

PLANNING COMMISSION

Agenda Item No.: _____

Date: August 9, 2005

CASE NUMBER: Tract 921, 2005-28-PD, 2005-06-AZ

APPLICANT: Barratt American Communities/John Barone/ 2nd & Orange Associates

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.

TYPE OF PROJECT: Preliminary, Master and Precise Development Plan, Tentative Subdivision Map, and Specific Plan Amendment

PROJECT DESCRIPTION: The request includes an Amendment to the Downtown Revitalization Area Specific Plan to allow residential uses on the ground floor, with no commercial component. Currently, the Professional Office District does not allow residential on the ground floor. A Preliminary, Master and Precise Development Plan, are also proposed in conjunction with a one-lot Tentative Subdivision Map to construct 102 attached condominium units. The eight four-story buildings would be comprised of two- and three-bedroom residential units. Four residential structures and an approximately 20,000 SF commercial structure would be removed prior to construction of the residential units.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: SPA #9 (Specific Planning Area #9)
Tier 1-Central subarea

ZONING: SP - Professional Office District/Retail Overlay of the Downtown Revitalization Area Specific Plan

BACKGROUND/SUMMARY OF ISSUES: The project site is located on approximately 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. The site is comprised of several parcels, which have been under separate ownership. The site is currently occupied by a commercial disaster restoration building and a paved parking and storage area at the northern end of the site, and four single-family residences.

The project applicant seeks to develop 102 attached, market rate, air-space condominium units. The project relies on an Amendment to the Professional Office District of the Downtown Revitalization Area Specific Plan to permit a ground-floor residential development without a commercial component. The proposed code amendment would be specific to this project. Additional text is proposed to the Professional District in the same manner utilized for the DeFreitas-Sebastian row homes on the corner of Pennsylvania and Kalmia. The development would consist of five plan types, including two- and three-bedroom units ranging in size 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. All of the three-bedroom units and the majority of two-bedroom units have a ground floor den and ½-bathroom, adjacent to the garage. Some of the three bedroom units also have a fourth floor loft. Each unit would have at least one private balcony as well as an attached, two-car, tandem garage on the ground floor. Garage doors would be oriented toward the center of the site, except along the Center City Parkway elevation. All units would be located above the garages. The entrances to the units either would be from a stairway at an entry foyer in the garage or a stairway near the garage doors. Guest parking would be located along the western property boundary. There would be a landscaped, pedestrian paseo extending from Second Avenue to the southern alley. It includes focal landscaping, outdoor seating

areas with trellises, potted plants, and decorative paving. The developer proposes enhanced pavement connecting to the public right-of-way. The project is conditioned to extend decorative paving into the right of way.

Project access would be taken from a main driveway on Orange Street. Gated, paved, emergency accesses are provided on the southern alley and on Orange Street. The application relies on the City Council vacating the western end of Third Avenue and the western end of the alley lying within the site. The City Council initiated the proposed Specific Plan Amendment to allow ground floor residential on the subject site on May 25, 2005.

Staff feels that the issues are as follow:

1. Whether the ground floor residential is appropriate at the intersection of Center City Parkway and Orange.
2. Whether the request would prejudice pending revisions of the Downtown Specific Plan.
3. Whether adequate off-street parking would be provided and the appropriateness of tandem garages.

REASONS FOR STAFF RECOMMENDATION:

1. The amendment would capture the opportunity for a high quality infill project that would implement goals of attracting residential development to the Downtown. The project's orientation to the street and strong base elements keep it in context with the surrounding development. It would also provide an additional customer base for downtown businesses. The site is not considered strong location for pedestrian oriented, commercial uses as compared to northern and eastern locations because of their closer proximity to Grand Avenue.
2. Ground-floor residential conforms to the Draft recommendations of the Downtown Specific Plan Citizen's Committee. The committee specified where ground floor residential should be restricted. This site was not one of these areas. The proposed project conforms to current Professional Office District development standards but relies on the amount of open space requirement for mixed-use projects. No changes to the open space standards have been proposed to date but the committee has recognized the need for flexible open space requirements in infill projects.
3. The proposed development provides a total of 233 parking spaces, which is 20 more than would be required by citywide, multi-family, parking requirements. Although tandem spaces are not permitted on a citywide basis, they are common in downtown projects.

Respectfully submitted,

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Assistant Planner II

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Assistant Planning Director

ANALYSIS

A. LAND-USE COMPATIBILITY/SURROUNDING ZONING

NORTH - Professional Office District of the Downtown Revitalization Area Specific Plan zoning – Commercial businesses are located to the north, across Second Avenue.

