



# PLANNING COMMISSION

Agenda Item No.: \_\_\_\_\_  
Date: August 11, 2009

**CASE NUMBER:** SUB 09-0004

**APPLICANT:** Lyon Escondido – Paramount LLC

**LOCATION:** Former Palomar Lanes property, located on the western side of North Escondido Boulevard, between Washington Avenue and Valley Parkway, addressed as 511 N. Escondido Boulevard.

**TYPE OF PROJECT:** Vesting Tentative Subdivision Map and Modification to Master and Precise Development Plan

**PROJECT DESCRIPTION:** An eight-lot Vesting Tentative Subdivision Map for the Paramount development to increase the number of residential units from 92 to 116 in conjunction with a modification to the Master and Precise Development Plan for the reconstruction of a revised project design for the residential condominium development on 4.46 acres in the Centre City Urban District of the Downtown Specific Plan. The proposed modifications include an increase of 24 residential units, an increase in the number of residential buildings from 16 to 17 (including the existing four-unit building that would remain), and a reduction in unit sizes. Each new building would have four to 13 three-story, town home-style units with each unit having an attached garage. Proposed unit sizes in the new buildings range from 993 SF to 1,423 SF with a total of 81 two-bedroom units and 35 three-bedroom units. Access to the development would be provided via a four-way signalized intersection at North Escondido Boulevard/Woodward Avenue and from a new driveway on Washington Avenue that would be shared with the Venue development that is under construction.

**STAFF RECOMMENDATION:** Approval

**GENERAL PLAN DESIGNATION/TIER:** Specific Planning Area #9 (Downtown)  
Tier 1 – Central Subarea

**ZONING:** SP (Specific Plan) – Centre City Urban (CCU) District

**BACKGROUND/SUMMARY OF ISSUES:** On January 18, 2007, the largest structure fire in the city's history destroyed the Paramount condominium project while it was under construction. Four of the four-story buildings on the site containing 46 residential units were in the framing stage and were totally destroyed. A single, four-unit building that had essentially been completed survived the fire and is the only structure remaining on the property.

The Paramount project was originally developed by Barrett American, Inc and approved by the City Council in September of 2004. Barrett subsequently sold the project to D.R. Horton Inc. who was in the process of constructing the approved plans when it was suddenly lost to the fire. The approved project consisted of a one-lot Tentative Subdivision Map with a Preliminary, Master and Precise Development Plan for a 122-unit residential condominium development on 4.46 acres in the Centre City Urban District of the Downtown Specific Plan. The development consisted of twelve, four-story buildings with four to fourteen units in each building and unit sizes ranged from 1,880 SF to 2,157 SF. Each unit was provided an attached garage with two tandem parking spaces on the ground floor.

D.R. Horton received approval of a new project design for Paramount in April of 2008 that reduced the project density and introduced a townhome-style design for the project. The site layout with buildings parallel to Escondido Boulevard and Centre City Parkway was retained as was the circulation through the property consisting of a central "spine" road with dead-end alleys providing access to garages. The biggest change was the reduction in building height from four stories to a three-story townhome design and the elimination of all the tandem garages (except in the remaining building) in favor of standard, two-car garages. Although the number of buildings proposed on the site increased from 12 to 16, the change in building type resulted in a reduction of units from 122 to 92. D.R. Horton subsequently sold the project to Lyon prior to starting any reconstruction.

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Lyon is now proposing further modifications to the project design. A new eight-lot Vesting Tentative Map is proposed with 116 two- and three-bedroom townhomes. Reducing the size of the townhomes from the previous design has allowed a corresponding increase in the number of units from 92 to 116. Roughly two-thirds of the units are proposed to be two-bedroom with the rest of the units being three-bedroom. As with the previous design, access to the project site is provided by driveways connecting at Escondido Boulevard and Washington Avenue. The previous design of a central spine road with dead end alleys has been changed to a more circular, interconnected driveway pattern. The Escondido Boulevard driveway lines up with Woodward Avenue and the intersection has recently been completed as a four-way intersection with traffic signal controls. The driveway on Washington Avenue would be shared with the adjacent Venue residential project that now is also owned by Lyon.

Staff feels that the issues are as follow:

1. Appropriateness of reducing unit sizes and increasing residential density.
2. Whether the project design is satisfactory in light of the Design Review Board recommendation for denial.
3. Appropriateness of reintroducing a substantial number of tandem parking spaces into the development.
4. Whether the applicant's intent to initially establish the project as a rental community affects the level of support.

**REASONS FOR STAFF RECOMMENDATION:**

1. Last year staff was on record supporting the approved modification to the Paramount plan that reduced the number of units from 122 to 92. While staff would have preferred to retain a higher density, it was recognized that the proposed changes to the project design were beneficial to both the developer and the future homeowners. The current proposal increases the unit count back up from 92 to 116 units by reducing unit sizes and the overall bedroom count. This allows the density to increase from 20.63 dwelling units per acre to 26 dwelling units per acre. The proposed density and three-story design is consistent with the site's designation as a SANDAG Smart Growth Area that calls for low to mid-rise residential development at densities of 20-45 dwelling units per acre.
2. Staff feels the project design is appropriate even though the Design Review Board voted 5-1 to recommend denial of the project design on July 9, 2009. The denial vote came following the second DRB meeting for the project, where it appeared the board was going to ask the applicant to come back a third time until the applicant indicated a desire to be released from the Design Review Board and forwarded to the Planning Commission. Staff had recommended approval of the redesigned project during the second DRB meeting, feeling the applicant had addressed the issues staff identified during the first DRB meeting.
3. The original version of the Paramount development had tandem garage parking for every unit. The currently approved 92-unit development does not have any tandem parking, with the exception of the existing building that remains on the site. Staff feels the limited reintroduction of tandem parking is appropriate because all new garages are either side-by-side spaces or single car; and the use of open tandem parking as part of required parking is limited to the 36 two-bedroom U1 units in the development. In other cases where open tandem spaces are provided, they are actually the third parking space for the associated unit and can be used as private guest spaces or driveway parking.

