



Council Meeting Agenda

DECEMBER 5, 2018
CITY COUNCIL CHAMBERS
4:30 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

MAYOR	Sam Abed
DEPUTY MAYOR	John Masson
COUNCIL MEMBERS	Olga Diaz Ed Gallo Michael Morasco
CITY MANAGER	Jeffrey Epp
INTERIM CITY CLERK	Eva Heter
CITY ATTORNEY	Michael McGuinness
DIRECTOR OF COMMUNITY DEVELOPMENT	Bill Martin
DIRECTOR OF ENGINEERING SERVICES	Julie Procopio

ELECTRONIC MEDIA:

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

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

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

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



Council Meeting Agenda

**December 5, 2018
4:30 P.M. Meeting**

**Escondido City Council
Mobilehome Rent Review Board**

CALL TO ORDER

MOMENT OF REFLECTION:

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

FLAG SALUTE

ROLL CALL: Diaz, Gallo, Masson, Morasco, Abed

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.) NOTE: Depending on the number of requests, comments may be reduced to less than 3 minutes per speaker and limited to a total of 15 minutes. Any remaining speakers will be heard during Oral Communications at the end of the meeting.

CONSENT CALENDAR

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

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: None Scheduled**

4. **ANNUAL FINANCIAL REPORT ON CAPITAL FUNDS FUNDED BY DEVELOPER FEES PER GOVERNMENT CODE SECTION 66006 -**

Request the City Council receive and file the Annual Financial Report on Developer Fees.

Staff Recommendation: **Receive and File (Finance Department: Sheryl Bennett)**

5. **NOTICE OF COMPLETION FOR THE ESCONDIDO-VISTA WATER TREATMENT PLANT METAL STORAGE BUILDING PROJECT -**

Request the City Council approve authorizing the Director of Utilities to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Metal Storage Building Project.

Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

RESOLUTION NO. 2018-174

6. **NOTICE OF COMPLETION FOR THE ESCONDIDO-VISTA WATER TREATMENT PLANT DISINFECTION AND ELECTRIC SYSTEM UPGRADES PROJECT -**

Request the City approve authorizing the Director of Utilities to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Disinfection and Electrical System Upgrades Project.

Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

RESOLUTION NO. 2018-183

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

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

7. **TENTATIVE SUBDIVISION MAP MODIFICATION, EXTENSION OF TIME, AND DEVELOPMENT AGREEMENT LOCATED AT 323 LION VALLEY ROAD (TR 878, SUB 16-0012, AND PHG 18-0028) -**

Approved on November 28, 2018 with a vote of 4/0/1, Abed absent

ORDINANCE NO. 2018-21 (Second Reading and Adoption)

8. **AMENDMENTS TO CHAPTERS 17 AND 23 OF THE ESCONDIDO MUNICIPAL CODE AND ARTICLE 66 (SIGN ORDINANCE) OF THE ESCONDIDO ZONING CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (AZ 18-0008) -**

Approved on November 28, 2018 with a vote of 4/0/1, Abed absent

ORDINANCE NO. 2018-22 (Second Reading and Adoption)

9. **REPEAL ESCONDIDO MUNICIPAL CODE CHAPTER 18, ARTICLE 2, COMMUNITY SERVICES COMMISSION -**

Approved on November 28, 2018 with a vote of 4/0/1, Abed absent

ORDINANCE NO. 2018-24 (Second Reading and Adoption)

PUBLIC HEARINGS

10. **SHORT-FORM RENT REVIEW BOARD HEARING FOR GREENCREST MOBILEHOME PARK -**

Request the City Council consider for approval the short-form rent increase application submitted by Greencrest Mobilehome Park, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index (CPI), or 2.268 percent (an average of \$10.44) for the period of June 30, 2017 to June 30, 2018.

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB Resolution No. 2018-11

11. **SHORT-FORM RENT REVIEW BOARD HEARING FOR SUNDANCE MOBILEHOME PARK -**

Request the City Council consider for approval the short-form rent increase application submitted by Sundance Mobilehome Park, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index, or 4.800 percent (an average of \$36.54) for the period of June 30, 2016 to June 30, 2018.

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB RESOLUTION NO. 2018-10

12. **ESCONDIDO'S PUBLIC FACILITIES FEE, PARK DEVELOPMENT FEE, TRAFFIC IMPACT FEE, AND DRAINAGE FACILITIES FEE -**

Request the City Council approve a 3.3 percent inflationary adjustment to the Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Development Impact Fees in order to maintain their purchasing power for completing necessary public improvements to serve new development.

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

RESOLUTION NO. 2018-164

13. **CONDITIONAL USE PERMIT, MASTER AND PRECISE DEVELOPMENT PLAN AND DEMO PERMIT FOR 301 AND 309 EAST GRAND AVENUE (PHG 18-0013 AND ENV 18-0004) -**

Request the City Council approve a Master and Precise Development Plan, a Conditional Use Permit, and Demo Permit for "The Grand" project located at 301 and 309 East Grand Avenue.

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

A) RESOLUTION NO. 2018-175 B) ORDINANCE NO. 2018-23 (First Reading and Introduction)

CURRENT BUSINESS

14. [APPOINTMENT TO HISTORIC PRESERVATION COMMISSION -](#)

Request the City Council ratify the Mayor's appointment to the Historic Preservation Commission, term to expire March 31, 2020.

Staff Recommendation: **Ratify the Mayor's Appointment (City Clerk's Office: Eva Heter)**

15. [MARRIOTT HOTEL DEVELOPMENT IMPACT FEE -](#)

Request the City Council consider for approval the following options: 1) Approve the applicant's request to impose the original fees for the development; 2) Deny the applicant's request and impose the updated fees that are currently in effect; or 3) Approve the applicant's request, but also amend the approved Transit Occupancy Tax (T.O.T) sharing agreement allowing the City to potentially recoup additional revenue at an earlier time frame to offset the fee increase. The current developer of the Marriott Springhill Suites Hotel has requested that the City assess Development Impact Fees at the level prior to the increase that became effective earlier this year.

Staff Recommendation: **Consider for Approval (City Manager's Office: Jay Petrek)**

FUTURE AGENDA

16. [FUTURE AGENDA -](#)

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

Staff Recommendation: **None (City Clerk's Office: Eva Heter)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

CITY MANAGER'S WEEKLY ACTIVITY REPORT

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- [WEEKLY ACTIVITY REPORT -](#)

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. Speakers are limited to only one opportunity to address the Council under Oral Communications.

ADJOURNMENT

UPCOMING MEETING SCHEDULE

Date	Day	Time	Meeting Type	Location
December 12	Wednesday	6:00 p.m.	Installation Ceremony	Council Chambers
December 19	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
December 26	-	-	No Meeting	-
January 2	-	-	No Meeting	-

TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker's form and give it to the City Clerk. Submission of Speaker forms prior to the discussion of an item is highly encouraged. Comments are generally limited to 3 minutes.

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

Nomination forms for Community Awards are available at the Escondido City Clerk's Office or at <http://www.escondido.org/city-clerks-office.aspx>

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

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

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

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

LIVE BROADCAST

Council meetings are broadcast live on Cox Cable Channel 19 and U-verse Channel 99 – Escondido Gov TV. They can also be viewed the following Sunday and Monday evenings at 6:00 p.m. on those same channels. The Council meetings are also available live via the Internet by accessing the City's website at www.escondido.org, and clicking the "Live Streaming –City Council Meeting now in progress" button on the home page.

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

**The City Council is scheduled to meet the first four Wednesdays
of the month at 3:30 in Closed Session and 4:30 in Open Session.
(Verify schedule with City Clerk's Office)**

**Members of the Council also sit as the Successor Agency to the CDC, Escondido Joint Powers
Financing Authority and the Mobilehome Rent Review Board.**

**CITY HALL HOURS OF OPERATION
Monday-Friday 8:00 a.m. to 5:00 p.m.**



If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4643. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

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



AFFIDAVITS

OF

ITEM

POSTING



Consent Item No. 2

December 5, 2018

APPROVAL

OF

WARRANT REGISTER



Consent Item No. 3

December 5, 2018

APPROVAL

OF

MINUTES

CITY COUNCIL STAFF REPORT

Consent Item No. 4

December 5, 2018

File No. 0480-45

SUBJECT: Annual Financial Report on Capital Funds Funded by Development Impact Fees per Government Code Section 66006

DEPARTMENT: Finance Department

RECOMMENDATION:

It is requested that the City Council receive and file the Annual Financial Report on Developer Fees.

FISCAL ANALYSIS:

No impact.

PREVIOUS ACTION:

The annual report for the Fiscal Year ending June 30, 2017, was brought to the City Council on December 6, 2017.

BACKGROUND:

California Government Code Section 66006 requires local agencies to annually report certain financial information on capital funds funded by development impact fees. Fiscal Year June 30, 2018, information is included for your consideration and acceptance.

On December 20, 2017, the City Council adopted fee adjustments to the development impact fees pertaining to Park Development, Traffic Impacts, Storm Drains and Public Facilities that resulted in increases to these fees. These adjustments were needed to assure that development impact fees were sufficient to offset the impacts caused by new development.