SOUTH - Urban Neighborhood District of the Downtown Revitalization Area Specific Plan zoning – Multi-family residential developments are located to the south, across the alley.

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, 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 its ability to provide service to the site.

2. Effect on Fire Service – The Fire Department has met extensively with the applicant to review the points of access and driveway designs. Proposed conditions would include provision of fire sprinklers and fire alarms in all units, minimum clear driveway widths of 28 feet, and an opticom sensor for all gated exits. The site would be served by Fire Station No. 1 (310 North Quince Street), which is within the five-minute response time mandated by the General Plan.

3. Traffic – The project site fronts on Centre City Parkway, Orange Street and Second Avenue. Portions of both Third Avenue and an alley, which run through the project site, would be 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. 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 parking currently is permitted on Second Avenue.

The project traffic study analyzed project traffic and determined that the design and conditions of approval will adequately mitigate 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.

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 and intersections are forecast to operate at acceptable levels of service, LOS "C" or better, with or without the proposed

project under cumulative conditions. The study concludes that the proposed project would not have a negative impact on the adjacent streets or intersections, and the Engineering Division concurs.

4. Utilities – City sewer and water mains with sufficient capacity to serve the project are existing and available within the adjoining street or easement. The proposed project does not affect or materially degrade the levels of service of the public sewer and water systems.
5. Drainage – There are no significant drainage courses within or adjoining the property. The project is conditioned to provide a drainage study, which would determine the extent of drainage facilities necessary to control runoff. Runoff from the project would be directed to the adjoining public street or other approved drainage facility. 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. Mitigation measures were developed to ensure the proper handling and removal of any asbestos containing materials during the demolition of the existing buildings.
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements, the recommended conditions of approval, and mitigation measures.
3. The project will have a de minimis impact on fish and wildlife resources as no sensitive or protected habitat occurs on the site or will be impacted by the proposed development.

D. CONFORMANCE WITH CITY POLICY

The 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 very-high density residential, retail, commercial, service and mixed uses. The Downtown Specific Plan establishes specific densities and development standards. The proposed project includes a site-specific Amendment to the Specific Plan to allow ground floor residential with no commercial development. This does not conflict with the SPA #9 since the General Plan does not contain a specific use map for this site.

Design

The proposed development, known as City Square, consists of 102 attached, residential condominium units in eight buildings. The development would consist of five plan types, including 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. Some of the two-story units have an optional fourth floor loft or den. Each unit would have an attached, two-car, tandem garage on the ground floor. The two-bedroom flats are located on the second floor of the buildings. The two- and three-bedroom, two-story units are located on the second and third or third and fourth levels. The units incorporate a contemporary "row-house" architecture, with stucco and "hardiplank" siding, balconies with steel railings, standing seam metal roofs, metal canopies, and deep earth tones. Each unit would have a private balcony, and two units share entrance foyers on the ground floor. More than half of the units would front on a landscaped pedestrian paseo. The paseo would run parallel to Centre City Parkway and would provide a pedestrian connection from the residences near the alley south of Third Avenue, to the commercial areas north of Second Avenue. It also would provide common open space for the development.

The Design Review Board reviewed conceptual plans of the proposed project on March 24, 2005. The Board supported the conceptual design and concurred it was appropriately designed for an urban setting. They did request to review the Centre City Parkway elevation, including the wall/fence and landscaping, as it would be an important street scene. Two revised plans were presented to the Design Review Board on June 23, 2005. One incorporated staff comments asking for

more of the façade to be in close proximity to the street and to eliminate the first floor, street-grade balconies. Staff felt the changes were necessary soften the residential appearance given the surrounding commercial uses. The second alternative differed in that it incorporated storefront windows to actually give the units a commercial appearance. The Board discussed the alternate designs and continued to prefer the original design with the ground-floor balconies. They did not feel it was necessary to soften the residential appearance and eliminate the balconies since they thought they would enliven the streetscape. Staff and the applicant prefer the amended design as presented.

Whether Ground Floor Residential Uses Should be Permitted on the Subject Site

In the past, the Commission has discussed the issue of whether commercial uses should be retained at gateways to the Downtown. The project site is located entirely within the Professional Office District, which allows residential uses only as part of a mixed-use project, and not on the ground floor. However, the District does encourage higher density residential developments. The applicant has evaluated and dismissed the incorporation of commercial uses. No studies have documented the infeasibility of commercial uses. Staff assumes the strong market demand for condominiums and rare opportunity to assemble land parcel make the site more attractive for residential development.

The language in the PO District of the Specific Plan currently encourages higher densities and pedestrian plazas and courtyards. The City Council has consistently indicated that they would like to see higher-density, in-fill residential projects in the downtown area. The initial consensus of the Downtown Specific Plan Committee is that ground floor residential uses should be permitted in the subject block with a Conditional Use Permit.