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4. The project is being developed as a condominium development. The applicant has stated that units in the project will initially be offered for lease as part of a rental community until condominium prices recover. While the Council has clearly indicated a preference for ownership units, a thriving residential sector downtown will likely need both ownership and rental opportunities as commonly found in other urban areas. In any case, a final map will be required to ensure the units can be conveyed to potential homebuyers quickly once the condominium market recovers.

Respectfully submitted,

Bill Martin  
Principal Planner

## ANALYSIS

### A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - SP (Centre City Urban District) and CG General Commercial zoning/ A Rite-Aid pharmacy and the partially constructed "Venue" condominium project are located along the northern boundary of the site. Across Washington Avenue are several small retail businesses, a motel and an AM/PM gas station.

SOUTH - SP (Centre City Urban District) zoning/ Adjacent to the southern boundary of the site is the northern portion of the Plaza Civic Center shopping center including a multi-tenant pad building and the new PetSmart store.

EAST - SP (Park View District) zoning/ Across Escondido Boulevard are several small commercial businesses including two small restaurants on the northern side of Woodward Avenue. A parking lot for the California Center for the Arts Escondido is located across from the site on the southern side of Woodward Avenue.

WEST - CG zoning/ Across Centre City Parkway are several businesses including a motel and restaurant.

### 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. The Police Department had previously recommended a security gate across the driveway at the project entrance on Escondido Boulevard as well as security doors on all the residences. The applicant has indicated they do not intend to install a gate at the driveway entrance as there was never an intent to create a gated community and there is no feasible method to place all the units behind the gate without a complete redesign of the project entry.
2. Effect on Fire Service – Fire Station 1, which is currently being reconstructed at 310 North Quince, would provide first response for fire and medical emergencies. The new station and the temporary Fire Station 1 at 905 W. Washington are both located less than a mile from the proposed development. Residential development on the site would contribute an incremental increase in the demand for fire services. The Escondido Fire Department indicated their ability to adequately serve the proposed development and no significant impacts to fire services are anticipated.
3. Traffic – Escondido Boulevard and Washington Avenue are classified as Collector Roads (84' r.o.w.) on the Circulation Element of the General Plan. Escondido Boulevard currently operates at a Level of Service "B" with approximately 18,200 ADT (average daily trips). Washington Avenue has approximately 19,100 ADT and also operates at a Level of Service "B."

A traffic impact study for the Paramount (formerly Escondido City Centre) project was completed in October 2002 by RBF Consulting (Revised February 2003). The traffic study determined the proposed change in land use on the site from commercial to residential would result in a new traffic generation of 1,600 daily trips for the 200 units that were proposed at the time. The previously existing, allowed uses (bowling alley, motel, and Mexican restaurant) were forecasted to generate approximately 1,756 trips per day. Using the trip generation rates established in the traffic study, the proposed increase from 92 units to 116 units would increase the number of daily trips from 736 ADT to 928 ADT which is still well within the original traffic study assumption of 1,600 ADT for the project.

The proposed residential land use for the Paramount site is now forecast to generate 828 fewer trips per day than the previously existing commercial land uses. All intersections are forecast to operate at acceptable levels of service in the peak hours under 2020 conditions including the recently signalized intersection of Woodward Avenue/Escondido Boulevard. All roadway segments operate at acceptable levels of service with the proposed project during the Horizon Year 2020. Roadway segments forecast to operate at LOS D in the future are within mid-range D conditions.

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. Most of the existing sewer and water lines constructed underground for the previous Paramount design would be demolished or abandoned prior to constructing new utilities to serve the proposed project.

5. Drainage – 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 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 Negative Declaration, City Log No. ER 2002-20 was issued on March 11, 2003 for an amendment to the Civic Center Commercial District of the Downtown Specific Plan as well as the Preliminary Development Plan for the previously proposed 200-unit design for Escondido City Centre. At the time the original 122-unit Paramount project was approved, it was determined the effects of the reduced development plan were consistent with the findings of the Negative Declaration. Pursuant to CEQA Section 15162, no additional environmental review need be prepared for 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**

##### General Plan

The General Plan land use designation on the site is Specific Plan Area #9 which provides for retail, office, financial, cultural and residential development in the downtown area. The General Plan is not specific as to where residential uses may locate within SPA #9. Residential uses are currently permitted in all seven districts of the Downtown Specific Plan. Approximately 875 residential units have been anticipated in the Downtown Specific Plan including 475 units in the Centre City Urban District. Construction of the proposed 116-unit Paramount development in conjunction with the 82 units approved for the adjacent Venue development would result in a total of 198 units in the Centre City Urban District, which is well within the established cap of 475 units. There are no other residential projects currently pending in the Centre City Urban District. The project will be required to conform to the provisions of the Citywide Facilities Plan through the payment of fees to ensure that the Quality of Life Standards will continue to be met.

