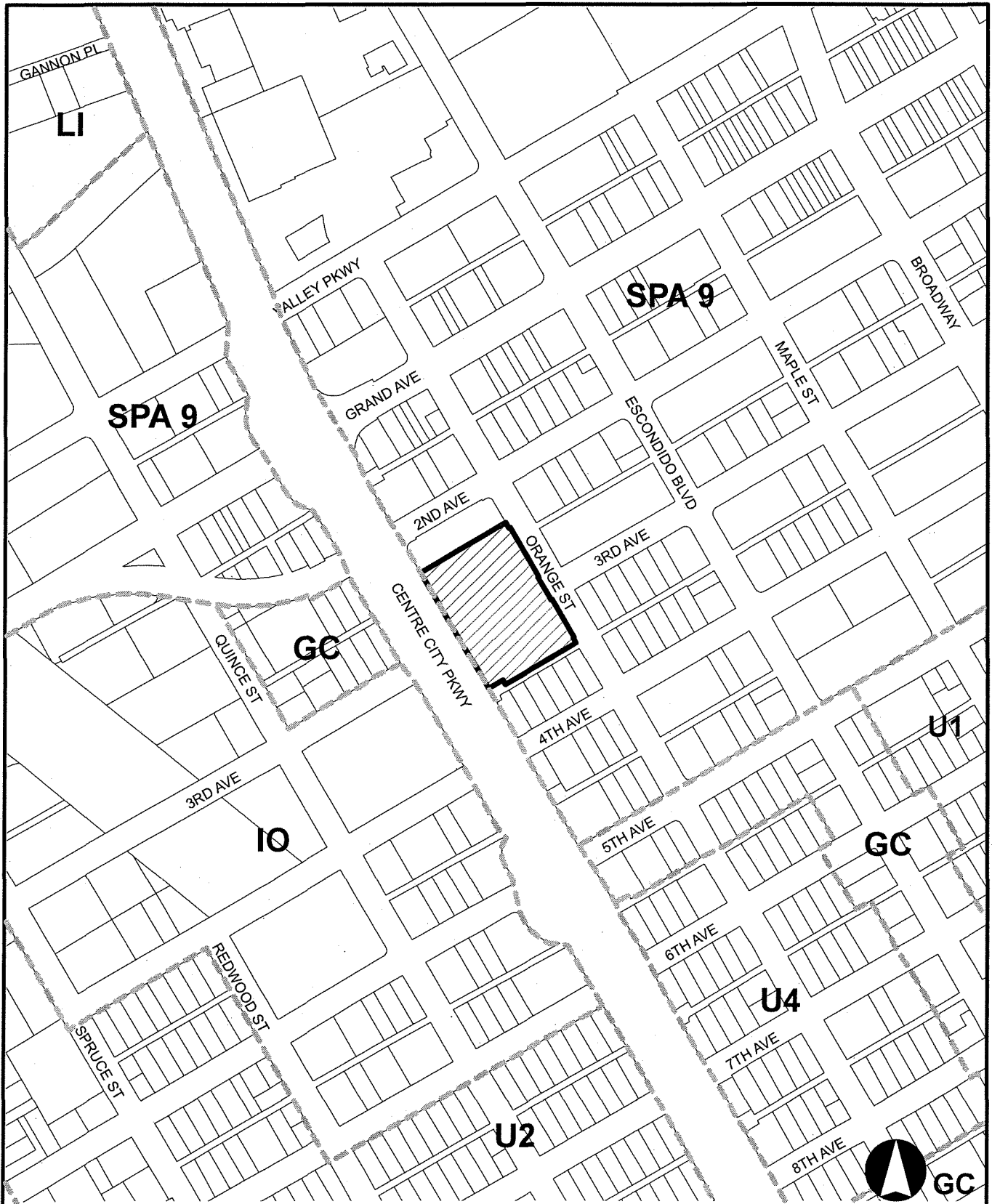


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**PROPOSED PROJECT  
PHG 11-0009**



LOCATION/ZONING



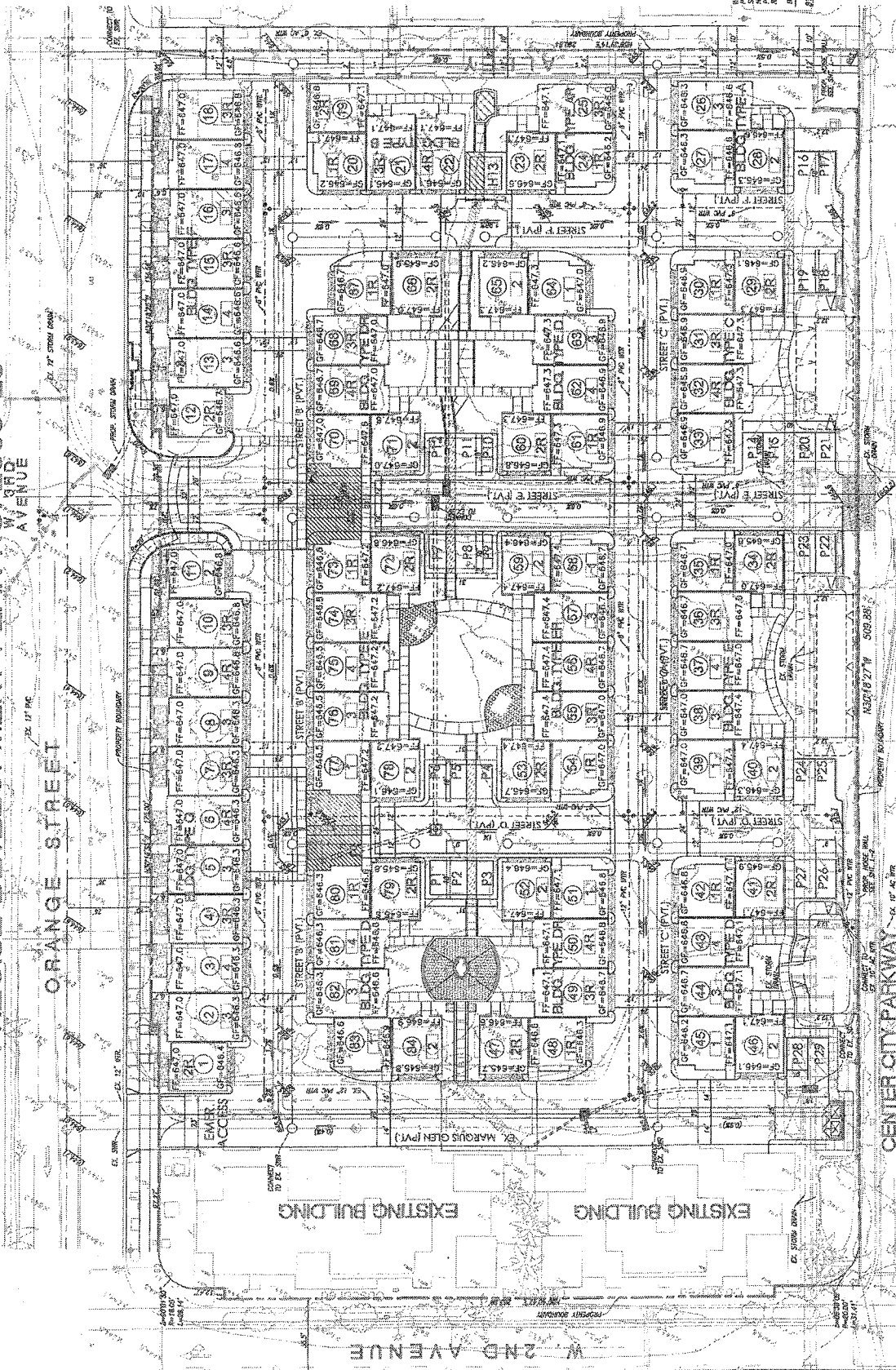
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**PROPOSED PROJECT  
PHG 11-0009**



GENERAL PLAN

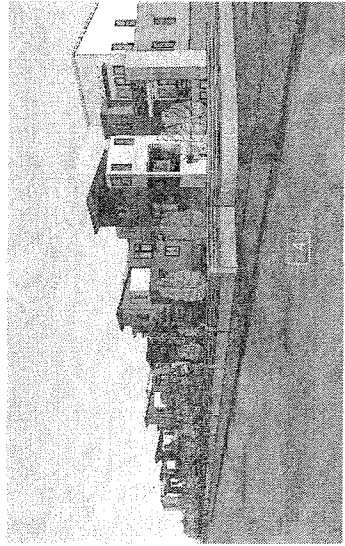
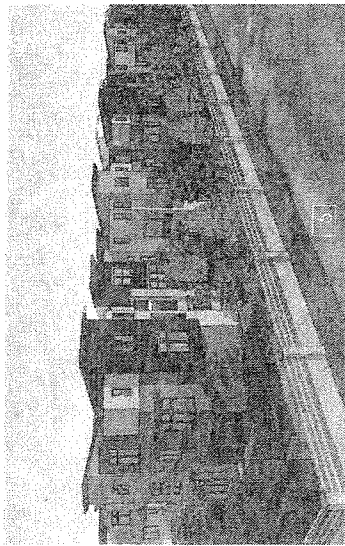
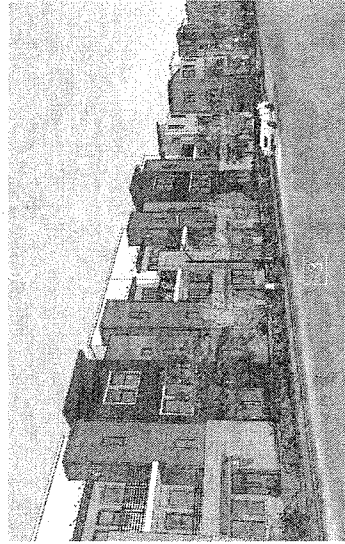
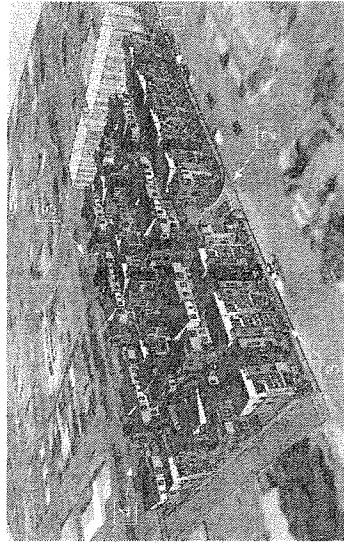
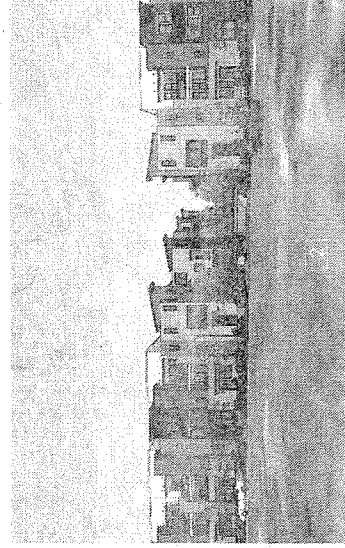
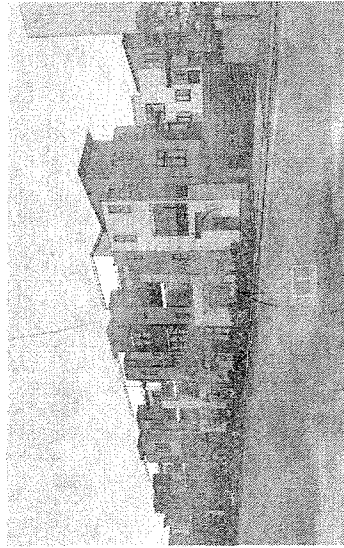
MODIFICATION TO MASTER DEVELOPMENT PLAN AND  
 PRECISE DEVELOPMENT PLAN NO. 2005-28  
 W. 9th AVENUE



**PROPOSED PROJECT  
 PHG 11-0009**



SITE PLAN

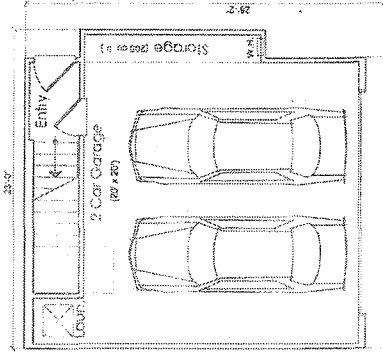


**PROPOSED PROJECT  
PHG 11-0009**



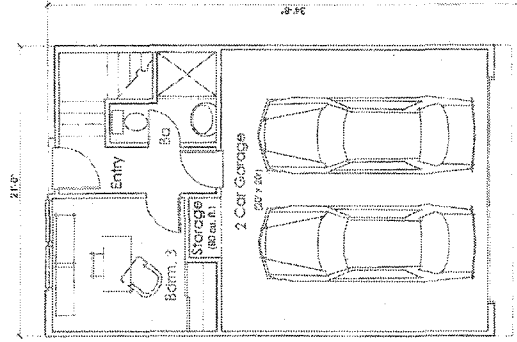
ELEVATIONS

PLAN 1  
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2BD/2.5  
BA

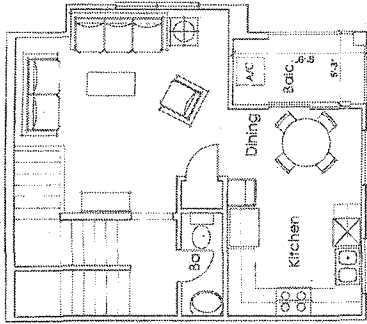


FIRST FLOOR PLAN

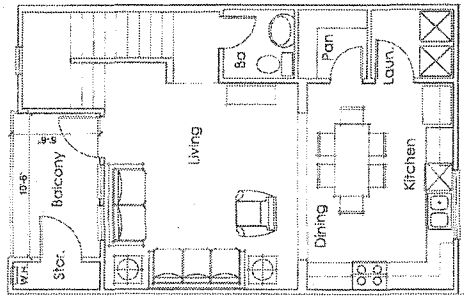
PLAN 3  
1,398 S.F.  
3BD/3.5  
BA



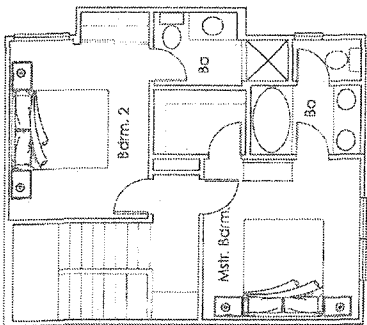
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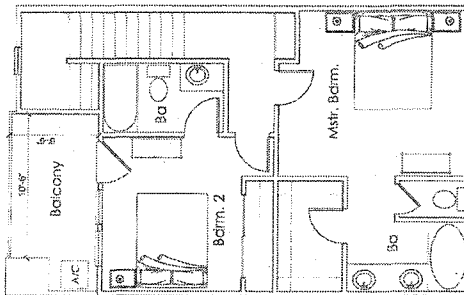
SECOND FLOOR PLAN



SECOND FLOOR PLAN

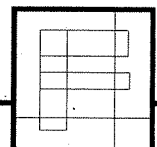


THIRD FLOOR PLAN



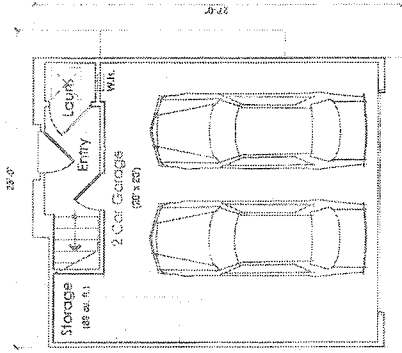
THIRD FLOOR PLAN

**PROPOSED PROJECT  
PHG 11-0009**



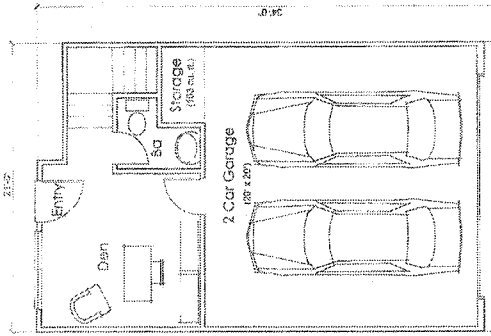
FLOOR PLAN

PLAN 2  
1,131 S.F.  
2BD/2.5 BA

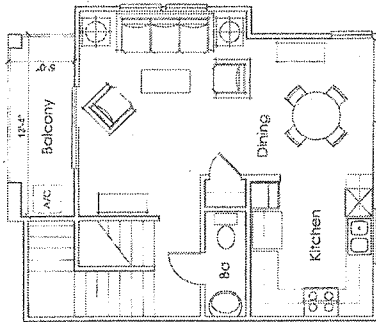


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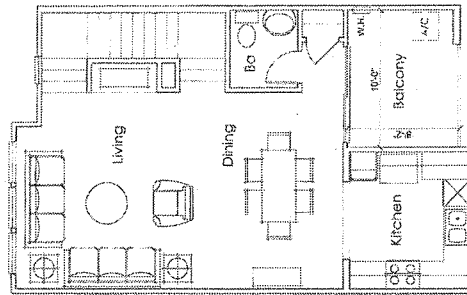
PLAN 4  
1,477 S.F.  
3BD+DEN/3 BA



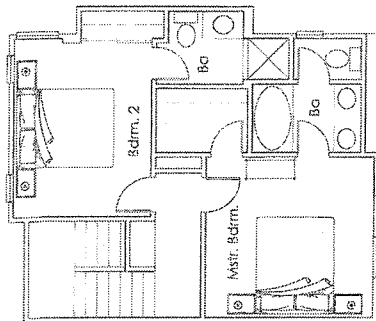
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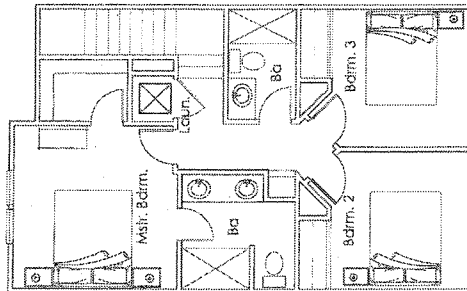
SECOND FLOOR PLAN



SECOND FLOOR PLAN

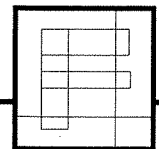


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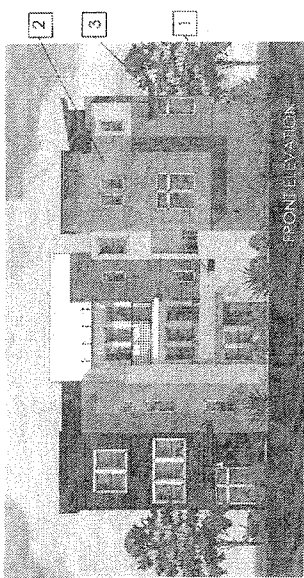
THIRD FLOOR PLAN

**PROPOSED PROJECT  
PHG 11-0009**



FLOOR PLAN



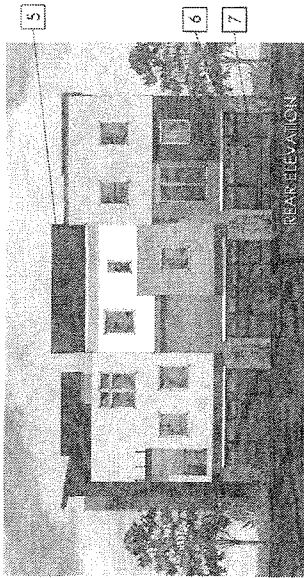


FRONT ELEVATION

2

3

1

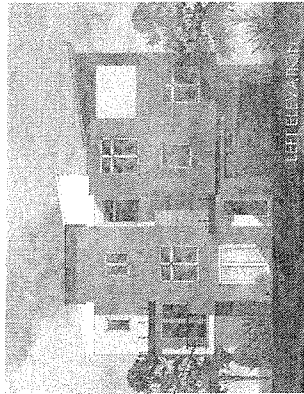


REAR ELEVATION

5

6

7

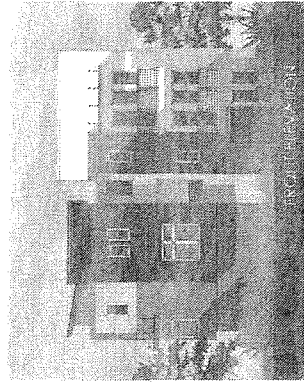


LEFT ELEVATION

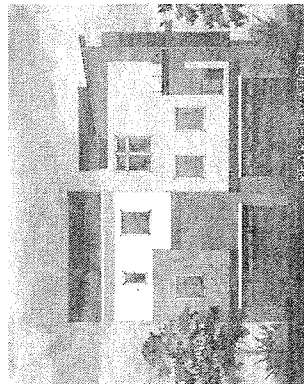
4



RIGHT ELEVATION



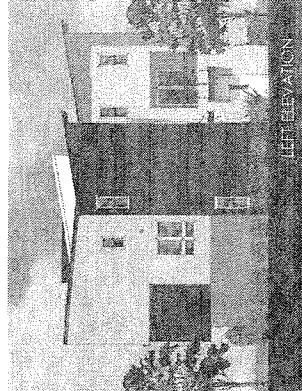
FRONT ELEVATION



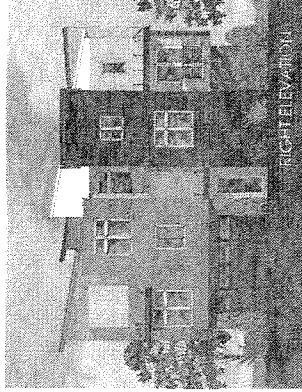
REAR ELEVATION

- MATERIAL SCHEDULE**
1. SAND FINISH STUCCO
  2. HORIZONTAL LAP SIDING
  3. METAL AWNINGS
  4. METAL RAILINGS
  5. COMP SHINGLE ROOF
  6. STUCCO O/TRIM
  7. METAL SECTIONAL GARAGE DOOR

BLDG. TYPE A - TRIPLEX



LEFT ELEVATION



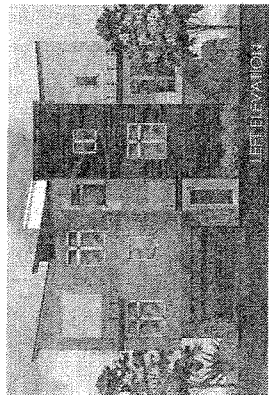
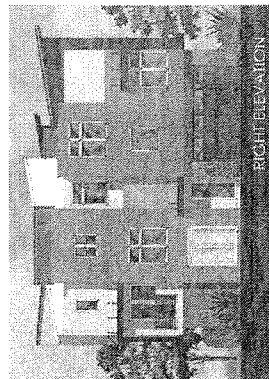
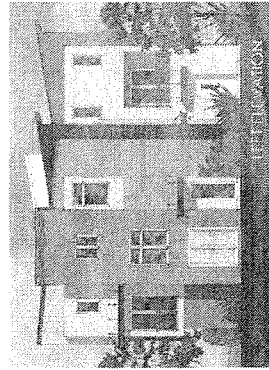
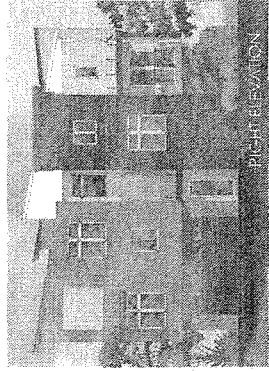
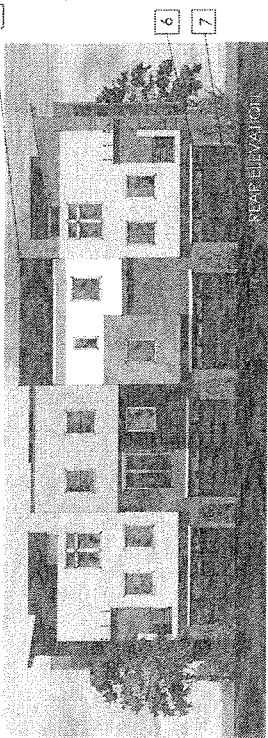
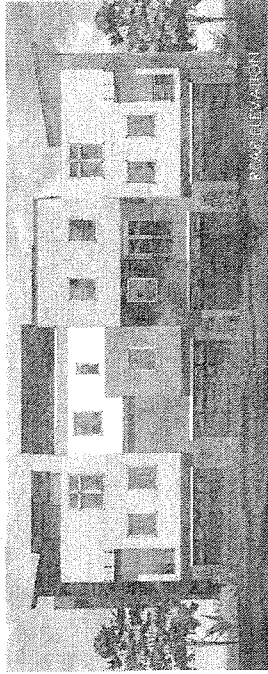
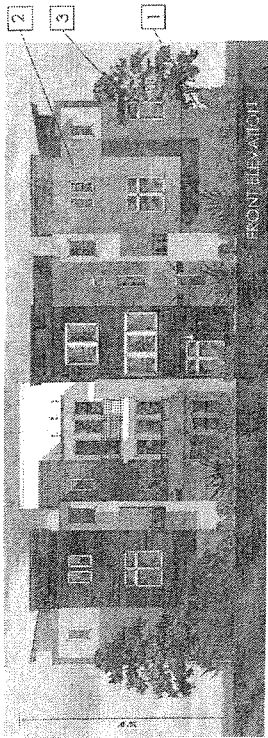
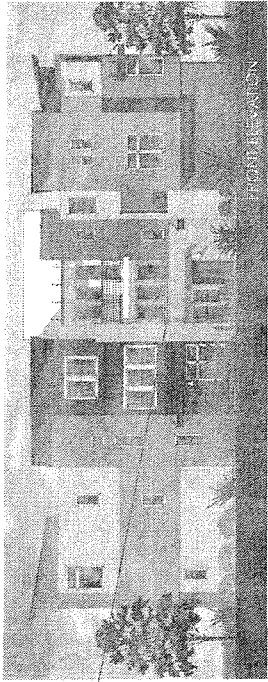
RIGHT ELEVATION

BLDG. TYPE B - 4 UNIT

BLDG. TYPE B - 4 UNIT  
BLDG. TYPE A - TRIPLEX

**PROPOSED PROJECT  
PHG 11-0009**





**MATERIAL SCHEDULE**

- 1. SAND FINISH STUCCO
- 2. HORIZONTAL LAP SIDING
- 3. METAL AWNINGS
- 4. METAL RAILINGS
- 5. COMP SHINGLE ROOF
- 6. STUCCO O/ TRIM
- 7. METAL SECTIONAL GARAGE DOOR

4

2

3

1

5

6

7

BLDG. TYPE C - 5 UNIT

BLDG. TYPE C - 5 UNIT  
BLDG. TYPE D - 6 UNIT

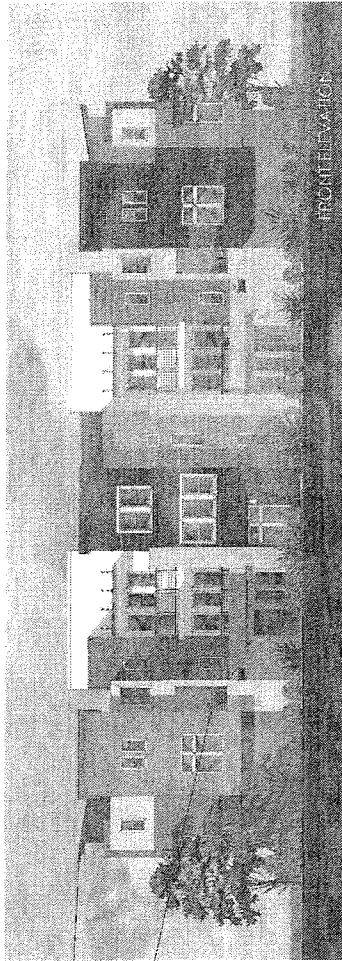
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**CITY SQUARE**

**PROPOSED PROJECT  
PHG 11-0009**



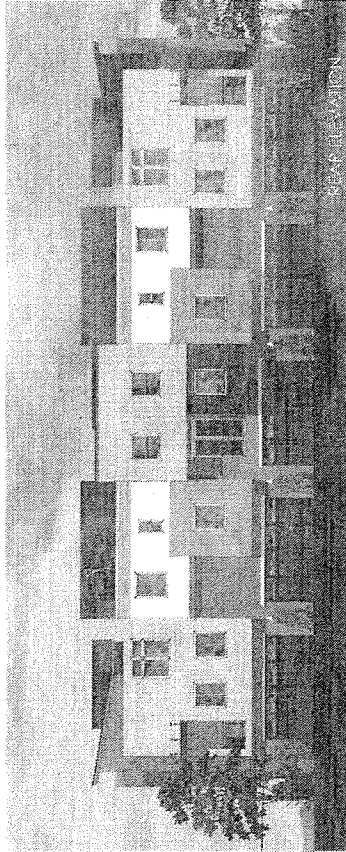
ELEVATIONS



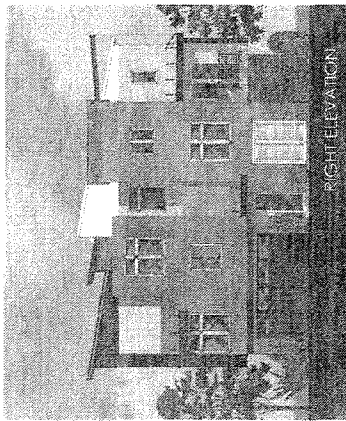
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

- MATERIAL SCHEDULE**
1. SAND FINISH STUCCO
  2. HORIZONTAL LAP SIDING
  3. METAL AWNINGS
  4. METAL RAILINGS
  5. COMP SHINGLE ROOF
  6. STUCCO O/ TRIM
  7. METAL SECTIONAL GARAGE DOOR