They have also recommended to restrict ground floor residential between Second Avenue and Valley Parkway, between Center City Parkway and Ivy. Restrictions are also recommended south of Second Avenue between Orange and Broadway, and north of 3rd Avenue between Broadway and Ivy. Additionally, restrictions are proposed on both sides of Escondido Boulevard south to 5th. Nearly all of the areas between 5th and the properties fronting 2nd Avenue would be eligible for ground floor residential with a CUP. Staff and the Committee do not feel it is essential for the subject site to develop as commercial since a quality, residential condominium project would provide equivalent benefits to the Downtown Area and provide an attractive entry to the downtown.

Whether the Project Meets all Development Standards and Requirements of the Professional Office District and the Zoning Code

Amended language is proposed to the Professional Office District to permit ground floor residential projects on the subject site through the Planned Development process. The project plan would otherwise meet the density requirements development standards of the PO District. The one area that is not specifically addressed is open space since the PO District anticipates mixed-use projects.

The Professional Office District also has standards for open space for the residential portion of mixed-use projects. Projects with more than 20 residential units shall provide a minimum of 90 SF of open space per unit, with at least 30 percent devoted to common open space. For a 102-unit development 9,180 SF of open space would be required, with 2,754 SF devoted to common open space. Each unit in the proposed project would have one private balcony. The total amount of private open space provided would be 5,600 SF. Common open space would consist mainly of a landscaped, pedestrian paseo running the length of the site, parallel to Centre City Parkway. The paseo would include potted accent plants, outdoor seating areas with trellises, and decorative paving, and consist of approximately 35,315 SF. The total amount of 40,915 SF of open space exceeds the requirement in the Specific Plan.

The proposed development has a density well below the maximum of 45 du/ac permitted for mixed-use projects in the PO District since it proposes 28.3 units per acre. The maximum building height of 45' conforms to the maximum of 47' permitted for PO Zoned parcels that abut the Urban Neighborhood District. Normally, the height is restricted to 35' next to an UN District. However, an additional 12' is allowed when buildings are located above parking. Buildings up to 57' feet may occur elsewhere in the PO District if they are above parking.

With respect to other standards, there are no setbacks required for structures in the PO District. Parking spaces must be set back a minimum of five feet from street property lines. In order to create an urban feel, many of the units are proposed to be located with patios on the property lines adjacent to Orange Street and Second Avenue. The guest parking spaces would be setback ten feet from the property line along Centre City Parkway

The proposed project meets all existing development standards of the PO District, without utilizing reductions or departures available in the PO District or the planned development.

Whether Adequate Off-Street Parking Would be Provided and the Appropriateness of Tandem Garages

Issues exist with tandem parking since it requires residents in each unit to coordinate their driving habits. Tandem parking has been approved in the Paramount Project (Palomar Lanes/Barratt project on North Escondido Boulevard) and is included in many pending projects in the Downtown area. Staff does not have a concern since buyers will be aware of the design and they will not adversely affect adjacent public streets.

Each unit would have an attached, two-car, tandem garage. Twenty-nine open guest parking spaces would also be provided along the western boundary of the project. The Citywide Zoning Code requires 1¾ parking spaces per unit for two-bedroom units and two spaces per unit for three-bedroom units within multi-family residential developments. Additionally, one guest space is required for each four units. Citywide standards would require a total of 213 parking spaces. A total of 233 spaces would be provided, including 204 garage spaces and 29 open spaces.

Each unit would have a two-car tandem garage. The Zoning Code does not have a standard size for tandem spaces, although the standard size for a one-car garage is approximately ten feet wide and 19 ½ feet deep. Proposed tandem garage would have a minimum interior width of 10 feet (some garages are as large as 14 feet wide) and depth of 39'8" with some minor stairway encroachment.