##### Appropriateness of Reducing Unit Sizes and Increasing Residential Density

When the previous owner (D. R Horton) changed the development plan following the fire, the main reason was to eliminate the four-story, double-stacked townhome design that had not been selling particularly well in favor of a more traditional three-story townhome design. This resulted in a reduction in the number of dwelling units from 122 to 92 and a commensurate reduction in project density from 27.35 dwelling units per acre to 20.63 dwelling units per acre. While staff would have preferred to retain a higher density, it was recognized that the proposed changes to the design were beneficial to both the developer and the future homeowners. The reduction from four stories to three-stories resulted in a wider floor plan that did not need private elevators and eliminated tandem garages in favor of traditional side-by-side garages for each unit.

The proposed modification would keep the traditional three-story townhome design with attached garages. The architecture and floor plans have been significantly changed to reflect an overall reduction in the proposed unit sizes as well as the introduction of two-bedroom units, which have never been proposed for the Paramount project. Approximately

two-thirds of the proposed units would now be two-bedroom units with the remaining units being three-bedroom. Unit sizes would range from 993 SF to 1,423 SF, which is considerably less than the 1,800 SF – 2,100 SF range currently approved for the development. The reduction in unit sizes allows an increase in the number of units from 92 to 116 with a corresponding increase in density from 20.63 dwelling units per acre to 26 dwelling units per acre. Although an additional 24 units are provided in the proposed project, the overall bedroom count has been slightly reduced (by 11 bedrooms) from the approved 92-unit design due to the number of two-bedroom units now included in the project. The proposed 116 units are only slightly less than the 122 units originally approved for the Paramount project.

While the unit sizes have been reduced to a range of 993 SF to 1,324 SF for the proposed two-bedroom units and 1,423 SF for all three-bedroom units, the proposed unit sizes are still consistent with the condominium unit size requirements specified in the Article 49 of the Zoning Code (Air Space Condominium Projects). The city's condominium development standards require a minimum size of 800 SF for a two-bedroom unit and 1,000 SF for 3-bedroom units. Staff feels the proposed reduction in unit sizes is appropriate since all of the units within the proposed development would meet the condominium size standard.

Escondido has eight areas in the central and southern parts of the city that have been identified as SANDAG Smart Growth Areas. The eastern portion of the Paramount site falls within the Town Center Smart Growth Area. The Town Center Smart Growth Area calls for low and mid-rise residential, office, commercial and mixed uses, with residential densities recommended at 20 to 45 dwelling units per acre. With the exception of the existing four-story building, all the buildings in the proposed development will three-stories. The proposed increase in density only brings the density closer to the original density for the Paramount development. Staff feels the proposed Paramount design is consistent with the SANDAG Smart Growth designation on the site because the three-story buildings are an example of low-rise development and the proposed density of 26 dwelling units per acre is within the identified SANDAG range.

#### Whether the Project Design is Satisfactory in light of the Design Review Board Recommendation for Denial

The proposed development consists of the existing four-story building and 16 new three-story buildings with four to 13 attached townhomes in each building. Two new building types are provided in the development. Building Type "T" is a staggered townhome design with a side-by-side two-car garage on the ground floor of each unit. Building Type "U" also contains a row of townhomes with a one-car or two-car garage located on the ground floor of each unit. Access through the development is provided by a series of interconnected driveways that are 24-feet wide. Guest parking is primarily located along the entry drive from Escondido Boulevard with other spaces interspersed throughout the development. Open space is typical of an urban residential development with a swimming pool area provided in the northwestern corner of the project, passive landscaped areas between the buildings and private balconies for most units.

The project design has been reviewed by both the Design Review Board and the Design Advisory Committee of the Downtown Business Association. The architecture initially submitted as part of the project application caused differing levels of concern among staff, the DRB and the DBA. The architecture was described as a "classic Irving Gill inspired" design that identified with his use of tilt-up concrete forms. The DBA was the first to review the initial design package and they offered several comments including the need to create a nice walkable experience on Escondido Boulevard through the use of mini-courtyards, adding over-door protection on the street frontage, and changing the "fin" element and raising the vertical extensions above the parapet. The DBA also noted they were not opposed to changing the existing "orphan" building if that would help achieve a balanced look. The applicant noted agreement with the DBA comments, but wanted to get DRB comments as well prior to changing the plans.

Staff presented the DBA comments and a comprehensive list of additional staff comments to the DRB on May 14, 2009. The staff comments primarily focused on the architecture and the desire to enhance the overall appearance, particularly where visible from outside the development. The DRB was very critical of the initial design concept. Board members suggested the project was too dense and did not contain enough play area for children. They described the architecture as blocky and flat with a lack of articulation and enhancement. Each member noted some degree of objection to the design and the overall consensus was that the project needed a major redesign with consideration for eliminating one or more buildings and a new approach to the architecture. The DRB voted unanimously to approve a motion to redesign and resubmit the project.

Although the applicant felt they had been treated harshly by the DRB, they set to work on a redesign. In subsequent discussions with staff, it was determined they should focus on the architecture since some of the DRB comments related to density seemed more appropriate to a suburban development as opposed to a downtown urban development with a city park located across the street. The applicant then developed a new architectural concept for the development utilizing the same site plan and floor plans and submitted new plans to the Planning Division. This revised design has been included in the staff report.

The current architectural design is substantially changed from the first version reviewed by the DRB and the DBA. The architecture has a more pronounced art deco theme with much more articulation, detailing, and variety of materials. The "T" building type benefited most from the changes. One of these buildings fronts on Escondido Boulevard. The "T" building now has a painted brick veneer base, private entry courtyards, metal covers over the entry doors, articulated chevron design elements, ceramic tile details on balconies, and vertical fins that extend higher over the parapet. These are all elements that were requested by both staff and the DBA. The "U" building was modified to a lesser degree with additional vertical façade elements, more variation in parapet heights and some minor details added to the elevations.