Development fee revenue for Fiscal Year ending June 30, 2018, was up significantly compared to the prior year by about \$2.6 million. However, an analysis of the data behind these numbers revealed that this increased revenue was not primarily the result of the fee increase, but instead was due to significantly increased development activity. This is because the fee adjustments did not go into effect until February 19, 2018. In addition, active projects determined to be in the pipeline and close to obtaining building permits had until July 1, 2018, to secure those permits before the new fees became effective. Also, fee adjustments within the Downtown Specific Planning Area are being incrementally phased in over three years in three equal installments.

The attached report provides the information required by the Government Code for the four development fees, which fall under this disclosure requirement. No refunds have been made nor are

any required. The report does not show the future plans for monies in the funds. More information on these funds and all other capital project funds is available in the Five-Year Capital Improvement Program, which was adopted by the City Council for Fiscal Years 2018/19-2022/23. There is also more information in the Comprehensive Annual Financial Report (CAFR) for Fiscal Year June 30, 2018, which will be provided to you near the end of December.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Sheryl Bennett, Deputy City Manager/Admin. Svcs.
11/28/2018 5:10 p.m.

Joan Ryan, Assistant Dir. of Finance
11/28/2018 5:01 p.m.

ATTACHMENTS:

1. Attachment 1-Financial Information Report

CITY OF ESCONDIDO
Financial Information Report
Capital Funds Funded by Developer Fees and Subject to Gov. Code Sec. 66006
Fiscal Year Ended June 30, 2018

This report contains information on the City of Escondido's Capital Funds Funded by Developer Fees. These fees collected from developers are subject to the Government Code Section 66000 et seq., which governs the administration of development fees paid by developers for the public facilities and infrastructure needed to serve the new development. In order to be in compliance with the government code, fees are accounted for in separate funds to ensure that the fees are spent on the specific purpose for which they were collected. This report is organized by the fund that each developer fee is collected in and includes the following information:

- 1) A brief description of the type of fee collected in each fund
- 2) The amount of the fee
- 3) The beginning and ending balances in each fund
- 4) The amount of fees collected, interest earned, and transfers/loans
- 5) A description of the public improvements that the fees were spent on, along with the total percentage of the cost of the public improvement that was funded with the fees
- 6) A description of each interfund transfer or loan made from each fund, along with the date the loan will be repaid and the rate of interest
- 7) The estimated date when projects will commence if sufficient funds have been collected to complete a project
- 8) The amount of refunds made pursuant to the code, if applicable

For the fiscal year ended June 30, 2018 there were no refunds of developer fees pursuant to the code. For more information regarding timelines, future uses, and history on the capital projects designated by the City Council in these funds, see the City of Escondido's Five Year Capital Improvement Program and Budgets, which are available on the City of Escondido's website or at the City Clerk's reference desk.

PARK DEVELOPMENT FUND	Beginning Fund Balance	Developer Fee Revenue	*Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUND 109	\$ 2,256,462	\$ 1,701,272	\$ (13,505)	\$ -	\$ (45,917)	\$ 3,898,312

Park Fee: \$6,500 per dwelling unit, \$6,200 per dwelling unit for multi family development, \$2813.33 per dwelling unit located in the Downtown Specific Plan Area

Purpose: To ensure that the park land and recreational facility standards established by the City are met with respect to the additional needs created by such development.

<u>Capital Expenditures and Transfers Out:</u>	<u>Expenditures</u>	<u>FYE 2018 Appropriation Balance</u>	<u>Fees as a % of Total Project's Funding</u>
Project No. Expenditure Description			
501701 Aquatic Facility Improvements	6,738	1,264,417	100%
501602 City Park Capital Improvements	-	162,164	100%
503501 El Caballo Environmental Review	-	40,000	100%
501601 Grape Day Park Restrooms	15,484	747,313	100%
501404 Jim Stone Pool	-	137,110	24%
501501 Kit Carson Park Parking Lot Lights & Security	22,705	914,096	100%
501702 Kit Carson Park Sports Center Restroom	-	53,344	100%
501808 Play Equipment Shade Structure	-	250,000	100%
501809 Washington Park Parking Lot Expansion	-	385,000	100%
501810 Washington Park Skate Spot	990	299,010	100%
504501 Washington Park Tennis Courts	-	50,000	100%
Total Expenditures and Appropriations:	\$ 45,917	\$ 4,302,454	

CITY OF ESCONDIDO
Financial Information Report
Capital Funds Funded by Developer Fees and Subject to Gov. Code Sec. 66006
Fiscal Year Ended June 30, 2018

TRAFFIC IMPACT FUND	Beginning Fund Balance	Developer Fee Revenue	Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUND 120	\$ 4,111,799	\$ 1,212,157	\$ 45,744	\$ -	\$ (746,207)	\$ 4,623,493

Local Traffic Fee: \$3,900 per single-family dwelling unit, \$1,950 per dwelling unit for multi family development
(See City Fee Guide for Development Projects Traffic fee schedule for additional details)

Purpose: To ensure that the traffic and transportation facility standards established by the City are met with respect to the additional needs created by such development.

Regional Traffic (RTCIP) Fee: \$2,483.48 per residential dwelling unit

Purpose: To ensure local agency participation in circulation improvements to allow quality of life standards to be achieved and allow new development to proceed.

Capital Expenditures and Transfers Out:

Project No.	Expenditure Description	Expenditures	FYE 2018 Appropriation Balance	Fees as a % of Total Project's Funding
661001	Citracado, West Valley to Harmony Grove	-	3,776,070	17%
661405	E Valley Pkwy & Valley Center Rd	746,207	364,929	11%
661406	El Norte Pkwy Bridge at Escondido Creek	-	406,015	10%
Total Expenditures and Appropriations:		\$ 746,207	\$ 4,547,014	

Interfund Loans:

During the fiscal year ended 1985, per CDC resolution 85-7, the traffic impact fund established a loan to the Community Development Commission (CDC) to provide funding to construct certain capital improvements as described in the Redevelopment Plan. The initial loan amount was \$200,000, with accrued interest and payments received the current balance is \$1,003,953. The Successor Agency to the CDC has come up with a schedule to repay the loan and accrued interest by 2035.

STORM DRAIN FUND	Beginning Fund Balance	Developer Fee Revenue	Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUND 227	\$ 611,231	\$ 476,228	\$ 9,062	\$ -	\$ (422,094)	\$ 674,427

Drainage Facilities Single-family residential \$1,092 per dwelling unit, non-residential \$0.71 per sq. ft.

Fee: Multi-family residential \$437 per dwelling unit, \$392.33 per dwelling unit located in the Downtown Specific Plan Area

Purpose: To ensure that storm water drainage facilities meet the requirements established by the City's Drainage Master Plan.

Capital Expenditures and Transfers Out:

Project No.	Expenditure Description	Expenditures	FYE 2018 Appropriation Balance	Fees as a % of Total Project's Funding
671403	E Valley Pkwy & Midway Drainage Improven	-	459,565	100%
673701	Master Drainage Condition Assessment	287,601	23,136	100%
671403	Storm Drain - Chestnut at Luna Vista	-	5,351	100%
671501	Storm Drain - East Valley & Valley Center Road	108,023	76,992	2%
679908	Storm Drain - La Honda Drive	-	200,001	100%
799501	Fees Available for Developer Reimbursements	26,470	-	100%
Total Expenditures and Appropriations:		422,094	765,045	

CITY OF ESCONDIDO
Financial Information Report
Capital Funds Funded by Developer Fees and Subject to Gov. Code Sec. 66006
Fiscal Year Ended June 30, 2018

PUBLIC FACILITIES FUNDS	Beginning Fund Balance	Developer Fee Revenue	*Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUNDS 243	\$ 5,209,747	\$ 2,309,979	\$ (14,708)	\$ 27,497	\$ (704,059)	\$ 6,828,456

Public Facility Fee: Residential \$4,624 per dwelling unit, \$2,617.33 per dwelling unit for multi-family development located in the Downtown Specific Plan Area
Commercial \$2.17 per square foot, Industrial \$1.64 per square foot

Purpose: To ensure that public facility standards established by the City are met with respect to the additional needs created by such development. (For public facilities such as Police, Fire, Library, etc.)

Other Revenue and Transfers In:

Transfer In Description

Return of unused Public Facility Funds from the Radio Replacement Project	27,497
Total Other Revenue and Transfers In:	\$27,497

Capital Expenditures and Transfers Out:

<u>Project No.</u>	<u>Expenditure Description</u>	<u>Expenditures</u>	<u>FYE 2018 Appropriation Balance</u>	<u>Fees as a % of Total Project's Funding</u>
406601	Automated Materials Handling	111,094	132,441	100%
100239	Computer Aided Dispatch	-	114,536	45%
101501	Daley Ranch Restroom Building	2,243	-	100%
121501	Downtown Public Wireless	-	5,282	100%
151701	Dumpster Enclosure Security Upgrades	66,453	68,548	100%
153009	GIS Public Internet Server	-	3,584	100%
400029	Library Books & Circulating Materials	212,409	-	100%
408101	Library Expansion Project	-	199,377	100%
441801	PACC Entry Gate	0	40,000	100%
556501	Public Works Yard Relocation	21	1,581,155	97%
406602	Radio Frequency Identification	130,075	55,343	100%
106702	RCS Financing	86,164	688,837	23%
Total Expenditures and Appropriations:		\$608,459	\$2,889,103	
Transfer to the General Capital Fund for NEC phone upgrade - portion related to growth		\$95,600		
Total Capital Expenditures and Transfers Out:		\$704,059		

Interfund Loans:

During the fiscal year ended 2015, per resolution 2014-115, the public facilities fund established another loan to the general fund to expedite the purchase of a CAD system. The initial loan amount was \$225,000 and was set to be repaid in 5 years with an annual principal payment of \$45,000 and interest equivalent to the City's calculated investment portfolio monthly yield. During this fiscal year, \$45,000 in principal was repaid along with \$2,055 in interest. The remaining principal balance on the loan as of June 30, 2018 is \$90,000.