Tandem garages facilitate the higher densities expected of urban infill projects. They offer a feasible alternative to structured parking. Traditional, side by side, garage spaces would not be feasible. Consistent with past approvals, a condition has been added to require the project CC&Rs to prohibit storage in parking areas and keep them available for parking. Parking will continue to be available on Orange Street, which is not a circulation element street.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The project site is located on approximately 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. Currently, access is available to the site from Orange Street, Second Avenue, Third Avenue and two public alleys. Third Avenue and one alley run through the site. The site is fairly level, lying at an average of approximately 642.6 feet above mean sea level (msl), and is comprised of several separate parcels. The majority of the site is paved and developed. There is an approximately 20,000 SF commercial building and a paved parking and storage area on the northern portion of the site. There are four single-family residences on the southern portion of the site. On-site vegetation consists of ornamental landscaping associated with the commercial business and the single-family residences, and several mature trees, including palm, pepper and eucalyptus trees. One small oak tree (three inches diameter at breast height) was found on the site, but no other mature landscaping exists.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 3.6 acres
2. Number of Units: 102
3. Number of Lots: One (102 air space units)
4. Number of Buildings: One building with eight units
One building with ten units
Three buildings with 12 units
Three buildings with 16 units
5. Unit Type: Plan 1: 35, 1,287 SF, 2 BR, 2 ½ BA + den, Flat (den and ½ BA on ground floor)
Plan 2: 16, 1,310 SF, 2 BR, 2 ½ BA, Townhome
Plan 2A: 16, 1,571 SF, 2 BR, 2 ½ BA + den, Townhome (den and ½ BA on ground floor)
Plan 3: 19, 1,783 SF 3 BR, 2 ½ BA, + den, Townhome (den and ½ BA on ground floor)
Plan 3A: 16, 1,849 SF, 3 BR, 2 ½ BA + den & loft, Townhome (den and ½ BA on ground floor, loft on fourth floor)
6. Grading: Cut: 2,200 cubic yards
Fill: 3,600 cubic yards
Import: 1,400 cubic yards
7. Landscaping: A landscaped paseo would extend through the length of the site from 2nd Ave. to the alley. It would include seating areas, trellises, 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.
8. Amenities: Each unit would have a private deck, fireplace, interior laundry room and two-car, tandem garage. A landscaped and hardscaped pedestrian paseo would be provided along the center of the project site, parallel to Centre City Parkway.

9. 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.
10. 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.

C. CODE COMPLIANCE ANALYSIS

	<u>Required in PO District</u>	<u>Provided</u>
1. Setbacks:		
Front (2 nd Ave.):	None	None
Side:	None	None
Street Side:	None Five feet for parking	None 10 feet
Rear:	None	10.5 feet
2. Parking:	187spaces for residences <u>26</u> surface guest spaces 213	233 total spaces, including 204 covered, and 29 open guest spaces.
3. Building Height:	35 feet when adjacent to UN District but an additional 12' may be allowed when units are above parking.	45 feet
4. Usable Open Space:	9,180 SF (102 units @ 90 SF per unit)	5,600 SF (Private) <u>35,315 SF (Common)</u> 40,915 SF Total
5. Density:	45 du/acre	28.3 du/acre

D. GENERAL PLAN COMPLIANCE

1. General Plan:

- a. Land-Use Element Designation: The site is in SPA #9 designation of the General Plan, which encompasses the downtown area. The designation permits commercial, residential, retail, service and mixed-uses within the development standards of the Specific Plan. The Professional Office District permits mostly commercial and mixed-use projects.
- b. Circulation Element: Second Avenue is Collector (84' r.o.w.) and Centre City Parkway is classified as a Major Road (102' r.o.w.) in the City's Circulation Element. Both Third Avenue and Orange Street are unclassified streets.
- c. Noise Element: The site is located within a projected noise contour with an anticipated CNEL of 60 dB or greater, according to the EIR for the April 2000 General Plan Update.
- d. Ridgeline: The site is not located on or near any intermediate or skyline ridgelines.
- e. Trails: There are no trail dedications required at this site.

FINDINGS OF FACT/FACTORS TO BE CONSIDERED
Tract 921, 2005-28-PD, 2005-06-AZ
EXHIBIT "A"

Tentative Subdivision Map

1. The proposed subdivision map with a density of 28.3 du/acre is consistent with the General Plan designation of Specific Planning Area, which permits a maximum density of 45 du/acre. The project is in conformance with the General Plan.
2. As conditioned, the design and improvements of the proposed subdivision map are consistent with the requirements of the Amended Professional Office District of the Specific Plan, since the development is consistent with the development standards of the Professional Office district.
3. The site is physically suited for this type of development as the PO District permits residential development at the proposed density, a Specific Plan Amendment is proposed to allow residential uses on the ground floor for this site, and the proposed would be consistent with the development standards of the PO District and the General Plan designation.
4. The design of the subdivision map and proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish, wildlife, or their habitat since no stream course or endangered wildlife occurs on the property.
5. The design of the subdivision map and the type of improvements are not likely to cause serious public health problems since city water and sewer facilities exist in the area and are available to the site, and the project is conditioned to provide necessary street improvements and vacations.
6. The design of the subdivision map and the type of improvements will not conflict with existing easements of record, or easements established through court judgments or acquired by the population at large, for access through, or use of, property within the proposed subdivision map since the project is conditioned on the vacation of 3rd Avenue. Otherwise, the project design reflects all existing easements.
7. The requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant affect on the environment as demonstrated in the Mitigated Negative Declaration, issued on July 14, 2005 (City Log No. ER 2005-20) that provides for the proper handling and disposal of any asbestos containing materials that occur in the existing structures.
8. The design of the subdivision map has provided, to the extent feasible, for passive or natural heating or cooling opportunities in the subdivision. Unit sizes and configuration provide opportunities for passive/solar heating and landscaping provides passive cooling opportunities.
9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to recordation of the map.