On July 9, 2009, the Design Review Board reviewed the revised project design. Staff reviewed the architectural changes that had been incorporated since the previous DRB meeting, as well as the rationale for retaining the project density, and recommended the board approve the design as submitted. One board member noted he felt there were still too many buildings while the rest of the board members seemed to be more accepting of the revised design subject to further refinements. It was noted the front elevation of the "T" building now looked too busy with elements that were not carried to the sides and rears of the building, and that the rear elevations (Building "U") facing Centre City Parkway and the shopping center to the south appeared somewhat industrial. Concern was also expressed over the location of guest parking spaces, particularly adjacent to the pool area. At this point, it looked like the board was going to recommend additional changes and direct the applicant to return for a third time. The applicant, fearing a never-ending cycle of repeat DRB appearances, respectfully requested the DRB not continue the item again, but either approve the project with conditions or deny the project so they could move on to the Planning Commission. The DRB then voted 5-1 (Diefenbach opposed) to deny the project.

Following the DRB vote to deny the project, the DBA staff requested another chance to review the revised plans. On August 4, 2009, the Design Advisory Committee for the DBA met and reviewed the plans and DRB comments. The committee noted support for the "T" building, feeling it was an attractive design that enhanced the street appearance. The committee concurred with some of the DRB comments regarding the rear elevations of the "U" buildings adjacent to Centre City Parkway and the shopping center. The committee suggested that the applicant could work with Planning staff to add one or two design details from the front of the "T" building to these elevations for additional enhancement. There was also a suggestion the applicant could break the mass of the 13-unit building on the southern boundary by shifting some of these units to the adjacent 5-unit building to the west. Staff feels these recommendations are appropriate and continues to support the proposed development as an upscale living environment for people desiring an urban lifestyle. The DBA recommendations have been included as conditions of approval.

#### Appropriateness of Reintroducing a Substantial Number of Tandem Parking Spaces into the Development

At the time the Paramount development was originally approved, tandem garages were provided for all 122 units. When the project was modified to the townhome design last year, each unit in the new buildings was provided with a traditional side-by-side two-car garage. The building that survived the fire was the only tandem condition on the site.

The proposed development now includes 292 parking spaces, which is a significant increase from the current 241 parking spaces approved on the site. A total of 71 parking spaces could be considered tandem spaces because they are on the driveway in front of a garage door for units in the "U" buildings, or they are the second space inside the garages of the existing four-unit building. Leaving the existing building aside, there are 67 new tandem spaces proposed. Thirty-one of these 67 tandem driveway spaces are actually the third parking space for the 31 U2 units in the development. Only two parking spaces are required for each one of these units, so the tandem space is considered extra parking or private guest parking. That leaves a total of 36 tandem driveway spaces that could be considered required parking because the 36 U1

units require two spaces that are provided by a single-car garage and the tandem driveway space. Staff feels this limited reintroduction of tandem parking for required parking spaces is appropriate because it applies to only 32% of the new units (U1) in the development or 36 of the new 284 parking spaces in the project. Each affected unit is provided a single-car garage and tandem driveway space which seems manageable by the future owners considering it only occurs on two-bedroom units.

Whether the Applicant's Intent to Initially Establish the Project as a Rental Community Affects the Level of Support

The city has long advocated a desire to increase the stock of owner-occupied housing and there have been many discussions regarding the amount of rental housing in Escondido, and whether more balance is needed between rental housing and owner-occupied housing. Each version of the Paramount development approved over the last few years has been for a condominium project where individual units are sold to homebuyers. The applicant is proposing a similar condominium development, but has indicated that they initially expect to rent the units as part of a rental community at least until the condominium market recovers and it becomes financially viable to sell the individual units.

All recent downtown residential developments have been processed as condominium developments with the exception of the City Plaza development on the corner of Third Avenue/S. Escondido Blvd. While the Council has clearly indicated a preference for ownership units, a thriving residential sector downtown will likely need both ownership and rental opportunities as commonly found in other urban areas. The applicant has done everything necessary to this point to ensure that condominium units can eventually be sold in the development. All of the proposed units have been designed to meet the city's condominium standards including minimum unit sizes, individual washer/dryer hookups in each unit and interior storage requirements. Although staff can not require units to be sold by a certain date, a condition has been included to require recordation of a final map prior to issuance of any building permits to ensure the units can be conveyed to potential homebuyers quickly once the condominium market recovers. A condition has also been included to require on-site property management during the interim rental community period to ensure that the property is actively managed and maintained. Staff continues to support the Paramount development as an upscale, urban living environment necessary for the continued vitality of the downtown area.

Whether Exterior Noise Levels can be Mitigated in the Outdoor Recreation Area

The site is located within an existing and future noise contour of 65 dB or greater due to the proximity of Centre City Parkway along the western boundary of the property, Escondido Boulevard on the eastern boundary, and Washington Avenue on the northern boundary. Centre City Parkway is classified as a Major Road on the City of Escondido Circulation Element and Escondido Boulevard and Washington Avenue are classified as Collector Roads. 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 rear yards for single-family development or recreation areas for multi-family developments. The General Plan states the outdoor standard is not normally applied to balconies or patios associated with residential uses.