* Negative Interest is due to recording the unrealized loss on investments.

CITY COUNCIL STAFF REPORT

Consent Item No. 5

December 5, 2018

File No. 0600-10, A-3204

SUBJECT: Notice of Completion for the Escondido-Vista Water Treatment Plant Metal Storage Building Project

DEPARTMENT: Utilities Department, Construction and Engineering Division

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2018-174, authorizing the Director of Utilities to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Metal Storage Building Project.

FISCAL ANALYSIS:

The project was completed for \$360,200. This amount is approximately one percent (1%) less than the original contract value. The Project was funded from the Water Capital Improvement Program.

PREVIOUS ACTION:

On January 25, 2017, the City Council adopted Resolution No. 2017-06, authorizing the Mayor and City Clerk to execute a Public Improvement Agreement with Cairo Construction Company, the lowest responsive and responsible bidder, in the amount of \$365,200 for construction of the Escondido-Vista Water Treatment Plant (EVWTP) Metal Storage Building Project.

BACKGROUND:

During the construction of the EVWTP Disinfection and Electric System Upgrades Project, an existing metal storage building at the EVWTP was demolished to make room for new facilities and disinfection equipment. Essential materials, tools, and equipment normally stored in the demolished building were temporarily stored in various locations of the EVWTP. A replacement storage building was required because these temporary storage locations are intended for other uses.

The newly constructed 4,800 square foot EVWTP Metal Storage Building is placed over a concrete foundation near the Kilavo Pump Station, located just south of the EVWTP Operations Building. Construction included heavy earthwork grading; placement of the concrete foundation and loading dock; procurement and erection of the metal storage building on the foundation; and paving of the driveway area around the loading dock. This new structure will promote a safe working environment for City Staff and increase reliability by properly storing critical items for EVWTP operations.

NOC for the Escondido-Vista Water Treatment Plant Metal Storage Building Project
December 5, 2018
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APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Christopher W. McKinney, Director of Utilities
11/27/2018 5:38 p.m.

ATTACHMENTS:

1. Resolution No. 2018-174

RESOLUTION NO. 2018-174

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE DIRECTOR OF
UTILITIES TO FILE A NOTICE OF
COMPLETION FOR THE ESCONDIDO-VISTA
WATER TREATMENT PLANT METAL
STORAGE BUILDING PROJECT

WHEREAS, on January 25, 2017, the City Council adopted Resolution No 2017-06, authorizing execution of a Public Improvement Agreement for the construction of the Escondido-Vista Water Treatment Plant Metal Storage Building Project (the "Project") in the amount of \$365,200, which was funded from the Water Capital Improvement Program; and

WHEREAS, the construction for the Project was completed by Cairo Construction Company; and

WHEREAS, the City of Escondido staff and the Director of Utilities deems the filing of the Notice of Completion to be valid and recommends approval; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the filing of the Notice of Completion.

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

1. That the above recitations are true and correct.
2. That the City Council accepts the recommendation of the Director of Utilities.

3. That the City Council hereby approves the request to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Metal Storage Building Project.

CITY COUNCIL STAFF REPORT

Consent Item No. 6

December 5, 2018

File No. 0600-10, A-3118

SUBJECT: Notice of Completion for the Escondido-Vista Water Treatment Plant Disinfection and Electric System Upgrades Project

DEPARTMENT: Utilities Department, Construction and Engineering Division

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2018-183, authorizing the Director of Utilities to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Disinfection and Electrical System Upgrades Project.

FISCAL ANALYSIS:

The project was completed for \$13,509,631.67. This amount exceeded the originally approved contract amount by nine percent (9%), which is within the ten percent (10%) contingency permitted for construction projects. Vista Irrigation District (VID), as a co-owner of the treatment plant, is responsible for twenty percent (20%) of the cost of the project as a Capital Improvement Project reimbursement in the amount of \$2,701,926.34.

PREVIOUS ACTION:

On August 6, 2014, the City Council adopted Resolution No. 2014-116, authorizing the Mayor and City Clerk to execute a Public Improvement Agreement with Pacific Hydrotech Corporation, the lowest responsive and responsible bidder, in the amount of \$12,381,800 for construction of the Escondido-Vista Water Treatment Plant (EVWTP) Disinfection and Electrical System Upgrades Project.

On December 9, 2015, the City Council approved a budget adjustment in the amount of \$1,144,000 to fund the nine percent (9%) contingency for construction.

BACKGROUND:

This project replaced the disinfection system and aging electrical power systems at the EVWTP. The main elements of this project included: 1) replacing the existing disinfection system with a system that converts salt to sodium hypochlorite onsite (including new brine and sodium hypochlorite storage tanks, metering and application of sodium hypochlorite); 2) replacing the existing chlorine dioxide system with a new chlorine dioxide system that is compatible with sodium hypochlorite; 3) furnishing new emergency power generators capable of delivering the peak power demand of the EVWTP and new disinfection equipment; 4) replacing aging and undersized 480 VAC electrical switchgear and conductors; and 5) integrating all of the new systems with the EVWTP's existing monitoring and control system. The total Project cost also included SDG&E fees for relocating and removing existing

NOC for the Escondido-Vista Water Treatment Plant Disinfection and Electric System Upgrades
Project
December 5, 2018
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overhead electric lines, extending and removing underground electric lines, and other related costs to serve the Project.

These upgrades allow the City to provide a safer working environment for staff, and increase efficiencies and reliability in providing clean drinking water for the public.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Christopher W. McKinney, Director of Utilities
11/27/2018 5:38 p.m.

ATTACHMENTS:

1. Resolution No. 2018-183

RESOLUTION NO. 2018-183

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE DIRECTOR OF
UTILITIES TO FILE A NOTICE OF
COMPLETION FOR THE ESCONDIDO-VISTA
WATER TREATMENT PLANT DISINFECTION
AND ELECTRICAL SYSTEM UPGRADES
PROJECT

WHEREAS, on August 6, 2014, the City Council adopted Resolution No 2014-116, authorizing execution of a Public Improvement Agreement for the construction of the Escondido-Vista Water Treatment Plant Disinfection and Electrical System Upgrades Project (the "Project") in the amount of \$12,381,800; and

WHEREAS, on August 6, 2014, the City Council approved a budget adjustment in the amount of \$4,529,609 to the Capital Improvement Project ("CIP") No. 701001 to cover costs for completing the project; and

WHEREAS, on December 9, 2015, the City Council approved a budget adjustment in the amount of \$1,144,000 to the Capital Improvement Project ("CIP") No. 701001 to cover permitted construction contingency costs; and

WHEREAS, the improvements to the Escondido-Vista Water Treatment Plant were completed by Pacific Hydrotech Corporation; and

WHEREAS, the City of Escondido staff and the Director of Utilities deems the filing of the Notice of Completion to be valid and recommends approval; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the filing of the Notice of Completion.

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

1. That the above recitations are true.
2. That the City Council accepts the recommendation of the Director of Utilities.
3. That the City Council hereby approves the request to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Disinfection and Electrical System Upgrades Project.

ORDINANCE NO. 2018-21

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A DEVELOPMENT AGREEMENT
BETWEEN OLEANDER PARTNERS, LLC, AND
THE CITY OF ESCONDIDO FOR THE LION
VALLEY ROAD RESIDENTIAL SUBDIVISION,
ESCONDIDO SUBDIVISION 16-0012 (TR 878)

Planning Case No.: PHG 18-0028

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

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

SECTION 2. That the City Council has reviewed and considered the Final
Initial Study/Negative Declaration (ER 2004-16) that was adopted for this project and
has determined that all environmental issues associated with the project have been
addressed, and no significant environmental impacts will result from approving this
Development Agreement.

SECTION 4. That upon consideration of the Findings/Factors to be
Considered, attached as Exhibit "A" and incorporated by this reference, the staff report,
Planning Commission recommendation, and all public testimony presented at the
hearing(s) held on this Development Agreement ("Agreement"), this City Council finds
this Agreement is consistent with the General Plan and all applicable specific plans of

ORDINANCE NO. 2018-22

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING CHAPTERS 17 AND 23 OF THE
ESCONDIDO MUNICIPAL CODE AND ARTICLE
66 OF THE ESCONDIDO ZONING CODE
RELATING TO SIGNS IN THE PUBLIC RIGHT-
OF-WAY

APPLICANT: City of Escondido
PLANNING CASE NO.: AZ 18-0008

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

SECTION 1. That proper notices of a public hearing have been given and public hearings have been held before the Planning Commission on amending Article 66 of the Escondido Zoning Code, and before the City Council on amending Chapters 17 and 23 of the Escondido Municipal Code and Article 66 of the Escondido Zoning Code relating to signs in the public right-of-way.