Preliminary, 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, joining the adjacent commercial and residential developments.
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, and would allow a ground floor residential project with approval of the proposed Specific Plan Amendment. The Planned Development is conditioned upon the approval of pending case 2005-06-AZ and vacation of portions of 3rd Avenue.
8. Each portion of the proposed development can exist separately, including setbacks, access and parking, since the project is not proposed to be phased and is to be developed as one comprehensively designed project. 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.

Specific Plan Amendment

1. The public health, safety and welfare will not be adversely affected by the proposed amendment to allow ground floor residential and eliminate the requirement for commercial uses since the amendment is tied to a high quality, urban infill condominium project that will provide an attractive entry to the downtown area and provide customers within walking distance who will support surrounding commercial uses.
2. The proposed amendment affects only the subject property, which is suitable for the amendment, since it is within walking distance from commercial and service uses in the downtown, and would help connect the commercial areas to existing surrounding residential development. The amendment would not be detrimental to surrounding properties, since residential uses are already permitted, and since the proposed project would meet all existing development standards.
3. The proposed code amendment will be consistent with the General Plan, since very-high residential densities are permitted by SPA # 9 and the General Plan does not specifically designate the site as commercial.

CONDITIONS OF APPROVAL
Tract 921, 2005-28-PD, 2005-06-AZ
EXHIBIT "B"

General

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable Citywide 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 exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
6. 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.
7. As proposed, a minimum of 233 parking spaces shall be provided and maintained in conjunction with this development, including a minimum of 204 covered spaces and 29 open guest spaces. All 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 chapter 2-71, Part 2, of Title 24 of the State 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. The approval of this Planned Development is contingent upon the recordation of Tract 921 and amendment to the Professional Office District of the Downtown Specific Plan as proposed by Planning Case 2005-06-AZ. The life of this Planned Development shall run concurrently with that of the Map.
10. Two copies of the CC&Rs shall be submitted to the Planning Division and Engineering Division for review and approval prior to the final approval and recordation of the final map associated with Tract 921. The CC&Rs shall contain provisions for the maintenance of driveways, parking areas, common landscaping, open space, walls, fencing, building exteriors, private storm drain, water and sewer easements, etc, to the satisfaction of the Planning and Engineering Divisions. They shall also contain provisions that limit the use of garages to vehicle storage only.
11. The developer shall deposit \$200.00 per unit, to the Planning Division, prior to approval of the final map for Tract 921. Said deposit shall be used solely and exclusively as a contingency fund for emergencies which might arise relating to structures, open space areas, and other repairs as may be assumed by the Homeowner's Association or management corporation, pursuant to Section 33-957 of the Escondido Zoning Code.
12. Upon conveyance of the first unit, the developer shall be responsible for contributing the monthly homeowner's association assessment for each unsold unit, under authority of the Final Subdivision Public Report issued by the California Department of Real Estate.

13. This approval does not include any signage. All proposed signage associated with the project must comply with the design requirements of the Downtown Revitalization Area and not proposed any signs larger than allowed in the City's R-4 Zone.
14. Prior to issuance of building permits, plans shall include fire protection plans, including fire sprinklers and fire alarms, to the satisfaction of the Fire Department.
15. Prior to issuance of a grading permit, an additional fire hydrant, capable of delivering 1,500 GPM at 20 psi will be required on site. The specific location shall be determined in consultation with the Fire Department.
16. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to, parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
17. All-weather paved access, able to support the weight of a Fire Department (50,000 lbs.) for use of heavy fire-fighting equipment, as required by the Fire Marshal, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials and no foundation inspections until adequate fire suppression requirements are in place to the satisfaction of the Fire Marshal.
18. All gated entrances or exits shall be equipped with electric switches accessible from both sides and operable by dual keyed switches for both police and fire. Gates must be operable by Fire Department strobe detectors and allow free existing, and an opticom is required.
19. As shown on the site plan, the inside turning radius shall be minimum 28', to the satisfaction of the Fire Department.
20. Roof access to all structures must be provided from stairwells, to the satisfaction of the Fire Department.
21. Any elevators shall be capable of accommodating a Fire Department gurney.
22. Red curbs with 4"-wide lettering, "No Parking Fire Lane" signs are required on one side of 28-foot-wide interior driveways, to the satisfaction of the Fire Department.
23. Trash enclosures shall be designed and built per City standards, including a solid cover for storm water quality purposes, and shall include space for recyclables per Escondido Disposal standards.
24. Colors, materials and design of the project shall conform to the exhibits and references in the staff report and exhibits, to the satisfaction of the Planning Division.
25. All new utilities shall be underground.
26. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division
27. Prior to issuance of a building permit, an interior acoustical analysis shall be performed. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA.
28. No street names are part of this approval. If a street name is requested, a separate request shall be submitted prior to approval of a final map.
29. All rooftop equipment shall be fully screened from all public view utilizing materials and colors which match the building.