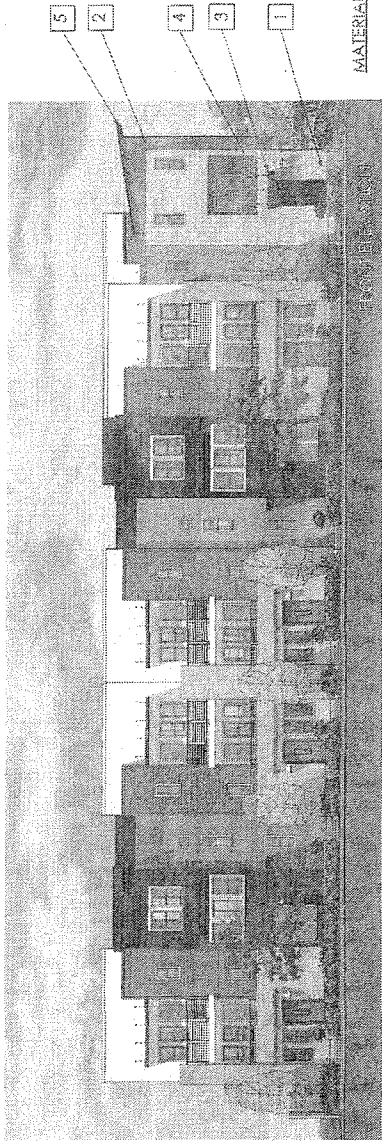
BLDG. TYPE E - 7 UNIT

CITY SQUARE

**PROPOSED PROJECT  
PHG 11-0009**

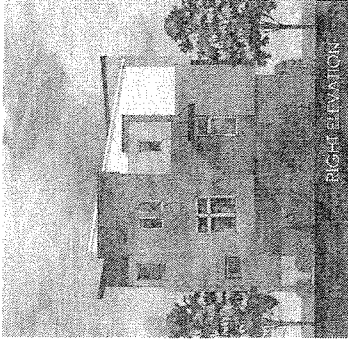
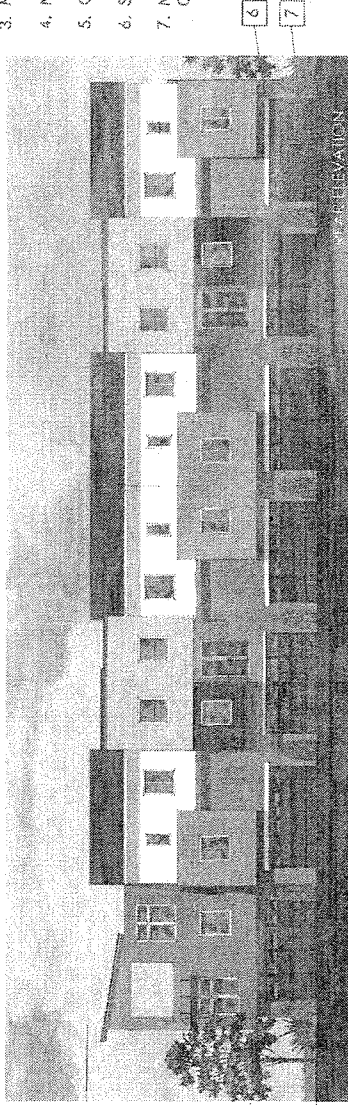
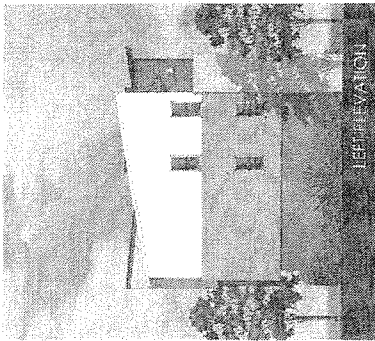


ELEVATIONS



MATERIAL SCHEDULE

- 1. SAND FINISH STUCCO
- 2. HORIZONTAL LAP SIDING
- 3. METAL AWNINGS
- 4. METAL RAILINGS
- 5. COMP. SHINGLE ROOF
- 6. STUCCO O/ TRIM
- 7. METAL SECTIONAL GARAGE DOOR



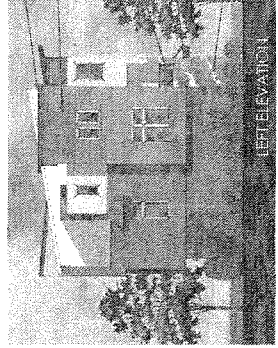
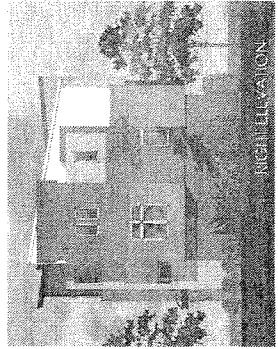
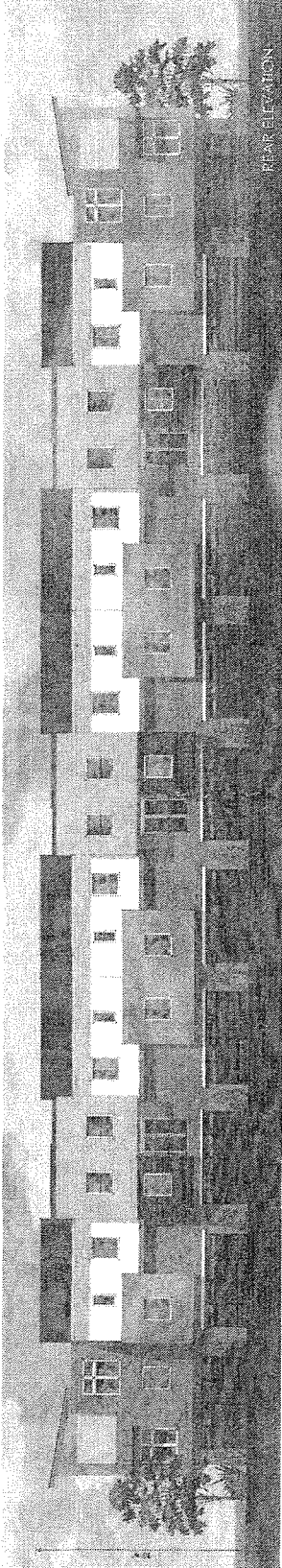
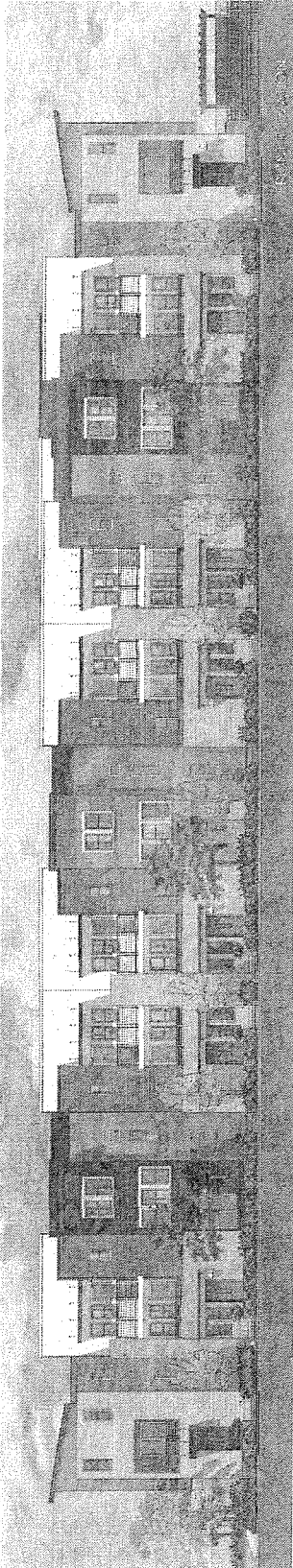
BLDG. TYPE F - 7 UNIT

CITY SQUARE

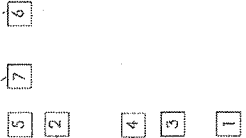
**PROPOSED PROJECT  
PHG 11-0009**



ELEVATIONS



- MATERIAL SCHEDULE**
1. SAND FINISH STUCCO
  2. HORIZONTAL LAP SIDING
  3. METAL AWNINGS
  4. METAL RAILINGS
  5. COMP SHINGLE ROOF
  6. STUCCO O/ TRIM
  7. METAL SECTIONAL GARAGE DOOR



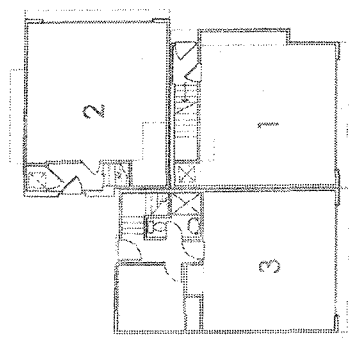
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CITY SQUARE

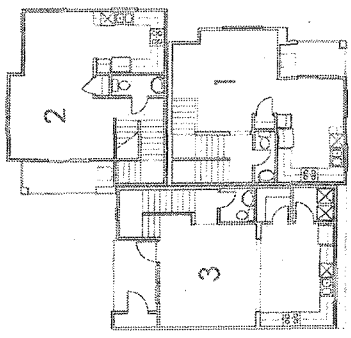
**PROPOSED PROJECT  
PHG 11-0009**



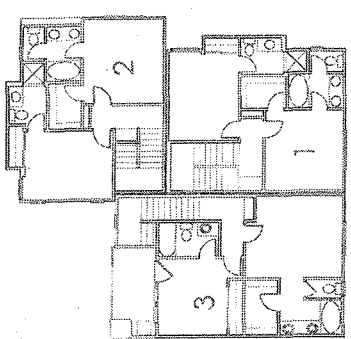
ELEVATIONS



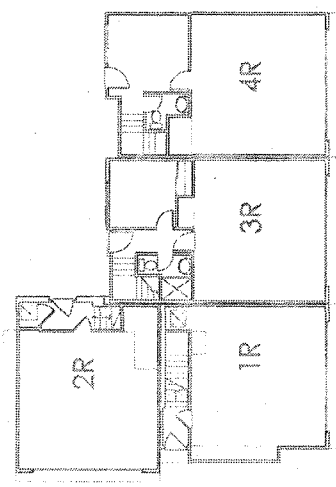
FIRST FLOOR PLAN



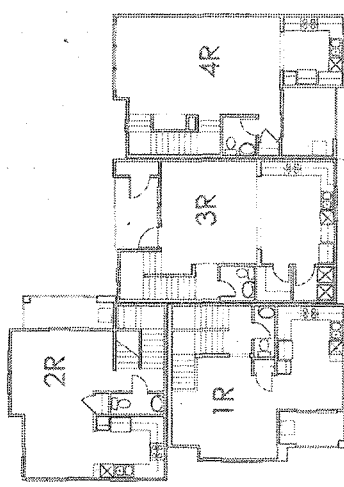
SECOND FLOOR PLAN



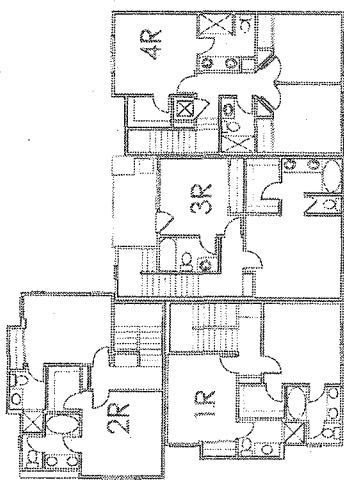
THIRD FLOOR PLAN



FIRST FLOOR PLAN



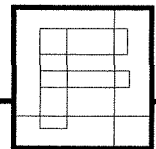
SECOND FLOOR PLAN



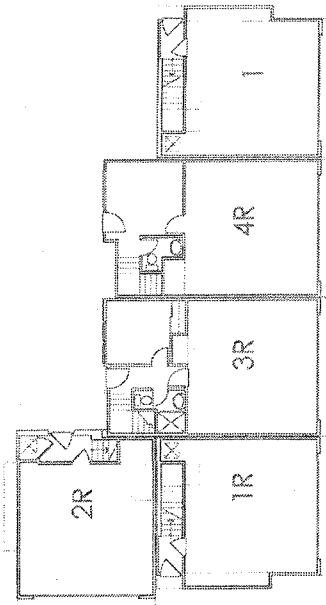
THIRD FLOOR PLAN

BLDG. TYPE A - TRIPLEX  
BLDG. TYPE B - 4 UNIT

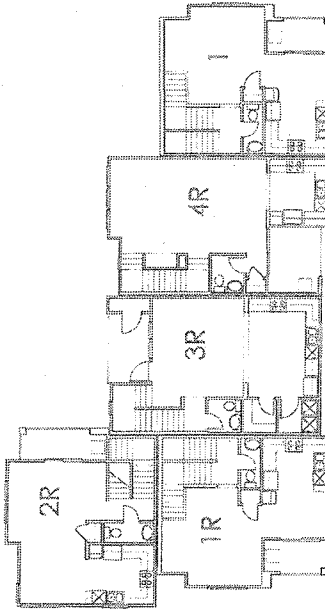
**PROPOSED PROJECT  
PHG 11-0009**



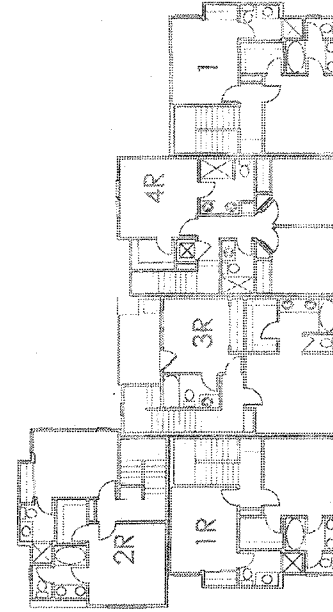
FLOOR PLAN



FIRST FLOOR PLAN



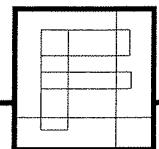
SECOND FLOOR PLAN



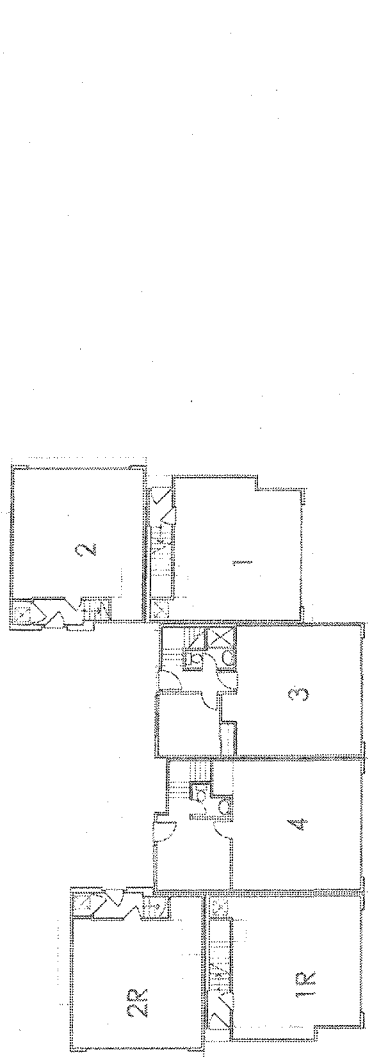
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BLDG. TYPE C - 5 UNIT

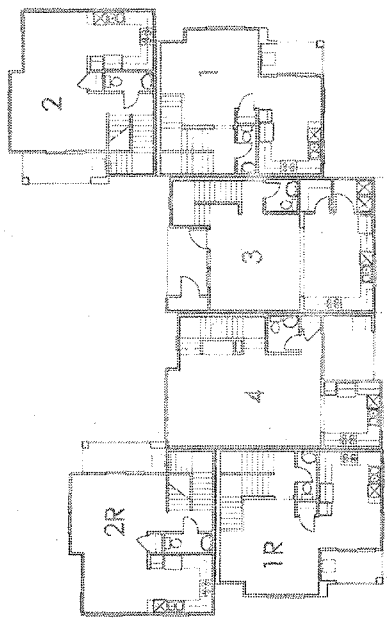
**PROPOSED PROJECT  
PHG 11-0009**



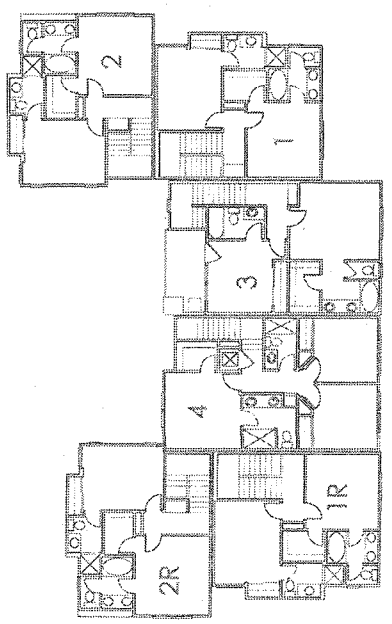
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FIRST FLOOR PLAN



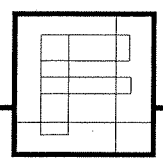
SECOND FLOOR PLAN



THIRD FLOOR PLAN

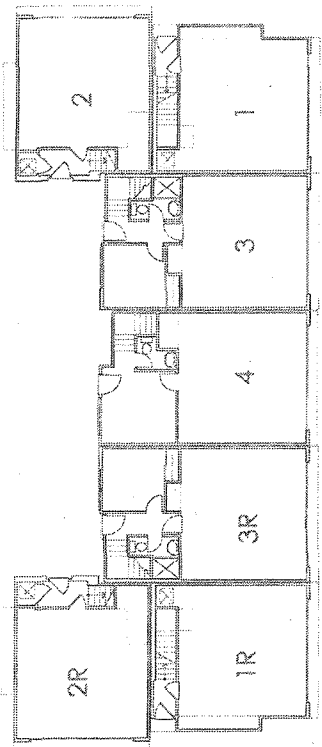
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**PROPOSED PROJECT  
PHG 11-0009**

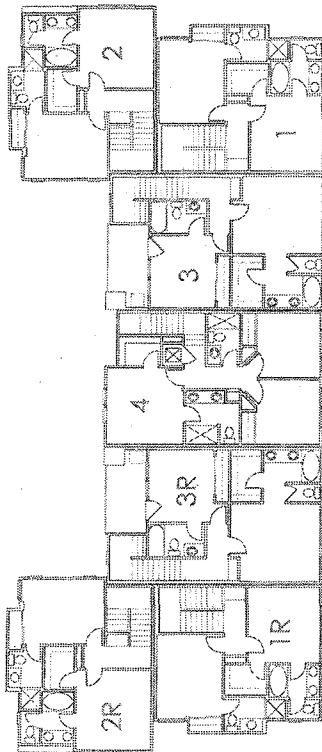


FLOOR PLAN

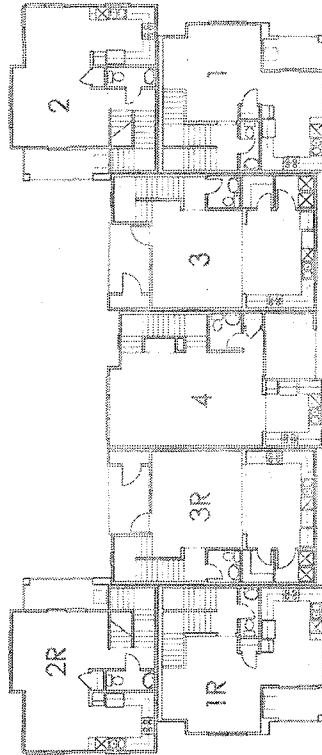




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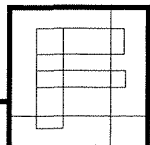
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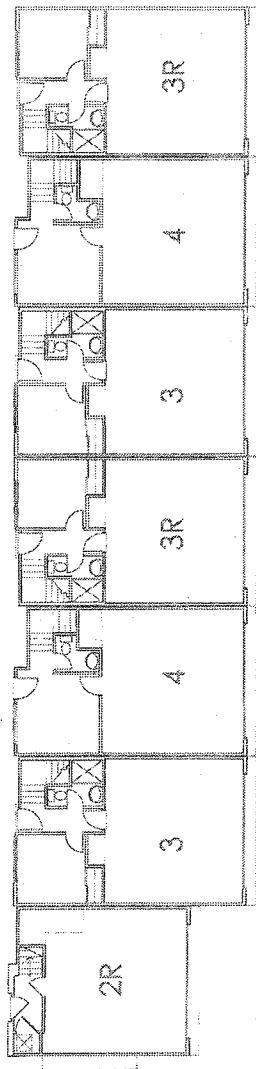
SECOND FLOOR PLAN

BLDG. TYPE E - 7 UNIT

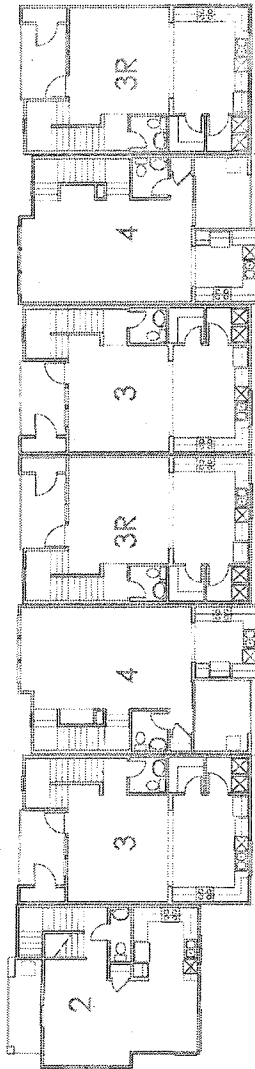
**PROPOSED PROJECT  
PHG 11-0009**



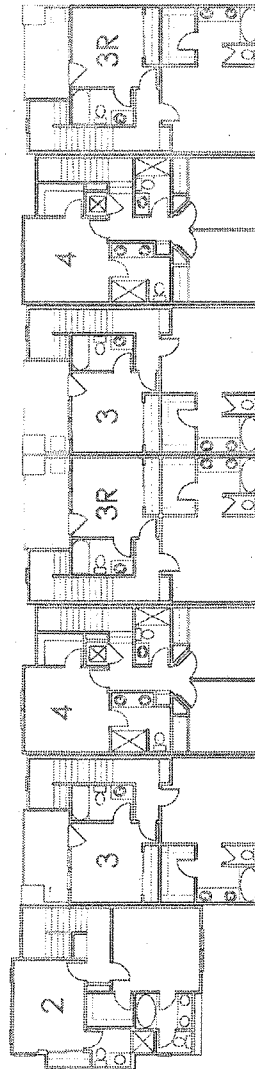
FLOOR PLAN



FIRST FLOOR PLAN



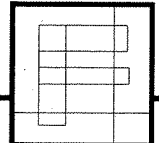
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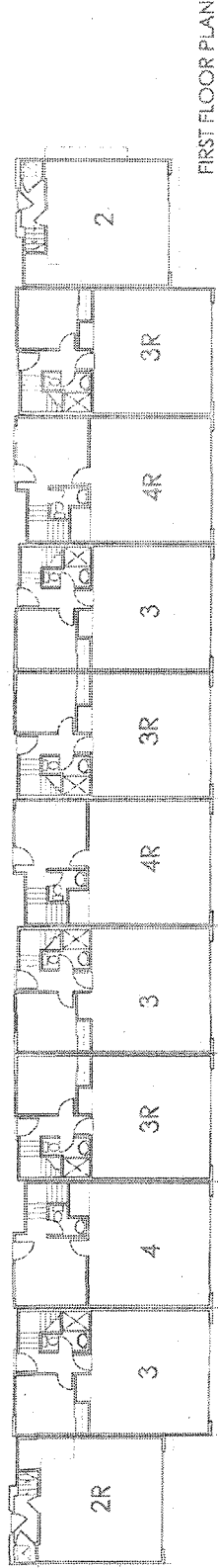
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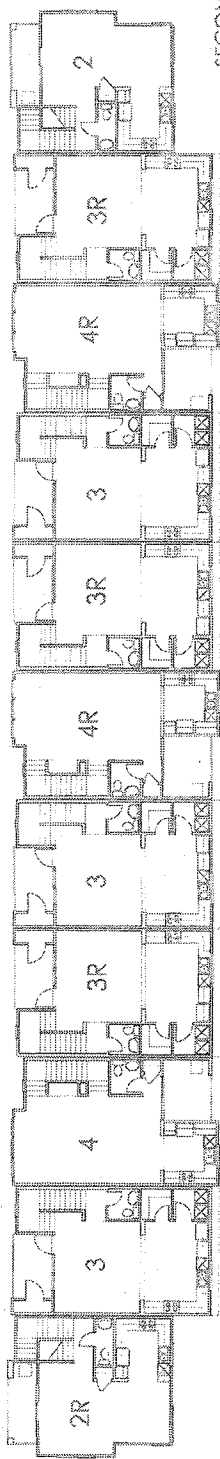
**PROPOSED PROJECT  
PHG 11-0009**



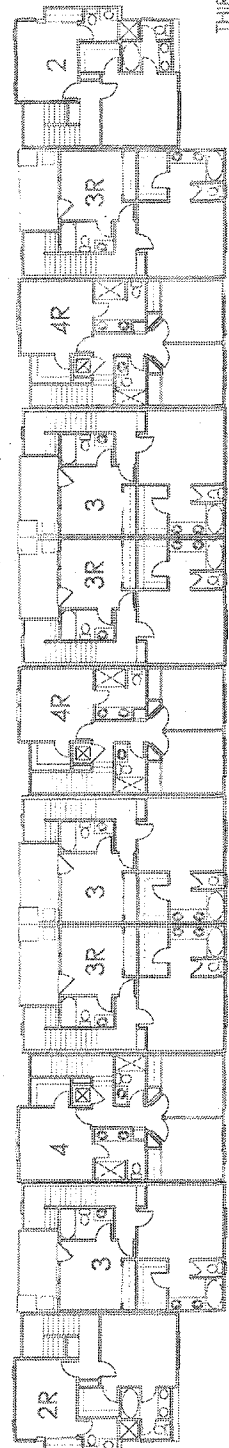
FLOOR PLAN



FIRST FLOOR PLAN



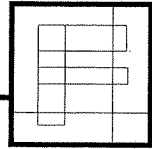
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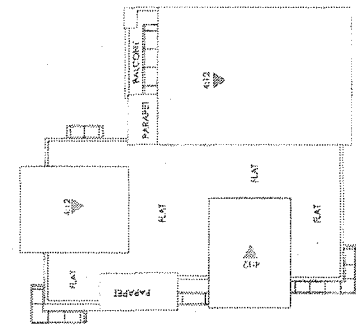
THIRD FLOOR PLAN

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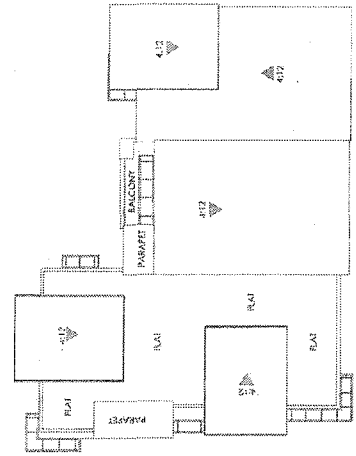
**PROPOSED PROJECT  
PHG 11-0009**