SECTION 2. The City Council has duly reviewed and considered all evidence submitted at said hearings, including, without limitation:

- a. Written information;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated November 28, 2018, which, along with its attachments, is incorporated herein by this reference as though fully set forth herein; and
- d. Additional information submitted during the Public Hearing.

ORDINANCE NO. 2018-24

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
REPEALING ESCONDIDO MUNICIPAL CODE
CHAPTER 18 COMMUNITY SERVICES
DEPARTMENT, ARTICLE 2 COMMUNITY
SERVICES COMMISSION

WHEREAS, the City Council of the City of Escondido seeks to repeal Escondido Municipal Code Chapter 18, Article 2 Community Services Commission.

Now, therefore, the City Council of the City of Escondido, California, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That Escondido Municipal Code Chapter 18 Community Services Department, Article 2 Community Services Commission is hereby repealed.

SECTION 2. That if any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 3. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That the City Clerk is hereby directed to certify to the passage of this Ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

MOBILEHOME RENT REVIEW BOARD

Public Hearing Item No. 10

December 5, 2018

File No. 0697-20-10180

SUBJECT: Short-Form Rent Review Board Hearing for Greencrest Mobilehome Park (Case Number 0697-20-10180)

DEPARTMENT: Community Development Department, Housing & Neighborhood Services Division

RECOMMENDATION:

Consider the short-form rent increase application submitted by Greencrest Mobilehome Park.

If approved, adopt Rent Review Board Resolution No. 2018-11 granting an increase of 75 percent of the change in the Consumer Price Index ("CPI"), or 2.268 percent (an average of \$10.44) for the period of June 30, 2017, to June 30, 2018.

INTRODUCTION:

Greencrest Mobilehome Park ("Park"), located at 541 W. 15th Avenue, has filed a short-form rent increase application. The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report were made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

Greencrest Mobilehome Park is an all-age park, which has a total of 129 spaces. There are 64 spaces subject to rent control; the Park is requesting an increase for the 64 rent controlled spaces. The other spaces not included in this application are on long-term leases, are occupied as rentals or by management, or are vacant. The amenities available for the residents include a clubhouse, pool, playground, and laundry facilities.

The application meets all the eligibility criteria for submittal of a short-form rent increase application.

PARK OWNER'S REQUEST:

The Park is requesting an increase of 75 percent of the change in CPI for the period of June 30, 2017, to June 30, 2018. Seventy-five percent of the change in the CPI for the period of consideration is 2.268 percent. The average monthly rent for the residents affected by this application is \$460.14.

The average monthly increase requested for the 64 spaces is approximately \$10.44 per space, per month.

This is the seventeenth rent increase request filed by this Park since the Ordinance was implemented. The last increase was granted in December 2017 for an average amount of \$10.98 per space per month.

RESIDENT MEETING AND COMMENTS:

A resident meeting was held in the Park clubhouse on November 5, 2018. The meeting was attended by two residents, Park Management, and City staff. There was a discussion about the short-form rent increase application process, speeding in the Park and the lack of lighting on 15th Avenue, right outside the Park. There were no volunteers for the role of resident representative.

CODE ENFORCEMENT INSPECTION:

The Code Enforcement Division conducted a health and safety inspection of the common areas of the Park and noted some violations. A copy of the Code Inspection Report is attached at "Attachment A." The Park owner and owner's representative received a copy of the Report, and were made aware that no rent increase, if granted, may be implemented until the Health and Safety Code violations have been cleared.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The owner may send the 90-day notice of any rent increase granted to the residents upon the adoption of the Resolution.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
11/29/2018 8:47 a.m.


ATTACHMENTS:

1. Attachment A - Code Inspection Report
2. Rent Review Board Resolution No. 2018-11



DATE: November 8, 2018

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD

FROM: MARK CASS, CODE ENFORCEMENT MANAGER 

SUBJECT: GREEN CREST MOBILEHOME PARK

Green Crest Mobilehome Park was inspected on November 7, 2018, with the lighting inspection conducted the same evening. as a result of an application for a rent increase having been filed. There was one general violation found during the site inspection and two violations found during the lighting inspection; the inspection report is attached.

A resident meeting was held on November 5, 2018. The meeting was attended by two residents and a city staff member. There was no resident representative identified or present at the inspection and no resident form turned in to staff and no code enforcement issues were raised.

There have been no code enforcement complaints in this the park during the past year.

Cc: Bill Martin, Director of Community Development
Belinda Rojas, Rent Control Administration



November 8, 2018

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name: Greencrest Mobile Home Park
541 W. 15th Ave.
Escondido, CA. 92025

Park Owner: Greencrest Mobile Home Park LLC
8 Pinehurst Ln
New Port Beach, CA. 92660

Park Managers: Jim Younce **Phone:** (760) 745-4352
Leticia Amavisca

Inspection Date: November 7, 2018 **Inspector:** Stephen Jacobson

The following report is based on the inspection of the mobile home park conducted under provisions outlined in the California Code of Regulations, Title 25, Division I, Chapter 2 and the Escondido Zoning Code, Article 45. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Replace the broken lock on the gate leading to the storage shed. **25 CCR §1605(a)(6); 25 CCR §1102(a)**

November 8, 2018
Greencrest Mobile Home Park
Rent Control Inspection Report
Page 2

**There were two areas of the park needing illumination per 25 CCR 1108
(Lighting Inspection; 11-07-18)**

- 1. Inoperative light on the light pole behind the office**
- 2. Inoperative light on the clubhouse building next to the side door.**

No interior lights were found inoperable during my code inspection.

RRB RESOLUTION NO. 2018-11

A RESOLUTION OF THE ESCONDIDO
MOBILEHOME RENT REVIEW BOARD MAKING
FINDINGS AND GRANTING A RENT INCREASE
FOR GREENCREST MOBILEHOME PARK

541 W 15th Avenue, Escondido, CA
File Number 0697-20-10180

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a Short-form Rent Increase Application ("Application") pursuant to Section 12 of the Rent Review Board Guidelines was filed on October 5, 2018, by Bart Thomsen, the Owner of Greencrest Mobilehome Park ("Park"), located at 541 W. 15th Avenue in Escondido. The Application applies to 64 of the 129 spaces; and

WHEREAS, this is the seventeenth rent increase application filed by the Park since the Ordinance became effective in 1988. The Board granted the last rent increase in December 2017. The previous increase affected 65 spaces; the average increase was \$10.98 per space, per month; and

WHEREAS, at the time of the current Application, the average monthly space rent was \$460.14 for the 64 spaces subject to rent control. The Owner requested a rent increase in the amount of 75 percent of the change in the Consumer Price Index ("CPI")

for the period June 30, 2017, through June 30, 2018, in accordance with the Rent Review Board short-form policy guidelines. The Application estimated this amount to be an average of \$10.44 (2.268 percent) per space, per month; and

WHEREAS, a notice of the Park's Application was sent to all affected homeowners. All parties were given notice of the time, date, and place of the rent hearing before the Board; and

WHEREAS, on November 7, 2018, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed in the Park; and

WHEREAS, on December 5, 2018, the Board held its public hearing and after an initial staff presentation, the Board invited testimony from Park ownership, residents of the Park, and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an increase of 2.268 percent, an average of \$10.44 per space, per month, for the 64 spaces, which are subject to rent control.

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.
2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the Short-Form Guidelines ("Guidelines").

3. That following the Guidelines, an increase based on 75 percent of the change in the CPI for San Diego County from June 30, 2017, through June 30, 2018, would amount to 2.268 percent, which averages \$10.44 per space, per month, for the 64 spaces that are subject to rent control.

4. That the Board concluded that an increase of \$10.44 per space, per month, is consistent with the Guidelines, and is fair, just, and a reasonable increase in light of the information presented by all parties.

5. That the short-form rent increase (“Increase”) may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected in compliance with the various state and local code sections as noted in the Inspection Report.

6. That the Increase may be implemented only upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

MOBILEHOME RENT REVIEW BOARD

Public Hearing Item No. 11

December 5, 2018

File No. 0697-20-10179

SUBJECT: Short-Form Rent Review Board Hearing for Sundance MHC, LP (File No. 0697-20-10179)

DEPARTMENT: Community Development Department, Housing & Neighborhood Services Division

RECOMMENDATION:

Consider the short-form rent increase application submitted by Sundance MHC LP.

If approved, adopt Rent Review Board Resolution No. 2018-10, granting an increase of 75 percent of the change in the Consumer Price Index, or 4.800 percent (an average of \$36.54) for the period of June 30, 2016, to June 30, 2018.

INTRODUCTION:

Sundance MHP (“Park”), located at 2250 N. Broadway, has filed a short-form rent increase application. The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

Sundance is a senior park, which has a total of 88 spaces, with 21 spaces subject to rent control. The Park is requesting an increase for the 21 rent controlled spaces. The other spaces not included in this application, are on long-term leases occupied by management or are vacant. Common facilities available to all spaces include a clubhouse with a kitchen, meeting area with a stage, a craft room, billiards room, fitness room, swimming pool and spa, shuffleboard courts, and a coin laundry facility. Greenbelts are also found throughout the park.