30. A minimum 13'6" vertical clearance shall be provided in all access and driveway areas, to the satisfaction of the Fire Department.
31. 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 approval of the final map.
32. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform to the conceptual grading as shown on the Tentative Map. Grading plans for the site shall be submitted to the Engineering and Planning Divisions prior to approval of the Final Map.
33. The proposed garages for each unit shall provide sufficient space to reasonably accommodate two vehicles, with a minimum clear interior space of 39'8" deep and 10' wide. Storage shall not impede the ability to park two vehicles within each garage. Provisions shall be included in the CC&Rs requiring no storage or other encroachments within garages which impedes its ability to accommodate two vehicles.
34. 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.
35. Prior to issuance of a building permit, the applicant shall comply with security requirements to the satisfaction of the Escondido Police Department.
36. The approval of the Tentative Subdivision Map and Preliminary, Master and Precise Development Plans shall be subject to approval of the proposed street vacations of Third Avenue and the alley within the project site, and shown on the Tentative Map.
37. *Mitigation Measure: 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.*
38. A pavement enhancement plan for adjacent public and private hardscape areas shall be submitted for approval by the Community Development Director prior to the issuance of any permits. The plan shall provide for enhanced pedestrian pavement and features, including historical plaques, planters or fountains. The plan shall be consistent with the guidelines provided in the Downtown Specific Plan and be consistent with the Americans with Disabilities Act..
39. A bus stop on eastbound Second Avenue, approximately 100 feet east of Centre City Parkway, shall be designed and constructed, including an ADA-compliant boarding pad, bench and trash receptacle, to the satisfaction of North County Transit District.
40. Prior to issuance of building permits for any of the units, the Centre City Parkway elevations shall be revised to incorporate more enhancements and approved by the Design Review Board.

Landscape Conditions:

1. Prior to occupancy, all perimeter, slope and parking-lot landscaping, and all landscaping proposed in conjunction with the building shall be installed. All vegetation 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. In compliance with Article 62 (Landscape Standards), Section 1327 (Slope Planting), of the zoning code, all manufactured slopes over three-feet high shall be irrigated and planted with landscape materials as follows: Each one thousand SF of fill slope shall contain a minimum of six (6) trees, fifteen-gallon size; ten shrubs, five-gallon size; and groundcover to provide one-hundred percent coverage within one year of installation. Each one thousand SF of cut slope shall contain a minimum of six (6) trees, five-gallon size; ten (10) shrubs, one-gallon size; and groundcover to provide one-hundred percent coverage within one year of installation.
3. 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 to, or superior to, the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee of \$1,040.00 will be collected at the time of the submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards outlined in Ordinance 93-12. The plans shall be prepared by, or under the supervision of, a licensed landscape architect.
4. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
5. All manufactured slopes, or slopes cleared of vegetation, shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Community Development Department and City Engineer.
6. Street trees shall be provided along every frontage adjacent to this project, in conformance with the Landscape Ordinance, the Professional Office District landscape standards, and the City of Escondido Street Tree List.
7. Details of all project walls and fencing, including materials and colors, shall be provided on the landscape plans.
8. 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.
9. 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.

EXHIBIT C

Tract 921, 2005-28-PD, 2005-06-AZ
PROPOSED SPECIFIC PLAN TEXT

(New text is depicted as *underlined and italicized*)

F. PROFESSIONAL OFFICE (PO) DISTRICT

PURPOSE

The intent of the Professional Office district is to provide for the expansion and development of business and professional offices and services, including future government facilities. New development, higher densities, and pedestrian plazas and courtyards are encouraged to provide optimal setting for those uses.