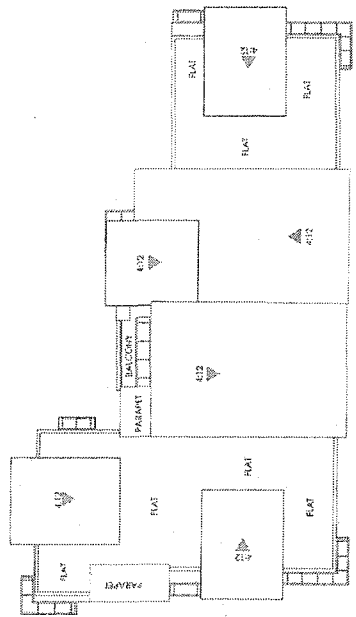
FLOOR PLAN



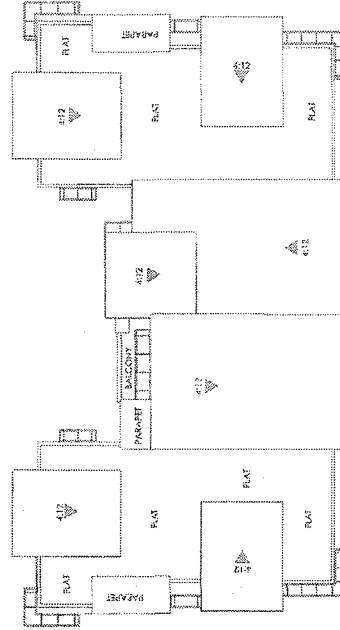
BUILDING TYPE A - TRIPLEX



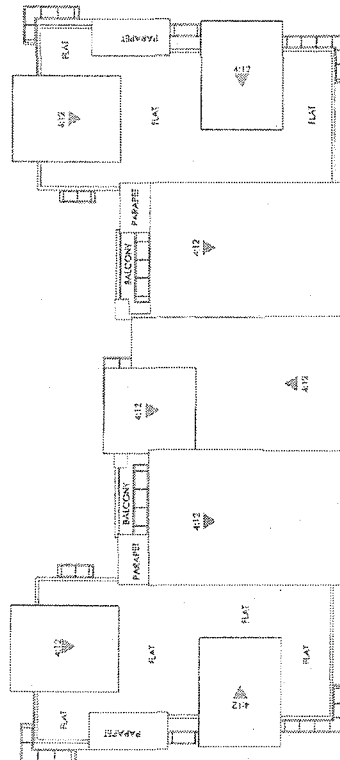
BUILDING TYPE B - 4 UNITS



BUILDING TYPE C - 5 UNITS



BUILDING TYPE D - 6 UNITS



BUILDING TYPE E - 7 UNITS

ROOF TYPE: ASPHALT  
SHINGLE, TYPICAL AT ALL  
SLOPING ROOF AREAS

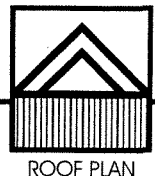
ROOF PLANS

**PROPOSED PROJECT  
PHG 11-0009**

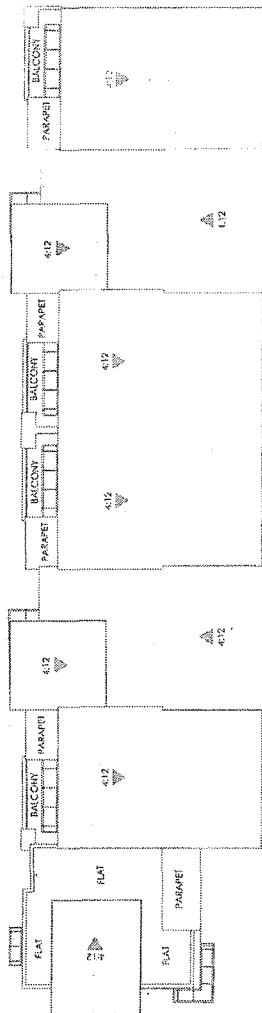


ROOF PLAN

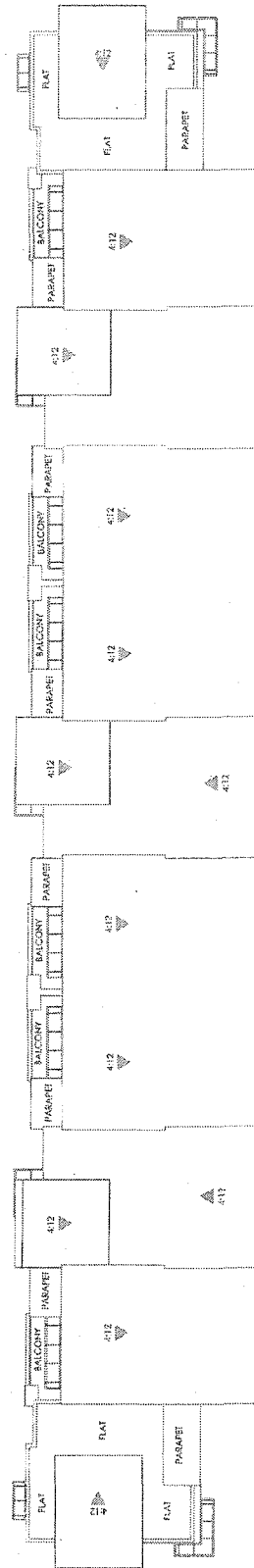
**PROPOSED PROJECT  
PHG 11-0009**



ROOF PLAN



BUILDING TYPE F - 7 UNITS

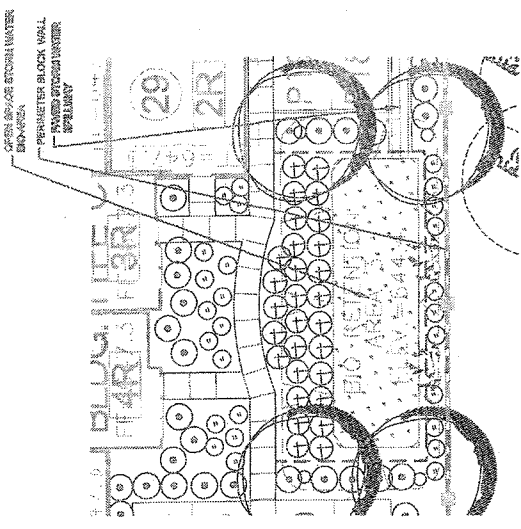
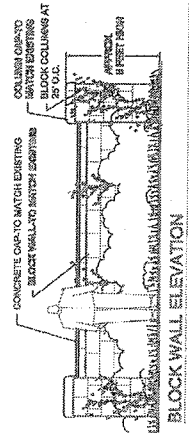
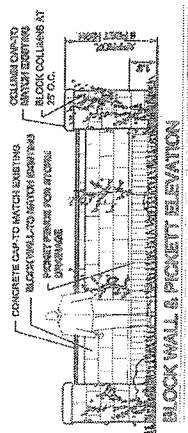
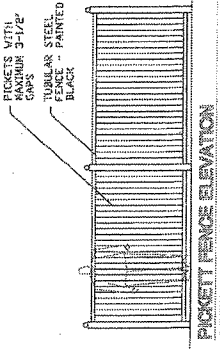


BUILDING TYPE G - 7 UNITS

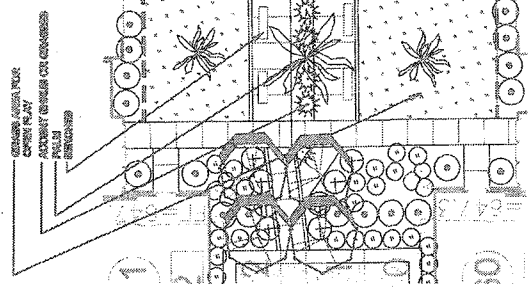
ROOF TYPE: ASPHALT  
SHINGLE, TYPICAL AT ALL  
SLOPING ROOF AREAS

**ROOF PLANS**

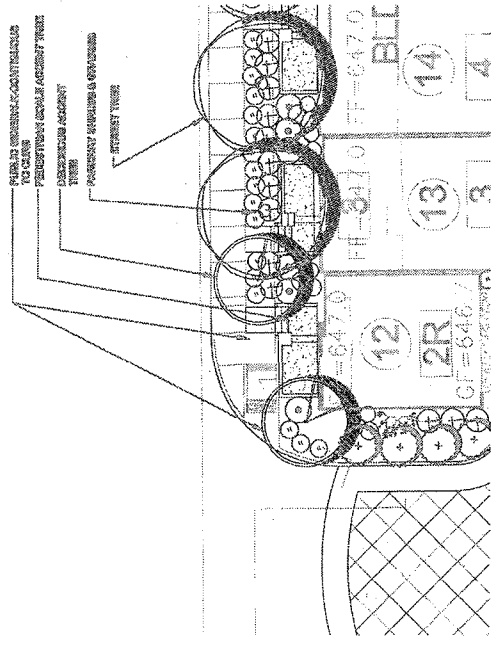




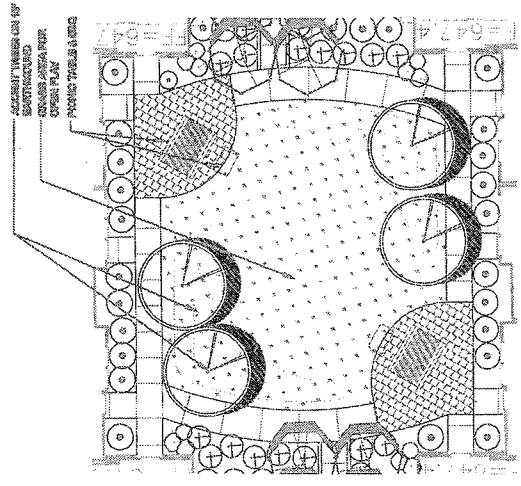
TYPICAL BIO DETENTION



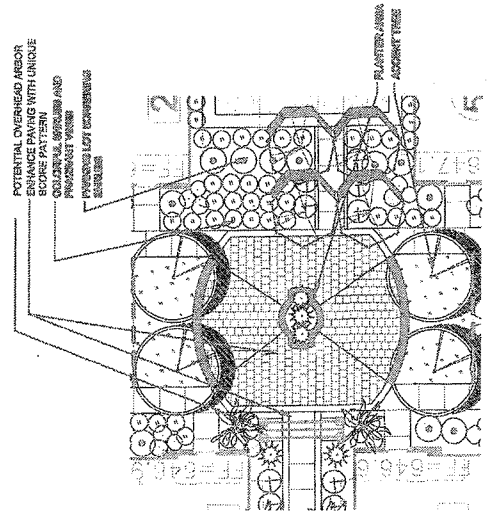
PALM COURTYARD DETAIL



ENTRY DETAIL



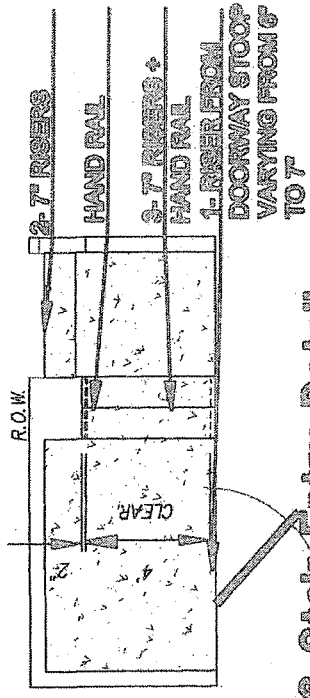
PICNIC COURTYARD DETAIL



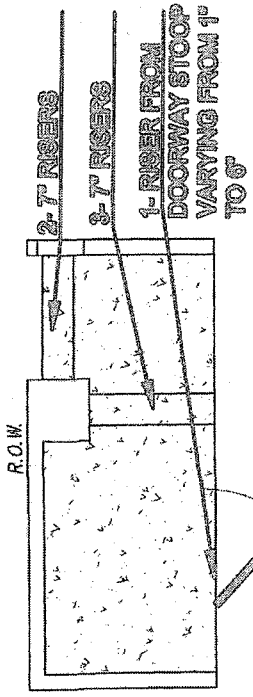
NORTH COURTYARD DETAIL

**PROPOSED PROJECT  
PHG 11-0009**





**6 Stair Entry Detail**



**4 & 5 Stair Entry Detail**

**PROPOSED PROJECT  
PHG 11-0009**





## ANALYSIS

### **A. LAND USE COMPATIBILITY/SURROUNDING ZONING**

**NORTH** - Southern Gateway District and Historic Downtown District of the Downtown Specific Plan – North of the proposed development site are the two existing buildings of the City Square development containing a total of 18 residential condominium units. Commercial businesses are located further north, across Second Avenue.

**SOUTH** - Southern Gateway District of the Downtown Specific Plan – Multi-family residential developments are located to the south, across the alley.

**EAST** - Southern Gateway District and Historic Downtown District of the Downtown Specific Plan – Commercial businesses, single-family and some low-density multi-family residences are located to the east, across Orange Street.

**WEST** - PD-C (Planned Development Commercial) and PD-I (Planned Development Industrial) zoning – Commercial and industrial business are located to the west across Centre City Parkway.

### **B. AVAILABILITY OF PUBLIC SERVICES**

1. **Effect on Police Service** – The Police Department has expressed no concern regarding their ability to provide service to the site.
2. **Effect on Fire Service** – The site is served by Fire Station No. 1 (310 North Quince Street), which is within the seven and one-half minute response time specified for urbanized areas in the General Plan. Development of the site would contribute incremental increases in demand for fire services. Comments received from the Escondido Fire Department indicate that fire sprinklers and a stand pipe system will be required for the building and that a fire hydrant must be located within 50 feet of the fire department connection. The Fire Department has indicated that adequate services can be provided to the site and the proposed project would not impact levels of service.
3. **Traffic** – The City Square site fronts on Centre City Parkway, Orange Street and Second Avenue. Portions of both Third Avenue and an alley, which ran through the project site, have been vacated as part of the project. Orange Street and Third Avenue are unclassified in the City's Circulation Element, while Second Avenue is classified as a Collector (84' r.o.w.), and Centre City Parkway is classified as a Major Road (102' r.o.w.). Access to the development would be from one driveway from Orange Street, with two gated, emergency only, drives on Orange Street and the alley to the south. Vehicle access to each unit would be provided by interior driveways. Each unit would include a two-car standard garage. In addition, there would be 29 on-site guest parking spaces distributed throughout the site for a total of 233 on-site parking spaces. The Zoning Code requires 26 guest spaces (one space per four units for 102 total units). In addition, parking would be permitted on Orange Street, as it is not a Circulation Element street, and parking currently is permitted on Second Avenue.

The traffic study prepared at the time the project was originally approved analyzed project traffic and determined that the design and conditions of approval adequately mitigated traffic impacts. The Traffic Analysis prepared by RBF Consulting on April 13, 2005 forecasts that a total of 612 average daily trips (ADTs) would be generated by the proposed project (6 trips per unit). Forty-nine of the trips would occur in the a.m. peak hour and 55 trips would occur in the p.m. peak hour. The analysis studied all surrounding roadway segments and intersections. Roadway segment levels of service were calculated based on the capacity of the roadway, classification and ADT volumes. All of the surrounding roadway segments currently operate at LOS "C" or better. The proposed project would not result in a deterioration of service on any of the roadway segments. Weekday peak hour intersection volumes were collected for the morning (7 to 9 a.m.) and evening (4 to 6 p.m.) peaks at all study intersections specifically for this project. All intersections also currently operate at LOS "C" or better. Based on project trip assignment, a LOS "C" or better would be maintained on all roadway segments and intersections with development of the project. According to the Engineering Division, the project does not materially degrade the levels of service on the adjacent streets.

4. Utilities – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining street or easement. The project does not materially degrade the levels of service of the public sewer and water system.
5. Drainage – The project site is not located within a 100-year Flood Zone as indicated on current FEMA maps. There are no significant drainage courses within or adjoining the property. The project is conditioned to provide a drainage study, which will determine the extent of drainage facilities necessary to control runoff. Runoff from the project will be directed into a series of BMP treatment swales and/or detention basins and/or inlet filter systems to separate targeted pollutants from the runoff before it leaves the site. The project does not materially degrade the levels of service of the existing drainage facilities.

### **C. ENVIRONMENTAL STATUS**

1. A Mitigated Negative Declaration, City Log No. ER 2005-20, was issued on July 14, 2005 for the 102-unit, City Square condominium development. Mitigation measures were developed to ensure the proper handling and removal of any asbestos containing materials during the demolition of buildings that previously existed on the site. Pursuant to CEQA Section 15162, no additional environmental review need be prepared for the subsequent changes proposed by the project since there are no substantial changes in the project that require major revisions to the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.
3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

### **D. CONFORMANCE WITH CITY POLICY/ANALYSIS**

#### General Plan

The General Plan land use designation on the subject site is SPA #9 (Specific Planning Area #9), which encompasses the Downtown area. The SPA designation allows high-density residential, retail, commercial, service and mixed uses. The Interim Downtown Specific Plan establishes permitted land uses, residential densities and development standards for each of the districts in the specific plan area.

#### Whether the Revised Project Remains Consistent with the Interim Downtown Specific Plan

At the time the Interim Downtown Specific Plan was adopted in 2007, the City Square development had already been approved and partially constructed within the Professional Office District. The new Interim Downtown Specific Plan eliminated the Professional Office District and the site is now located in the Southern Gateway District. Residential standards for development in the Southern Gateway District were slightly modified to reflect some of the approved multi-family residential projects in the area including City Square, City Plaza (Escondido Blvd./Third Avenue), and 444 Escondido (Escondido Blvd./Fourth Avenue).

Development standards in the Southern Gateway District include a maximum height of 57 feet, no side or rear yard setback requirements, a maximum dwelling unit density of 45 units per acre, a requirement for 300 SF of open space per unit, and standard multi-family parking ratios. The proposed revisions to the remaining portion of the City Square development would be consistent with these standards. The maximum building height is proposed to be 37 feet, side and rear yard setbacks range from 0 feet to five feet, the proposed density remains 28 dwelling units per acre, a total of 49,293 SF of open space will be provided which equals 483 SF per unit, and the amount of parking provided exceeds multi-family requirements based on the number of two-bedroom and three-bedroom units proposed.

Whether the Proposed Architecture and Materials are Consistent with the Existing Residential Buildings on the Site

The two existing Barratt-designed buildings incorporate a contemporary "row-house" architecture, with stucco and "hardiplank" siding, balconies with steel railings, a mix of flat roofs with parapets and sloping shed roofs with exposed rafter tails, metal canopies, white vinyl windows, and deep earth tone building colors. All residential units have private balconies and two units share entrance foyers on the ground floor. More than half of the units in the original design were proposed to front on a landscaped pedestrian paseo.

The proposed revision to the site design and architecture takes the same number of remaining units and groups them into smaller building clusters that incorporate a contemporary townhome style of architecture. Fire access is provided by a circular loop through the site with vehicle courts branching from loop driveway. All tandem garages have been eliminated in favor of traditional two-car garages; and the double-stacked floor plans have been simplified to two floors of living area directly above the garage and entryway. Proposed architectural forms are similar to the existing buildings in that block forms with varying wall planes and articulated building heights are still proposed. A mix of flat roofs and sloping shed roofs with exposed rafter tails are provided on all the proposed buildings to maintain continuity with the existing buildings. Each proposed unit has at least one exterior balcony on the second or third floor. All units fronting on Orange Street have elevated stoop entries. Similar building materials are also incorporated into the revised design including stucco wall surfaces and horizontal lap siding, metal canopies and steel balcony railings. The applicant will enhance compatibility by incorporating the same rust, gold, gray and taupe color palette for the new buildings as well.

The open space paseo that ran through the center of the previous design has been replaced by a series of interconnected courtyards surrounded by residential units. At least 55 of the proposed 84 units will front on a substantial common open space area. On June 9, 2011, the Design Review Board reviewed the proposal for the second time and commended the applicant on the proposed design and response to their previous comments. The board voted 6-0 to recommend approval of the proposed modification to the Master and Precise Development Plan.

Appropriateness of the Proposed Design for the Elevated Stoop Entries for the Units Fronting on Orange Street

Most public views of the project will be from either Centre City Parkway or Orange Street. All buildings near Centre City Parkway will be at least 32 feet from the property line and separated from the right-of-way by extensive landscaping and a six-foot high masonry wall. The two proposed buildings fronting on Orange Street are more visually prominent and would be approximately six feet from the property line with attached stoop entryways extending to the right-of-way.

The elevated stoops for the 18 units along Orange Street are approximately two to three feet high with four to six steps up to the door entry level. Most of stoops are approximately six-feet deep and eight-feet wide and surrounded by a 6-inch curb wall. These areas were extensively studied during the design review process and both the applicant and the Design Review Board expressed a clear preference for the proposed design, while staff supported the inclusion of a garden wall around the stoop entries. The Design Review Board concurred with the applicant that the proposed design provided the appropriate separation from the public sidewalk, was consistent with the entryways on Second Avenue, and presented a clean appearance that would discourage homeowner storage in the area. Staff appreciates those views, but continues to believe a three-foot high wall, or combination of wall and railing, would enhance the sense of separation and security and help activate the streetscape by encouraging homeowners to place chairs on the stoops and actually use the area for more than just an entry to their residence. Therefore, a condition has been added to require the addition of a three-foot high wall/railing around the stoops for the units adjacent to Orange Street.

**SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST**

**A. PHYSICAL CHARACTERISTICS**

The project site includes the southern approximately 3.18 acres of a 3.65-acre parcel bounded by Second Avenue to the north, Centre City Parkway to the west, Orange Street to the east and the alley south of Third Avenue to the south. The City Square property is fairly level, lying at an average of approximately 642.6 feet above mean sea level (msl), and contains two residential condominium buildings with a total of 18 dwelling units located adjacent to Second Avenue. A single driveway behind the buildings provides access to all of the garages attached to those units. This driveway would now be jointly used by existing and future residents. The proposed modification area that is directly south of the existing driveway has been completely cleared of all former structures that once existed on the site and is surrounded by chain-link fencing. Vegetation in this area is dominated by invasive, weedy species and there are no areas of native vegetation on the site.

**B. SUPPLEMENTAL DETAILS OF REQUEST**

	<u>Previously Approved</u>	<u>Proposed</u>
1. Property Size:	3.65 acres	Same, but proposed modification limited to southern 3.18 acres
2. Number of Units:	102 Total 18 constructed	Same 84 proposed for construction
3. Number of Lots:	One (102 air space units)	Same
4. Project Density:	28 dwelling units/acre	Same
5. Number of Buildings:	One building with eight units One building with ten units Three buildings with 12 units each <u>Three buildings with 16 units each</u> Eight buildings	Two Building A with three units each One Building B with four units One Building C with five units Five Building D with six units each Three Building E with seven units each One Building F with seven units <u>One Building G with eleven units</u> 14 buildings
6. Unit Type:	Plan 1: 35, 1,287 SF, 2BR/den, 2½BA Plan 2: 16, 1,310 SF, 2BR, 2½ BA Plan 2A: 16, 1,571 SF, 2BR/den, 2½BA Plan 3: 19, 1,783 SF 3BR/den, 2½BA Plan 3A: 16, 1,849 SF, 3BR/den, 2½BA	Plan 1: 21, 1,105 SF, 2BR, 2½BA Plan 2: 23, 1,131 SF, 2BR, 2½BA Plan 3: 25, 1,398 SF, 3BR, 3½BA Plan 4: 15, 1,477 SF, 3BR/den, 3 BA
	67 - 2BR units 35 - 3BR units	44 - 2BR units 40 - 3BR units
7. Grading:	Cut: 2,200 cubic yards Fill: 3,600 cubic yards Import: 1,400 cubic yards	Cut: 200 cubic yards Fill: 3,900 cubic yards Import: 3,700 cubic yards
8. Landscaping:	A landscaped paseo would extend through the length of the site from 2 <sup>nd</sup> Ave. to the alley. It would include seating areas, trellises,	Paseo now separated into three outdoor, landscaped, thematic courtyards with central pedestrian connection. Outdoor spaces include passive grass play area, benches,

ornamental paving, focal and accent landscaping, and decorative potted shrubs. Perimeter and interior landscaping would include 36"-box street trees, 24"-box trees, and a mixture of 1-gallon and 5-gallon shrubs.

trellises, seat walls, barbecues and tables, enhanced pavement and accent plantings. Perimeter and interior landscaping would include 24"-box and 15-gallon trees, and a mixture of 15-gallon, five-gallon and one-gallon shrub. Vine planters to be located adjacent to garage doors.

9. Amenities:

Each unit would have a private deck, fireplace, interior laundry room and two-car, tandem garage.

Each unit has one or two private balconies and some have private patios. All units have interior laundry facilities and two-car, side-by-side garages.

10. Building Color/Materials:

Contemporary, "row-house" architecture. Stucco and hardiplank (synthetic wood) siding exteriors. Flat, standing-seam metal roofs, metal shade canopies and trellis accents. Wood rafter tail accents. Metal sectional garage doors. Deep earth tone colors, including rust, gold, gray and taupe.

Contemporary, "Townhome" architecture using many of the same architectural forms and materials including shed roofs with composition shingles, metal canopies, steel railing on balconies, wood rafter tails, stucco and horizontal lap siding, and metal sectional garage doors. All building colors to match existing building colors.

11. Project Fencing:

A block wall with pilasters would be provided along Centre City Parkway and along the southern property boundary, the design to be to the satisfaction of the Design Review Board. Steel railing, matching the balcony railing, would be located around shared ground floor patios. No fencing is proposed along the Orange Street or Second Avenue frontages.

Existing block wall along Centre City Parkway would be extended south and along portions of southern property boundary using the same materials and colors. A tube-steel gate would be provided for driveways at the alley and on Orange Street. No other fencing is proposed along Orange Street.

**C. CODE COMPLIANCE ANALYSIS**

Southern Gateway District

Proposed

1. Setbacks:

Front (2<sup>nd</sup> Ave.): 10 feet

No Change proposed to existing buildings

Side:

Orange Street: 0 feet  
Centre City Parkway: 0 feet

0 feet for patios  
5 feet for parking

Rear (alley): 0 feet from edge of alley

1.4 feet from edge of alley

2. Parking:	56 – 2BR units at 1.75 spaces each <u>46 – 3BR units at 2 spaces each</u> 190 spaces + 26 guest spaces 216 total spaces required	233 total spaces provided, including 204 garage spaces, and 29 open guest spaces.
3. Building Height:	57 feet	37 feet
4. Usable Open Space:	30,600 SF (300 SF/unit)	49,293 SF (483 SF/unit)

**FINDINGS OF FACT  
PHG 11-0009  
EXHIBIT "A"**

Master and Precise Development Plans

1. The location and design of the proposed planned development is consistent with the goals and policies of the Escondido General Plan since high-density residential development is permitted and encouraged in Specific Planning Area #9.
2. The proposed location of the development allows the development to be well integrated with its surroundings near residentially and commercially zoned property, with a landscaped pedestrian access through the project linking the two areas. The development is located within the downtown urban core within walking distance to retail and commercial services.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets; according to the Mitigated Negative Declaration, issued July 14, 2005 (City Log No. ER 2005-20), the traffic study completed for the project by RBF Consulting on April 13, 2005, and the Engineering Division.
4. All public facilities, sewer and water service are existing and/or available to the subject site, with proposed improvements.
5. The overall design of the proposed residential development would produce an attractive, beautiful, efficient and stable environment for living, since adequate parking, open space and landscaping would be provided, and the design of the development is consistent with a high quality, urban infill project that will provide ownership housing within walking distance of downtown commercial and retail services consistent with the City's vision for the downtown area.
6. The proposed development would be well integrated into its surroundings, since excessive grading would not be required, the new structures would incorporate compatible and integrated architecture, materials and colors, the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties, and the development would provide an attractive pedestrian access through the site allowing convenient access for residents to nearby commercial services.
7. Utilizing the Planned Development process allows flexibility from the Specific Plan requirements, if necessary, to achieve a high-density residential project in the urban core.
8. The project would provide an environment of sustained desirability and stability since city services and adequate access would be provided, adequate parking would be provided, the proposed architecture would be integrated into its surroundings, and the project could serve as a catalyst for further revitalization efforts in the area.

**CONDITIONS OF APPROVAL  
PHG 11-0009  
EXHIBIT "B"**

**Planning Division Conditions**

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
4. 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.
5. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
6. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties.
7. A total of 233 parking spaces are proposed in conjunction with this development. A minimum of 230 parking spaces shall be provided and maintained at all times, including 204 covered garage spaces and 26 open guest spaces. Said guest parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards
8. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
9. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
10. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
11. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the Design Review Board on June 9, 2001, and the exhibits and details in the staff report to the satisfaction of the Planning Division.



12. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the Interim Downtown Specific Plan and the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code).
13. All new utilities shall be underground.
14. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
15. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with state law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to "County Clerk", in the amount of \$2,060.25 for a project with a Negative Declaration. These fees include an authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. Commencing January 1, 2007, the State Clearinghouse and/or County Clerk will not accept or post a Notice of Determination filed by a lead agency unless it is accompanied by one of the following: 1) a check with the correct Fish and Game filing fee payment, 2) a receipt or other proof of payment showing previous payment of the filing fee for the same project, or 3) a completed form from the Department of Fish and Game documenting the Department's determination that the project will have no effect on fish and wildlife. If the required filing fee is not paid for a project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code).
16. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department.
17. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
18. Three copies of a revised Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.
19. All lots shall meet the lot area and average lot width requirements of the underlying XX zone. Conformance with these requirements shall be demonstrated on the Tentative Map submitted for certification, the grading plan and final map. Non-compliance with these minimum standards will result in revisions to the map.
20. This Master and Precise Development Plan shall become null and void unless utilized within three years of the effective date of approval.
21. Approved street names for the project reflect a site design that no longer exists. No new or revised street names are part of this approval. A separate request shall be submitted and approved by the City Council prior to issuance of a grading permit.
22. Prior to issuance of a building permit, an interior acoustical analysis shall be submitted for review. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less.
23. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading plan.

24. The proposed garages for each unit shall provide clear interior dimensions of at least 19.5-feet wide by 20-feet deep. Storage shall not impede the ability to park two vehicles within each garage.
25. The applicant shall be responsible for ensuring that all residential units constructed in reliance on this approval are annexed into the existing homeowners association and are subject to the existing CC&Rs that regulate activities in the development.
26. The list of permitted pets/animals for units in this development shall stay within the limits of the R-4 zoning standards, unless more restrictive or as otherwise specified in the CC&Rs.
27. Prior to issuance of a building permit for Buildings "F" and "G," The applicant shall incorporate into the building plans a three-foot high wall or railing around and extending above the stoop areas for those units.

### **Landscaping Conditions**

1. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. All vegetation (including existing vegetation required as part of previous project approvals) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
2. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
4. Street trees shall be provided along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
5. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.
6. The applicant shall be responsible for landscaping the Centre City Parkway right-of-way area adjacent to the project site to the satisfaction of the Engineering and Planning Divisions. Landscaping shall be consistent with the Centre City Parkway Landscape Master Plan and shall be maintained by the HOA or the City's Landscape Maintenance District.
7. The landscape design shall include 24"-box size trees on a 1:1 ratio to mitigate the removal of each existing mature tree on the site, as determined in the tree survey completed by Helix Environmental on April 30, 2005, as required by the Tree Preservation Ordinance (Ord. 93-11), to the satisfaction of the Planning Division.

### **Building Division Conditions**

1. Appropriate accessible paths of travel shall be required from the public way.

**Fire Department Conditions**

1. Tif. 150 dpi, 11" x 17" page size file copy of project shall be provided showing building floor plan and site plan.

**Fire Protection Systems**

1. NFPA 13R **automatic fire sprinkler system** will be required.
2. Smoke detectors shall be required above all stairwell landings.
3. **Standpipe systems** shall be required at the following locations:
  - A. Hose valves may be required between entry doors.
4. An approved fire alarm system shall be required.
5. A fire hydrant is required to be located within 50 feet of the fire department connection, unless otherwise specified. Please show location on plans.
6. Fire hydrants capable of delivering 2,500 GPM at 20 PSI residual pressure shall be required every 300 feet to the satisfaction of the Fire Department.
7. Additional hydrants may be required near intersections, fire department connections or other locations.
8. Extinguisher(s) shall be provided at locations indicated with a minimum rating of 2A-10B: C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet (CFC 906.2; T-19 Art. 5). Extinguishers must be mounted not more than 5 feet nor less than 3 ½ feet above the floor.

**Access**

1. Alleys shall be improved to 24' width. "NO PARKING" must be posted.
2. Speed humps/bumps shall not be allowed.
3. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants shall be provided prior to the accumulation of any combustibile materials on the job site.
4. All gated entrances shall be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates shall be operable by Fire Department strobe detectors and allow free exiting. A funding method to provide ongoing maintenance of fire lanes, electric gates, and other fire & life safety requirements **must** be provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager shall be easily accessible to the Fire Department.
5. A 28' inside turning radius shall be required on all corners to the satisfaction of the Fire Department.
6. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.
7. 13'6" vertical clearances shall be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width shall be trimmed or removed and provisions to provide ongoing maintenance must be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement must be submitted.
8. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas and provisions to provide ongoing maintenance shall be reflected in the CC&Rs. A copy of the CC&Rs listing this

requirement shall be submitted to the Escondido Planning Department. "FIRE LANE" signs and red curbs shall meet specifications of the Escondido Police Department.