The application meets all the eligibility criteria for submittal of a short-form rent increase application.

PARK OWNER’S REQUEST:

The Park is requesting an increase of 75 percent of the change in Consumer Price Index for the period of June 30, 2016, to June 30, 2018. Seventy-five percent of the change in the CPI for the period of consideration is 4.800 percent. The average monthly rent for the residents that are affected by this application is \$761.27. Residents pay a temporary (5-year) charge of \$17.07 to partially cover the costs of the long-form rent control hearing process in 2013. The charge went into effect in

February 2015 and is currently active. Residents also pay a temporary (5-year) charge of \$5.92 to partially cover the costs of the long-form rent control hearing process in 2016. The average monthly increase requested for the 21 spaces is \$36.54 per space, per month.

This is the fifth rent increase request filed by this Park since the Ordinance was implemented. The last increase was granted in August 2016 through the long-form rent increase process for an average amount of \$102.22, per space, per month. A substantial portion of the 2016 increase was justified by an increase in property taxes after the property was sold and reassessed. This increase also includes a CPI increase through 2015. In 2016, five residents filed a civil suit with the San Diego Superior Court challenging the Mobilehome Rental Review Board for City of Escondido. The case is currently pending. The pending civil case does not affect the analysis of the current short-form rent increase application.

RESIDENT MEETING AND COMMENTS:

Residents affected by this request were invited to attend a meeting in their clubhouse on November 8, 2018, at 5 p.m. Nine residents attended the meeting plus one community member. The meeting was also attended by three Investment Property Group staff and City staff. Residents had a number of questions regarding the short-form rent control process, the use of CPI as a measure for a rent increase and definition of capital improvements. Residents expressed concerns including: gopher holes in the greenbelt, fear that requests for repairs or improvement may result in a long form filing. Residents expressed satisfaction with the manager but feel many requests for improvements for repairs are ignored by the management company or are not completed up to a standard reflective of the rent they pay. The application and the short-form hearing procedures were reviewed with the residents in attendance. Robert Wise was elected to serve as resident representative.

City staff reinforced the Rent Review Board's request that the Park representative and resident representative meet at least 21 days before the Rent Review Board meeting to discuss Park issues.

CODE ENFORCEMENT INSPECTION:

An inspection of the common areas of the Park by the Code Enforcement Division of the City noted some violations of the Health and Safety Code. A copy of the Code Report ("Report") and completed Resident Representative Report Form are attached as "Attachment A." The Owner and Resident Manager received a copy of the Report. No rent increase, if granted, will take effect until all code violations are corrected.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The 90-day notice of any rent increase granted may be sent to the residents upon the adoption of the Resolution.

Short-Form Rent Review Board Hearing for Sundance MHC, LP (File No. 0697-20-10179)
December 5, 2018
Page 3

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
11/29/2018 8:47 a.m.


ATTACHMENTS:

1. Attachment A - Code Inspection Report
2. Rent Review Board Resolution No. 2018-10



DATE: NOVEMBER 9, 2018

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD

FROM: MARK CASS, CODE ENFORCEMENT MANAGER 

SUBJECT: SUNDANCE MOBILEHOME PARK

Sundance Mobilehome Park was inspected on November 9, 2018, with the lighting inspection conducted on November 7, 2018, as a result of an application for a rent increase having been filed. There were seven general and no lighting violations found; the inspection report is attached.

A resident meeting was held on November 8, 2018. There were nine residents, one community member, one park manager, three owner representative and one city staff member who attended the meeting. The resident form was turned in to staff the day prior to the park inspection.

There were no code enforcement cases in this park during the past year.

CC: Bill Martin, Director of Community Development
Belinda Rojas, Rent Control Administrator



November 9, 2018

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name: Sundance Mobile Home Park

Park Owner: Sundance MHC, LP
C/O Valerie Avila– Regional Manager -IPG
18006 Sky Place Circle Suite 200
Irvine, CA 92614

Park Management: Sundance MHP
C/O Greg Gillson – Maintenance Manager
2250 N Broadway Ave
Escondido, CA 92026

Inspection Date: 11/9/2018 **Inspector:** Stephen Jacobson

The following report is based on the inspection of the mobile home park conducted under provisions outlined in the California Code of Regulations, Title 25, Division I, Chapter 2 and the Escondido Zoning Code, Article 45. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Provide identification labels for all breaker switches in breaker boxes. **25 CCR § 1102(a)**
2. Repair or replace the cracked concrete siding that supports the support beam and verify the structural integrity of the beam outside of the south entrance door to the club house. **25 CCR § 1102(b) & § 1605(b)**

3. Obtain a building permit with the City of Escondido for the installation of the water heater located in the laundry room that was installed in 2018. **25 CCR 1018(a).**
4. Remove or replace the car towing signs by the parking area with the required contact information. **25 CCR § 1102(a) & § 1122(a)**
5. Repair or replace the broken portion of fencing to the rear of the greenbelt adjacent to unit 67. **25 CCR § 1102(a) & § 1605(b)**
6. Trim the overgrown tree vegetation entering the right of way located in front of unit #72. **25 CCR § 1606 (j)**
7. Provide a verification letter from a licensed service contractor that all hard-wired smoke detectors in the facility are operational. **25 CCR § 1102(a) & § 1605(d)**

**Areas of the park needing illumination per 25 CCR 1108
(Lighting Inspection; 11-7-2018)**

1. There were no park lighting violations.

RRB RESOLUTION NO. 2018-10

A RESOLUTION OF THE ESCONDIDO
MOBILEHOME RENT REVIEW BOARD
MAKING FINDINGS AND GRANTING A RENT
INCREASE FOR SUNDANCE MOBILEHOME
PARK

(File Number: 0697-20-10179)

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form Rent Increase Application was filed pursuant to Section 12 of the Rent Review Board Guidelines and accepted on October 1, 2018, by Sundance MHC, LP, the owner of Sundance Mobilehome Park ("Park"). The Park is located at 2250 North Broadway in Escondido. The rent increase applies to 21 of the 88 spaces in the Park; and

WHEREAS, this is the fifth (5th) rent increase application filed by the Park since the Ordinance became effective in 1988. The last rent increase was granted by the board at a Rent Review Board Hearing held on August 17, 2016, and formally adopted by Rent Review Board Resolution No. 2016-12. The approved increase was for \$102.22 per space, per month, based on a Maintenance of Net Operating Income approach. This increase also allowed a 5-year, temporary rent increase of \$5.92 per affected space, per

month, to allow for recovery of fees associated with preparing and presenting the application; and

WHEREAS, at this time, the average monthly space rent is approximately \$761.27 for the 21 spaces subject to the rent increase. The Park owner requested a rent increase in the amount of 75 percent of the change in the Consumer Price Index (CPI) for the period of June 30, 2016, through June 30, 2018, in accordance with the Rent Review Board short-form policy guidelines. The application estimated this amount to be an average of \$36.54 (4.800 percent) per space, per month; and

WHEREAS, a notice of the Park's Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date and place of the rent hearing before the Board; and

WHEREAS, on November 9, 2018, a Mobilehome Park Rent Control Code Enforcement Inspection Report ("Inspection Report") was completed. The Inspection Report noted Health and Safety Code violations in the Park; and

WHEREAS, on December 25, 2018, the Board held its public hearing. After an initial presentation, the Board invited testimony from Park ownership, residents of the Park and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an average rent increase of \$36.54 per space, per month, for the 21 spaces which are subject to rent control,

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.
2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the short-form Guidelines (“Guidelines”).
3. That following the Guidelines, an increase based on 75 percent of the change in the Consumer Price Index (CPI) for San Diego County from June 30, 2016, through June 30, 2018, amounted to 4.800 percent which averaged \$36.54 per space, per month, for the 21 spaces that are subject to rent control.
4. The Board concluded that an increase of \$36.54 per space, per month, is consistent with the Guidelines, and is fair, just, and a reasonable increase in light of the information presented by all parties.
5. That the increase may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected, signed off, and are in compliance with the various state and local code sections as noted in the Inspection.
6. That the increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 12

December 5, 2018

File No. 0480-45

SUBJECT: Escondido's Public Facilities Fee, Park Development Fee, Traffic Impact Fee, and Drainage Facilities Fee

DEPARTMENT: City Manager's Office

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2018-164 approving a 3.3 percent inflationary adjustment to the Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Development Impact Fees in order to maintain their purchasing power for completing necessary public improvements to serve new development.

FISCAL ANALYSIS:

Development Impact Fees collected from future dwelling units, industrial, commercial (retail and office) development anticipated to be constructed by the General Plan horizon year of 2035 will offset the cost of Citywide public facilities that are necessary to serve the new development. Public facilities include those for Parks, Fire and medical emergencies, Police, Administration & Technology, a Public Library, a Senior Citizen Center, Public Works, Drainage, and Traffic Improvements.