LOCATION

The west portion of the Professional Office district is located adjacent to the Downtown Retail district and other Downtown amenities, and is well accessible by Valley Parkway, Second Avenue, Centre City Parkway, and Escondido Boulevard. The east portion of PO district is located adjacent to the Civic Center and Grape Day Park, and is accessible by Valley Parkway and Broadway.

LAND USE

Business and professional offices and services are the primary uses in this area. A strong foundation for financial activities already exists with numerous banks, such as Escondido National Bank, presently located in the district. The establishment of medical offices and services is discouraged. Retail and service uses which serve to support office users are permitted within an office building but may not occupy more than thirty (30) percent of the gross floor area. Restaurants are permitted as a primary use within the northern subdistrict only, located east of City Hall, north of Valley Parkway. For a detailed list of permitted and conditionally permitted uses, refer to the Land Use Matrix on page 17.

Within the Professional Office district, mixed-use projects are permitted and encouraged. Such mixed uses include retail and service commercial uses, theaters and cultural arts centers, administrative and professional office uses (excluding medical or dental), combined with residential uses which include opportunities for higher densities.

Ground floor residential development may be permitted on .64 acres at the southwestern corner of Kalmia Street and Pennsylvania Avenue and shall be processed in accordance with the planned development process specified in

Article 19 of the Escondido Zoning Code. The Project Plan shall conform with Professional Office density provisions, address design considerations and justify any departures from otherwise applicable development standards for building height, lot area, lot width, lot coverage, floor area, open space, and landscaping as part of the public hearing process.

Ground floor residential development may be permitted on the entire 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. Project Plans shall be processed in accordance with the planned development process specified in Article 19 of the Escondido Zoning Code. The Project Plan shall conform with Professional Office density provisions, exceed open space amounts that would otherwise be required of mixed-use projects, and justify any departures from otherwise applicable Professional Office development standards for building height, lot area, lot width, lot coverage, floor area, open space, and landscaping as part of the public hearing process.

Retail Overlay district encompasses portions of PO district facing Grand Avenue, Escondido Boulevard, and Fifth Avenue, as shown on the map. For additional land use and development regulations, please refer to Chapter 10 of this section.

INCENTIVES

Within the Professional Office district, incentives may be granted for provision of pedestrian amenities, lot consolidation, mixed use projects combining office uses with commercial and/or residential uses, and affordable housing. In addition, reduced parking requirements may be available to properties within the Vehicle Parking District as shown on Exhibit II-8, page 40. For details on the available incentives refer to Section II-F, page 47 of this document.

DEVELOPMENT STANDARDS

1. Maximum Building Height

The maximum allowable building height in the PO District shall be forty-five (45) feet, except where adjacent to a lot in the Urban Neighborhood District, then thirty-five (35) feet. Buildings constructed on top of parking which is at or below grade may add an additional twelve (12) feet of building height for an area equal to the area provided for such parking. The height limit may be increased with the use of incentives.

2. Minimum Street Frontage

The minimum street frontage for any development site in the PO District is one hundred (100) feet. Smaller lot frontages on building lots of record created prior to the adoption of this Specific Plan may develop according to the other standards contained in this section.

3. Setbacks

No setbacks are required for structures in the PO District. Parking areas shall be setback a minimum distance of five (5) feet from any property lines adjoining a public street and said area shall be landscaped in accordance with provisions of the Zoning Code.

4. Dwelling Unit Density

Maximum dwelling unit density for a mixed use development shall be forty-five (45) units per acre multiplied by the percentage of the development above the ground floor devoted to residential use. (Example: 45 du/ac x 1 ac x 75% = 33.75 dwelling units for a development with entire ground floor devoted to commercial use, twenty-five (25) percent of the upper floor area devoted to office use, and seventy-five (75) percent of the upper floor area devoted to residential use.)

5. Open Space - Mixed Use Projects

Minimum open space for residential portion of a mixed use project shall be provided as follows:

Mixed use projects including twenty (20) units or less shall provide minimum sixty (60) square feet of usable open space, as described below, for each unit. The required open space may be provided as private open space (patios, balconies), common open space, or any combination of the two. If no common open space is provided, at least fifty (50) percent of the units shall have private open space.

Each mixed use project with over twenty (20) units shall provide a minimum of ninety (90) square feet of open space per unit. At least thirty (30) percent of the required open space area shall be devoted to common open space.

6. Landscaping

Landscaping shall conform to Sections 33-1320 through 33-1334 of the Escondido Zoning Code (see Appendix I).

7. Trees in Public Parkway

On all new construction, the Director of Parks and Recreation will require the planting of street trees, of a variety approved by the Director, in the parkway area (if any) for every thirty (30) feet of street frontage.