**Engineering Division Conditions**

**GENERAL**

1. The applicant shall provide the Director of Engineering Services with a Title Report covering subject property. The Title Report shall clearly state the signatory requirements for the granting of easements; need to verify that the signatures of owners of the previously sold units are not required.
2. The location of all existing on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed units and structures, these utilities shall be removed or relocated.
3. As surety for the removal and construction of required off-site and/or on-site improvements, new Surety Bonds and Improvement Agreement in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the issuance of any Building Permits.
4. No further Building Permits shall be issued for any construction within this Subdivision until all conditions of this Development have been fulfilled or secured by new Surety and Agreement.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the Director of Engineering Services.
6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the Director of Engineering Services.
7. The engineer shall submit to the Planning Department a copy of the Modification to the Master Development Plan and Precise Development Plan as presented to the Planning Commission and the City Council. This Exhibit will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Modification and must be included in the first submittal for plan check to the Engineering Department.

**STREET IMPROVEMENTS AND TRAFFIC**

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Modification to the Master Development Plan and Precise Development Plan approval and to the satisfaction of the Director of Engineering Services. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the Director of Engineering Services.
2. The developer shall construct frontage half-width street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

**STREET**

**Orange Street**

**CLASSIFICATION**

**Commercial (52'/80)**

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

3. The developer shall construct the following improvements on Centre City Parkway; widen existing right-turn lane to allow for a 5-foot wide bike lane and a 15 foot wide right-turn lane and extend to the south for a total length of 200 feet with transition to join existing edge of pavement prior to the existing drainage structure headwall, to the satisfaction of the Director of Engineering Services. The developer shall also install curb & gutter along new edge of roadway, overlay and re-stripe the bike and right-turn lane. The developer shall also regrade and landscape and provide recycled water irrigation system for the parkway area along project frontage on Centre City Parkway. These improvements have been constructed by the previous developer, however; they have not fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
4. The developer shall grind and overlay and restripe Second Avenue (Between Centre City Parkway) and Orange Avenue (Between Second Avenue and Third Avenue) along project frontage to the satisfaction of the Director of Engineering Services. These improvements have been constructed by the previous developer, however; they have not been accepted by the City. Prior to completion of the project the current developer shall be responsible to repair any damages to the roadway improvements to the satisfaction of the City Engineer.
5. The developer shall remove and reconstruct existing curb & gutter and sidewalk along project frontage on Second Avenue. The developer shall also remove and reconstruct curb-returns at northwest and northeast corners to meet current ADA requirements and allow for Centre City Parkway widening. These improvements have been constructed by the previous developer, however; they have not fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
6. The existing traffic signal at the intersection of Centre City Parkway and Second Ave. has been modified by the previous developer, however; modification has not been fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
7. The existing traffic signal at the intersection of Orange Street and Second Ave. has been modified by the previous developer, however; modification has not been fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
8. The developer shall be responsible to remove and replace the existing curb & gutter and sidewalk along project frontage on Orange Street to the satisfaction of the Director of Engineering Services. The developer shall also responsible to bring Orange Street surface improvements to the satisfaction of the City Engineer prior to completion of the project.
9. The developer shall improve the existing alley along southerly property line to public Alley standards (22 feet wide) to the satisfaction of Director of Engineering Services.
10. Street/Alley Improvement plans prepared by a registered civil engineer shall be provided for review and approval by the City Engineer for all proposed public improvements.
11. The main access to this project shall be improved with an alley-type driveway in accordance with Escondido Standard Drawing No. G-3-E with a minimum throat width of 32 feet.
12. All on-site roads, driveways and parking areas shall be private. Typical sections and design details shall be to the satisfaction of the Director of Engineering Services and Fire Marshal.
13. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
14. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signage and striping shall be done by a private contractor.

15. The developer shall be responsible for an overlay of Orange Street due to the many utility trenches necessary to serve this project and/or to repair existing damage along frontage. The determination of the extent of the overlay shall be to the satisfaction of the Director of Engineering Services.
16. The developer shall be required to construct an emergency access gates to the satisfaction of the Director of Engineering Services and City Fire Marshal.
17. The developer shall be required to construct 180-watt street lights in accordance with Escondido Standard Drawing E-1-E on Orange Street at the project and alley entrances.

#### GRADING

1. A new site grading and erosion control plan shall be submitted to and approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Any proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
3. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.
4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the Director of Engineering Services.
5. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
6. The developer shall be responsible for landscaping and irrigation along all project frontages including Centre City Parkway and include provisions in the CC&R for the maintenance of landscaping by the property owners association.

#### DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the Director of Engineering Services and shall be based on a drainage study to be prepared by the engineer of work.
2. All on-site storm drains not in public easements and all storm water treatment facilities are private. The responsibility for maintenance of these storm drains and treatment facilities shall be that of the Property Owner's Association. Provisions stating this shall be included in the WQTR and CC&R'S.
3. An updated Water Quality Technical Report shall be prepared for the project in accordance with the City's Storm Water Management Requirements and approved by the Director of Engineering Services. This updated Water Quality Technical Report shall include post construction storm water treatment measures and maintenance requirements.

4. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of Bio-Retention Basins within or along the perimeter of the parking and driveway areas as the primary method of storm water treatment. The landscape plans will need to reflect these areas of storm water treatment.
5. The on-site trash enclosure shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the Director of Engineering Services.

#### **WATER SUPPLY**

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
2. A hydraulic analysis of the proposed water improvements will be required to determine water main sizes and water system looping necessary to provide adequate domestic service and fire protection as required by the Director of Utilities and Fire Marshal.
3. The project water system shall be designed with multiple connections to the surrounding existing City water mains to the satisfaction of the Director of Utilities, including a 10-inch or larger connection to the existing 24" water main on the west side of Centre City Pkwy. The existing 8" or 10" waterline connecting to this 24" water main in Centre City Pkwy shall be abandoned or replaced to the satisfaction of the Director of Utilities.
4. All public water facilities (water meters, fire check valves, back flow devices, air-vacs, etc) shall be installed centered within a public utility easements and no structures including fences shall encroach within these easements.
5. All on-site private water pipes shall be located outside public easements and will be considered a private water system. The Property Owner's Association will be responsible for all maintenance of these water pipes and facilities. This shall be clearly stated in the CC&R's.

#### **RECYCLED WATER**

1. The developer is required to construct a recycled water irrigation system for frontage parkway areas and Centre City Parkway landscaping area. This system should be built to the satisfaction of the Planning Director and the Director of Utilities.

#### **SEWER**

1. All sewer main locations and sizing shall be to the satisfaction of the Director of Utilities and the Director of Engineering Services. Required sewer main improvements include construction of onsite sewer main and the replacement of the existing sewer in the alley between Third and Fourth to Centre City Parkway to the satisfaction of the Director of Engineering Services and the Director of Utilities.
2. All on-site sewer laterals and sewer mains not within public sewer easements will be considered private. The Property Owners' Association will be responsible for all maintenance of these laterals and mains. This shall be clearly stated in the CC&R's.

#### **EASEMENTS AND DEDICATIONS**

1. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to the approval of the revised grading and improvement plans. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the Director of Engineering Services prior to approval of the revised Grading and Improvement plans.

2. All easements, both private and public, affecting subject property shall be shown and delineated on the Grading and Improvement plans.
3. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City. The minimum easement width is 20 feet. Easements with additional public utilities shall be increased in width accordingly.
4. The following material necessary for processing the dedication or easement shall be submitted as follows: 1) a current grant deed or title report, 2) a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying, 3) traverse closure tapes. The City will review the plat and legal and upon approval shall prepare all final documents.
5. All proposed landings and steps along Orange Street shall be kept out of the public right-of Way. Some additional street vacation along Orange Avenue in line with previous street vacations may be allowed subject to approval by the City Council. All street vacations shall be accomplished by means of a separate public hearing before the City Council.
6. Building permits will not be issued for units and structures which conflict with existing easements or public Right-of-Way, nor will any securities be released until all existing excess utility easements have been quitclaimed.

#### **REPAYMENTS AND FEES**

1. The developer may request a repayment for the off-site construction of sewer and water improvements that could benefit an adjoining property owner. The completed repayment agreement must be prepared in accordance with the City Repayment Agreement Policy.
2. A cash security or other security satisfactory to the Director of Engineering Services shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading and landscaping for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services. The balance of the grading work shall be secured by a new Grading Surety bond, an instrument of credit, a letter of credit or such other security as may be approved by the Director of Engineering Services and the City Attorney.
3. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

#### **CC&R's**

1. Copies of the revised CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to the issuance of any new Building Permits.
2. The developer shall make provisions in the CC&R's for maintenance by Property Owners' Association of private roadways, driveways, parking areas, private utilities (including sewer and water), storm water treatment facilities, drainage swales, private street lighting, storm drains and any common open spaces. These provisions must be approved by the Engineering Department prior to the issuance of any new Building Permit.
3. The CC&R's shall make provisions for the Property Owners' Association to maintain parkway landscaping along project frontage on Centre City Parkway, Second Avenue and Orange Street.
4. The CC&R's must state that the Property Owners' Association assumes liability for damage and repair to City utilities in the event that damage is caused by the Property Owners' Association when repair or replacement of private utilities is done.



5. The CC&R's must state that if stamped concrete is used in the private street the Property Owners' Association is responsible for replacing the stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

**UTILITY UNDERGROUNDING AND RELOCATION**

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



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

**MITIGATED NEGATIVE DECLARATION**

**FILED**  
 Gregory J. Smith, Recorder/County Clerk

**JUL 14 2005**

CASE NO.: ER-2005-20  
 DATE ISSUED: July 14, 2005  
 PUBLIC REVIEW PERIOD: July 19, 2005 – August 8, 2005

BY  \_\_\_\_\_  
 DEPUTY

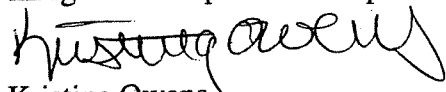
**PROJECT DESCRIPTION:** A request for a Preliminary, Master and Precise Development Plan, in conjunction with a one-lot Tentative Subdivision Map to construct 102 attached condominium units. Two and three-bedroom units would be located in nine four-story buildings. The request also includes a Zoning Code Amendment to allow residential uses on the ground floor without a commercial component, in this portion of the Professional Office District. Four residential structures and an approximately 20,000 SF commercial structure would be removed prior to constructing the residential units.

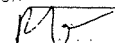
**LOCATION:** 3.6 acres bounded by Second Avenue to the north, Centre City Parkway to the west, Orange Street to the east, and the alley south of Third Avenue to the south, addressed as 203 South Orange Street.

**APPLICANT:** John Barone, 2<sup>nd</sup> & Orange Associates

An Initial Study has been prepared to assess this project as required by the California Environmental Quality Act, and Guidelines, Ordinances and Regulations of the City of Escondido. The Initial Study is on file in the City of Escondido Planning Division.

**FINDINGS:** The findings of this review are that the Initial Study identified impacts that might be potentially significant, but mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level.

  
 Kristina Owens  
 Assistant Planner II

FILED IN THE OFFICE OF THE COUNTY CLERK  
 San Diego County on JUL 14 2005  
 Posted JUL 14 2005 Removed \_\_\_\_\_  
 Returned to agency on \_\_\_\_\_  
 Deputy 

**ATTACHMENT A**  
**MITIGATION MEASURES**

ER 2005-20

Tract 921, 2005-28-PD, 2005-06-AZ  
City Square, 203 South Orange Street

**Applicant's Mitigation Measures:**

**Hazards and Hazardous Materials**

1. 1. Prior to issuance of a demolition permit for any structure on the site, asbestos containing materials (ACM) shall be removed by a licensed asbestos abatement contractor. A state certified asbestos consultant shall be retained to perform abatement project planning, monitoring, oversight and reporting. Lead containing paint (LCP) shall be removed by a California Department of Health Services licensed lead abatement contractor. Contracts for services with each of the contractors/consultants shall be presented to the Planning Division for review prior to issuance of any demolition permits.

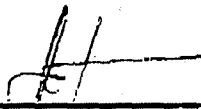
**ACKNOWLEDGEMENT OF ENFORCEABLE COMMITMENT**

ER 2005-20  
City Square  
203 South Orange Street, Tract 921, 2005-28-PD, 2005-06-AZ

The items listed on the attached Mitigation Monitoring Program constitute an enforceable commitment pursuant to Section 21081.6(b) of the California Environmental Quality Act (Public Resources Code Sections 21000-21178.) The applicant will be required to provide and comply with all of the mitigation measures listed herein. These mitigation measures have also been included as conditions of the project approval.

7/13/05

Date



John Barone, 2<sup>nd</sup> & Orange Associates

Applicant's Signature

**ATTACHMENT "A"**  
**MITIGATION MONITORING REPORT**

**PROJECT NAME:** City Square  
**PROJECT DESCRIPTION:** 102 Unit Attached Condominiums  
**PROJECT LOCATION:** 203 South Orange Street

**NEG.DEC. NO.:** ER 2005-20  
**ASSOC. CASE NO:** Tract 921, 2005-28-PD,  
 2005-06-AZ

**APPROVAL BODY/DATE:**  
**PROJECT MANAGER:**

**CONTACT PERSON:** John Barone, 2<sup>nd</sup> & Orange Associates  
**PHONE NUMBER:** (858) 259-3037

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION, NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Hazardous and Hazardous Materials	1. Prior to issuance of a demolition permit for any structure on the site, asbestos containing materials (ACM) shall be removed by a licensed asbestos abatement contractor. A state certified asbestos consultant shall be retained to perform abatement project planning, monitoring, oversight and reporting. Lead containing paint (LCP) shall be removed by a California Department of Health Services licensed lead abatement contractor. Contracts for services with each of the contractors/consultants shall be presented to the Planning Division for review prior to issuance of any demolition permits.	Hazardous and Hazardous Materials #1	Applicant		
	Staff to review contracts with contractors/consultants prior to issuance of demolition permit.		Planning Division		



Charles D. Grimm  
Director of Planning and Building  
Planning Division  
(760) 839-4671, FAX (760) 839-4313

July 14, 2005

Mr. John Barone  
2<sup>nd</sup> & Orange Associates  
11232 El Camino Real, Ste 175  
San Diego, CA 92130

SUBJECT: Environmental Review Determination, Case No. ER 2005-20

Dear Mr. Barone:

An analysis of your Environmental Review application has resulted in the enclosed "Notice of Proposed Mitigated Negative Declaration," issued in draft form. Issuance of this document indicates the City determined the following finding applies to the proposed project:

The proposed project may have a significant effect on the environment. However, in this case the project will not have a significant effect on the environment because of specific mitigation measures which have been incorporated into the design and implementation of the project.

Public notice of the Proposed Mitigated Negative Declaration has been distributed for a public review period, ending on August 8, 2005. Depending on the relevance of any public comments received during the public review period, staff reserves the right to change the terms and conclusions of this "Proposed Mitigated Negative Declaration."

If you have any questions regarding this environmental review, please call me at (760) 839-4310.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristina Owens".

Kristina Owens, AICP  
Assistant Planner II

Cc: Rich Miller, MetroPlan



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

## NOTICE OF MITIGATED NEGATIVE DECLARATION

The Escondido Planning Division has prepared a Mitigated Negative Declaration for the project described below. This preliminary finding means that there will be no significant environmental effects from the project because of specific mitigation measures which have been incorporated into the design and implementation of the project. The description of the project is as follows:

**ER 2005-20:** A request for a Preliminary, Master and Precise Development Plan, in conjunction with a one-lot Tentative Subdivision Map to construct 102 attached condominium units. Two and three-bedroom units would be located in nine four-story buildings. The request also includes a Zoning Code Amendment to allow residential uses on the ground floor without a commercial component, in this portion of the Professional Office District. Four residential structures and an approximately 20,000 SF commercial structure would be removed prior to constructing the residential units.

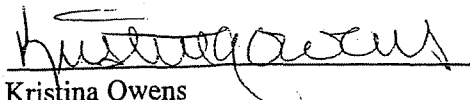
**LOCATION:** 3.6 acres bounded by Second Avenue to the north, Centre City Parkway to the west, Orange Street to the east, and the alley south of Third Avenue to the south, addressed as 203 South Orange Street.

**APPLICANT:** John Barone, 2<sup>nd</sup> & Orange Associates

The review and comment period will end August 8, 2005. A copy of the Environmental Initial Study and the Negative Declaration are on file and available for public review in the Escondido Planning Division, at 201 North Broadway. Written comments relevant to environmental issues will be considered if submitted to the Planning Division prior to 5:30 p.m., August 8, 2005. Due to the City's 9/80 work schedule, City Hall is closed on Friday, July 29, 2005.

Further information may be obtained by contacting **Kristina Owens** at the Planning Division, telephone (760) 839-4310. Please refer to Case No. ER 2005-20

**DATED:** July 14, 2005

  
 Kristina Owens  
 Assistant Planner II





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

## MITIGATED NEGATIVE DECLARATION

CASE NO.: ER-2005-20  
 DATE ISSUED: July 14, 2005  
 PUBLIC REVIEW PERIOD: July 19, 2005 – August 8, 2005

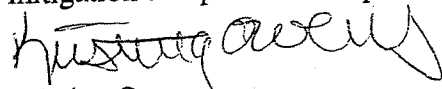
PROJECT DESCRIPTION: A request for a Preliminary, Master and Precise Development Plan, in conjunction with a one-lot Tentative Subdivision Map to construct 102 attached condominium units. Two and three-bedroom units would be located in nine four-story buildings. The request also includes a Zoning Code Amendment to allow residential uses on the ground floor without a commercial component, in this portion of the Professional Office District. Four residential structures and an approximately 20,000 SF commercial structure would be removed prior to constructing the residential units.

LOCATION: 3.6 acres bounded by Second Avenue to the north, Centre City Parkway to the west, Orange Street to the east, and the alley south of Third Avenue to the south, addressed as 203 South Orange Street.

APPLICANT: John Barone, 2<sup>nd</sup> & Orange Associates

An Initial Study has been prepared to assess this project as required by the California Environmental Quality Act, and Guidelines, Ordinances and Regulations of the City of Escondido. The Initial Study is on file in the City of Escondido Planning Division.

FINDINGS: The findings of this review are that the Initial Study identified impacts that might be potentially significant, but mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level.

  
 Kristina Owens  
 Assistant Planner II



**INITIAL STUDY PART II**  
**Supplemental Comments**  
**2005-28-PD, Tract 921, 2005-06-AZ, ER 2005-20**

**GENERAL PURPOSE** The following section evaluates the potential impacts of the proposed Preliminary, Master and Precise Development Plans, Tentative Subdivision Map, and Zoning Code Amendment for a 102-unit attached residential development on approximately 3.6 acres at 203 South Orange Street. The attached environmental checklist, consistent with the California Environmental Quality Act (CEQA) Guidelines, was used to focus this study on physical factors that may be further impacted by the proposed project. The Initial Study will serve to identify, evaluate and mitigate any effects determined to be potentially significant leading to the issuance of a Mitigated Negative Declaration.

**PROJECT DESCRIPTION** A request for a Preliminary, Master and Precise Development Plan, in conjunction with a one-lot Tentative Subdivision Map to construct 102 attached condominium units. Two and three-bedroom units would be located in nine four-story buildings. The request also includes a Zoning Code Amendment to allow residential uses on the ground floor without a commercial component, in this portion of the Professional Office District. Four residential structures and an approximately 20,000 SF commercial structure would be removed prior to constructing the residential units.

**ENVIRONMENTAL SETTING** The project site is located on the approximately 3.6 acres bound by Second Avenue to the north, Centre City Parkway to the west, Orange Street to the east, and the alley south of Third Avenue to the south. The 3.6-acre site is comprised of several parcels, which have been under separate ownership. The site is currently occupied by a commercial disaster restoration building at the northern end of the site, a paved parking area and four single-family residences. The commercial building was occupied by the Escondido Post Office until the early 1990's. The majority of the site is paved and developed, and there is ornamental vegetation on the site adjacent to the structures. There is no native vegetation on-site. The site is fairly level, lying at an average of approximately 642.6 feet above mean sea level (MSL). The high point of the site is approximately 644.6 feet above msl in the southwestern corner of the site. The surrounding area has been completely developed, with mostly commercial, single-family and some multi-family residences. The entire site is located within the Professional Office District of the Downtown Revitalization Area Specific Plan, with a portion also located within the Retail Overlay District. The entire site is located within the SP (Specific Plan)/Tier 1 (Central) designated area of the General Plan. The site has frontage on Centre City Parkway, Orange Street and Second Avenue, and access is available from Orange Street, Second Avenue and a public alley. Second Avenue is classified as a Collector (84' r.o.w.) in the City's Circulation Element and Centre City Parkway is classified as a Major Road (102' r.o.w). Orange Street and Third Avenue are unclassified. The western end of both the alley and Third Avenue, running through the project site, would be vacated as part of the applicant's request.

The area surrounding the site is mostly low profile commercial and residential in character, with both multi-family and single-family development. Adjacent land uses and zoning are as follow:

North: Professional Office District of the Downtown Revitalization Area Specific Plan zoning/ Commercial businesses are located to the north.

- West: PD-C (Planned Development, Commercial) and PD-I (Planned Development Industrial) zoning/ Commercial and industrial businesses are located to the west across Centre City Parkway.
- East: Professional Office District of the Downtown Revitalization Area Specific Plan zoning / Single-family and some low-density multi-family residences are located to the east.
- South: Urban Neighborhood District of the Downtown Revitalization Area Specific Plan zoning / Multi-family residential developments are located to the south.

### **I. LAND USE AND PLANNING**

The 3.6-acre site is comprised of several parcels. The entire site is located within the Professional Office District of the Downtown Revitalization Area Specific Plan, with a portion also within the Retail Overlay District. The entire site is located within the SP (Specific Plan)/Tier 1 (Central) designated area of the General Plan. The Professional Office District allows residential uses on the ground floor only as part of a mixed-use development with an overall density of 45 du/acre, multiplied by a percentage of the development devoted to residential use. An amendment to the Professional Office District of the Specific Plan is proposed to allow ground floor residential development without a commercial component on the 3.6-acre site. With adoption of the Amendment, plans could be processed for a residential project in accordance with the planned development process, and shall conform with the density provisions and other development standards of the District. A one-lot Tentative Subdivision Map also is proposed, along with a Preliminary, Master and Precise Development Plan in order to construct 102, attached, air-space condominium units. Access to the site would be from Orange Street, with emergency only, gated egress onto Orange Street and onto the existing alley to the south.

The project would include two and three bedroom units ranging from 1,287 SF to 1,849 SF. The units would include two-bedroom, two-bathroom flats, two-bedroom, two and one half bathroom, two-story units, and three-bedroom, two and one-half bathroom, two-story units with an optional fourth floor loft. Each unit would have an attached two-car tandem garage on the ground floor. Guest parking would be provided within the development along centre City Parkway. The project would meet all parking requirements.

The proposed project would not conflict with applicable environmental plans since the subject property does not contain any sensitive habitat or species, or any area designated for preservation. No rare upland habitats such as coastal sage scrub or native grassland would be impacted by future construction. Therefore, the project would not interfere with the preservation of high quality habitat or biological corridors and linkage areas identified by the MHCP. There are no scenic resources on the site such as trees, rock outcroppings or historic buildings, and the proposed project would not degrade the existing visual character of the site, which currently includes a commercial use and single-family residences.

The proposal will not disrupt or divide the physical arrangement of an established community, since the project is in-fill in nature and the site is surrounded by a mixture of multi-family and single-family residentially zoned and developed property, and commercial development. The past uses on the site were commercial and residential in nature. Significant land use impacts would occur if the project substantially conflicted with established uses, disrupted or divided an established community or resulted in a substantial alteration to the present or planned land uses. Approval of the proposed project will not create any significant land use impacts. Multi-family housing would be considered compatible with the

existing adjacent uses. Housing within a portion of the Professional Office District and Retail Overlay District should serve to unify the downtown by integrating commercial and residential activities. The proposed Zoning Code Amendment would permit a residential condominium development through the planned development process. The proposed Preliminary, Master and Precise Development Plan and Tentative Subdivision Map would permit a 102-unit residential condominium development. The proposed project would connect the surrounding residential projects to the east and south with the commercial uses to the north, through pedestrian connections. Existing residential housing stock is being removed in the form of three units, but 102 units of ownership housing would be added to the neighborhood. The proposed Tentative Subdivision Map, Planned Development and Zoning Code Amendment would not alter the character or views of the site, or result in a substantial adverse effect on a scenic vista, as there are no significant views through the subject property from adjacent residential properties. Development of the proposed project would not introduce a new source of light and glare in the area as the site is currently developed. The primary source of additional lighting would be from street lights and residential lighting. Compliance with the City's Outdoor Lighting Ordinance (Zoning Code Article 35) would ensure that impacts related to lighting and glare, resulting from the proposed project, would be less than significant. Therefore, no significant land-use impacts are anticipated to occur with development of the proposed project.

## **II. AGRICULTURAL RESOURCES**

The project site contains a commercial structure and four single-family residences. The majority of the site has been cleared of any native vegetation, paved, and used for several years for various commercial businesses including a parking lot. The southern portion of the site has been developed with three single-family residences. According to the project history in the historical resources survey, completed by ASM Affiliates, Inc., there is no indication that the site has been used in the recent past for agricultural purposes. There is some ornamental vegetation on the site, which is associated with the commercial building and the residences. There is little potential for future agricultural production on the site, since the site is designated for commercial, residential and mixed uses, is located in the downtown areas, and is surrounded by medium-density multi-family, single-family residential and commercial uses. The site contains no Significant Agricultural lands as shown in the Final Environmental Impact Report for the 2000 General Plan Update (Figure 5.12-5), and is not subject to a Williamson Act contract. Additionally, there are no significant farmlands near the subject property. Therefore, the proposed project would have no significant effects on agricultural resources or farmland in Escondido or North San Diego County.

## **III. TRANSPORTATION/TRAFFIC**

The project site fronts on Centre City Parkway, Orange Street and Second Avenue. Both Third Avenue and an alley which run through the project site would be vacated as part of the project. Orange Street is unclassified in the City's Circulation Element, while Second Avenue is classified as a Collector (84' r.o.w.), and Centre City Parkway is classified as a Major Road (102' r.o.w.). Access to the development would be from one driveway from Orange Street, with two gated, emergency only, drives on Orange Street and the alley to the south. Access to each unit would be provided by interior driveways. Each unit would include a two-car tandem garage. In addition, there would be 29 on-site guest parking spaces provided along Centre City Parkway, along the western boundary of the site, for a total of 233 on-site parking spaces. The Zoning Code requires 26 guest spaces (one space per four units). In addition, parking would be permitted on Orange Street, as it is not a Circulation Element street, and is currently permitted on Second Avenue.

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

1. Causes the level of services (LOS) of a circulation element street to fall below a mid-range of LOS "D" and/or adds more than 200 ADT to a circulation element street within an LOS below the mid-range "D" yet above LOS "F".
2. Exceeds, either individually or cumulatively, a level of services standard established by the County Congestion Management Agency for designated roads and highways.
3. Results in a change of air traffic patterns, including either an increase in traffic levels or in location that results in substantial safety risks or increased hazards due to a design feature.
4. Results in inadequate emergency access or parking capacity, or conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

A Traffic Impact Analysis was prepared by RBF Consulting on April 13, 2005. The report evaluates the traffic impacts of the proposed residential development. The Analysis forecasts that a total of 612 average daily trips (ADTs) would be generated by the proposed project (6 trips per unit). Forty-nine of the trips would occur in the a.m. peak hour and 55 trips would occur in the p.m. peak hour. The analysis studied all surrounding roadway segments and intersections. Roadway segment levels of service were calculated based on the capacity of the roadway based on classification and ADT volumes. All of the surrounding roadway segments currently operate at Level A or C. The proposed project would not result in a deterioration of service on any of the roadway segments. Weekday peak hour intersection volumes were collected for the morning (7 to 9 a.m.) and evening (4 to 6 p.m.) peaks at all study intersections specifically for this project. All intersections currently operate at LOS "A" or "C". Based on project trip assignment, current levels of service would be maintained on all roadway segments with development of the project. Similarly the levels of service for intersection would not change except for the unsignalized intersection at Orange Street/Third Avenue that would be a "B" rather than "A" LOS.

The analysis also considered the cumulative impacts associated with traffic generated from the 14 identified projects in the cumulative analysis, both with and without the proposed project. All of the study roadway segments are forecast to operate at acceptable levels of service, LOS "C" or better, with or without the proposed project under cumulative conditions. All study intersections also are forecast to operate at LOS "C" or better for both the a.m. and p.m. peak hours with the addition of the proposed project trips under cumulative conditions. The study concludes that the proposed project would not have a negative impact on the adjacent streets or intersections.

The Engineering Division has concurred with the conclusions of the Traffic Impact Analysis, and indicates that this project would not materially degrade the levels of service of the adjacent streets or intersections. Therefore, this project will not have a significant impact on transportation or circulation.

#### **IV. AIR QUALITY**

The San Diego Air Basin is a non-attainment area for federal and state air quality standards for ozone. The basin also is a non-attainment area for state standards for particulate matter less than ten microns in diameter (PM10). Local air-quality impacts are directly related to the number of vehicle trips and operation levels on adjacent streets and intersections. According to the Traffic Study completed for the project, the project is expected to generate 612 additional average daily trips. The addition of 612 daily trips generated by the site would not significantly impact the existing level-of-service on the adjacent roadway network based on the existing plus cumulative plus project conditions and the Engineering Division. These trips were analyzed by RBF Consulting in the traffic impact analysis dated April 13, 2005. Since the project would not deteriorate the Level of Service on adjacent streets or intersections, and the project would not exceed SCAQMD (South Coast Air Quality Management District) or local

thresholds of significance, the project would not result in a significant impact to local or regional air quality.

The proposed development itself is not anticipated to significantly deteriorate air quality since the project does not involve any manufacturing uses, and since a residential use is not expected to create objectionable odors or noxious conditions. Project construction would generate short-term emission of air pollutants. Dust from grading and other site preparation would generate particulate matter emission. Due to the small amount of grading, and with appropriate use of grading and operation procedures, the project would not generate significant particulate matter of dust. The City of Escondido Grading Ordinance and erosion control requirements include provisions for dust control to reduce impacts to air quality during grading and construction activities, and would reduce potential impacts to a less than significant level. Emissions from construction equipment, worker and delivery and material hauling trucks, and construction-related power consumption would be temporary and would result in an extremely small contribution to the SDAB and therefore would not result in a significant impact.