The current fees established by the City Council in December 2017 cumulatively fund up to 82 percent of expected costs for facilities to serve new development, with anticipated grants and other one-time revenues to offset the shortfall. The City's adopted fees place Escondido squarely in the mid-range of development impact fees charged by other jurisdictions in this area. The 3.3 percent adjustment will maintain the City's ability to fund public improvements at the rate previously approved by the City Council.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the City Council's Action Plan regarding Fiscal Management – *Strategy #10: Evaluate Development Impact and Processing Fees and consider adjustments to more closely align with regional averages, cost recovery, and buildout needs.*

BACKGROUND:

In December 2107, the City Council considered the first thorough evaluation of Development Impact Fees in more than ten years, approving long overdue adjustments to ensure that sufficient fees were established to offset impacts caused by new development. The City Council concurred with staff's recommendation that fees be adjusted to more accurately reflect the costs to serve new growth. Direction was given to adjust fees based on a schedule that cumulatively collects approximately 82 percent of the total infrastructure costs, and to rely on grants, bonds, and/or other one- time revenues to offset the 18 percent funding gap. The following parameters were approved:

- a) City-wide fee adjustments would become effective February 19, 2018.
- b) Active projects determined to be in the pipeline would have until July 1, 2018, to secure Building Permits before the new fees become effective.
- c) Fee adjustments within the Downtown Specific Planning Area would be implemented in three equal installments: The first adjustment would be effective February 19, 2018; the second adjustment would be effective February 19, 2019; and the third adjustment would be effective February 19, 2020.

The City Council also directed staff to *annually* schedule future Development Impact Fees for adjustment to avoid “rate shock” encountered when long periods of time elapse without reviewing fees thereby necessitating large increases at any one time. The City Council accepted staff’s recommendation to rely on SANDAG’s method for annually adjusting the regional traffic impact fee (RTCIP) as a basis for calculating the City’s annual Development Impact Fee adjustments.

DISCUSSION / RECOMMENDATION:

SANDAG uses The Engineering News Record Construction Cost Index (ENR CCI) to adjust for price changes and to translate set numbers into inflation-free dollars. Adjusting the fees according to the ENR CCI does not increase the Development Impact Fee revenue beyond the amount necessary to accommodate for future growth because an ENR CCI adjustment only keeps the current level of fee revenue at pace with inflation.

The ENR CCI is based on monthly price changes in four areas: lumber, cement, structural steel, and labor. Los Angeles reflects construction cost trends similar to those in San Diego. During the period that includes December 2016 to December 2017 (latest available data), the ENR Los Angeles CCI increased by 3.3 percent. It is worth noting that other Construction Cost Indexes grew faster during this same timeframe, with the ENR National CCI growing 3.9 percent, and the Caltrans CCI increasing 15.2 percent.

Staff has prepared Resolution No. 2018-164 for City Council adoption that would implement the 3.3 percent inflationary adjustment for Development Impact Fees on February 19, 2019, pursuant to Attachment 1.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Jay Petrek, Assitant City Manager
11/29/2018 11:56 a.m.

ATTACHMENTS:

1. Attachment 1 - 2019 Inflationary Development Impact Fee Adjustment
2. Resolution No. 2018-164

ATTACHMENT 1
 2019 Inflationary Development Impact Fee Adjustment

	Current Fee	2019 Adjustment
<i>Public Facilities</i>		
City-Wide	\$4,624 / DU	\$4,777 / DU
Downtown SPA ⁶	\$2,617.33 / DU	\$3,740.14 / DU
<i>Park Development</i>		
Single Family Residential	\$6,500 / DU	\$6,715 / DU
Multi-Family Residential	\$6,200 / DU	\$6,405 / DU
Multi-Family Downtown SPA ⁶	\$2,813.33 / DU	\$4,655.40 / DU
<i>Drainage Facilities</i>		
City-Wide	\$437 / DU	\$451 / DU
Downtown SPA ⁶	\$392.33 / DU	\$428.34 / DU
<i>Local Traffic Impact¹</i>		
Category		
Single Family	\$3,900 / DU	\$4,029 / DU
Multi Family ²	\$1,950 / DU	\$2,014 / DU
Commercial/Retail/Service³	\$9.00 / sq. ft.	\$9.30 / sq. ft.
Bank	\$15.00 / sq. ft.	\$15.50 / sq. ft.
Sit Down (Quality) Restaurant	\$13.50 / sq. ft.	\$13.95 / sq. ft.
High Turnover or Deli	\$15.00 / sq. ft.	\$15.50 / sq. ft.
Fast food with or without drive-through	\$45.00 / sq. ft.	\$46.49 / sq. ft.
Convenience Market	\$30.00 / sq. ft.	\$31.00 / sq. ft.
Convenience Market with Fueling	\$13,500 / fuel space	\$13,946 / fuel space
Car Wash	\$67,500 / each	\$69,728 / each
Office⁴	\$3.00 / sq. ft.	\$3.10 / sq. ft.
Medical / Dental Office	\$5.25 / sq. ft.	\$5.42 / sq. ft.
Hospital / Care Facility	\$3.75 / sq. ft.	\$3.87 / sq. ft.
Industrial⁵	\$2.25 / sq. ft.	\$2.32 / sq. ft.
Church	\$1.35 / sq. ft.	\$1.39 / sq. ft.

¹ Refer to SANDAG's "Not so Brief Guide to Traffic Generation" using \$150 per average daily trip (ADT) for non-residential uses not listed in this table

² Condo, townhome, mobile home, retirement, duplex

³ Grocery, discount/club store, specialty retail, lumber, hardware, garden, car sales, auto repair, day care, hotel, bowling center, theatre, and health club

⁴ Includes education

Development Impact Fees
December 5, 2018
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- ⁵ Includes business park, warehouse, storage, science Research & Development
- ⁶ Fee adjustments in the Downtown SPA were approved for implementation in 3 equal installments on 2/19/18, 2/19/19, and 2/19/20. The 3.3 percent inflationary increase is applied to the adjusted installment.

RESOLUTION NO. 2018-164

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ESCONDIDO, CALIFORNIA, ADJUSTING
DEVELOPMENT IMPACT FEES FOR PUBLIC
FACILITIES, PARK DEVELOPMENT, TRAFFIC
IMPACT, AND DRAINAGE FACILITIES

WHEREAS, Government Code Section 66000 et seq. allows for the collection of Development Impact Fees to fund certain city-wide improvements necessary serve new growth; and

WHEREAS, the City Council of the City of Escondido ("City") has adopted Chapter 6 of the Escondido Municipal Code, which established certain Development Impact Fee ("DIF") amounts for funding public facilities and infrastructure needed to serve new development; and

WHEREAS, section 6-444.4 of the Municipal Code provides that the City Council may, by Resolution, adjust or modify the fees; and

WHEREAS, the City Council has authorized an annual review of DIF amounts for necessary inflationary adjustments in order to maintain their purchasing power for completing necessary public improvements to serve new development; and

WHEREAS, the Engineering News Record Los Angeles Construction Cost Index (ENR CCI) documents monthly price changes in lumber, structural steel, cement, and labor reflecting construction costs trends similar to those in San Diego, which is used by the San Diego Association of Governments (SANDAG) as a basis for determining inflationary increases for local public works projects; and

WHEREAS, the ENR CCI evaluation for the period that includes December 2016 to December 2017, SANDAG’s latest available data, documented a 3.3 percent inflationary increase in construction costs; and

WHEREAS, on December 5, 2018, the City Council held a duly noticed public hearing on the proposal to adjust the DIF amounts with an opportunity for the public to be heard, pursuant to the provisions of Government Code Sections 66016-66018.

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

1. That the above recitations are true.
2. That the City of Escondido Fee Schedule for Public Facilities, Park Development, Drainage Facilities and Local Traffic Impact shall be adjusted as follows to account for the construction costs associated with building the needed infrastructure to serve new growth.

		Current Fee	2019 Adjustment
<i>Public Facilities</i>			
	City-Wide	\$4,624 / DU	\$4,777 / DU
	Downtown SPA ⁶	\$2,617.33 / DU	\$3,740.14 / DU
<i>Park Development</i>			
	Single Family Residential	\$6,500 / DU	\$6,715 / DU
	Multi-Family Residential	\$6,200 / DU	\$6,405 / DU
	Multi-Family Downtown SPA ⁶	\$2,813.33 / DU	\$4,655.40 / DU
<i>Drainage Facilities</i>			
	City-Wide	\$437 / DU	\$451 / DU
	Downtown SPA ⁶	\$392.33 / DU	\$428.34 / DU
<i>Local Traffic Impact¹</i>			
Category			
	Single Family	\$3,900 / DU	\$4,029 / DU
	Multi Family ²	\$1,950 / DU	\$2,014 / DU

Commercial/Retail/Service³	\$9.00 / sq. ft.	\$9.30 / sq. ft.
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Car Wash	\$67,500 / each	\$69,728 / each
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Church	\$1.35 / sq. ft.	\$1.39 / sq. ft.

¹ Refer to SANDAG's "Not so Brief Guide to Traffic Generation" using \$150 per average daily trip (ADT) for non-residential uses not listed in this table

² Condo, townhome, mobile home, retirement, duplex

³ Grocery, discount/club store, specialty retail, lumber, hardware, garden, car sales, auto repair, day care, hotel, bowling center, theatre, and health club

⁴ Includes education

⁵ Includes business park, warehouse, storage, science Research & Development

⁶ Fee adjustments in the Downtown SPA were approved for implementation in 3 equal installments on 2/19/18, 2/19/19, and 2/19/20. The 3.3 percent inflationary increase is applied to the adjusted installment.