Street	Botanical Name	Minimum Size
Valley Parkway	Arecastrum romanzoffianum (Queen Palm)	14' brown trunk height
Grand Avenue	Ulmus parvifolia 'Drake' Street tree (Evergreen Elm) Eucalyptus sideroxylon rosea Median Tree (Pink Ironbark)	36" box 24" box
Second Avenue	Liquidambar styraciflua 'Burgandy' (Sweetgum)	24" box
Maple Street	Platanus acerifolia 'Yarwood' (London Plane Tree)	24" box
Broadway	Arecastrum romanzoffianum (Queen Palm)	14' brown trunk height

8. Parking

Parking shall conform to Article 39 of the Escondido Zoning Code (see Appendix H). A percentage of required parking spaces may be designated for use by compact cars in accordance with the General Provisions section of the Specific Plan. Reductions for residential projects may be considered on a case-by-case basis if it can be determined that adequate parking will be provided for the project.

East of Escondido Boulevard, along Valley Parkway, Grand Avenue and Second Avenue, as shown on Exhibit II-8, page 40, provisions of Vehicle Parking District, page 41 of this documentation shall apply. In the block bounded by Broadway, Pennsylvania Avenue, Kalmia Street, and Valley Parkway, retail core parking provisions, page 42 of this document, shall apply.

Parking for residential use in a mixed use project shall be provided as follows:

Studio	1
1 Bedroom	1
2 Bedrooms	1.2
Over 2 Bedrooms	1.4

9. Signs

The intent of signs within the Professional Office district is to identify a building and to attract attention of vehicular traffic. Monument signs, top-of-building signs, entrance signs, and awning signs may be permitted for buildings with three stories or more, and monument signs, wall signs, entrance signs, awning signs, and permanent window signs may be permitted for buildings with less than three stories, according to Sign Matrix on page 173. Freestanding sidewalk signs may be permitted within the area extending from Centre City Parkway on the west to Kalmia Street on the east, and from both sides of Valley Parkway on the north to both sides of Second Avenue on the south, as well as along the north side of Valley Parkway from Broadway to Juniper Street, as shown in Section V.F.9., page 189. All signs in the FO District shall be permitted in accordance with Section V of this document.

AREA SPECIFIC DESIGN GUIDELINES

The Professional Office district should be designed to:

- Provide high quality design and landscaping that will enhance the economic success of the area
- Provide pedestrian-oriented open spaces within the developments
- Provide continuity with other areas of Downtown

1. Special Conditions

The architectural theme of any developments bordering the Civic Center should be compatible with its design.

2. Pedestrian Plazas and Courtyards

Encourage development of vital, usable, pedestrian-oriented urban plazas as amenities for adjacent uses and for the entire Downtown (refer to Figure III-8, page 90).

3. Buildings

The majority of the buildings within the Professional Office District will be contemporary buildings. For specific design guidelines for contemporary buildings, refer to Section IV-D of this document.

4. Landscape/Hardscape

The landscape concept for the Professional District shall contribute to the success of the district in the following ways (See Figure III-8, page 90):

- a. Encourage development of vital, usable, pedestrian-oriented urban plazas as amenities for adjacent uses and for the entire Downtown (Refer to Figure IV-15, page 160).
- b. Clarify and enhance circulation hierarchy from street to parking to plaza to building.
- c. Provide comfortable, usable microclimate for pedestrian use.
- d. Express and reinforce architectural character specific to district. Efficient, clearly organized landscape proposals will be considered appropriate for the Office District.

Figure IV-16, page 161, shows details of the landscape concept for the interface between the Downtown Retail District and the Professional Office or Medical Office Districts.

1. Special Conditions

The architectural theme of any developments bordering the Civic Center should be compatible with its design.

2. Pedestrian Plazas and Courtyards

Encourage development of vital, usable, pedestrian-oriented urban plazas as amenities for adjacent uses and for the entire Downtown (refer to Figure III-8, page 92).

3. Buildings

The majority of the buildings within the Professional Office District will be contemporary buildings. For specific design guidelines for contemporary buildings, refer to Section IV-D of this document.

4. Landscape/Hardscape

The landscape concept for the Professional District shall contribute to the success of the district in the following ways (See Figure III-8, page 92):

- a. Encourage development of vital, usable, pedestrian-oriented urban plazas as amenities for adjacent uses and for the entire Downtown (Refer to Figure IV-15, page 161).
- b. Clarify and enhance circulation hierarchy from street to parking to plaza to building.
- c. Provide comfortable, usable microclimate for pedestrian use.
- d. Express and reinforce architectural character specific to district. Efficient, clearly organized landscape proposals will be considered appropriate for the Office District.

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