The proposed development has one outdoor recreational area with a swimming pool on an approximately 5,500 SF area located on the northwestern corner of the site adjacent to Centre City Parkway. According to the original Escondido City Centre Exterior Noise Analysis, prepared by Pacific Noise Control, dated May 18, 2004, future noise levels on the site are expected to range up to 71 dB CNEL. Although exterior noise levels will exceed the General Plan goal of 60 dB for residential areas, Noise Policy E1.2 states that the goal of 60 dB may not be within the realm of economic or aesthetic feasibility and would not be applicable to balconies or patios but only to outdoor recreation areas for multi-family developments. According to the exterior noise analysis prepared for the project, noise levels at the outdoor recreational area can be brought to within 65 dB with the placement of a combination block/Plexiglas wall up to seven feet high along Centre City Parkway. Although this is still less than the General Plan goal of 60 dB, it is within the conditionally acceptable range defined in the General Plan. A condition has been added requiring the placement of a 7-foot-high noise wall along Centre City Parkway.

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

**A. PHYSICAL CHARACTERISTICS**

The project site is level and is mostly vacant with the exception of the completed four-unit building fronting on Escondido Boulevard that survived the fire. The rest of the site consists primarily of bare earth following demolition of the fire debris but also contains a small, temporary parking lot behind the existing building that was designed to serve the model complex. Underground utilities and storm drains are still in place and will be abandoned or modified to serve the proposed development.

**B. SUPPLEMENTAL DETAILS OF REQUEST**

	<u>Previously Approved</u>	<u>Proposed</u>
1. Property Size:	4.46 acres	4.46 acres
2. Number of Lots:	Two	Eight
Lot 1:	4.32 acres	0.26 acre
Lot 2:	0.14 acre	0.71 acre
Lot 3:	N/A	0.92 acre
Lot 4:	N/A	0.39 acre
Lot 5:	N/A	0.98 acre
Lot 6:	N/A	0.52 acre
Lot 7:	N/A	0.53 acre
Lot 8:	N/A	0.15 acre
3. Number of Units:	92 residential condominium units	116 residential condominium units
Lot 1	88 units	4 units
Lot 2:	4 units	19 units
Lot 3:	N/A	30 units
Lot 4:	N/A	8 units
Lot 5:	N/A	31 units
Lot 6:	N/A	10 units
Lot 7:	N/A	14 units
Lot 8:	N/A	0 units (Pool area)
4. Number of Buildings:	16 residential buildings (15 new buildings plus one existing building)	17 residential buildings (16 new buildings plus one existing building)
	Six buildings with four units each	Five buildings with four units each
	One building with five units	Three buildings with five units each
	One building with six units	Three buildings with seven units each
	Seven buildings with seven units each	Three buildings with eight units each
	One building with eight units	One building with 10 units
		Two buildings with 13 units each
5. Residential Density:	20.63 dwelling units per acre	26 dwelling units per acre
6. Lot Coverage:	79,220 SF (41%)	75,250 SF (39%)

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7. Floor Area Ratio:	0.94 <u>Previously Approved</u>	0.75 <u>Proposed</u>
8. Open Space:	57,380 SF (29%)	51,141 SF (26%)
9. Unit Mix:		
Plan A1:	2 Units - 3 BR + Den/2.5 Bath	Same
Plan A2:	2 Units - 3 BR + Loft/2.5 Bath with elevator in each unit	Same
Plan B1:	18 Units – 3 BR/2.5 Bath	N/A
Plan B2:	15 Units – 3 BR/3.5 Bath	N/A
Plan C1:	13 Units – 3 BR/3 Bath	N/A
Plan C2:	27 Units – 3 BR/3.5 Bath	N/A
Plan C3:	15 Units – 3 BR/3.5 Bath	N/A
Plan U1:		36 Units – 2 BR/2 Bath
Plan U2:		31 Units – 3 BR/2 Bath
Plan T1:		21 Units – 2 BR/2 Bath
Plan T2:		24 Units – 2 BR/2 Bath
10. Unit Sizes:		
Plan A1:	1,880 SF on 1st, 2nd and 3rd Floor	Same
Plan A2:	2,157 SF on 1st, 3rd and 4th Floor	Same
Plan B1:	1,832 SF (3-story townhome)	N/A
Plan B2:	2,084 SF (3-story townhome)	N/A
Plan C1:	1,942 SF (3-story townhome)	N/A
Plan C2:	1,995 SF (3-story townhome)	N/A
Plan C3:	2,118 SF (3-story townhome)	N/A
Plan U1:		993 SF (3-story townhome)
Plan U2:		1,423 SF (3-story townhome)
Plan T1:		1,206 SF (3-story townhome)
Plan T2:		1,364 SF (3-story townhome)
11 Grading:	Cut – 2,006 cubic yards Fill – 1,440 cubic yards Export – 566 cubic yards	Cut – 4,000 cubic yards Fill – 4,000 cubic yards
12. Architectural Elements:	Stucco with foam trim and smooth finish plaster, metal canopies, wrought iron railings, art deco details, vinyl windows, metal sectional garage doors doors	Sand-finish stucco with foam trim, metal canopies and door covers painted brick veneer, art deco details, timber trellises, colored vinyl windows, ceramic tile accents, metal sectional garage doors.
13 Building Color:	Cream colored stucco (Sherwin Williams 1375) with grayish green accents (SW 1188 and SW 6206) and terra cotta (SW 6061) archways. Brown/taupe (SW 2034) metal railings and canopies with green (SW 1182). entry doors	Beige and cream stucco colors with dark tan trim and entry doors and terra cotta accents. Dark beige towers and painted brick. Gray-green mechanical screens. Tan vinyl windows.