#### V. BIOLOGICAL RESOURCES

The project site has been developed with a large commercial structure, an asphalt paved parking and storage lot, and four single-family residences. There is some ornamental vegetation surrounding the structures, but the majority of native vegetation has been removed from the site. The site is listed as developed/disturbed land on SANDAG's City of Escondido Focused Plan Area Map, with no sensitive vegetation species located nearby.

Helix Environmental Planning, Inc. conducted a biological site analysis, including a tree survey, on April 30, 2004. According to the survey, the entire 3.6-acre project area is dominated by urban/developed land but includes a vacant 0.2-acre portion in the southeastern portion of the project site. The majority of the vegetation found on the site is ornamental landscaping and common weeds, such as grass (*Bromus* sp.), barley (*Hordeum* sp.), and crete hedyinois (*Hedypnois cretica*). No areas of native habitat or vegetation exist anywhere on the site. The site does support approximately 0.2 acre of non-native grassland in the vacant lot. The project site supports 46 trees in total, including 10 tree species (such as eucalyptus, pepper, palms, and cottonwood trees), and 25 trees that fall under the City's definition of mature trees. None of the mature trees found on site is considered protected. One oak tree (*Quercus* sp.) was found on the site but is not considered mature or protected under the Escondido Zoning Code because it only has a diameter at breast height (DBH) of three inches.

No sensitive plant or animal species were observed on-site during the visit. No raptors or nests were observed. No wetlands, natural or man-made drainages or non-wetland Waters of the U.S. were observed. Wetland permits from the U.S. Army Corps of Engineers and the California Department of Fish and Game will not be required.

The proposed project will not produce any significant biological impacts according to City significance criteria. The proposed Subdivision Map, Preliminary, Master and Precise Development Plans, and Zoning Code Amendment would not result in any significant impact on the City's biological resources, since the entire site has been previously disturbed, existing residential and commercial development surrounds the project site, and the area is not environmentally sensitive. No significant populations of sensitive plants or animals are present and the project will not encroach upon any wildlife habitat areas. The proposed project would not have any potential, adverse, individual or cumulative impacts on wildlife or biological resources, and the project will have a de minimus impact to fish and wildlife resources.

## **VI. CULTURAL RESOURCES**

There is an approximately 20,000 SF commercial structure and four single-family residences on the site. The commercial structure has been utilized by various commercial uses, including a United States Post Office and a disaster restoration service, over the past several years. ASM Affiliates, Inc prepared a Historical Resource Survey of the site in December, 2004.

A total of five buildings currently exist on-site, one commercial building and four residences. Of these buildings, two are over 50 years old. These buildings, at 409 ½ West Third Avenue and 421 West Third Avenue, were evaluated for eligibility to the California Register of Historic Resources and to the Escondido Local Register of Historical Resources. None of the structures on the site is listed on the Local Register of Historical Places, although two of the residences are located on the Citywide Inventory of Historic Resources. The house at 409 ½ West Third Avenue is a small wood-frame alley house, constructed between 1927 and 1949, according to records, although it was most likely constructed after 1945. It is a much altered structure with poor integrity and was constructed as a cottage. The second house at 421 West Third Avenue is a Craftsman-style house constructed in the mid-1920's. The original building was considerably smaller than the current building, and it appears that it was extensively extended and remodeled in the late 1950s. Due to its extensive remodeling, it has poor integrity. According to the Survey, neither residence is of great architectural or historical significance, nor is eligible for the either the California or Escondido Registers.

Under CEQA and the City of Escondido's Historical Resource Guidelines a significant resource is one that is eligible for listing in the California Register of Historical Resources/National Register of Historic Places or other local historic register, or is deemed significant in a historical resource survey. The Historical Resource Survey evaluates the potential significance of the structures based on significance criteria in the Historic Resources Section of the Zoning Code. In order for a structure to be listed on Escondido's Local Register of Historical Places, a resource must meet at least two of the seven criteria in the Historical Resources Ordinance. The Historic Resource Survey by ASM Affiliates indicates that the structures on the site are not historically significant under any of the criteria. The site also does not possess any great aspects of historical integrity, based on National Park Service criteria. In order to qualify for listing under the California Register/National Register a resource must be significant within a historic context and meet one or more of the following criteria: A) Be associated with an event or series of events that have made a significant contribution to the broad pattern of history; B) Have an unequivocal association with the lives of people significant in the past; C) Embody distinctive characteristics of a type, period, or method of construction; and D) Have yielded or may be likely to yield information important in local, state, or national prehistory or history. According to the study, neither residence meets any criteria for eligibility for the historic registers, and is not recommended as eligible for the California or Escondido Registers. Therefore, there would be no adverse impact in demolishing the resource and no mitigation is required.

No prehistoric resources were identified the project property. In addition, the property was examined in an intense pedestrian survey for the presence of significant archaeological and historic resources. Implementation of the project will not result in direct or indirect impacts to any significant cultural or historical resources.

The balance of the Downtown Specific Plan area has been completely developed with existing commercial uses and there is no physical evidence of any historic or cultural resources on the subject site. A review of the City's Archaeological Resource Inventory reveals no known archaeological sites within close proximity. Since there are no historical, archaeological and/or paleontological resources known to be present within the subject area, the project will not result in any significant impacts.

## **VII. GEOLOGY AND SOILS**

The site is not located in an area subject to a 100-year flood event. The project site consist of approximately 3.6 acres and is fairly level. The site is located at an average of approximately 642.6 feet above mean sea level (MSL). The high point of the site is approximately 644.6 feet above msl in the southwestern corner of the site. There are no significant topographic features on the property.

As part of the proposed Tentative Subdivision Map, Preliminary, Master and Precise Development Plan, and Zoning Code Amendment applications, demolition and grading would occur on the site for the construction of 102 new attached condominiums and associated pavement and parking areas. The grading design proposes 2,200 cubic yards (CY) of cut and 3,600 CY of fill, for a total import of 1,400 CY. No exemptions from the Grading Ordinance are proposed. The slope of the entire site is less than 10%.

A Preliminary Geotechnical Investigation was prepared by Geocon Geotechnical Consultants on October 25, 2004, to evaluate the surface and subsurface soil conditions and general site geology, and to address any geotechnical constraints. According to the report, the site is underlain by two soil types and one geologic unit: undocumented fill, alluvium, and granitic rock. Groundwater was located in some of the borings at depths of approximately 9 to 14 feet below the ground surface. The site is not located on any know active, potential active or inactive fault traces as defined by the California Geologic Society (CGS). The nearest known active faults are the Rose Canyon and Elsinore-Julian faults, located approximately 15 ½ and 17 miles west and east of the site respectively. Earthquakes that might occur along those faults are potential generators of ground motion at the site. The site could likely experience some ground shaking effects from future earthquakes along any of the known faults located within 30 miles of the site. The site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general. The potential for liquefaction is low due to the dense nature of the underlying granitic rock and the recommended grading. In addition, no landslides are present on the property or a location which could impact the site.

According to the Geotechnical Engineer, with standard grading and compaction practices, no significant impacts to geology or soils are expected. The project would not expose people or structures to geologic hazards since there are no known active faults within the immediate vicinity and the North County region is not known for its seismic activity. The study concluded that the site can support the proposed project and is relatively free of geologic hazards.

## **VIII. HAZARDS AND HAZARDOUS MATERIALS**

The project site includes four single-family residences, an approximately 20,000 SF commercial building used for a commercial cleaning/restoration business, and pavement. In order to evaluate the project site for any environmental concerns, including groundwater contamination, lead, or asbestos, a Phase I Environmental Site Assessment was prepared by Geocon Consultants on June 9, 2004. All five structures on the site were evaluated. The asphalt paved storage yard is occupied by vehicles and metal roll-off storage boxes related to the business. The interior of the commercial building includes office space and storage areas for cleaning chemicals.

No significant odors, pools of liquid, drums, significantly stained soil, above-ground storage tanks, wells or pits were observed on the site. The San Diego County Department of Environmental Health (DEH) lists the commercial site on its Hazardous Waste Sites List. There was an underground storage tank associated with the former post office site, which was removed in 1993. Groundwater monitoring occurred and the DEH closed the case in July 1993.

An asbestos and lead paint survey was conducted on the on-site structures. Asbestos containing material was found in all five of the structures. Lead containing paint was found in four of the structures. The Site Assessment recommends that a licensed asbestos abatement contractor and a California Department of Health Services licensed lead abatement contractor be contracted for removal services prior to demolition of the structures.

**Mitigation Measure:**

- 1. Prior to issuance of a demolition permit for any structure on the site, asbestos containing materials (ACM) shall be removed by a licensed asbestos abatement contractor. A state certified asbestos consultant shall be retained to perform abatement project planning, monitoring, oversight and reporting. Lead containing paint (LCP) shall be removed by a California Department of Health Services licensed lead abatement contractor. Contracts for services with each of the contractors/consultants shall be presented to the Planning Division for review prior to issuance of any demolition permits.**

Due to the residential nature of the development and the lack of hazardous materials associated with the proposed residential development, the project would not result in the creation of any health hazard, the release of any hazardous substance, or the exposure of people to potential health hazards, with implementation of the proposed mitigation measure. In addition, the project would comply with all applicable building and fire codes. The project site is not located near an airport or private airstrip and the site has not been identified on the Hazardous Waste Sites List which is published by the California Environmental Protection Agency (CAL/EPA) through the County Health Department's HMMD (Hazardous Material Management Division). The site is not located within a Fire Hazard Area, as identified in the Final Environmental Impact Report for the 2000 General Plan Update (Figure 5.7-2). The Fire Department has indicated that they support the proposed project as conditioned, with fire sprinklers and alarms in the units, 28-foot-wide minimum driveway widths, and additional fire hydrants. Consequently, no adverse impacts with regards to hazards will occur.

**IX. HYDROLOGY AND WATER QUALITY**

The project site is currently developed with an approximately 20,000 SF commercial structure and four single-family residences. The amount of run-off would be expected to increase when the site is developed with 102 attached residential dwelling units, due to the increased amount of impervious surfaces associated with residential development (i.e. roofs, hardscape, driveways, etc.). The amount of additional water runoff and change to absorption rates due to the proposed Preliminary, Master and Precise Development Plan and one-lot Tentative Subdivision Map would not be significant as any runoff would be directed to an approved drainage facility, as approved by the Engineering Division. No significant negative impacts on water quality or drainage are anticipated. The Engineering Department has indicated that the project would not materially degrade levels of service of existing drainage facilities or have a significant impact to water resources. The project would require a detailed drainage study which would determine the extent of the drainage improvements necessary to control run-off.

The property is not located within a 100-year flood area. In addition, there are no surface bodies of water on or adjacent to the site. Proposed street improvements and grading are not anticipated to impact any nearby wells. The project would be served by City water. No significant impacts on water quality or drainage are anticipated.

**X. MINERAL RESOURCES**

The project will not result in the use or depletion of nonrenewable, natural mineral resources, existing energy or mineral resources, since there is no evidence that the subject property contains such extractable



natural resources on-site. Also, energy services are currently available to the site and the proposed project would not substantially increase the use of nonrenewable natural resources or require the development of new sources of energy. Therefore, no impact upon existing on-site energy and mineral resources would result.

## **XI. NOISE**

The project site is located at the Intersection of Centre City Parkway, Orange Street and Second Avenue. The site is located within a projected noise corridor of 60 dBA or greater. Orange Street is unclassified in the City's Circulation Element, while Second Avenue is classified as a Collector (84' r.o.w.) and Centre City Parkway is classified as a Major Road (102' r.o.w.). The City's General Plan Noise Element contains noise policies, which outline acceptable noise levels associated with each type of land use. Policy E1.6 outlines the measures to be implemented to minimize impacts on and from new projects. The policy also establishes noise/land use compatibility guidelines and states that the City's Noise Ordinance shall be used to control noise from other than transportation sources. The General Plan goal for outdoor noise levels in residential areas is a CNEL of 60 dB or less, especially where outdoor use is a major consideration such as backyards. The outdoor standard is not applied to balconies or patios. The proposed condominium units are attached and have private patios and balconies, rather than common recreation and landscaped areas. According to the General Plan, residential projects also shall provide for an interior noise level of 45 dB or less due to exterior sources.

The proposed project includes 102, new attached condominium units. The site is surrounded by multi-family and single-family residential developments, and existing commercial uses. An Acoustical Site Assessment of the property was completed on June 27, 2005, by Pacific Noise Control. According to the assessment, primary noise source at the site is vehicular traffic along Centre City Parkway, Second Avenue, and Orange Street. The existing traffic volumes are approximately 24,000 average daily trips (ADT) along Centre City Parkway, 18,512 ADT along Second Avenue, and 1,616 ADT along Orange Street. Noise measurements were taken at three locations on the site, one along each of the adjacent streets. The existing noise level was 66 dB adjacent to Centre City Parkway, 70 dB adjacent to Second Avenue, and 60 dB adjacent to Orange Street. Future traffic noise levels using 2030 traffic volumes also were determined. The noise levels would be 71 dB facing Centre City Parkway, 73 dB facing Second Avenue, and 61 dB facing Orange Street. Although future traffic noise levels would exceed the City's 60 dB threshold within outdoor use areas, there are no back yards or common, usable open space proposed in the project, and the exterior noise criteria is not applied at patios and balconies. While the applicant is proposing noise barriers along Centre City Parkway, Second Avenue and Orange Street in order to reduce the noise levels on outdoor patios, no negative impact is anticipated and mitigation is not required.

It is anticipated that the future residences facing Orange Street, Centre City Parkway and Second Avenue would require mitigation to meet the interior noise requirement of 45 dB. The Acoustical Assessment indicates that an interior noise study for the residences would be required prior to issuing building permits to ensure that the interior noise level would not exceed 45 dB. It is anticipated that mitigation would be required in the form of mechanical ventilation, dual-pane windows, minimum STC ratings for windows and doors, and the requirement that some windows be closed.

The project would introduce 102 new residential units and associated traffic and roads to the area. Development of the project would incrementally increase the noise levels within the adjacent area. However, since the area is surrounded by existing residential units and commercial development, there would not be any new or unusual noises introduced to the immediate area which would impact adjacent residences. Construction of the proposed project would create a temporary noise impact both on-site and at nearby residences. Temporary activities would include excavation, grading, clearing, construction,

and landscaping. Properly maintained modern construction equipment would meet the noise limits in the City's Noise Ordinance.

## **XII. POPULATION AND HOUSING**

The project site is located in the Professional Office District of the Downtown Specific Plan. The General Plan Land-Use Designation is Specific Plan. The proposed Zoning Code (Specific Plan) Amendment would permit a 102-unit residential project on the site with no commercial component. The proposed Tentative Subdivision Map and Preliminary, Master and Precise Development Plan would be in conformance with the General Plan, since the existing General Plan designation of Specific Plan is consistent with the Specific Plan zoning designation, and the proposed residential density is less than permitted in the Specific Plan.

Three residential units had been developed on the site. Three of the units have been abandoned and secured. The other residence is occupied and those residents would be displaced. Approval of the proposed project would result in 102 new detached ownership units. Population within the surrounding area and the City of Escondido would increase incrementally as a result of the proposed project. However, the density of the proposed development is consistent with the General Plan designation of Specific Plan. Development within the Professional Office District allows a maximum density of 45 du/acre, multiplied by a percentage of the development devoted to residential use. The site is surrounded by similar single-family and multi-family residential and commercial development. The proposed project would not significantly alter the location, distribution or population density within the area. It is expected that the project would provide market-rate, ownership units, which would positively impact the City's housing demand and benefit the adjacent commercial areas.

The proposed development would add to the existing housing stock and would not be considered growth inducing since the project site is located within a residential area surrounded on two sides by existing single-family and multi-family residential developments, and public facilities are available to the site or can be provided via a nominal extension.

## **XIII. PUBLIC SERVICES**

The proposed modification would result in a minimal increase in demand for Police services. The Escondido Police Department has indicated their ability to adequately serve the site and no significant impacts to police services are anticipated.

The subject site is served by Fire Station No. 1, which is located at 310 North Quince Street. The proposed residential project would result in an incremental increase in demand for fire services. The Fire Department has indicated their ability to adequately serve the project, as conditioned, and no significant impacts to fire services are anticipated. The conditions include provision of fire sprinklers and fire alarms in units, and minimum driveway widths ranging from 24 feet to 28 feet.

Development of 102 residences would generate approximately 27 elementary school (K-8) students (102 x .268) and approximately 13 high school students (102 x 0.13). The Escondido Elementary School District and Escondido High School District have indicated that due to the continuing growth throughout the area, they are unable to meet the Quality-of-Life Standards approved within the City of Escondido's General Plan without mitigation of student housing needs generated by new development. However, the incremental impact of proposed residential developments on the school system would be offset by the future impact fees collected upon issuance of building permits. These fees are set by the school district. The City's Growth Management provisions require a will serve letter from the school districts prior to issuance of building permits.

#### **XIV. RECREATION**

The proposed attached residential condominium development will not impact the quality or quantity of existing recreational opportunities, since the site does not contain existing recreational amenities that would be modified or eliminated, and it is not listed as a potential park site in the City's Master Plan of Parks and Trails. In addition, there are no proposed trails on the property, or trails that would be affected by the proposed project. The development of 102 units with the proposed Preliminary, Master and Precise development Plan, Zoning Code Amendment and Tentative Subdivision Map would result in an incremental increase in the demand for recreational facilities in the City. However, this increase in demand would be offset by the park fees paid per unit by the project applicant.

#### **XV. UTILITIES AND SERVICE SYSTEMS**

The majority of fuel and energy usage associated with this development would be for space and water heating needs (natural gas) and for everyday lighting and power needs (electricity) for the dwelling units. The proposal would not utilize substantial amounts of fuel or energy, or require the development of new sources of energy due to its in-fill nature, and its limited size and energy requirements.

Escondido Disposal, Inc. (EDI) currently provides solid waste removal service for the Escondido area. EDI also operates a solid waste transfer station at their Washington Avenue site where solid waste is consolidated into larger transfer trucks and taken to a class III landfill for disposal. Solid waste pick-up will be available for the project by EDI for all phases of project implementation, including from construction to residential curbside collection. No significant solid waste disposal impacts are anticipated.

Adequate public facilities are existing and City water and sewer services are existing and available to the entire site or can be provided with nominal extension of nearby facilities. The Engineering Department will require submittal of a drainage study to determine the extent of drainage facilities necessary to control runoff. No significant drainage impacts are anticipated based on the preliminary grading plan and the anticipated use of the site. No adverse impacts to city utilities will occur with the construction of the proposed project and no significant impacts will result

#### **XVI. MANDATORY FINDINGS OF SIGNIFICANCE**

Potential impacts to the environment as a result of this project are related to the potential for hazards and hazardous materials impacts to future residents of the development. Proposed mitigation of these impacts would reduce the potential effects below a level of significance. No significant biological resource exists on-site. Therefore there will be no adverse effect on any animal or plant species. The project will not degrade the quality of the environment for plant or animal communities since the project will not cause fish and wildlife populations to drop below self-sustaining levels nor reduce the number or restrict the range of endangered plants or animals. The project is not expected to have any significant adverse effect on human beings, either directly or indirectly.

**Source of Information/Material Used in Preparation of this Analysis**

1. Escondido General Plan – 1990
2. Escondido General Plan Update EIR, April 2000
3. Escondido Zoning Code and Land Use Map
4. SANDAG Summary of Trip Generation Rates
5. Escondido Drainage Master Plan (1995)
6. County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List
7. Escondido Historical Resources Survey
8. Project Description and Preliminary Information
9. Comments from other Departments:
  - Engineering
  - Building
  - Fire
10. City of Escondido Subarea Plan Focus Planning Area Map
11. Traffic Impact Analysis by RBF Consulting dated April 13, 2005.
12. Phase I Environmental Assessment by Geocon Consultants Inc., dated June 9, 2004.
13. Acoustical Analysis by Pacific Noise Control, dated June 27, 2005.
14. Preliminary Geotechnical Investigation, Geocon Consultants Inc., dated October 25, 2004.
16. Water Quality Technical report by Project Design Consultants, dated April 2005.
17. Historic Resources Survey, completed by ASM Affiliates, December 2004.
18. Site Visits/Field Inspection
19. Biological and tree survey by Helix Environmental Planning, Inc dated April 30, 2005.

## ORDINANCE NO. 2011-12

AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
APPROVING A MODIFICATION TO MASTER  
AND PRECISE DEVELOPMENT PLAN 2005-  
28-PD TO REVISE THE ARCHITECTURE  
AND BUILDING LAYOUT FOR THE  
REMAINING 84 RESIDENTIAL UNITS IN THE  
CITY SQUARE CONDOMINIUM  
DEVELOPMENT

PLANNING CASE NO. PHG 11-0009

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN  
as follows:

SECTION 1. That proper notice of a public hearing has been given and a  
public hearing has been held before the City Council on this issue.

SECTION 2. That the City Council has reviewed and considered the Mitigated  
Negative Declaration (City Log No. ER 2005-20) and Mitigation Monitoring Report  
prepared at the time the project was originally approved and has determined that all  
environmental issues associated with the project have been addressed and no  
significant environmental impacts will result from approving this modification to the  
Master and Precise Development Plan.

SECTION 3. That upon consideration of the staff report and all public  
testimony presented at the hearing held to consider the proposed modification, this City  
Council finds that the proposed modification to the Master and Precise Development

Plan for the City Square residential condominium development is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 4. That the City Council desires at this time and deems it to be in the best public interest to approve the requested modification to the City Square Master and Precise Development Plan on approximately 3.18 acres of the 3.65-acre City Square site that is located on the southern side of Second Avenue, between Centre City Parkway and Orange Street, addressed as 313 S. Orange Street, more particularly described in the attached Exhibit "A," and subject to the Conditions of Approval attached as Exhibit "B," both of which are attached to this Ordinance and are incorporated by this reference.

SECTION 5. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 6. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.

LEGAL DESCRIPTION  
PHG 11-0009

Real property in the City of Escondido, County of San Diego, State of California, described as follows:

PARCEL A: (APNS: 233-051-04-35 THROUGH 233-051-04-66)

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED FEE SIMPLE INTEREST AS A TENANT IN COMMON IN AND TO THE COMMON AREA WITHIN THE BUILDING ENVELOPE IN WHICH THE RESIDENTIAL UNITS DESCRIBED BELOW ARE LOCATED EQUAL TO THE RECIPROCAL OF THE NUMBER OF RESIDENTIAL UNITS LOCATED WITHIN SUCH BUILDING ENVELOPE AS SHOWN ON THAT CERTAIN AMENDED, RESTATED AND SUPERSEDING CONDOMINIUM PLAN OF CITY SQUARE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON MARCH 2, 2007, AS INSTRUMENT NO. 2007-0146309 ("CONDOMINIUM PLAN"), WHICH BUILDING ENVELOPE IS SITUATED WITHIN THE PHASE 3 MODULE SITUATED WITHIN LOT 1 OF ESCONDIDO TRACT NO. 921, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15389, RECORDED IN THE OFFICE OF THE COUNTY RECORDER ON JULY 20, 2006, AS INSTRUMENT NO. 2006-0512260; TOGETHER WITH THOSE PORTIONS OF WEST SECOND AVENUE AND SOUTH ORANGE STREET LYING ADJACENT TO AND PARALLEL WITH LOT 1 OF ESCONDIDO TRACT 921, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS MORE PARTICULARLY DESCRIBED IN THAT CERTAIN CITY OF ESCONDIDO STREET VACATION RESOLUTION 2006-232(R) RECORDED DECEMBER 1, 2006 AS INSTRUMENT NO. 2006-0855325 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL RESIDENTIAL UNITS SITUATED WITHIN THE BUILDING ENVELOPE IN WHICH THE RESIDENTIAL UNITS ARE LOCATED AS SHOWN AND DEFINED ON THE CONDOMINIUM PLAN.

PARCEL 2:

RESIDENTIAL UNIT NOS. 4101 THROUGH 4116 AND 5101 THROUGH 5116, AS SHOWN AND DEFINED ON THE CONDOMINIUM PLAN, RESERVING THEREFROM ALL EASEMENTS AS DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF CITY SQUARE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON AUGUST 22, 2006 AS INSTRUMENT NO. 2006-0598360 (THE "DECLARATION"), RESERVING THEREFROM THE EASEMENTS DESCRIBED IN THE DECLARATION AND SUCH OTHER EASEMENTS AS MAY BE OF RECORD AS OF THE DATE HEREOF.

PARCEL 3:

A NON-EXCLUSIVE APPURTENANT EASEMENT IN AND TO THE ASSOCIATION PROPERTY AND THE COMMON AREA OF ALL OF THE PHASES OF THE REAL PROPERTY DESCRIBED IN THE DECLARATION, FOR USE OF THE ASSOCIATION PROPERTY AND COMMON AREA PURSUANT TO THE TERMS OF THE DECLARATION, SUBJECT TO ANY EXCLUSIVE USE COMMON AREA AND ANY OTHER RESERVATIONS SET FORTH IN THE DECLARATION. THIS EASEMENT SHALL BECOME EFFECTIVE AS TO A PHASE SUBSEQUENT TO PHASE 3 UPON (I) RECORDATION OF A SUPPLEMENTARY DECLARATION DECLARING SUCH PHASE TO BE SUBJECT TO THE

DECLARATION OR RECORDATION OF A SEPARATE DECLARATION OF RESTRICTIONS WHICH REQUIRES THE OWNERS OF SUCH PHASE TO BE MEMBERS OF THE ASSOCIATION AND (II) CONVEYANCE OF THE FIRST CONDOMINIUM IN THE RESPECTIVE PHASE, OR AS MORE FULLY SET FORTH IN THE DECLARATION. THE ASSOCIATION PROPERTY AND COMMON AREA REFERRED TO HEREIN AS TO EACH SUCH PHASE SHALL BE AS SHOWN AND DESCRIBED ON THE CONDOMINIUM PLAN COVERING EACH SUCH PHASE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, EXCEPTING THEREFROM ANY PORTION THEREOF WHICH MAY BE DESIGNATED AS AN EXCLUSIVE USE COMMON AREA. AS USED IN THIS DEED, REFERENCES TO "ASSOCIATION PROPERTY," "RESIDENTIAL UNIT," "PHASE," AND "EXCLUSIVE USE COMMON AREA," AND ANY OTHER DEFINED TERMS SHALL HAVE THE MEANINGS AS SET FORTH IN THE DECLARATION. THE EASEMENT GRANTED IN THIS PARCEL 3 IS GRANTED SUBJECT TO.

A) THE EASEMENTS AND OTHER RIGHTS RESERVED IN FAVOR OF DECLARANT IN THE DECLARATION FOR MARKETING AND DEVELOPMENT INCLUDING WITHOUT LIMITATION, SUBJECT TO THE EXCLUSIVE USE COMMON AREA, THE RIGHT OF GRANTOR TO MAINTAIN MARKETING UNITS IN THE CONDOMINIUMS OWNED BY GRANTOR, AS WELL AS THE RIGHT OF ACCESS, INGRESS AND EGRESS FOR VISITORS TO THE SALES OFFICE AND MARKETING UNITS AND THE RIGHT TO MAINTAIN SIGNS OR OTHER MARKETING MATERIALS WITHIN THE COMMON AREA OF THE COMMUNITY.

B) AN EASEMENT FOR THE BENEFIT OF GRANTOR, AND ITS SUCCESSORS AND ASSIGNS, FOR INGRESS, EGRESS AND ACCESS IN, ON, OVER, THROUGH AND ACROSS THE ASSOCIATION PROPERTY AND COMMON AREA TO PERMIT GRANTOR TO INSTALL IMPROVEMENTS THEREON, AND TO CONSTRUCT IMPROVEMENTS ON ADJACENT PROPERTY WITHIN FUTURE PHASES OF THE COMMUNITY.

C) THE RIGHT OF GRANTOR TO PREVENT ACCESS OVER PORTIONS OF ASSOCIATION PROPERTY AND COMMON AREA BY PLACING A CONSTRUCTION FENCE OR OTHER BARRIER OVER ASSOCIATION PROPERTY AND COMMON AREA PRIOR TO COMPLETION OF CONSTRUCTION OF ALL OF THE IMPROVEMENTS WITHIN THE COMMUNITY. HOWEVER, NO SUCH BARRIER FENCE SHALL PREVENT INGRESS OR EGRESS BY GRANTEE TO AND FROM HIS OR HER UNIT.

PARCEL 4:

AN EXCLUSIVE USE EASEMENT OVER THE PORTION OF THE COMMON AREA AND/OR ASSOCIATION PROPERTY DESIGNATED AS BEING AN EXCLUSIVE USE COMMON AREA APPURTENANT TO THE RESIDENTIAL UNITS IN THE CONDOMINIUM PLAN.

PARCEL B: (APNS: 233-051-05-01 THROUGH 233-051-05-24)

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED FEE SIMPLE INTEREST AS A TENANT IN COMMON IN AND TO THE COMMON AREA WITHIN THE BUILDING ENVELOPE IN WHICH THE RESIDENTIAL UNITS DESCRIBED BELOW ARE LOCATED EQUAL TO THE RECIPROCAL OF THE NUMBER OF RESIDENTIAL UNITS LOCATED WITHIN SUCH BUILDING ENVELOPE AS SHOWN ON THAT CERTAIN AMENDED, RESTATED AND SUPERSEDING CONDOMINIUM PLAN OF CITY SQUARE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON MARCH 2, 2007, AS INSTRUMENT NO. 2007-0146309 ("CONDOMINIUM PLAN"), WHICH BUILDING ENVELOPE IS



SITUATED WITHIN THE PHASE 4 MODULE SITUATED WITHIN LOT 1 OF ESCONDIDO TRACT NO. 921, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15389, RECORDED IN THE OFFICE OF THE COUNTY RECORDER ON JULY 20, 2006, AS INSTRUMENT NO. 2006-0512260; TOGETHER WITH THOSE PORTIONS OF WEST SECOND AVENUE AND SOUTH ORANGE STREET LYING ADJACENT TO AND PARALLEL WITH LOT 1 OF ESCONDIDO TRACT 921, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS MORE PARTICULARLY DESCRIBED IN THAT CERTAIN CITY OF ESCONDIDO STREET VACATION RESOLUTION 2006-232(R) RECORDED DECEMBER 1, 2006 AS INSTRUMENT NO. 2006-0855325 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL RESIDENTIAL UNITS SITUATED WITHIN THE BUILDING ENVELOPE IN WHICH THE RESIDENTIAL UNITS ARE LOCATED AS SHOWN AND DEFINED ON THE CONDOMINIUM PLAN.