3. The DIF amounts set forth by this Resolution shall supercede those set by prior Resolutions regarding Public Facility, Park Development, Drainage Facilities and Local Traffic Impact fees.

4. The DIF amounts set forth by this Resolution may be modified on a case-by-case basis by a Development Agreement in exchange for, or in recognition of, specific development considerations and subject to approval by the City Council.

5. The DIF amounts set forth by this Resolution include a previously approved three-year phased adjustment for projects within the Downtown Specific Plan Area (SPA). The first adjustment was implemented on February 19, 2018, the second

adjustment will be effective February 19, 2019; and the third adjustment will be effective February 19, 2020.

6. The DIF amounts adopted herein shall be effective on February 19, 2019.

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 13

December 5, 2018

File No. 0800-40

SUBJECT: Conditional Use Permit, Master and Precise Development Plan and Demo Permit (PHG 18-0013, ENV18-0004)

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council introduce Ordinance No. 2018-23 to approve a Master and Precise Development Plan, and adopt Resolution No. 2018-175 approving a Conditional Use Permit and Demo Permit for "The Grand" project located at 301 and 309 East Grand Avenue.

PROJECT DESCRIPTION:

"The Grand" project consists of the interior and exterior renovation of the existing two-story Ritz Theater located on East Grand Avenue, together with the demolition of the majority of the existing one-story commercial building at the corner of East Grand/Juniper Street. The project components include a Conditional Use Permit for the proposed uses of the building(s), along with a Master and Precise Development Plan and Demolition Permit to facilitate the development of the project, design features, demolition of the one-story building (historic resource), and proposed additional signage in excess of the Downtown Specific Plan sign requirements. The proposed theater renovation will be sensitive to the historic "moderne" architectural design of the structure. The existing corner building would be replaced with a new two-story building designed to blend well with the architecture in the area and be compatible with the look and feel of the proposed Ritz Theater renovation. Existing and proposed building sizes are approximately 10,964 sf for the theater and 10,054 sf for the new two-story building.

The intended uses of the two buildings will consist of offices; dance, art, and performance studios; a ground-floor café; and continued use of the theater to support a variety of entertainment and public assembly type uses, including religious services and supporting accessory type uses.

LOCATION:

Two parcels (approximately 0.32 acres) generally located at the southeastern corner of Grand Avenue and Juniper Street, addressed at 301 and 309 E. Grand Avenue (APNs 229-461-01 & 17).

FISCAL ANALYSIS:

The proposed Project is a private development project that will require the payment of fees in effect at the time permits are requested.

BACKGROUND:

John and Dell H. Johnston built the two-story, 800-seat "Ritz" movie theater that opened in 1937, and for many years, the Ritz was the only movie theater in downtown. The architecture of the building is characteristic of the Art Deco's stylistic representation "Moderne" style. A fire gutted the theater's interior in 1951 and it was reopened in 1954 with an updated Cinemascope screen. The theatre was sold in 1967 and in 1972 it was renamed the Escondido Pussycat and changed to an adult cinema format, but was closed in 1976. The theater's exterior was repainted when it was renamed the Bijou Picture Palace and resumed screening films for all audiences, before becoming a Spanish-language theater in the 1980s. Its name was changed to the Big Screen Theater in 1993 and its format changed to art films, but the venture was unsuccessful and the cinema was closed. A 1998 newspaper story mentioned that the theater had been used for religious services in the previous years. In 1998 when the Bijou Picture Palace was acquired by Fox West Coast Theaters, it was described as a "brick and orange stucco building." A renovation estimated at \$500,000 included repair of the marquee and installation of neon lighting, and upgrading concession stand, restrooms, and project equipment, seat upholstery, carpeting, and curtains framing the screen. The theater was closed again nine days after its reopening. In October 2003, a vehicle crashed into the theater's Grand Avenue façade causing considerable damage to the building entrance and lobby area. The damaged area was stabilized but not reconstructed, and the theater remained closed. In 2011, the conversion of the building to a cabaret dinner theater was proposed but the project never was built.

The facade of the building has been altered over the years to include a glass storefront system that enclosed the original recessed entrance to the lobby. The eastern side of the entrance to the theater lobby was a bay that was occupied by a diner/lunch counter. This area also was altered and the two large storefront windows were replaced with four upper hopper-type windows with metal sash, and the area below them has been filled in masonry; metal security bars have been installed at the exterior of the windows. The Ritz Theater is included in the Escondido Historic Sites Survey, with a local ranking of Individually Significant. The theatre also listed on the City's Local Register.

The corner one-story commercial building was known as a "companion building" to the Ritz Theater, and was occupied by the Grand Market beginning in 1937. It shares a party wall with the movie theater (Ritz Theater) on its eastern side. A number of the building's original design elements are very similar to those of the Ritz Theater, but the building facade has been altered over the years with an awning extended on posts over the northern façade along with an expansion to the rear alley. Metal-framed display windows and storefront systems also have been added along the northern and western frontages with low brick masonry walls and brick framing along the northern elevation significantly altering the original design of the building. The building has been used for variety of business over the years, including a dress shop, used furniture store, and finance office. The building has been divided into separate bays/suites that are currently occupied by a variety of business with the corner suite occupied by Arthur Murray Dance Studio. The Grand Market building is included in the Escondido Historic Sites Survey with a local ranking of Significant.

The applicant is proposing to restore and revitalize the “Ritz” movie theater into adaptive re-use of the site, complemented by a new corner building, to consist of offices; dance, art, and performance studios; a ground-floor café; and continued use of the theater to support a variety of entertainment and public assembly type uses, including limited religious services and supporting accessory type uses. The project involves a series of actions, including a proposed Master and Precise Development Plan, Demolition Permit, and Conditional Use Permit application to facilitate the development of the project. Traditionally, this type of project in the Historic Downtown District would receive recommendations by both the Historic Preservation Commission and Planning Commission, prior to City Council presentation and adoption. However, Article 69 of the Escondido Zoning Code establishes an Escondido Business Enhancement Zone (BEZ) to induce and facilitate projects that provide significant public benefits and strengthens the image and appearance of the City of Escondido. Among other things, an incentive of the BEZ program is to exempt project from review from other entities, such as the Historic Preservation Commission and the Planning Commission. Projects submitted under this section shall be evaluated pursuant to the criteria established in City Council policy, which was adopted by Resolution No. 2001-191 and most recently amended by Resolution No. 2006-56. After review to determine the eligibility of the request, on August 9, 2018, a Council Economic Development Subcommittee recommended the project for processing in accordance with Section 33-1455 of Article. Pursuant to the streamlined provisions of Article 69 of the Escondido Zoning Code, the City Council acts as a Planning Commission and Historic Preservation Commission for any project submitted to it. It is important to note that prior to the August 9, 2018 BEZ determination, the Historic Preservation Commission reviewed the project proposal and suggested modifications on two separate occasions (May 17 and July 19, 2018). Although not required by law or regulation, this early design review consultation with the Historic Preservation Commission helped give the applicant early guidance on very important building and site design elements, which have been fully incorporated into the project’s final design. More background information about the Historic Preservation Commission review of the project is provided in the Analysis section of this report.

ANALYSIS:

General Plan:

The General Plan land-use designation for the subject properties is Specific Plan (SPA 9) and the site is located within the Historic Downtown District of the Downtown Specific Plan. The range of uses proposed under the project are either permitted and/or conditionally permitted uses in the Downtown Specific Plan and would be consistent with the growth anticipated by the City General Plan. Additionally, the project would not conflict with the “Vision” and “Strategic Goals” for the Downtown Specific Plan that is envisioned as a dynamic, attractive, economically vital city center providing social, cultural, economic and residential focus while respecting its historic character. The project would be in conformance with Downtown Specific Plan Strategic Goals because the project provides an appropriate mix of retail, office, entertainment and cultural uses. The project development and signage will strengthen the character of Downtown and are architecturally compatible with the existing urban fabric and complementary to the legacy of “main-street.” The project will be required to

conform to the provisions of the Citywide Facilities Plan through the payment of fees to ensure the Quality of Life Standards will continue to be met.

Project Design:

The Downtown Specific Plan's Vision Statement & Goals strategic goals include "Preserve historically significant sites and structures that enhance the character of Downtown." The Specific Plan's Historic Preservation Standards and Guidelines (Section IV) directs that the overriding principle of design for historic buildings is to be consistent with the significant architectural style of the building, in conformance with the SOI's Standards and "Guidelines for Historic Preservation." The Ritz Theater is proposed to be rehabilitated to bring it back into close conformance with its original "Moderne" architectural design, and reintroduce the covered lobby area. The interior of the building also is proposed to be rehabilitated to provide up to 577 seats (457 first floor and 120 balcony level) to bring it up to current code standards. The applicant proposed to reuse some of the existing historic interior elements as may be feasible or appropriate in conformance with SOI Standards. The facade on the eastern side of the marquee and main entrance also will be modified to reflect its original design with a storefront type window element and architectural element mounted to the wall space above. The facility is proposed to be painted in a two-tone color scheme with light tan main wall color with a teal trim accent and copper colored projecting canopy, marquee and other select trim pieces. Some of the original decorative metal trim pieces also would be retained (detailed architectural plans provided as Attachment "1").