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14 Landscaping:	24"-box size trees including Jacaranda, Brisbane box, Camphor, Southern magnolia with 14' min. bth Queen palms. Mix of 1, 5 and 15 gallon shrubs for screening and accent with groundcover and turf in the interior courtyards.	24"-box size trees including Locust at project entries, magnolia along Esc. Blvd. and crape myrtle interior accent trees. 15 gallon Brisbane box in interior common areas and eucalyptus along Centre City Parkway. Mix of one and five gallon shrubs. Mix of groundcovers from flats
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#### C. CODE COMPLIANCE ANALYSIS

	<u>Previously Approved</u>	<u>Proposed</u>	<u>CCU District</u>
1. Perimeter Setbacks:			
Front (Esc. Blvd)	6.5 feet (0 feet for wall)	4.5 feet (0 feet for wall)	0 feet
Side (North):	5.6 feet	3.5 feet	0 feet
Side (South):	5.3 feet	3.5 feet	0 feet
Rear (Centre City Pkwy):	9 feet	5 feet	10 feet (May be reduced by PD process)
		No specific setbacks shall be required from interior property lines.	
2. Parking:	218 spaces (8 tandem + 176 side-by-side garage spaces + 34 guest spaces)	292 spaces (71 tandem spaces + 192 side-by-side or single - garage spaces + 29 guest spaces)	241 spaces Per Zoning Code requirements for Multi-family (1.75 spaces per 2 BR unit and 2 spaces per 3 BR unit + one guest space per four units (29 spaces))
3. Building Height:			
Existing Building:	55'-6" to top of tower	43'-10" (tower to be removed)	75 feet
Building C-8: (fronting Esc. Blvd.)	41'to top of tower	N/A	
Buildings B:	33'-9"	N/A	
Buildings C:	33'-5"	N/A	
Buildings U:		35 feet	
Buildings T:		37 feet	

#### D. GENERAL PLAN COMPLIANCE

##### 1. General Plan:

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- a. Land Use Element Designation: The General Plan land use designation on the site is Specific Plan Area #9 which provides for retail, office, financial, cultural and residential development.
- b. Circulation Element: Escondido Boulevard and Washington Avenue are classified as Collector Roads (84' r.o.w.)
- c. Noise Element: The site is located within a projected Year 2000 noise contour with an anticipated CNEL of 60 dB or greater.
- 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**  
**SUB 09-0004**  
**EXHIBIT "A"**

Vesting Tentative Subdivision Map

1. The proposed Vesting Tentative Subdivision Map is consistent with the maximum limit of 475 dwelling units permissible in the Centre City Urban District since the proposed development includes 116 residential units and there are 82 additional units under construction at the adjacent Venue project. No other residential units currently exist in the CCU District.
2. The design and improvement of the proposed subdivision is consistent with the General Plan and the Downtown Specific Plan since the proposed residential land use is permitted in Specific Planning Area #9 and the development is consistent with the development standards established for the Centre City Urban District of the Downtown Specific Plan.
3. The site is suitable for the residential type of development proposed since the Centre City Urban District permits high-density multi-family residential development and the site is part of the city's urban core with commercial services and cultural venues located within walking distance of the proposed development. Adequate access and utilities can be provided to the site.
4. The site is physically suitable for the proposed density of development since the project is a high-density redevelopment of a blighted property in the central area of the city that will assist in the ongoing revitalization of the downtown retail core by establishing a permanent customer base in the downtown area.
5. The design of the map and type of improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat since no stream courses or endangered wildlife occurs on the property as determined during Environmental Review, City Log No. ER 2002-20.
6. The design of the map and the type of improvements are not likely to cause serious public health problems since the project will not degrade the levels of service on the adjoining streets or drainage system and city sewer and water is available or can be provided with minor extension of nearby facilities.
7. The design of the map and type of improvements will not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map. This was based on a review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents.
8. All of the requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment as demonstrated in ER 2002-20. A Mitigated Negative Declaration was issued on March 11, 2003 for the proposed amendment to the (previously named) Civic Center Commercial District of the Downtown Specific Plan as well as the Preliminary Development Plan for the previously proposed 200-unit design for Escondido City Centre. Pursuant to CEQA Section 15162, no additional environmental review need be prepared for 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.
9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The subdivision configuration provides opportunities for passive/solar heating and landscaping will provide opportunities for the shading of each unit.

10. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to the recordation of the map.

Modification to Master and Precise Development Plan

1. The location and design of the proposed residential development is consistent with the goals and policies of the General Plan since the high-density residential development is permitted and encouraged in Specific Planning Area #9.
2. The proposed location will allow the development to be well integrated with its surroundings since the development will have access to two Circulation Element streets and the proposed residential buildings will be similar in height to the adjacent commercial development to the south. The location in the urban core of the City will place residential development within walking distance of existing commercial, cultural and entertainment establishments.
3. All vehicular traffic generated by the proposed development will be accommodated safely and without causing undue congestion upon adjoining streets as evidenced in the traffic impact study for the (previously named) Escondido City Centre project that was completed in October 2002 by RBF Consulting (revised February 2003). Adequate on-site parking will be provided and the anticipated traffic volumes generated by the new residential units are not expected to affect the existing levels of service on adjacent streets.
4. The proposed location and design will allow residents to be adequately serviced by existing or proposed public facilities and services since water and utilities are available on the site or will be readily provided.
5. The overall design of the planned development will produce an attractive, efficient and stable environment for living since adequate building separations, open space and landscaping will be provided.
6. The development will be well integrated with its setting, will not require excessive earth moving or grading or destruction of desirable features, nor be visually obstructive or disharmonious with surrounding areas and facilities, and will not substantially harm major views from adjacent properties since the proposed development revitalizes a blighted property and incorporates an adequate amount of open space. Additionally, the development standards for the Centre City Urban District together with the review of the project by the Design Review Board will ensure that the new residential buildings are architecturally compatible with the vision for downtown Escondido.
7. The uses proposed will have a beneficial effect not obtainable under standard zoning regulations. Any departure from existing ordinance requirements is warranted by the design of the Master and Precise Development Plan which provides additional housing opportunities in a compact and efficient urban form.
8. The development can exist as an independent unit capable of creating an environment of sustained desirability and stability since city services are available and the project site is adjacent to two Circulation Element streets and the city's retail core.