PARCEL 2:

RESIDENTIAL UNIT NOS. 6101 THROUGH 6112 AND 7101 THROUGH 7112, AS SHOWN AND DEFINED ON THE CONDOMINIUM PLAN, RESERVING THEREFROM ALL EASEMENTS AS DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF CITY SQUARE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON AUGUST 22, 2006 AS INSTRUMENT NO. 2006-0598360 (THE "DECLARATION"), RESERVING THEREFROM THE EASEMENTS DESCRIBED IN THE DECLARATION AND SUCH OTHER EASEMENTS AS MAY BE OF RECORD AS OF THE DATE HEREOF.

PARCEL 3:

A NON-EXCLUSIVE APPURTENANT EASEMENT IN AND TO THE ASSOCIATION PROPERTY AND THE COMMON AREA OF ALL OF THE PHASES OF THE REAL PROPERTY DESCRIBED IN THE DECLARATION, FOR USE OF THE ASSOCIATION PROPERTY AND COMMON AREA PURSUANT TO THE TERMS OF THE DECLARATION, SUBJECT TO ANY EXCLUSIVE USE COMMON AREA AND ANY OTHER RESERVATIONS SET FORTH IN THE DECLARATION. THIS EASEMENT SHALL BECOME EFFECTIVE AS TO A PHASE SUBSEQUENT TO PHASE 4 UPON (I) RECORDATION OF A SUPPLEMENTARY DECLARATION DECLARING SUCH PHASE TO BE SUBJECT TO THE DECLARATION OR RECORDATION OF A SEPARATE DECLARATION OF RESTRICTIONS WHICH REQUIRES THE OWNERS OF SUCH PHASE TO BE MEMBERS OF THE ASSOCIATION AND (II) CONVEYANCE OF THE FIRST CONDOMINIUM IN THE RESPECTIVE PHASE, OR AS MORE FULLY SET FORTH IN THE DECLARATION. THE ASSOCIATION PROPERTY AND COMMON AREA REFERRED TO HEREIN AS TO EACH SUCH PHASE SHALL BE AS SHOWN AND DESCRIBED ON THE CONDOMINIUM PLAN COVERING EACH SUCH PHASE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, EXCEPTING THEREFROM ANY PORTION THEREOF WHICH MAY BE DESIGNATED AS AN EXCLUSIVE USE COMMON AREA. AS USED IN THIS DEED, REFERENCES TO "ASSOCIATION PROPERTY", "RESIDENTIAL UNIT", "PHASE", AND "EXCLUSIVE USE COMMON AREA", AND ANY OTHER DEFINED TERMS SHALL HAVE THE MEANINGS AS SET FORTH IN THE DECLARATION. THE EASEMENT GRANTED IN THIS PARCEL 3 IS GRANTED SUBJECT TO:

A) THE EASEMENTS AND OTHER RIGHTS RESERVED IN FAVOR OF DECLARANT IN THE DECLARATION FOR MARKETING AND DEVELOPMENT INCLUDING WITHOUT LIMITATION, SUBJECT TO THE EXCLUSIVE USE COMMON AREA, THE RIGHT OF GRANTOR TO MAINTAIN MARKETING UNITS IN THE CONDOMINIUMS OWNED BY GRANTOR, AS WELL AS THE RIGHT OF ACCESS, INGRESS AND EGRESS FOR VISITORS TO THE SALES OFFICE AND MARKETING UNITS AND THE RIGHT TO MAINTAIN SIGNS OR OTHER MARKETING MATERIALS WITHIN THE COMMON AREA OF THE COMMUNITY.

B) AN EASEMENT FOR THE BENEFIT OF GRANTOR, AND ITS SUCCESSORS AND ASSIGNS, FOR INGRESS, EGRESS AND ACCESS IN, ON, OVER, THROUGH AND ACROSS THE ASSOCIATION PROPERTY AND COMMON AREA TO PERMIT GRANTOR TO INSTALL IMPROVEMENTS THEREON, AND TO CONSTRUCT IMPROVEMENTS ON ADJACENT PROPERTY WITHIN FUTURE PHASES OF THE COMMUNITY.

C) THE RIGHT OF GRANTOR TO PREVENT ACCESS OVER PORTIONS OF ASSOCIATION PROPERTY AND COMMON AREA BY PLACING A CONSTRUCTION FENCE OR OTHER BARRIER OVER ASSOCIATION PROPERTY AND COMMON AREA PRIOR TO COMPLETION OF CONSTRUCTION OF ALL OF THE IMPROVEMENTS WITHIN THE COMMUNITY. HOWEVER, NO SUCH BARRIER FENCE SHALL PREVENT INGRESS OR EGRESS BY GRANTEE TO AND FROM HIS OR HER UNIT.

PARCEL 4:

AN EXCLUSIVE USE EASEMENT OVER THE PORTION OF THE COMMON AREA AND/OR ASSOCIATION PROPERTY DESIGNATED AS BEING AN EXCLUSIVE USE COMMON AREA APPURTENANT TO THE RESIDENTIAL UNITS IN THE CONDOMINIUM PLAN.

PARCEL C: (APNS: 233-051-04-19 THROUGH 233-051-04-34 AND 233-051-05-25 THROUGH 233-051-05-36)

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED FEE SIMPLE INTEREST AS A TENANT IN COMMON IN AND TO THE COMMON AREA WITHIN THE BUILDING ENVELOPE IN WHICH THE RESIDENTIAL UNITS DESCRIBED BELOW ARE LOCATED EQUAL TO THE RECIPROCAL OF THE NUMBER OF RESIDENTIAL UNITS LOCATED WITHIN SUCH BUILDING ENVELOPE AS SHOWN ON THAT CERTAIN AMENDED, RESTATED AND SUPERSEDING CONDOMINIUM PLAN OF CITY SQUARE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON MARCH 2, 2007 AS INSTRUMENT NO. 2007-0146309 ("CONDOMINIUM PLAN"), WHICH BUILDING ENVELOPE IS SITUATED WITHIN THE PHASE 5 MODULE SITUATED WITHIN LOT 1 ESCONDIDO TRACT NO. 921, IN THE CITY ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15389, RECORDED IN THE OFFICE OF THE COUNTY RECORDER ON JULY 20, 2006, AS INSTRUMENT NO. 2006-0512260; TOGETHER WITH THOSE PORTIONS OF WEST SECOND AVENUE AND SOUTH ORANGE STREET LYING ADJACENT TO AND PARALLEL WITH LOT 1 OF ESCONDIDO TRACT 921, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS MORE PARTICULARLY DESCRIBED IN THAT CERTAIN CITY OF ESCONDIDO STREET VACATION RESOLUTION 2006-232(R) RECORDED DECEMBER 1, 2006 AS INSTRUMENT NO. 2006-0855325 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL RESIDENTIAL UNITS SITUATED WITHIN THE BUILDING ENVELOPE IN WHICH THE RESIDENTIAL UNITS ARE LOCATED AS SHOWN AND DEFINED ON THE CONDOMINIUM PLAN.

PARCEL 2:

RESIDENTIAL UNIT NOS. 3101 THROUGH 3116 AND 8101 THROUGH 8112, AS SHOWN AND DEFINED ON THE CONDOMINIUM PLAN, RESERVING THEREFROM ALL EASEMENTS AS DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND

RESTRICTIONS OF CITY SQUARE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON AUGUST 22, 2006 AS INSTRUMENT NO. 2006-0598360 (THE "DECLARATION"), RESERVING THEREFROM THE EASEMENTS DESCRIBED IN THE DECLARATION AND SUCH OTHER EASEMENTS AS MAY BE OF RECORD AS OF THE DATE HEREOF.

PARCEL 3:

A NON-EXCLUSIVE APPURTENANT EASEMENT IN AND TO THE ASSOCIATION PROPERTY AND THE COMMON AREA OF ALL OF THE PHASES OF THE REAL PROPERTY DESCRIBED IN THE DECLARATION, FOR USE OF THE ASSOCIATION PROPERTY AND COMMON AREA PURSUANT TO THE TERMS OF THE DECLARATION, SUBJECT TO ANY EXCLUSIVE USE COMMON AREA AND ANY OTHER RESERVATIONS SET FORTH IN THE DECLARATION. THIS EASEMENT SHALL BECOME EFFECTIVE AS TO A PHASE SUBSEQUENT TO PHASE 5 UPON (I) RECORDATION OF A SUPPLEMENTARY DECLARATION DECLARING SUCH PHASE TO BE SUBJECT TO THE DECLARATION OR RECORDATION OF A SEPARATE DECLARATION OF RESTRICTIONS WHICH REQUIRES THE OWNERS OF SUCH PHASE TO BE MEMBERS OF THE ASSOCIATION AND (II) CONVEYANCE OF THE FIRST CONDOMINIUM IN THE RESPECTIVE PHASE, OR AS MORE FULLY SET FORTH IN THE DECLARATION. THE ASSOCIATION PROPERTY AND COMMON AREA REFERRED TO HEREIN AS TO EACH SUCH PHASE SHALL BE AS SHOWN AND DESCRIBED ON THE CONDOMINIUM PLAN COVERING EACH SUCH PHASE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, EXCEPTING THEREFROM ANY PORTION THEREOF WHICH MAY BE DESIGNATED AS AN EXCLUSIVE USE COMMON AREA. AS USED IN THIS DEED, REFERENCES TO "ASSOCIATION PROPERTY", "RESIDENTIAL UNIT", "PHASE", AND "EXCLUSIVE USE COMMON AREA", AND ANY OTHER DEFINED TERMS SHALL HAVE THE MEANINGS AS SET FORTH IN THE DECLARATION. THE EASEMENT GRANTED IN THIS PARCEL 3 IS GRANTED SUBJECT TO:

A) THE EASEMENTS AND OTHER RIGHTS RESERVED IN FAVOR OF DECLARANT IN THE DECLARATION FOR MARKETING AND DEVELOPMENT INCLUDING WITHOUT LIMITATION, SUBJECT TO THE EXCLUSIVE USE COMMON AREA, THE RIGHT OF GRANTOR TO MAINTAIN MARKETING UNITS IN THE CONDOMINIUMS OWNED BY GRANTOR, AS WELL AS THE RIGHT OF ACCESS, INGRESS AND EGRESS FOR VISITORS TO THE SALES OFFICE AND MARKETING UNITS AND THE RIGHT TO MAINTAIN SIGNS OR OTHER MARKETING MATERIALS WITHIN THE COMMON AREA OF THE COMMUNITY.

B) AN EASEMENT FOR THE BENEFIT OF GRANTOR, AND ITS SUCCESSORS AND ASSIGNS, FOR INGRESS, EGRESS AND ACCESS IN, ON, OVER, THROUGH AND ACROSS THE ASSOCIATION PROPERTY AND COMMON AREA TO PERMIT GRANTOR TO INSTALL IMPROVEMENTS THEREON, AND TO CONSTRUCT IMPROVEMENTS ON ADJACENT PROPERTY WITHIN FUTURE PHASES OF THE COMMUNITY.

C) THE RIGHT OF GRANTOR TO PREVENT ACCESS OVER PORTIONS OF ASSOCIATION PROPERTY AND COMMON AREA BY PLACING A CONSTRUCTION FENCE OR OTHER BARRIER OVER ASSOCIATION PROPERTY AND COMMON AREA PRIOR TO COMPLETION OF CONSTRUCTION OF ALL OF THE IMPROVEMENTS WITHIN THE COMMUNITY. HOWEVER, NO SUCH BARRIER FENCE SHALL PREVENT INGRESS OR EGRESS BY GRANTEE TO AND FROM HIS OR HER UNIT.

PARCEL 4:

AN EXCLUSIVE USE EASEMENT OVER THE PORTION OF THE COMMON AREA AND/OR ASSOCIATION PROPERTY DESIGNATED AS BEING AN EXCLUSIVE USE COMMON AREA APPURTENANT TO THE RESIDENTIAL UNITS IN THE CONDOMINIUM PLAN.

PARCEL D:

PHASE 3, 4 AND 5 MODULES OF LOT 1 OF ESCONDIDO TRACT NO. 921, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15389, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO ON JULY 20, 2006, AS INSTRUMENT NO. 2006-0512260; TOGETHER WITH THOSE PORTIONS OF WEST SECOND AVENUE AND SOUTH ORANGE STREET LYING ADJACENT TO AND PARALLEL WITH LOT 1 OF ESCONDIDO TRACT 921, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS MORE PARTICULARLY DESCRIBED IN THAT CERTAIN CITY OF ESCONDIDO STREET VACATION RESOLUTION 2006-232(R) RECORDED DECEMBER 1, 2006 AS INSTRUMENT NO. 2006-0855325 OF OFFICIAL RECORDS, EXCEPTING THEREFROM THE BUILDING ENVELOPES SITUATED WITHIN THE PHASE 3, 4 AND 5 MODULES AS SHOWN ON THAT CERTAIN AMENDED, RESTATED AND SUPERSEDING CONDOMINIUM PLAN OF CITY SQUARE, RECORDED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY ON MARCH 2, 2007, AS INSTRUMENT NO. 2007-0146309 ("CONDOMINIUM PLAN").

**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**PHG 11-0009**

**Planning Division Conditions**

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
4. 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.
5. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
6. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties.
7. A total of 233 parking spaces are proposed in conjunction with this development. A minimum of 230 parking spaces shall be provided and maintained at all times, including 204 covered garage spaces and 26 open guest spaces. Said guest parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards
8. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
9. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
10. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors

shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.

11. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the Design Review Board on June 9, 2011, and the exhibits and details in the staff report to the satisfaction of the Planning Division.
12. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the Interim Downtown Specific Plan and the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code).
13. All new utilities shall be underground.
14. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
15. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with state law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to "County Clerk", in the amount of \$2,060.25 for a project with a Negative Declaration. These fees include an authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. Commencing January 1, 2007, the State Clearinghouse and/or County Clerk will not accept or post a Notice of Determination filed by a lead agency unless it is accompanied by one of the following: 1) a check with the correct Fish and Game filing fee payment, 2) a receipt or other proof of payment showing previous payment of the filing fee for the same project, or 3) a completed form from the Department of Fish and Game documenting the Department's determination that the project will have no effect on fish and wildlife. If the required filing fee is not paid for a project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code).
16. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department.
17. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
18. Three copies of the modified Master and Precise Development Plan, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans.
19. This Master and Precise Development Plan shall become null and void unless utilized within three years of the effective date of approval.
20. Approved street names for the project reflect a site design that no longer exists. No new or revised street names are part of this approval. A separate request shall be submitted and approved by the City Council prior to issuance of a grading permit.

21. Prior to issuance of a building permit, an interior acoustical analysis shall be submitted for review. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less.
22. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading plan.
23. The proposed garages for each unit shall provide clear interior dimensions of at least 19.5-feet wide by 20-feet deep. Storage shall not impede the ability to park two vehicles within each garage.
24. The applicant shall be responsible for ensuring that all residential units constructed in reliance on this approval are annexed into the existing homeowners association and are subject to the existing CC&Rs that regulate activities in the development.
25. The list of permitted pets/animals for units in this development shall stay within the limits of the R-4 zoning standards, unless more restrictive or as otherwise specified in the CC&Rs.
26. Prior to issuance of a building permit for Buildings "F" and "G," the applicant shall incorporate into the building plans three-foot high steel railing around and extending above the stoop areas for those units.

#### **Landscaping Conditions**

1. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. All vegetation (including existing vegetation required as part of previous project approvals) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
2. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
4. Street trees shall be provided along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
5. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.
6. The applicant shall be responsible for landscaping the Centre City Parkway right-of-way area adjacent to the project site to the satisfaction of the Engineering and Planning Divisions. Landscaping shall be consistent with the Centre City Parkway Landscape Master Plan and shall be maintained by the HOA or the City's Landscape Maintenance District.

7. The landscape design shall include 24"-box size trees on a 1:1 ratio to mitigate the removal of each existing mature tree on the site, as determined in the tree survey completed by Helix Environmental on April 30, 2005, as required by the Tree Preservation Ordinance (Ord. 93-11), to the satisfaction of the Planning Division.

### **Building Division Conditions**

1. Appropriate accessible paths of travel shall be required from the public way.

### **Fire Department Conditions**

1. Tif. 150 dpi, 11" x 17" page size file copy of project shall be provided showing building floor plan and site plan.

#### **Fire Protection Systems**

1. NFPA 13R **automatic fire sprinkler system** will be required.
2. Smoke detectors shall be required above all stairwell landings.
3. **Standpipe systems** shall be required at the following locations:
  - A. Hose valves may be required between entry doors.
4. An approved fire alarm system shall be required.
5. A fire hydrant is required to be located within 50 feet of the fire department connection, unless otherwise specified. Please show location on plans.
6. Fire hydrants capable of delivering 2,500 GPM at 20 PSI residual pressure shall be required every 300 feet to the satisfaction of the Fire Department.
7. Additional hydrants may be required near intersections, fire department connections or other locations.
8. Extinguisher(s) shall be provided at locations indicated with a minimum rating of 2A-10B: C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet (CFC 906.2; T-19 Art. 5). Extinguishers must be mounted not more than 5 feet nor less than 3 ½ feet above the floor.

#### **Access**

1. Alleys shall be improved to 24' width. "NO PARKING" must be posted.
2. Speed humps/bumps shall not be allowed.
3. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants shall be provided prior to the accumulation of any combustible materials on the job site.
4. All gated entrances shall be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates shall be operable by Fire Department strobe detectors and allow free exiting. A funding method to provide ongoing maintenance of fire lanes, electric gates, and other fire & life safety requirements **must** be



provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager shall be easily accessible to the Fire Department.

5. A 28' inside turning radius shall be required on all corners to the satisfaction of the Fire Department.
6. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.
7. 13'6" vertical clearances shall be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width shall be trimmed or removed and provisions to provide ongoing maintenance must be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement must be submitted.
8. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas and provisions to provide ongoing maintenance shall be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement shall be submitted to the Escondido Planning Department. "FIRE LANE" signs and red curbs shall meet specifications of the Escondido Police Department.

### **Engineering Division Conditions**

#### **GENERAL**

1. The applicant shall provide the Director of Engineering Services with a Title Report covering subject property. The Title Report shall clearly state the signatory requirements for the granting of easements; need to verify that the signatures of owners of the previously sold units are not required.
2. The location of all existing on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed units and structures, these utilities shall be removed or relocated.
3. As surety for the removal and construction of required off-site and/or on-site improvements, new Surety Bonds and Improvement Agreement in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the issuance of any Building Permits.
4. No further Building Permits shall be issued for any construction within this Subdivision until all conditions of this Development have been fulfilled or secured by new Surety and Agreement.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the Director of Engineering Services.
6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the Director of Engineering Services.
7. The engineer shall submit to the Planning Department a copy of the Modification to the Master Development Plan and Precise Development Plan as presented to the Planning Commission and the City Council. This Exhibit will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Modification and must be included in the first submittal for plan check to the Engineering Department.

**STREET IMPROVEMENTS AND TRAFFIC**

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Modification to the Master Development Plan and Precise Development Plan approval and to the satisfaction of the Director of Engineering Services. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the Director of Engineering Services.
2. The developer shall construct frontage half-width street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

<b><u>STREET</u></b>	<b><u>CLASSIFICATION</u></b>
<b>Orange Street</b>	<b>Commercial (52'/80)</b>

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

3. The developer shall construct the following improvements on Centre City Parkway; widen existing right-turn lane to allow for a 5-foot wide bike lane and a 15 foot wide right-turn lane and extend to the south for a total length of 200 feet with transition to join existing edge of pavement prior to the existing drainage structure headwall, to the satisfaction of the Director of Engineering Services. The developer shall also install curb & gutter along new edge of roadway, overlay and re-stripe the bike and right-turn lane. The developer shall also regrade and landscape and provide recycled water irrigation system for the parkway area along project frontage on Centre City Parkway. These improvements have been constructed by the previous developer, however; they have not fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
4. The developer shall grind and overlay and restripe Second Avenue (Between Centre City Parkway and Orange Avenue (Between Second Avenue and Third Avenue) along project frontage to the satisfaction of the Director of Engineering Services. These improvements have been constructed by the previous developer, however; they have not been accepted by the City. Prior to completion of the project the current developer shall be responsible to repair any damages to the roadway improvements to the satisfaction of the City Engineer.
5. The developer shall remove and reconstruct existing curb & gutter and sidewalk along project frontage on Second Avenue. The developer shall also remove and reconstruct curb-returns at northwest and northeast corners to meet current ADA requirements and allow for Centre City Parkway widening. These improvements have been constructed by the previous developer, however; they have not fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
6. The existing traffic signal at the intersection of Centre City Parkway and Second Ave. has been modified by the previous developer, however; modification has not been fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
7. The existing traffic signal at the intersection of Orange Street and Second Ave. has been modified by the previous developer, however; modification has not been fully completed and accepted by the City. The project developer shall be responsible to complete the improvements to the satisfaction of the City Engineer.
8. The developer shall be responsible to remove and replace the existing curb & gutter and sidewalk along project frontage on Orange Street to the satisfaction of the Director of Engineering Services.

The developer shall also be responsible to bring Orange Street surface improvements to the satisfaction of the City Engineer prior to completion of the project.

9. The developer shall improve the existing alley along southerly property line to public Alley standards (22 feet wide) to the satisfaction of Director of Engineering Services.
10. Street/Alley Improvement plans prepared by a registered civil engineer shall be provided for review and approval by the City Engineer for all proposed public improvements.
11. The main access to this project shall be improved with an alley-type driveway in accordance with Escondido Standard Drawing No. G-3-E with a minimum throat width of 32 feet.
12. All on-site roads, driveways and parking areas shall be private. Typical sections and design details shall be to the satisfaction of the Director of Engineering Services and Fire Marshal.
13. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
14. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signage and striping shall be done by a private contractor.
15. The developer shall be responsible for an overlay of Orange Street due to the many utility trenches necessary to serve this project and/or to repair existing damage along frontage. The determination of the extent of the overlay shall be to the satisfaction of the Director of Engineering Services.
16. The developer shall be required to construct an emergency access gates to the satisfaction of the Director of Engineering Services and City Fire Marshal.
17. The developer shall be required to construct 180-watt street lights in accordance with Escondido Standard Drawing E-1-E on Orange Street at the project and alley entrances.

#### **GRADING**

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

4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the Director of Engineering Services.
5. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
6. The developer shall be responsible for landscaping and irrigation along all project frontages including Centre City Parkway and include provisions in the CC&R for the maintenance of landscaping by the property owners association.

#### DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the Director of Engineering Services and shall be based on a drainage study to be prepared by the engineer of work.
2. All on-site storm drains not in public easements and all storm water treatment facilities are private. The responsibility for maintenance of these storm drains and treatment facilities shall be that of the Property Owner's Association. Provisions stating this shall be included in the WQTR and CC&R'S.
3. An updated Water Quality Technical Report shall be prepared for the project in accordance with the City's Storm Water Management Requirements and approved by the Director of Engineering Services. This updated Water Quality Technical Report shall include post construction storm water treatment measures and maintenance requirements.
4. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of Bio-Retention Basins within or along the perimeter of the parking and driveway areas as the primary method of storm water treatment. The landscape plans will need to reflect these areas of storm water treatment.
5. The on-site trash enclosure shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the Director of Engineering Services.

#### WATER SUPPLY

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
2. A hydraulic analysis of the proposed water improvements will be required to determine water main sizes and water system looping necessary to provide adequate domestic service and fire protection as required by the Director of Utilities and Fire Marshal.
3. The project water system shall be designed with multiple connections to the surrounding existing City water mains to the satisfaction of the Director of Utilities, including a 10-inch or larger connection to the existing 24" water main on the west side of Centre City Pkwy. The existing 8" or 10" waterline connecting to this 24" water main in Centre City Pkwy shall be abandoned, replaced or refurbished to the satisfaction of the Director of Utilities.
4. All public water facilities (water meters, fire check valves, back flow devices, air-vacs, etc) shall be installed centered within a public utility easements and no structures including fences shall encroach within these easements.

5. All on-site private water pipes shall be located outside public easements and will be considered a private water system. The Property Owner's Association will be responsible for all maintenance of these water pipes and facilities. This shall be clearly stated in the CC&R's.

#### **RECYCLED WATER**

1. The developer is required to construct a recycled water irrigation system for frontage parkway areas and Centre City Parkway landscaping area. This system should be built to the satisfaction of the Planning Director and the Director of Utilities.

#### **SEWER**

1. All sewer main locations and sizing shall be to the satisfaction of the Director of Utilities and the Director of Engineering Services. Required sewer main improvements include construction of onsite sewer main and the replacement of the existing sewer in the alley between Third and Fourth to Centre City Parkway to the satisfaction of the Director of Engineering Services and the Director of Utilities.
2. All on-site sewer laterals and sewer mains not within public sewer easements will be considered private. The Property Owners' Association will be responsible for all maintenance of these laterals and mains. This shall be clearly stated in the CC&R's.

#### **EASEMENTS AND DEDICATIONS**

1. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to the approval of the revised grading and improvement plans. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the Director of Engineering Services prior to approval of the revised Grading and Improvement plans.
2. All easements, both private and public, affecting subject property shall be shown and delineated on the Grading and Improvement plans.
3. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City. The minimum easement width is 20 feet. Easements with additional public utilities shall be increased in width accordingly.
4. The following material necessary for processing the dedication or easement shall be submitted as follows: 1) a current grant deed or title report, 2) a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying, 3) traverse closure tapes. The City will review the plat and legal and upon approval shall prepare all final documents.
5. All proposed landings and steps along Orange Street shall be kept out of the public right-of Way. Some additional street vacation along Orange Avenue in line with previous street vacations may be allowed subject to approval by the City Council. All street vacations shall be accomplished by means of a separate public hearing before the City Council.
6. Building permits will not be issued for units and structures which conflict with existing easements or public Right-of-Way, nor will any securities be released until all existing excess utility easements have been quitclaimed.

### **REPAYMENTS AND FEES**

1. The developer may request a repayment for the off-site construction of sewer and water improvements that could benefit an adjoining property owner. The completed repayment agreement must be prepared in accordance with the City Repayment Agreement Policy.
2. A cash security or other security satisfactory to the Director of Engineering Services shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading and landscaping for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services. The balance of the grading work shall be secured by a new Grading Surety bond, an instrument of credit, a letter of credit or such other security as may be approved by the Director of Engineering Services and the City Attorney.
3. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

### **CC&R's**

1. Copies of the revised CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to the issuance of any new Building Permits.
2. The developer shall make provisions in the CC&R's for maintenance by Property Owners' Association of private roadways, driveways, parking areas, private utilities (including sewer and water), storm water treatment facilities, drainage swales, private street lighting, storm drains and any common open spaces. These provisions must be approved by the Engineering Department prior to the issuance of any new Building Permit.
3. The CC&R's shall make provisions for the Property Owners' Association to maintain parkway landscaping along project frontage on Centre City Parkway, Second Avenue and Orange Street.
4. The CC&R's must state that the Property Owners' Association assumes liability for damage and repair to City utilities in the event that damage is caused by the Property Owners' Association when repair or replacement of private utilities is done.
5. The CC&R's must state that if stamped concrete is used in the private street the Property Owners' Association is responsible for replacing the stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

### **UTILITY UNDERGROUNDING AND RELOCATION**

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



**( X ) There is no material for this agenda item**

**COMMUNITY DEVELOPMENT  
COMMISSION**

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. CDC \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. CDC \_\_\_\_\_

**Agenda Item No.: 8**

**Date: September 14, 2011**

TO: Chair and Commissioners  
FROM: Jerry Van Leeuwen, Director of Community Services  
SUBJECT: FY 2011-2012 Affordable Housing Set-Aside Budget and Commitments Review

RECOMMENDATION:

None.

FISCAL ANALYSIS:

Under the Community Redevelopment Law, at least 20% of collected redevelopment funds are set aside and held in a low- and moderate-income housing fund. All interest or revenue generated by the fund accrues to the fund. In addition, repayments of loans originally funded from Housing Set-Aside Funds are returned to the fund. By law, these funds must be used to increase and improve the supply of low- and moderate-income housing within Escondido.

When possible, the Housing Set-Aside Funds are used as leverage for other public and private financing. By loaning rather than granting the funds, the City anticipates loan payoffs from the First-time Homebuyer Program, the Rehabilitation Loan Program, and other special project loans that accrue to the fund and may be reused for new loans or programs.

BACKGROUND:

In accordance with the State Health and Safety Code, the City of Escondido's Community Development Corporation adopted an annual budget on June 22, 2011, containing all of the following specific information, including all activities to be financed by the Low and Moderate Income Housing Fund established pursuant to Health and Safety Code Section 33334.3:

- (a) The proposed expenditures of the agency.
- (b) The proposed indebtedness to be incurred by the agency.
- (c) The anticipated revenues of the agency.
- (d) The work program for the coming year, including goals.
- (e) An examination of the previous year's achievements and a comparison of the achievements with the goals of the previous year's work program.



The FY2011-2012 Housing Set-Aside Budget as approved is detailed on page 5.

The FY2011-2012 budget contains a series of prior and current projects and programs related to the provision of low- and moderate-income housing. Continuing programs offered by the CDC include a first time homebuyer program (serving residents earning 80-120% of the area median income (AMI)), owner-occupied rehabilitation loans for single family and mobile homes, mobile home and apartment senior rent subsidy programs and mortgage credit certificates.

Home Ownership Made Easy (HOME), Escondido's first-time homebuyer program for eligible homebuyers with incomes between 80% and 120% AMI provides loans of up to \$25,000 for down payment and/or closing cost assistance. First-time homebuyer loans will continue to be issued for the lesser amount of either 5% of the purchase price up to a maximum amount of \$25,000. The Commission allocated \$700,000 to this program which is expected to fund 62 loans at an average loan of \$12,615.