**CONDITIONS OF APPROVAL  
SUB 09-0004  
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. 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.
4. 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.
5. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
6. As proposed, 292 parking spaces including 192 garage spaces and 29 guest parking spaces shall be provided in conjunction with this development. Outdoor 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
7. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Title 24 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.
8. Prior to issuance of a grading permit, fire hydrant locations shall be finalized in consultation with the Fire Department. All roads and driveways shall be designed to City standards. No parking will be permitted on roads or driveways less than 32-feet in width. Roads or driveways less than 32-feet wide shall be permanently marked "No Parking Fire Lane."
9. Prior to issuance of a building permit, plans shall be approved for fire protection systems, including but not limited to fire sprinkler systems as determined by the Fire Department. All existing elevators shall comply with Emergency Medical Standards as per the Uniform Building Code.
10. 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.
11. Access 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.
12. Colors, materials and design of the project shall conform to the exhibits and references in the staff report to the satisfaction of the Planning Division.

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13. All proposed signage associated with the project must comply with the sign standards in the Downtown Specific Plan.
14. All new utilities shall be underground.
15. All rooftop equipment must be fully screened from public views utilizing materials and colors which match the building.
16. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
17. 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.
18. The currently approved street name for Private Street "A" is Zukor Glen. No new street names are part of this approval. Any requested change to established street names shall be filed as a separate request and approved prior to recordation of the first final map.
19. 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 or less.
20. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading as shown on the Tentative Map.
21. Prior to recordation of the final map, two copies of CC&Rs shall be submitted to the Planning Division for review and approval. The CC&Rs shall specify equal rights of access, parking and use of project amenities for owners on all lots within the development. The CC&Rs shall contain provisions for the maintenance of any common landscaping, parking areas, walls, sidewalks, driveways, storm drains, etc. to the satisfaction of the Planning Division. The CC&Rs shall also include provisions prohibiting visible residential storage on the balconies and patios as well as requiring garages to be clear enough for the parking of one vehicle in single-car garages and two vehicles in two-car garages.
22. All exterior fencing associated with the project shall be consistent with the Conceptual Wall and Fence Plan. No chain link or wood fencing shall be permitted on the exterior boundaries of the development. A pedestrian connection and gate shall be provided for access to and from the adjacent Venue development.
23. As recommended by the Police Department, the building plans shall include exterior site lighting for the entire development for review prior to issuance of a building permit.
24. The list of permitted animals/pets in this development shall be consistent with R-4 zoning standards or as otherwise specified in the CC&Rs.
25. Prior to recordation of a final map, a joint use and maintenance agreement shall be approved and recorded for the use of the driveway access on Washington Avenue by both the proposed development and the Venue development.
26. As recommended in the Escondido City Centre Exterior Noise Analysis, prepared by Pacific Noise Control, dated May 18, 2004, a seven-foot high noise wall shall be constructed along the Centre City Parkway right-of-way to reduce exterior noise levels at the outdoor recreation area. The wall may be designed utilizing a combination of masonry block and Plexiglas as specified in the noise analysis.
27. As previously determined by the Planning Commission, grading permits and public improvement permits may be issued prior to final map recordation subject to satisfaction of requirements imposed by the City Engineer and/or City Attorney. No building permits shall be issued prior to recordation of a final map for the entire project.
28. As recommended by the Police Department, each residence shall have a security door installed.

29. Prior to final map or grading permit, a specific exception from the Escondido Design Standards must be granted for the project driveway parallel to Escondido Boulevard that exceeds the maximum 150 foot length (for driveways with no turnaround).
30. 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 \$1,926.75 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. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until the required filing fees are paid.
31. Prior to issuance of grading or building permits, an accessible path of travel shall be shown from each adjoining public street frontage to the common recreation area to the satisfaction of the Building Official.
32. On-site property management shall be required at all times individual units in the development are leased as part of a rental community.
33. The HOA shall be responsible for maintaining all rooftop mechanical equipment. CC&Rs shall specify right of access for the HOA through the roof hatch in each unit to allow for maintenance.
34. As recommended by the Design Advisory Committee of the DBA, the applicant shall work with staff on incorporating one or two design details from the front elevation of the "T" building to the rear elevation of the "U" buildings adjacent to Centre City Parkway and the Plaza Civic Center shopping center to the south. If feasible, the applicant shall also consider taking some of the units from the 13-unit Building #5 on the southern boundary and shift some of those units to the adjacent 5-unit Building #6 to help reduce the visual mass of Building #5 as seen from the adjacent shopping center.
35. The maximum area of exterior wall openings shall conform with California Building Code Table 704.8 to the satisfaction of the Building Official.
36. Phased construction of the development shall be permitted. All utilities, driveways and the recreation area shall be constructed as part of the first phase.
37. This Vesting Tentative Subdivision Map shall expire three years after the date of final approval if a final map has not been approved or an extension of time has not been granted.

#### **Landscaping**

1. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. Additionally, all landscaping proposed in conjunction with each building to be developed shall be installed if the development is built in phases. 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 in size; ten shrubs, five gallon in 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 in size; ten (10) shrubs, one gallon in 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 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.
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 Landscape 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 Planning Division and City Engineer.
6. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with Article 62 (Landscape Standards) of the Zoning Code and the City of Escondido Street Tree List.
7. Details of outdoor security lighting and project 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 in this area 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.