The Housing Rehabilitation Loan Program assists owner-occupants of both single-family homes and mobile homes by providing low- or no-interest loans to make needed repairs and improvements. The program offers a no-interest, deferred payment loan up to \$20,000 to mobile home owners with incomes at or below 80% AMI. The program offers a 3% simple interest deferred loan up to \$40,000 to single-family homeowners with incomes at or below 80% AMI. An additional \$15,000 is available to those single-family home applicants who require connection to the local sewer system. Repayment of the rehabilitation loan is due when the property is sold or refinanced, upon change of title, or if the property is no longer owner-occupied by the rehabilitation loan recipient. \$600,000 was allocated to this program.

The CDC operates two senior subsidy programs, one for residents at participating mobile home parks, one for residents at participating senior housing complexes. In the spring of 1999, the Escondido City Council adopted a mobile home rent subsidy (\$75 rent reduction per month) program for eligible seniors and persons with disabilities. Approximately 145 residents are now being served by the program in 14 participating mobile home parks. In June 2011, Commission voted to increase this subsidy to \$100 per month; the \$130,000 allocated to the program is expected to serve an average of 110 seniors each month.

In December 2001 the Escondido City Council approved a rent subsidy (\$100 rent reduction per month) program for seniors and persons with disabilities renting apartments, which is modeled after the City's Mobile Home Rent Subsidy program. Approximately 145 eligible households are assisted each month from the eight senior apartment complexes that have signed the Master Contract with the City. In June 2011, Commission voted to increase this subsidy to \$100 per month; the \$170,000 allocated to the program is expected to serve approximately 115 seniors each month.

Escondido participates in the County-wide Mortgage Credit Certificate (MCC) program which involves the cooperation of the City, local lenders and real estate companies in a partnership to provide affordable ownership opportunities to low- and moderate-income first-time homebuyers. The MCC reduces the homebuyer's federal income taxes, which results in an increase in the buyer's net

earnings. Lenders then consider this increase when underwriting the buyer for a mortgage loan. Each participating city pays the administration costs specifically related to the average mortgage costs and the number of MCCs issued in its jurisdiction. On June 22, 2011, the Commission approved an allocation of \$5,000 to pay for the administration of the Mortgage Credit Certificate Program.

The Housing Division has used Housing Set-Aside funds to redevelop properties throughout the City. On occasion, CalHFA loans (10-year loans at 3% interest) have been used to expedite these projects. The CDC currently has \$6,930,000 in CalHFA loans and \$4,095,333 in reserve to pay the debts.

<b>Project Name</b>	<b>Redeveloped Property</b>	<b>Loan Due Date</b>	<b>Total Debt</b>	<b>Amount in Reserve</b>	<b>FY2011-12 Authorized Reserve Amount</b>
Via Roble	Ponderosa MHP	FY 12-13	\$2,405,000	\$1,924,000	\$240,500
Brotherton Square	Penny Lodge	FY 14-15	\$1,820,000	\$1,092,000	\$182,000
Las Ventanas	Bellvue MHP	FY 16-17	\$1,625,000	\$650,000	\$162,500
Juniper Senior Village	Mobilehaven MHP	FY 16-17	\$1,080,000	\$429,333	\$108,445

Federal stimulus funds under the Neighborhood Stabilization Program (NSP) have been used since fiscal year 2009-2010 to purchase abandoned or previously developed properties for future affordable housing units. Four properties have been purchased with these funds, including two properties at Third Avenue and Pine/Second Avenue in the Mercado District. Redevelopment of these properties will not be possible within the NSP timeline. \$786,000 in Set-Aside funds has been allocated to repay the NSP obligation; the properties will be held by the CDC for future affordable housing redevelopment. NSP funds will be re-obligated and used locally.

In order to properly manage the various Housing Division projects and programs special projects, the Community Development Commission appropriated \$1,184,525 for the purpose of providing administrative, legal support, management and oversight of the housing programs and projects, and the administration and monitoring of the existing loan portfolio. The management of all the projects and programs involves not only oversight of current activity and loans, but significant monitoring, management, and reporting of prior activity and loans within the portfolio of each program.

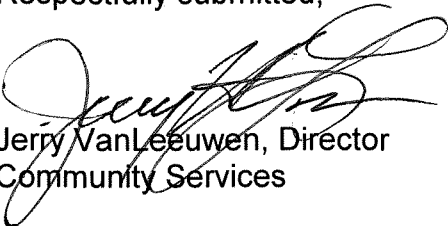
In addition to on-going programs, the Commission has allocated funds for one project currently under development. On June 9, 2010, City directed staff to pursue discussions with Community HousingWorks (CHW) relative to the potential development of affordable housing units to be located at 141, 211 and 221 El Norte Parkway in conjunction with a City-owned lot purchased with NSP funds at 1282 N. Broadway. The properties will be redeveloped to the scale of the surrounding neighborhood, creating homes for 36 families (including 8 disabled veterans) and a community garden. On August 18, 2010, the City adopted Resolution No. CDC 2010-136 approving the grant of the City-owned parcel to CHW in exchange for long-term affordability covenants and CDC 2010-10 authorizing an Exclusive Negotiating Agreement (ENA) with CHW for the redevelopment of the

authorizing an Exclusive Negotiating Agreement (ENA) with CHW for the redevelopment of the parcels and the encumbrance of Housing Funds in an amount not to exceed \$500,000 for development costs. On March 16, 2011, CDC allocated FY 2011-2012 and FY 2012-2013 affordable housing Set-Aside funds in an amount not to exceed \$1,900,000 as leveraged financing to CHW for the development. On June 22, 2011, CDC authorized an additional encumbrance of FY2011-12 affordable housing Set-Aside funds in an amount not to exceed \$500,000 as leveraged financing to CHW for its proposed multi-family development. CHW will break ground on this project Fall 2011 in order to achieve occupancy by the NSP deadline in February 2013.

CONCLUSION AND RECOMMENDATIONS:

In June 2011, the expected Housing Set-Aside funds were anticipated to be \$6,230,000. These funds have been allocated for prior obligations, current year obligations, and on-going programs. The Housing Set-Aside fund has a number of continuing obligations which must be paid for in FY 2012-13 and beyond. There are no contingency or unobligated funds for FY 2011-12.

Respectfully submitted,



Jerry VanLeeuwen, Director  
Community Services

## PROPOSED FY 2011-2012 HOUSING SET-ASIDE BUDGET

**Estimated Carry Forward Balance:** \$ 780,000

**Sources of Fiscal 2011-12 Revenue:**

Tax Increment	\$ 4,750,000	
Interest	75,000	
Repayments	125,000	
Lot Sales	500,000	
2010-2011 Contingency Balance		
<i>FY 2011-12 Total Sources</i>		5,450,000

**TOTAL FUNDS AVAILABLE:** \$ 6,230,000

**Use of Funds**

**Prior Obligations:**

Cal HFA Loan P & I (Via Roble Yr 9 of 10 - Reserve)	\$ 240,500	
Cal HFA Loan P & I (Brotherton Sq. Yr 7 of 10 - Reserve)	182,000	
Cal HFA Loan P & I (Las Ventanas Yr 5 of 10 - Reserve)	162,500	
Cal HFA Loan P & I (SoCal Sr Hsg Yr 5 of 10 - Reserve)	108,445	
NSP Reimbursement	786,000	

**Current Year (2011-12) Obligations:**

Administration	1,184,525	
Reservation for Redevelopment Projects <sup>1</sup>	350,000	
Reservation for Redevelopment Projects <sup>2</sup>	1,111,030	
Reservation for Redevelopment Projects <sup>3</sup>	500,000	

Total prior and current year obligations \$ 4,625,000

*FY 2011-12 Available Balance :* 1,605,000

**Proposed Uses of 2011-12 Available Funds**

**Proposed:**

Owner-Occupied Rehabilitation <sup>4</sup>	\$ 600,000	
First-Time Homebuyer <sup>5</sup>	700,000	
Mobilehome Rental Subsidy <sup>6</sup>	130,000	
Senior Apartment Rental Subsidy <sup>7</sup>	170,000	
Contingency <sup>8</sup>	-	
MCC Contract Administration	5,000	
Total Programs		1,605,000

*Reserved for future RFP:* 0

**TOTAL FUNDS USED:** \$ 6,230,000

<sup>1</sup> Committed to Community Housing Works for NSP property (Broadway) approved by CDC on August 18, 2010

<sup>2</sup> Additional commitment of \$1.9M to Community Housing Works for NSP property (Broadway) approved by CDC on March 16, 2011

<sup>3</sup> Additional commitment to Community Housing Works for the El Norte Apartments approved by CDC on June 22, 2011

<sup>4</sup> Maximum income 80% of median, assumes approx. 7 single family rehabilitation loans @ \$40,000, 13 mobilehome loans @ \$20,000 two single family roof loans @ \$15,000 and three mobilehome roof loans @ \$10,000

<sup>5</sup> Estimated 28 loans @ the maximum purchase price of \$25,000 for persons @ 81-120% of median income

<sup>6</sup> Maximum income 50% of median, assumes flat \$100 subsidy for approximately 150 low-income seniors or disabled persons living in mobilehomes a with carry forward of \$10,000 from fiscal year 2010-2011

<sup>7</sup> Maximum income 50% of median, assumes flat \$125 subsidy for approximately 150 low-income seniors or disabled persons living in senior apartments complexes with carry forward of \$10,000 from fiscal year 2010-2011

<sup>8</sup> Allow for additional roof loans, rehab loans or first-time homebuyer loans if demand is more than estimated goals

# CITY COUNCIL

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 9**  
**Date: September 14, 2011**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Joyce Masterson, Assistant to the City Manager  
**SUBJECT:** Administration of the Downtown Business Improvement District (BID)

**RECOMMENDATION:**

It is requested that Council provide direction on the administration of fees collected by the City of Escondido for the Downtown Business Improvement District (BID).

**FISCAL ANALYSIS:**

There is no fiscal impact to the City of Escondido other than staff time to administer the collection and processing of the payments. Assessments are collected by the Code Enforcement Division's Business License staff. The City does not retain any portion of the assessments to offset costs of administering the program.

**CORRELATION TO THE CITY COUNCIL ACTION PLAN:**

The events, activities and programs carried on within the BID relate to the Council's 2011-2012 Action Plan regarding Economic Development.

**PREVIOUS ACTION:**

In 1989 the City Council adopted Ordinance No. 89-28 which first established a Downtown Business Improvement (Assessment) District. Resolutions are adopted annually to set the assessment schedules and rates. This is done in accordance with the provisions of the California Streets and Highways Code. The benefit zones within the BID were modified and the rate structure has been modified from time to time over the years. Since the 1990's, the Business Improvement District has been operated and managed under contract between the City and the Downtown Business Association (DBA). On June 8, 2011, the City Council received and approved the DBA's annual report, and at a public hearing on June 22, 2011, the City Council approved a 50 percent reduction in the fees and asked for a review of the fee structure, which was revamped about two years ago.

Revised

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Administration of E  
September 14, 20  
Page 2

## BACKGROUND:

A Business Improvement District, or "BID," is an innovative revitalization tool for commercial neighborhoods such as shopping malls and regional business districts. Established by law in the late 1980's and early 1990's, BIDs are public/private sector partnerships that perform a variety of services to improve the image of their cities and promote individual business districts. A business improvement district (BID) is a defined area within which businesses pay an additional fee in order to fund improvements within the district's boundaries. A BID provides a business area with the resources to develop marketing campaigns, increase awareness and lobbying efforts, secure additional funding and enhance public improvement and beautification projects in partnership with local government.

The California Streets and Highways Code enables the formation of business improvement districts, requires an annual review of the BID report and the annual levying of BID assessments. All businesses located within the BID area are assessed according to the schedule and rates as adopted annually. The assessment is collected when the business license is issued and annually thereafter, when the business license is renewed. The assessments are passed through to the BID administrator on a monthly basis. The City of Escondido does not charge the BID for the City staff or administrative costs associated with this service nor does the City retain any portion of the assessments. With the fifty percent reduction in fees approved by the Council on June 22, 2011, it is anticipated that BID revenue in 2011-2012 will be approximately \$90,000.

On June 30, 2011, the Downtown Business Association (DBA) notified the City Council of its decision to terminate the contract with the City and thereby discontinue administration of the BID. The DBA had served as the stewards of the assessment funds since the 1990s and was responsible for overseeing activities and improvements in the BID area.

Section 36530 of the California Streets and Highways Code states, "the City Council shall appoint an advisory board which shall make a recommendation to the City Council on the expenditure of revenues derived from the levy of assessments pursuant to this part on the classification of businesses, as applicable, and on the method and basis of levying the assessments. The City Council may designate existing advisory boards or commission to serve as the advisory board for the area or it may create a new advisory board for that purpose. The City Council may limit membership of the advisory board to persons paying the assessments under this part."

In light of the DBA's decision, the City Council may wish to consider the following options pertaining to the administration of the BID fees:

- 1) Appoint the City Council as the Advisory board and designate City Staff from the City Manager's Office to administer the BID fees. The City of Escondido would not charge the BID for any administrative costs. All BID funds would be used for the BID.

- 2) Appoint a third party organization to perform this function. It is likely such an organization would require a portion of the BID fee to cover administrative costs.

It should be noted that Escondido Municipal Code Section 16C-10 states that the funds shall be "remitted to the Downtown Business Association of Escondido or such other entity, association, or organization that the City Council may designate or create." This section either will need to be amended or an affirmative determination made, via resolution or otherwise, that designates "the City" as the place the funds are to be remitted.

Respectfully submitted,

A handwritten signature in black ink that reads "Joyce Masterson". The signature is written in a cursive, flowing style.

Joyce Masterson  
Assistant to the City Manager

# CITY COUNCIL

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 10**

**Date: September 14, 2011**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Joyce Masterson, Assistant to the City Manager

**SUBJECT:** Final City Council Action Plan

RECOMMENDATION:

It is requested that Council adopt the 2011-2012 City Council Action Plan.

FISCAL ANALYSIS:

None

PREVIOUS ACTION:

The City Council held a workshop for the development of the 2011-2012 Council Action Plan on February 2, 2011. On April 6, 2011, Council approved the format and schedule for the development of the 2011-2012 City Council Action Plan. On May 11, 2011, Council reviewed the proposed content for the Financial Stability element. On June 15, 2011 Council reviewed the proposed content for the Economic Development element. On August 17, 2011 the Council reviewed the proposed content for the Image and Appearance element, as well as the Embrace Diversity and Community Outreach element.

BACKGROUND:

The City Council Action Plan represents the City Council's collective vision for Escondido's future and the key strategies that will be used to achieve that vision. It is developed biennially following a workshop where key policy goals are identified and discussed.

At each of the workshop listed above, the City Council provided revisions to the four draft sections created by staff. Those revisions have been incorporated into the final document (See Attachment 1)

Once the Council Action Plan is adopted, the City Council will be kept apprised of the progress being made in achieving the Action Plan key activities through biannual workshops covering all four key policy areas. This Action Plan contains numerous strategies that will be initiated during 2001-2012 timeframe, but due to their complexity, will take several years beyond that to complete.



Preliminary Council Action Plan  
September 14, 2011  
Page 2

Respectfully submitted,

A handwritten signature in cursive script that reads "Joyce Masterson".

Joyce Masterson  
Assistant to the City Manager

# Introduction

The City Council Action Plan represents the City Council's collective vision for Escondido's future and the key strategies that will be used to achieve that vision. It is developed biennially following a workshop where key policy goals are identified and discussed.

The priorities categories for the 2011-2012 Council Action Plan were identified by the City Council at its February 2, 2011 workshop and were: (in alphabetical order)

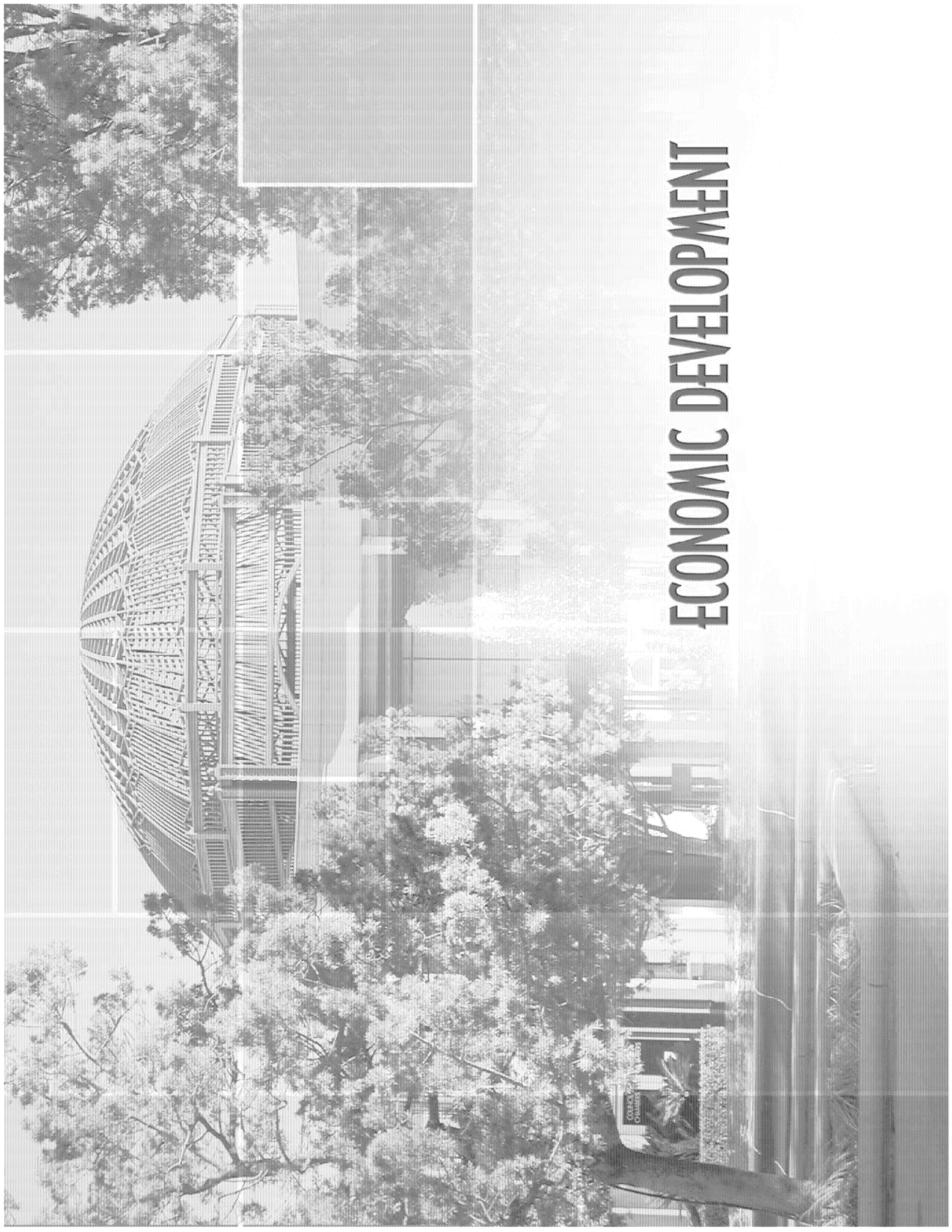
- Economic Development
- Embrace Diversity & Community Outreach
- Financial Stability
- Image and Appearance

Responsibility for developing and overseeing each of those categories was assigned to the following individuals:

- Sheryl Bennett (Embrace Diversity & Community Outreach)
- Joyce Masterson (Economic Development)
- Barbara Redlitz (Image and Appearance)
- Gil Rojas (Financial Stability)

Specific information pertaining to the current reality in those areas, as well as strategies to achieve the City Council's goals and evaluation measures, were presented to the City Council over the course of several months. Final approval of the document was sought on September 14, 2011.

A workshop on the status on the Council Action Plan will be held twice a year to keep the City Council apprised of the progress being made to achieve stated goals, provide greater flexibility to changing needs and finances, and to elevate the public's interest and attention to the action plan.



# ECONOMIC DEVELOPMENT

CELEBRATING  
CHAMBERS  
OF COMMERCE

# City Council Action Plan 2011-2012

## Economic Development

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
<p><b>Create business / employment land to stimulate the creation of jobs and improve median income</b></p>	<p>1. The City does not have a comprehensive plan for economic development. With land supply dwindling and costs of doing business increasing, Escondido will need to adopt a vision and economic development strategy that leverages its existing assets, makes full use of technology, and targets its resources towards activities and investments that have the greatest short and long-term impact on its economy. The cost to hire a consultant to prepare a comprehensive plan is estimated at \$100,000. Funding is available in the Economic Development Fund.</p> <p>2. City maintains local control over a significant portion of its water supply. However, key areas, including the ERTC, are controlled by Rincon Water District whose requirements may be impeding development.</p>	<p>1. Contract with a consultant to build upon the draft Economic Development element of the General Plan to create a comprehensive economic development plan for Escondido that includes baselines of existing jobs and types of properties available.</p> <p>2a. Work with Rincon Water Board to reduce barriers to business development in Escondido.</p> <p>2b. Update master plan for</p>	<p>Adoption of an Economic Development Plan</p> <p>Jobs created, jobs retained, average salaries</p> <p>Jobs created, jobs retained</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>Infrastructure is lacking in downtown and other areas slated for future development (I-15/Felicita, I-15/EI Norte Parkway, Citracado Parkway missing link).</p>	<p>water and sewer infrastructure and establish a list of priorities.</p> <p>2c. Purchase land in I-15/Felicita corridor needed to construct pump station for subsequent development.</p>	<p>Creation of priority list; jobs created</p> <p>Installation of infrastructure; jobs created</p>	
	<p>3. In 2010, 1,623 new business licenses were processed and 6,698 business licenses were renewed; \$1,573,385 was received in Business License revenue. No data exists on the number of employees hired/jobs created.</p>	<p>3a. Revise business license application to include mandatory information including the number of employees associated with the business in order to develop a baseline.</p> <p>3b. Explore new formula for business license fee.</p>	<p>Jobs reported</p>	
	<p>4. Escondido's percentage of Very Low and Low Income (Target) Households is 44% which is higher than 12 of 18 cities in the county, and exceeds the regional average of 40%, which can negatively influence business owners' decisions to locate or expand their operations in the community.</p> <p>Area city's Target Household percentages:  Poway (21%), Carlsbad (27%), Santee (32%), Chula Vista (42%), Coronado</p>	<p>4a. Authorize Mayor to lobby SANDAG for a more equitable distribution of future Target Household units that allocate a greater share to cities with fewer than the regional average. This would ensure that all communities shoulder a more proportionate share of Target Households.</p>	<p>Reduced percentage of Target Households allocated to Escondido</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>(25%), Del Mar (25%), Encinitas (27%), Oceanside (40%), San Diego (41%), San Marcos, (40%), Solana Beach (27%), Vista (42%), unincorporated county (34%).</p> <p>5. Downtown vacancies exist but prospective tenants often cannot relocate there due to current regulations requiring additional parking. Existing businesses wanting to expand are similarly blocked by parking regulations. Parking permits for municipal parking lots in downtown have been suspended.</p> <p>6. Escondido's General Plan has the lowest percentage of land designated for employment uses among all North San Diego County communities.</p> <p>7. Additional staff is needed to adequately address Economic Development efforts.</p>	<p>4b. Include language in the General Plan Housing element that will limit the number of Very Low and Low Income Housing units.</p> <p>5. Eliminate parking requirements for new and expanding businesses in the core downtown area and Mercado District.</p> <p>6. Analyze up to 450 additional acres to re-designate from residential to employment land.</p> <p>7a. Re-assign existing staff to City Manager's Office to assist with Economic Development.</p>	<p>Jobs created in downtown and Mercado</p> <p>Increased acreage; Jobs created; Standing among other North County cities</p> <p>Customer feedback</p>	
<p><b>Streamline Regulations</b></p>	<p>1. Well trained staff members are available to provide project streamlining and quick turn around on development projects, saving applicants time and money. However, redundant reviewing bodies in the approval process add time and cost to projects.</p>	<p>1a. Expedite the permitting process for projects within priority areas (Ballpark District, I-15/Felicita, I-15/EI Norte Parkway, Citracado Parkway missing link).</p> <p>1b. Consolidate Design Review Board with</p>	<p>Shorter Approval times</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>2. The environmental process is time consuming and complex. Having an existing environmental overlay in key areas would accelerate the process.</p> <p>An overlay area for South Escondido Boulevard was completed in the 1990s. An update will be required as an implementation measure of the General Plan to reflect the updated land uses.</p> <p>3. Fire codes have saved lives over the years. However, City officials must determine the proper balance between fire safety and other City goals, such as revitalization, historic preservation, and affordable housing.</p> <p>Fire Department plan checks, formerly done at City Hall, are now done at the Police and Fire HQ. This may be inconvenient for customers. Current fire prevention staffing levels have caused fire inspectors to prioritize new construction and development while incurring delays in other fire prevention responsibilities.</p>	<p>Planning Commission. Change criteria for Planning Commission to include design-professional applicants.</p> <p>2a. Adopt master environmental document for each priority development area to streamline future CEQA review.</p> <p>2b .Update overlay area for South Escondido Boulevard.</p> <p>3a. Implement cost/benefit analysis in fire plan checks.</p> <p>3b. Schedule Fire Prevention staff at least 1 day a week at City Hall for Plan check and fire-related permits while exploring possible consolidation of fire plan check services at City Hall by Community Development Staff or outsourcing.</p> <p>3c. Analyze the process for final inspections of single family residences since both Building and Fire inspectors are on</p>	<p>Adoption of Overlay zone</p> <p>Shorter review times, quicker permit issuance</p> <p>Customer Service feedback</p> <p>Faster response to customers</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>4. The internal business license process has been streamlined recently, with most permits now being issued within a week of submitting an application instead of months. However, applicants still cannot apply or pay online. The City also does not have the ability to allow the electronic submission and return of plans. Nor does staff have the ability to update licensing, permitting and inspection data from the field. CRW Systems, which provides the “TRAKIT” program currently used by various departments, offers 3 software modules that will increase staff efficiencies and provide comprehensive e--services to the public. Staff requested funding in the amount of \$177,000 for an update to the CRW system as part of the 2011-2012 CIP process.</p> <p>5. The current Public Art Fee is \$0.30 per sq. ft. (first 1,800 sq. ft. exempt). Since the Public Art Program began in 1988, more than 22 public art projects have been initiated by the City and private developers. The Public Art Program has received a number of local and national awards for its projects.</p>	<p>site, conducting a variety of different inspections, to determine if efficiencies can be found within the process.</p> <p>4. Upgrade the CRW TRAKIT software package with “eTRAKIT”, “eMarkup”, and “Mobile TRAK” to allow various online transactions including licenses, permits, payments, inspection requests, submission and markup of plans and the entry of data from the field.</p> <p>5a. Determine the appropriateness of retaining, reducing, or eliminating the current Public Art Fee and the Public Art Commission.</p>	<p>Business license volume increase and revenue</p> <p>Shorter review times</p> <p>Customer feedback</p>	