## **ENGINEERING DIVISION CONDITIONS**

### **GENERAL**

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering the subject property.
2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.
4. No building permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
  - a) All conditions of the Tentative Subdivision Map have been fulfilled; or
  - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.

5. 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 City Engineer.
6. The engineer shall submit to the Planning Division a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Division verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Division.

#### **STREET IMPROVEMENTS AND TRAFFIC**

1. The developer shall be responsible to remove and reconstruct all damaged curb and gutter along Escondido Boulevard and replace the existing sidewalk with a minimum six-foot wide sidewalk in accordance with the latest adopted City standards and to the satisfaction of the City Engineer. The City Engineer shall determine the extent of removal and reconstruction of existing curb & gutter and other improvements that are impacted by the construction activities.
2. All on-site roads, driveways and parking areas shall be private. Typical sections and design details shall be to the satisfaction of the City Engineer, Fire Marshal and Planning Director. All interior access drives shall be paved with minimum 3 inches of ac over 6 inches base or as approved by the City Engineer.
3. 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 City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
4. The developer may be responsible for an overlay of Escondido Boulevard due to any damages resulted from the project's construction activities. The City Engineer shall determine the extent of overlay required.

#### **GRADING**

1. A site grading and erosion control plan shall be 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. 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 City Engineer.
3. A General Construction Activity Permit is required from the State Water Resources Board, prior to approval of Grading Plans.

#### **DRAINAGE**

1. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted together with the final improvement and grading plans. The Water Quality Technical Report shall include post construction storm water treatment measures and maintenance requirements.
2. All on-site drainage and storm water treatment facilities are private. The responsibility for maintenance of these facilities shall be that of the property owner's association. Provisions stating this shall be included in the CC&R'S.

**WATER SUPPLY**

1. The existing 12" public water main that is located outside Private Street "A" shall be abandoned in place and all above ground appurtenances shall be completely removed to the satisfaction of the Director of Utilities.
2. A 12" public water main shall be provided in Private Street "A" and all Private Drives to the satisfaction of the Director of Utilities.
3. The water system for the project shall be designed in accordance with the City's latest adopted design standards and standard drawings and to the satisfaction of the Utilities Director.

**RECYCLED WATER**

1. The developer is required to enter into an agreement with the City for the use of reclaimed water for irrigation of major common areas when reclaimed water is available.
2. The developer is required to construct irrigation systems for the common landscape areas within project and parkways along street frontages that can use either potable or reclaimed water. This system should be built to the satisfaction of the Planning Director.
3. The developer is required to prepare public information documentation for the homeowners, neighbors and citizens regarding the benefits of using reclaimed water in an effort to conserve imported water supplies. The CC&Rs should include language about these benefits.

**SEWER**

1. The existing 8" public sewer main and manholes that are located outside Private Street "A" shall be abandoned in place to the satisfaction of the Director of Utilities.
2. An 8" public sewer main shall be provided in Private Street "A" and all Private Drives to the satisfaction of the Director of Utilities.
3. Per the City of Escondido Design Standards, manholes shall be required at permanent ends of sewer mains.
4. The existing 6" VCP sewer lateral connecting to the existing manhole at Woodward Ave. and Escondido Blvd shall be abandoned by installing a plug at the manhole to the satisfaction of the Director of Utilities.
5. A Public Utility Easement shall be granted on the Final Map to the City of Escondido for the entire sewer main extension. The minimum easement width shall be 20 feet.
6. The sewer system for the project shall be designed in accordance with the City's latest adopted design standards and standard drawings and to the satisfaction of the Utilities Director.

**FINAL MAP - EASEMENTS AND DEDICATIONS**

1. All easements, both private and public, affecting the subject property shall be shown and delineated on the Final Map.
2. A Public Utility Easement shall be granted on the Final Map to the City of Escondido for the entire water main extension. The easement shall include all fire hydrants, water meters and other appurtenances. The minimum easement width shall be 20 feet.

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3. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.

#### **REPAYMENTS AND FEES**

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.
2. A cash security or other security satisfactory to the City Engineer 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 for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading and erosion control work, up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.

#### **CC&Rs**

1. Copies of the CC&Rs shall be submitted to the Engineering Division and Planning Division for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association of private roadways, driveways, parking areas, private utilities, drainage swales, private street lighting, storm drains and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The CC&Rs 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.
4. The CC&Rs must state that (if stamped concrete is used in the private street) the homeowners' 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. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utilities construction, relocation and undergrounding. All new utilities shall be constructed underground.

#### **Fire Department Conditions**

1. The Fire Master Plan is considered part of the project approval and must be complied with in all phases of the development process to the satisfaction of the Fire Marshal. Maintenance of all required signage and striping shall be the responsibility of the HOA. The HOA shall also be responsible for enforcing parking requirements to ensure fire lanes remain clear of obstructions.

#### **Fire Protection Systems**

1. NFPA 13 **automatic fire sprinkler system** shall be required.
2. An approved fire alarm system shall be required.

3. Fire hydrants shall be located within 50 ft of the FDC on the same side of the street.

**Access**

1. 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.
2. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.
3. Access to the side and rear of all buildings must be available and maintained for emergency fire ground operations.
4. Roof hatches for fire department access shall be required in each unit to the satisfaction of the Fire Marshal. Roof access shall be permitted to be a roof hatch or trap door with minimum dimensions of 3' x 4' or as approved by the Fire Marshal.