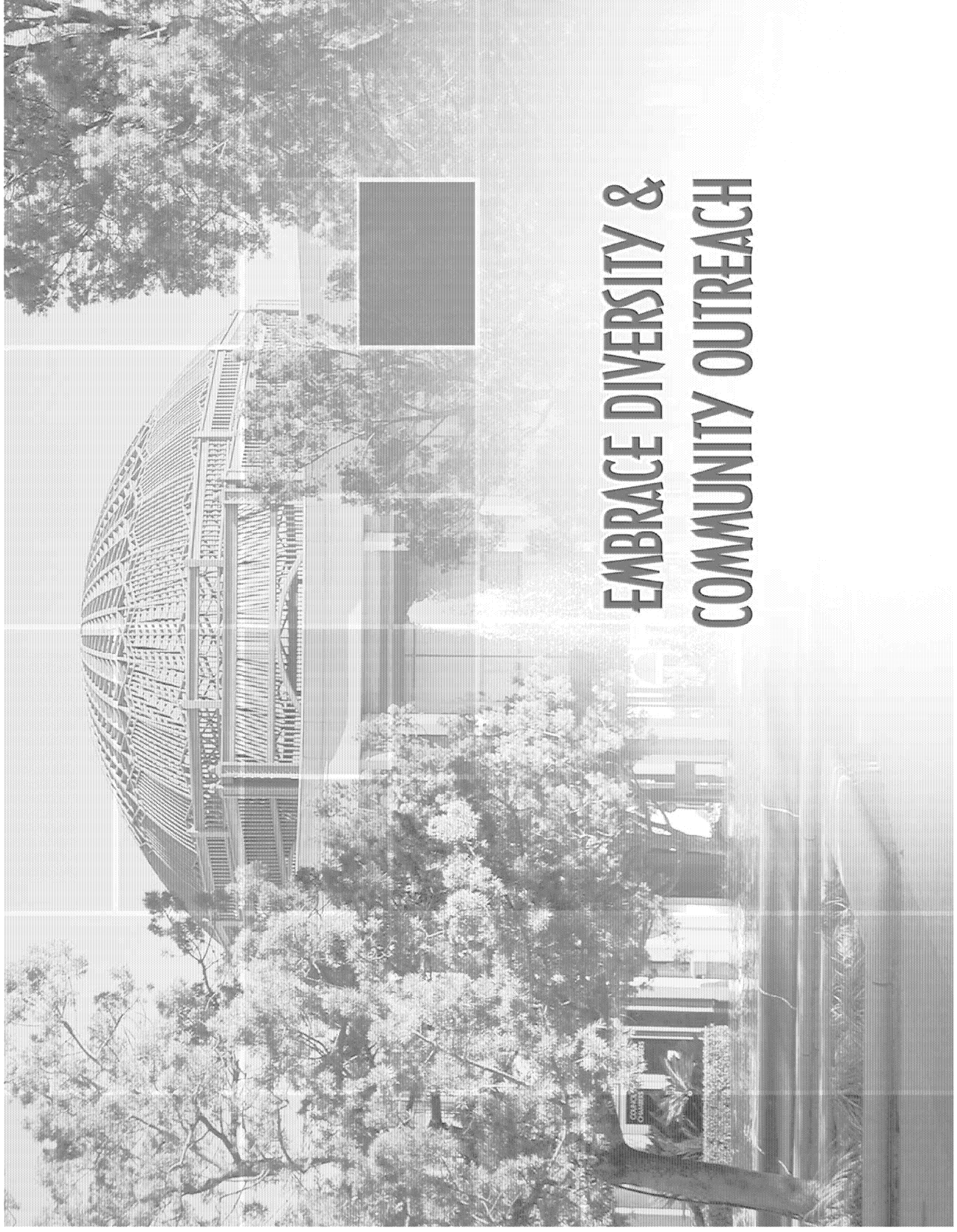
Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>6. The Zoning Code has been amended repeatedly over the decades and has lost clarity, adding time to the process. A consultant could streamline the code and improve processing times at a cost of approx. \$100,000. Funding is available in the Economic Development Fund.</p>	<p>6. Hire a consultant to review and streamline the Zoning Code.</p>	<p>Approved Streamlined Zoning Code</p>	
<p><b>Create Incentives</b></p>	<p>1. Selected fees in the Downtown Area are currently reduced for multi-family development.</p> <p>An Incentives/Development Fee Guide is currently online.  <a href="http://www.escondido.org/Data/Sites/1/pdfs/Building/FeeGuideforDevelopmentProjects.pdf">http://www.escondido.org/Data/Sites/1/pdfs/Building/FeeGuideforDevelopmentProjects.pdf</a> and includes the following:</p> <p><b>BUSINESS ENHANCEMENT ZONE (BEZ)</b>  Possible fee reductions of 25% (\$25,000 cap) or 50% (\$50,000 cap)</p> <p><b>RESTAURANTS CENTRAL CORE</b> up to 100% of water, wastewater, and traffic fees</p> <p><b>NONPROFIT ORGANIZATIONS</b>  50% fee reduction \$10,000 cap</p> <p><b>HISTORICAL BUILDINGS</b>  Zoning Code Chapter 33, Article 40.</p> <p><b>CHANGES IN USE IN EXISTING BUILDINGS</b>  Dev Fees not charged</p>	<p>1a. Re-evaluate existing Development Fees in other "Priority Areas" for possible reductions.</p>	<p>Additional living units in the Downtown District</p> <p>Expansion of existing business</p> <p>Increased sales tax generation from expanded, more-successful businesses</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p><b>TARGETED COMMERCIAL AREAS</b> Waiver of permit and processing fees varies from \$25 to \$1,040</p> <p><b>BUILDING DEMOLITIONS &amp; ABANDONED USES</b> 100% Dev. Fee credit for demolished buildings, and uses abandoned less than 10 years</p>	<p>1b. Create incentive to encourage the demolition of vacant buildings for which there has been no interest.</p>		
	<p>2. Generally, Development Fees are paid prior to permit issuance. Development Fees for a typical Single-family dwelling include: Parks, Public Facility, Art, Traffic-Local and Regional, and Drainage (Approx. \$13,000). Water and Wastewater connection fees (Approx. \$15,430), may be paid prior to connection, (requesting a water meter). Allowing development fees to be paid prior to requesting a final inspection would have a positive impact on developers and individuals.</p>	<p>2. Change City Policy to allow payment of Development Fees (not staff hard costs) prior to requesting Final Inspection rather than at permit issuance.</p>	Customer feedback	
	<p>3. Current parking ratios for industrial, commercial and office land uses are based on 1960's auto-oriented travel patterns and don't reflect a shift toward multimodal transportation opportunities.</p>	<p>3. Evaluate parking requirement for projects that incorporate transit-oriented design principles (i.e. pedestrian orientation, proximity to transit, inclusion of bicycle facilities, etc.) as an incentive for reduced parking requirements.</p>	Customer feedback	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>4. City Council endorsed a concept plan for Escondido Creek that incorporates landscaping and recreational improvements adjacent to the trail within the creek right of way.</p>	<p>4a. Allow residential development along the creek trail frontage to install public recreational improvements (with a maintenance agreement) within the trail right of way and install permanent access onto the trail from their property in exchange for required on-site open space.</p> <p>4b. Allow commercial development along the creek trail frontage to install public recreational improvements (with a maintenance agreement) within the trail right of way and install permanent access onto the trail from their property in exchange for parking credits.</p>	<p>Increased number of trail connections to adjacent properties.</p>	
	<p>5. The Façade and Property Improvement Program (FPiP) is currently inactive. Additional funding of \$500,000 is recommended to reinstate the program. Funding is available in the Economic Development Fund.</p>	<p>5a. Reinstated and fund the FPiP to provide matching grants for commercial property façade improvements.</p>	<p>Dollar amount of private matching funds invested to enhance business appearance</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
<p>Focus on image / outreach / marketing including proactive business recruitment by the City Council</p>	<p>1. Previous focus had been primarily on business retention and expansion, rather than business attraction. Councilmember involvement, as well as that of successful local CEOs / business leaders, is crucial to attracting new businesses.</p> <p>2. More effective communication needs to broadcast Escondido's positive qualities including:</p> <ul style="list-style-type: none"> <li>• Escondido Research and Technology Center</li> <li>• Historic Downtown with unique recreational and regional entertainment attractions is unique among San Diego County communities.</li> <li>• Strategic location</li> <li>• Existing infrastructure, plans for development, and projected capital allocations.</li> <li>• Regulatory and environmental compliance requirements</li> <li>• Competitive transportation opportunities and alternatives</li> <li>• Ready-to-go, serviced and adequately zoned sites</li> <li>• Ready access to key suppliers and</li> </ul>	<p>1a. Recruit a corps of successful high-profile CEOs to participate in recruitment meetings with potential new business owners.</p> <p>1b. Develop business attraction "kits" for Councilmembers to provide accurate and consistent information to potential businesses.</p> <p>2a. Refresh existing Economic Development web site to a more robust one directed at existing and prospective businesses, brokers and site selectors with companion written materials.</p> <p>2b. Develop subscription-based business retention /attraction E-newsletter.</p> <p>2c. Bolster the current on-line public art information with photos, electronic maps, and self-guided tour routes of existing art pieces that will attract visitors to the community who will visit</p>	<p>Site visits</p> <p>Number of kits distributed</p> <p>Hits on web site</p> <p>Number of subscribers to E-newsletter</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>support services</p> <ul style="list-style-type: none"> <li>• Local talent pool available and the benefits of hiring locally</li> <li>• Public Art</li> </ul>	<p>the art displays and spend money at nearby restaurants and shops.</p> <p>2d. Hold a commercial real estate brokers' symposium in partnership with the Chamber and regional partners to highlight available properties.</p>	<p>Number of attendees</p>	



# EMBRACE DIVERSITY & COMMUNITY OUTREACH

# City Council Action Plan 2011-2012

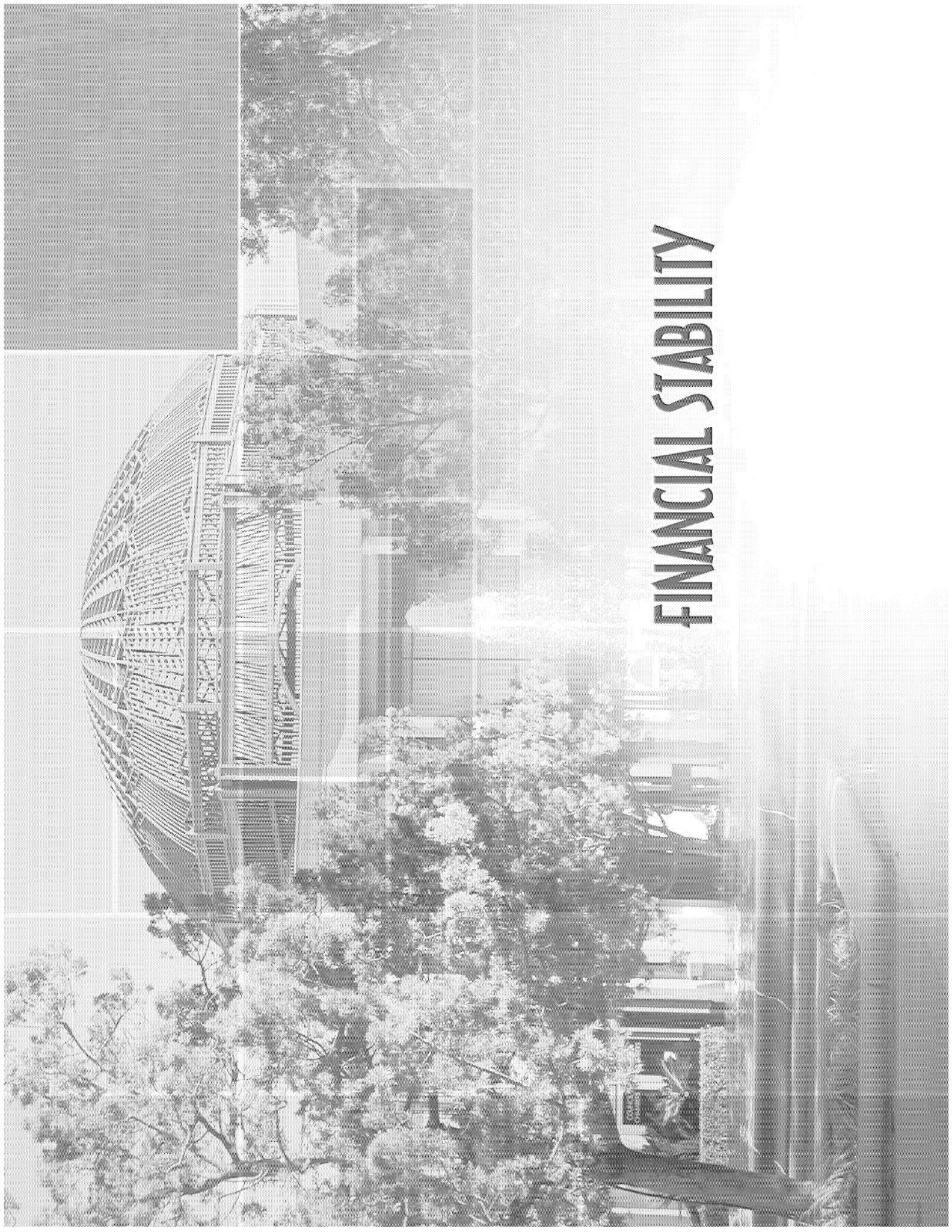
## Embrace Diversity and Community Outreach

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
<p><b>Community Events Downtown</b></p>	<p>The City has a robust history of downtown events to draw a diverse group of citizens to the area.</p> <p>In 2010, over 274,000 people visited a variety of downtown events hosted by many different Escondido-based groups.</p> <p>This is a partial listing of some of the popular events:</p> <ul style="list-style-type: none"> <li>• Cruisin' Grand - April - Sept</li> <li>• 2nd Saturday ArtWalk</li> <li>• Saturdays in the Park - History Center - Weekly Sat events in Grape Day Park</li> <li>• Escondido Jaycees Christmas Parade</li> <li>• For the Love of Chocolate Festival - February</li> <li>• Dia de Los Ninos - April</li> <li>• Semi Annual Escondido Street Faire</li> </ul>	<p>Add three new events:</p> <ol style="list-style-type: none"> <li>1. Sunrise Grape Day 5K – 9/10/11</li> <li>2. 9/11 10<sup>th</sup> Anniversary Remembrance Event – Partnership with the Center for the Arts</li> <li>3. “We Are Escondido” – Fall 2012</li> </ol> <p>Escondido Community Celebration in Grape Day Park, including music, dance, food and family activities that are representative of our diverse community</p>	<p>Number of attendees at each event.</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<ul style="list-style-type: none"> <li>American Heritage Car Show in Grape Day Park</li> <li>Summer Movies in Grape Day Park</li> <li>Independence Day Celebration in Grape Day Park</li> <li>Grape Day Festival and Parade - Sept</li> </ul>			
<p><b>Making things easier for residents to communicate with government</b></p>	<p>Current communication tools include:</p> <ul style="list-style-type: none"> <li>City's Internet Page</li> <li>Recreation brochure</li> <li>Newsletters</li> <li>Facebook (Library &amp; Recreation)</li> <li>Twitter</li> <li>Online Crime Reporting</li> <li>Email</li> <li>Phone System</li> <li>Utility Bill Inserts</li> <li>Escondido Experience through Chamber</li> <li>Escondido Workforce Roundtable</li> <li>Council meetings, live, televised, and on the Internet</li> <li>City Sourced Application (graffiti and potholes)</li> </ul> <p>Communication has mostly been "one-way", from the city to residents. More interactive communication is desirable.</p>	<p>Increase opportunities for the community to provide input to City:</p> <ol style="list-style-type: none"> <li>Hold Mayor's Town Hall Meeting</li> <li>Conduct community survey to obtain feedback from the residents on the methods they would like the City to use to share and receive information. Survey will be done via staff and City resources at a minimal cost.</li> <li>Offer the public quarterly tours of City Hall and the Police &amp; Fire HQ.</li> <li>Expand City Sourced Application</li> <li>Create "City" Facebook Page</li> </ol>	<p>Number of attendees</p> <p>Responses from survey and analysis to the potential need for changes in communication methods.</p> <p>Number of Attendees</p> <p>Number of Referrals</p> <p>Number of followers</p>	



Goal	Current Reality	Strategy	Evaluation Measures	Outcome
<p><b>Communication and Listening</b></p>	<p>Current customer service training is focused primarily on new employees and includes:</p> <ul style="list-style-type: none"> <li>• New Employee Orientation</li> <li>• Fish Training</li> </ul> <p>Additional periodic training is needed as a refresher for long-time employees.</p> <p>An informational kiosk would enhance customer service, by allowing visitors to get their questions answered from the kiosk, submit reports on-line and avoid having to wait in line. The cost of a kiosk is approximately \$5,100.</p>	<p>Internal Customer Service</p> <ol style="list-style-type: none"> <li>1. Provide additional citywide customer service training</li> <li>2. Solicit feedback from customers on the quality of service they received from City staff.</li> </ol> <p>External Customer Service</p> <ol style="list-style-type: none"> <li>1. Purchase kiosk with online resources for customer to access information at City Hall</li> </ol>	<p>Number of employees trained</p> <p>Number of feedback forms received and quality of service measured.</p> <p>Number of utilizations</p>	



# FINANCIAL STABILITY

CELEBRATING 100 YEARS

# City Council Action Plan 2011-2012

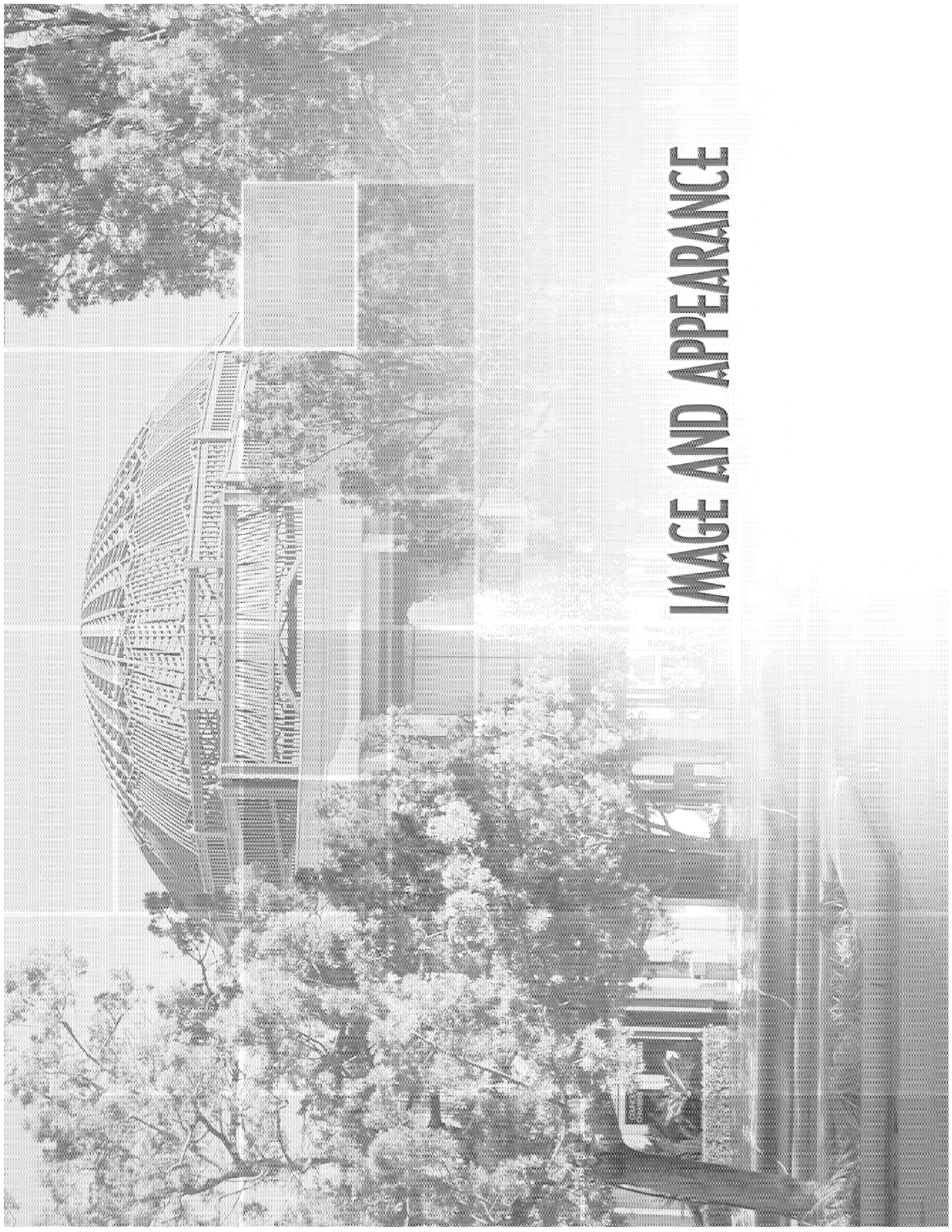
## Financial Stability

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
<b>Adopt balanced budget without using reserves</b>	1. For the past 4 years, the budget has been balanced by relying on City reserves.	1a. Adopt a 2 year operating Budget 1b. Negotiate employee sharing pension costs 1c. Close Branch Library 1d. Conduct fiscal analysis of Recreation operations 1e. Reduce funding for Center for the Arts 1f. Reduce funding for outside agencies	Adoption of a budget that does not use reserves	
<b>Reform pension benefits to ensure they are affordable</b>	1. The City's pension obligation is 17% of the General Fund. The present pension system is no longer affordable or sustainable. Contracts with labor groups have varying expiration dates: Teamsters, ACE, and Supervisory union contracts expire on June 30, 2011.	1a. Increase employee contributions to their own pensions 1b. Implement a two tiered pension system	Approved revised contracts with each labor group Implementation of a two tiered system	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	Police and Fire union contracts expire December 31, 2011. Non-sworn police contracts expire June 30, 2012.			
<b>Focus on Core Service</b>	<p>1. The Police Department has a labor-intensive and paper-driven data collection and reporting process. Efficiencies in this area will allow officers to do more proactive law enforcement by spending less time writing reports, as well as provide significant time-saving for the Records Division. Staff has requested \$525,200 for a Records Management System as part of the 2011-12 CIP process.</p> <p>2. Fire Station 6 was designed to house an engine company, not an ambulance crew. Due to the economic downturn, when construction was completed the City could not afford to hire staff for an engine company. Instead the ALS paramedic ambulance and crew from Fire Station 5 was moved to Station 6. Hiring personnel to staff Engine 6 would improve response capabilities and response time for all emergency incidents and assist with call distribution throughout the entire City. If an engine company is put in at Station 6 the ambulance and crew likely will be moved to Station 1 to help with EMS call distribution.</p>	<p>1. Fund \$525,200 for a Capital Improvement Program that will be used for implementation of the Records Management System</p> <p>2. Conduct an assessment of the City's delivery of fire services to ensure they are meeting the community's fire safety goals</p>	Implementation of Records Management System	Completion of assessment

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>3. The current Street Maintenance program targets streets for reconstruction, overlays and seal coats based on staff's assessment of physical conditions and available funding. Also considered are resident complaints and areas in constant need of repair work.</p> <p>Downtown area alleys are generally excluded from street maintenance projects as they are classified a lower priority than major arterials, collectors and residential streets in need of repair.</p> <p>Maintenance and Operations Division performs pothole and road edge repair as needed. They also refresh striping and limit lines on roads throughout the City.</p>	<p>3. Repair 3-5% of total city streets each year with an emphasis on major roadways and on reducing the annual pothole/edge repair work required of in-house forces</p>	<p>"Lane" miles of streets improved to good or better condition per the Pavement Condition Index</p> <p>Number of pothole complaints/repairs</p>	
<p><b>Outsource city services where appropriate for cost savings and efficiency</b></p>	<p>1. The City currently outsources or contracts for some services such as custodial and landscaping. A study of other opportunities for cost savings or cost avoidance has not been undertaken for several years. Upcoming facility moves make this an opportune time for considering additional outsourcing strategies.</p>	<p>1. Systematically evaluate a minimum of five strategies for outsourcing</p>	<p>Dollar amount saved by outsourcing certain City services</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
<p><b>Maintain \$15-20 million in reserve</b></p>	<p>1. Reserves are now at approximately \$15 million. The city does not have a written policy defining a minimum amount to be kept in reserves, as well as potential uses for it.</p>	<p>1. Develop a Reserve Policy for the General Fund based on cash flows during the first 6 months of the fiscal year and/or the average of 2 months of expenditures</p>	<p>Adoption of Reserve Policy</p>	



# IMAGE AND APPEARANCE

# City Council Action Plan 2011–2012

## Image and Appearance

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
<p><b>Pro-active code enforcement (residential and commercial properties); implement existing ordinances; public education on violations</b></p>	<p>1. The Appearance and Compliance Team (ACT) was highly successful in proactively improving the City's appearance, but was disbanded due to the recession's impact on staffing and budget. A modified version of the ACT can be reinstated, although monthly sweeps cannot yet be accommodated.</p> <p>Code enforcement currently is complaint-based, with priority given to health/safety violations. Priorities are as follows:</p> <ul style="list-style-type: none"> <li>• Health &amp; Safety violations               <ul style="list-style-type: none"> <li>• Garage conversions</li> <li>• Non-permitted room additions</li> <li>• Substandard dwellings</li> </ul> </li> <li>• Graffiti removal</li> <li>• Inoperable street lights</li> <li>• Abandoned vehicles</li> <li>• Abandoned and foreclosed properties</li> <li>• Weed and junk abatement</li> </ul>	<p>1a. Reinstatement a modified version of the interdepartmental ACT to identify and monitor problem properties and attractive nuisances; anticipate "ripple effect"; and adjust resources accordingly.</p> <p>1b. Identify specific geographic areas of the city for methodical, proactive enforcement; give advance public education or notification, then target for concentrated enforcement, focusing on appearance violations.</p> <p>1c. Establish reporting mechanisms to determine baselines and</p>	<p>Quarterly reports from various departments and/or operations</p>	



Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<ul style="list-style-type: none"> <li>• Shopping carts</li> <li>• Potholes</li> <li>• Illegal signs</li> <li>• Business license violations</li> </ul>	<p>progress made by geographic or specific areas.</p> <p>1d. Develop additional public education information on reporting problems or finding solutions (i.e. website, handouts, etc.)</p>		
	<p>2. Code enforcement part time staffing:</p> <ul style="list-style-type: none"> <li>• Allows for weekend and flexible coverage.</li> <li>• Officers lack experience; not yet fully trained.</li> <li>• No night-time enforcement</li> </ul> <p>Over the years, city employees in all departments have been encouraged to report code violations, potholes, burned out street lights, etc. Unless continually reminded, personal responsibility for this lessens over time.</p>	<p>2a. Train volunteers in all organized neighborhoods to report code violations; examine potential to use volunteers in other low and moderate income areas in the City.</p> <p>2b. Release periodic reminders encouraging all field personnel, inspectors, police volunteer patrols, and general City employees to report potential code violations.</p> <p>2c. Work with the DBA, Chamber of Commerce, realtors, and other business and non-profit groups to encourage voluntary compliance.</p>	<p>Quarterly reports from various departments</p> <p>Track volunteer numbers and hours</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>3. City Appearance Committee reviews public and private projects involving city-owned property or facilities, and along gateways and medians for appropriate level of design and issues related to maintenance, public safety, liability, etc.</p> <p>4. Multiple inspections are often required to achieve compliance.</p> <p>5. Some properties in Escondido owned by major regional organizations are in need of clean-up and/or beautification.</p> <p>6. Maintenance of city property should set the standard in the community. Unfortunately it has been reduced due to diminished resources.</p>	<p>3. Appoint a representative from the City Appearance Committee to sit on the interdepartmental team and coordinate or resolve issues that may arise.</p> <p>4. Establish a re-inspection fee to encourage timely compliance.</p> <p>5. Develop protocol for working with regional organizations to resolve unsightly property maintenance issues at their facilities.</p> <p>6a. Analyze City workforce to effectively maintain City property.</p> <p>6b. Develop an “Adopt-a-Lot” program for maintenance of public properties. Explore a corporate sponsorship program or other form of recognition as an incentive.</p> <p>6c. Co-sponsor community and corporate</p>	<p>Biannual report from City Appearance Committee</p> <p>Adopt fee for non-responsive cases</p> <p>Number of cases requiring multiple inspections</p> <p>Develop and maintain contact list</p> <p>Track response times</p> <p>Mid-year report on maintenance needs, concurrent with mid-year budget review</p> <p>Establish policies and procedures for an “Adopt-a-Lot” program</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>7. In CDBG-eligible areas:</p> <ul style="list-style-type: none"> <li>• Staff actively educates and trains residents and 15 neighborhood groups regarding violations</li> <li>• NEAT staff and PD District Area Commanders attend neighborhood meetings and Neighborhood Leadership forums</li> <li>• NEAT staff prepare items of interest in the Neighborhood News</li> <li>• NEAT staff participate in neighborhood tours with group leadership members</li> <li>• Project NEAT assesses 2,600 residential properties for property maintenance and appearance issues.</li> <li>• Funding for additional Code Enforcement personnel through CDBG has been authorized for FY 2011-12.</li> </ul> <p>8. Enforcement successes are not well publicized to the City Council, other departments or the public, resulting in a skewed and potentially negative perception of City Image.</p>	<p>volunteerism, such as work days, coordinated through the City's Volunteer Coordinator.</p> <p>7a. Use CDBG funds to:</p> <ul style="list-style-type: none"> <li>• Expand Project NEAT program to all CDBG-eligible neighborhoods</li> <li>• Add Code Enforcement officer(s) for CDBG-eligible commercial properties</li> <li>• Conduct field survey of commercial property and identify high violations rates</li> <li>• Focus efforts in areas of high pedestrian use</li> </ul> <p>7b. Develop an expanded marketing plan for Project NEAT. Identify and maintain key private citizen groups (realtors, service clubs, churches) to educate them regarding the importance of property maintenance issues</p> <p>8. Develop standardized reports to track enforcement complaints, caseload, responsiveness, and trends using</p>	<p>Number of cases with voluntary compliance;  Number of cases referred to Code Enforcement;  Number of cases referred to the City Attorney</p> <p>Track and report new outlets used to market Project NEAT, and determine if new projects are generated by the use of these outlets</p> <p>Quarterly reports regarding enforcement caseload and results</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>9. Proliferation of new types of temporary signs such as “feather” signs create unsightly appearance, but provide a cost-effective way for businesses to attract customers. An increased number of businesses are painting murals on large blank walls without design review approval.</p> <p>10. Special volunteer projects on City properties provide public improvements that may not otherwise be funded, but lack of a standardized policy result in proposals that do not make efficient use of staff resources.</p> <p>11. Weed Abatement enforcement response is handled by Code Enforcement under property maintenance provisions of the Municipal Code, and by the Fire Department under the Fire Code.</p> <p>12. FY 2011-12 CIP Budget authorized \$177,000 for CRW upgrades. Code Enforcement Officers document their cases when they return to the office.</p>	<p>upgraded TRAKIT and Azteca software approved in the FY 2011-12 CIP budget.</p> <p>9. Evaluate sign ordinance to address feather / temporary signs and murals.</p> <p>10. Develop policy to address offers of special projects on City property, i.e., Eagle Scout projects, including procedures and identification of types of desirable projects and locations.</p> <p>11. Coordinate weed abatement enforcement efforts by Code Enforcement and Fire Department to ensure communication and provide consistent direction to property owner.</p> <p>12. Purchase additional TRAKIT software (Mobile TRAK and CRM).</p>	<p>Post results on website</p> <p>Adopt code amendment</p> <p>Adopt policy</p> <p>Response time</p> <p>Response time</p>	

Goal	Current Reality	Strategy	Evaluation Measures	Outcome
	<p>Additional CRW software is available to increase staff accuracy and efficiency by allowing immediate field entry (Mobile TRAK) and monitor customer response (CRM). Cost for the additional software and annual maintenance is \$40,500 plus additional laptop purchase and internet fees of \$20,000.</p> <p>Customer complaints are submitted through a variety of sources, often resulting in overlapping responses that are difficult to track and create inefficiencies. Additional TRAKIT software (Citizens Response Management or CRM) is also available to manage and monitor customer complaints. Cost for software and annual maintenance is \$22,500.</p>			
<p><b>Urban Renewal, Overlays and Standards</b></p>	<p>1. Vacant and foreclosed properties are poorly maintained. Enforcement efforts are hampered by difficulty determining ownership or responsible party.</p>	<p>1. Explore strategies employed by other jurisdictions to address maintenance of vacant and foreclosed properties, and assess necessary resources for implementation as additional funding becomes available.</p>	<p>Summary Report</p>	





Agenda Item No.: 11  
Date: September 14, 2011

**FUTURE CITY COUNCIL AGENDA ITEMS**  
**September 8, 2011**

*AGENDA ITEMS AND COUNCIL MEETING DATES ARE SUBJECT TO  
CHANGE. CHECK WITH THE CITY CLERK'S OFFICE AT 839-4617*

**SEPTEMBER 21, 2011**  
**NO MEETING (ICMA & LCC)**

Green Sheet Due by Noon on Monday, 9/12/11  
Staff Reports/Resos due by Noon on Tuesday 9/20/11

**SEPTEMBER 28, 2011 – MITCHELL ROOM**  
**4:30 p.m.**

**CHARTER CITY WORKSHOP**  
**(M. Waldron & E. Gallo)**