The corner building is proposed to be replaced with a new two-story structure (approximately 10,054 SF) to include a variety of studio space, restrooms, outdoor lobby area, offices and a large upstairs studio space. A new elevator would be located within the outdoor lobby area for access to the upper floors of the new building and also the theater building. The exterior is designed to complement the adjacent theater renovation and would utilize the same coordinated color scheme and trim colors. The existing Ritz Theater originally had a projecting blade type sign, which was removed. The new two-story building would incorporate a tower type blade element that would include signage, which can be seen on other theaters of the period. A new digital marquee type sign also would be incorporated into the corner of the building. Upper story windows would be provided in the second story lobby area and large upper and lower story windows with decorative elements would be included to break up the mass and scale of the western building elevation, but also to introduce element typical of the period. A new ticket booth would be added to the corner of the building with display cases on either side of the lobby columns.

The Historic Preservation Commission (HPC) considered the project design on May 17, 2018, and July 19, 2018 (HPC Meeting Minutes provided as Attachment "2"). The HPC generally supported the overall project concept and rehabilitation of Ritz Theater. Their recommendations have been incorporated into the current building designs. Staff also supports the project design and feels it is in conformance with the Downtown Specific Plan Historic Preservation Standards and Guidelines, and the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Historical Resource Ordinance:

The proposed project includes the demolition of the 301 E. Grand Avenue building (a one-story retail/commercial building originally occupied by the Grand Market), and construction of a new two-story structure on the site. The project also includes the rehabilitation and adaptive reuse of the two-story Ritz Theater building. The applicant prepared a Historic Resources Evaluation Report (included in Initial Study/Mitigated Negative Declaration Appendices) to determine the level of historic significance for the existing structures and to assess potential eligibility for national, state or local historic registers. The Grand Market location is listed on the Escondido Historic Sites Survey with a local ranking of Significant. The Ritz Theater also is included in the Survey with a local ranking of Individually Significant and also listed on the Local Register. The report recommended that both the Grand Market and the Ritz Theater are contributors to the Escondido Downtown Historic District and concluded the demolition of the Grand Market constitutes a potential adverse impact to the Escondido Downtown Historic District. However, impacts can be mitigated to less than significant by the renovation of the Ritz Theatre following the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) and specific measures to address the demolition of the Grand Market. The proposed plans for the renovation of the Ritz and the new two-story building must comply with the Standards and as such, the adverse impact will be mitigated to less than significant in accordance with CEQA Guidelines. Because the demolition of the corner commercial building would result in potential adverse effects to historic resources, the historical report recommends several mitigation measures that need to be implemented to reduce potential impacts to less than a significant level, to include:

- Preparation of a photo-documentation to create a collection of preservation materials that would be available to the public and inform future research.
- Review of building plans by an architectural historian to ensure compliance with Secretary of the Interior's Standards and to ensure compliance with the Standards as outlined in the historical report.
- Preparation of a Historic Structures report, which is the optimal first phase of historic preservation efforts for a significant building or structure, preceding design and implementation of rehabilitation work (Ritz Theatre building) or demolition (Grand Market Building).
- Preparation of a Historic American Building Survey Documentation (HABS) and buildings/site documented according to the National Park Service's Standards and Guidelines. The documented report must be prepared by a Secretary of the Interior's Qualified Historic Architect and Historian.
- Salvage of representative architectural elements (interior and exterior features) for reuse in relation to the proposed plan, or perhaps removed to another location on-site as provided for in the Standards. If reuse on-site is not feasible, opportunities shall be made for the features to

be donated to various interested historical or archival depositories, to the satisfaction of the Director of Community Development.

- On-site construction observation to include a qualified architect to make periodic site visits to monitor demolition and construction activities to assure compliance with the approved construction documents with regards to historic resources.
- Institute an interpretive program on-site that references the property's history and the contribution of the historical resource to the broader neighborhood or historic district.

Demolition of a significant historic resource requires the City Council to make certain findings in accordance with Article 40, Section 33-803 (Historical Resources) of the Escondido Zoning Code to support the proposed demolition of the resource. Staff believes the proposed project would be in conformance with the following findings:

1. The City of Escondido's inventory of significant historical resources would not be diminished by the demolition of the subject resource, and that there remains in the community and downtown area similar resources with that were constructed during the same time period and also reflect the art deco/modern type style. The existing historically significant Ritz Theater building would be retained and rehabilitated.
2. Appropriate mitigation measures have been included to reduce impacts to less than a significant level and the Historical Society and/or other appropriate historic agency will have access to the building to retrieve any historic material, and to provide photo documentation of the resources conducted according to Historic American Building Survey (HABS) specifications.
3. The applicant will have an approved development plan (Conditional Use Permit, Demo Permit and Master and Precise Development Plan, City File No. PHG18-0013) considered and approved by the City Council at a noticed public hearing with the approval prior issuance of a demolition permit for the building located at 301 E. Grand Avenue. Appropriate CEQA review and public notice will have been conducted.
4. That all feasible economic and physical alternatives to demolition have been evaluated, and that the applicant has shown that there is no reasonable alternative left to pursue, other than demolition. Based on a letter report prepared by Grimm & Chen Structural Engineering, a proposed second-story addition to the existing one-story commercial structure is not practical nor feasible due to the considerable increase of the seismic and gravity loads that would be placed on the existing structure and the extensive structural upgrades to support a second story addition which would be cost prohibitive. Due to the construction type, the building is not suitable for relocation.

Building Uses:

The intended uses of the two buildings will consist of offices; dance, art, and performance studios; a ground-floor café; and continued use of the theater to support a variety of entertainment and public assembly type uses, including religious services and supporting accessory type uses. The predominant uses of the site (offices, performance studios, theater, café, are permitted in the Historic District of the Downtown Specific Plan (DSP)). Churches, synagogues, temples, religious reading rooms, and other religious activities are conditionally permitted as long as the church or religious-related use is not in a storefront location along Grand Avenue or on the ground floor. A Conditional Use Permit (CUP) is necessary to support the overall application. The proposed church use of the site is accessory and limited, as conditioned in Resolution No. 2018-175, and sited in a location that satisfies these criteria and others addressed elsewhere in the Escondido Zoning Code.

Signage:

The Downtown Specific Plan (DSP) includes provisions regarding the type and amount of signage allowed in district, and signage also must be in conformance with the City's Sign Ordinance (Article 66). The subject site is located within the Historic District that restricts the businesses to a maximum of three types of signs among the various types of signs that could be installed (i.e., wall, projecting, freestanding, etc.), with a maximum of 420 SF allowed for all wall signage for the two buildings, along with a limitation of one wall sign per building frontage or major entry. The Downtown Specific Plan Signage Standards are supplementary to the City's Sign Ordinance (Article 66), but the Downtown Specific Plan also allows for the standards to be modified through the public hearing process to meet the goals and objectives of the Design Guidelines. The DSP sign guidelines encourage an uncluttered atmosphere with signs that enhance economic revitalization and improve the image for Downtown.

The project consists of two buildings, and the City's Sign Ordinance allows up to one (1) square foot of signage per 50 SF of building floor area with a maximum of up to 300 SF for all wall signage per building and 100 SF for an individual sign unless the business occupies the entire building. Based on the size of the existing and proposed two buildings (21,018 SF) a maximum of 420 SF of wall signage is permitted. The Downtown Specific Plan limits the number of wall signs to one per business on each wall of the business along the project's frontage or major entry. The applicant has requested to modify the Downtown Specific Plan sign standards through the Planned Development process, which allows for deviations in development requirements. The requested deviations would allow for more than one (1) sign per frontage, and an additional digital/changeable copy sign for the corner building. No freestanding signage is proposed. Additional projecting type architectural elements/logos also are proposed along the eastern side of the Ritz Theatre building to bring back similar elements originally installed on the building (i.e., clock and coke emblems). These would not be counted towards total sign area, but must be approved by the Director of Community Development to ensure compatibility with the rehabilitation to the theater building as part of the construction drawings and sign permits.

Marquee Signs - The Ritz Theatre currently has a historic marquee sign (180 sf, changeable copy) and is proposed to be retained and rehabilitated. It is situated over the exiting theater entrance and project out over the public right-of-way (sidewalk) along with other existing architectural features associated with the theatre building. The Engineering Division allows for certain projections into the right-of-way (such as signs, architectural elements, and canopies) as long as it does not adversely affect the operation of the right-of-way or interfere with appropriate disabled access. Changeable-copy signs are limited to 10 percent of the total allowable sign area within the Downtown Specific Plan and marquee type signs are not on the list of permitted signs. However, the Escondido Sign Ordinance (Section 33-1395.12) exempts historic signs from conformance with the sign code. This sign is proposed to remain and be refurbished to complement the historic building design.

A new marquee type sign (approx. 118 SF) would be a changeable copy sign (digital) and would include wing elements on either side to complement the architectural elements of the theatre building and new two-story building. This sign also would project over the public right-of-way. The Master and Precise Development Plan request would authorize the use of the digital marquee sign along with additional signage in excess of the maximum amount allowed by the Downtown Specific Plan and City's Sign Ordinance.

The project proposes the following sign standards, which would be implemented specific to this property.

Allowable	Building Address E. Grand	Proposed	Allowed per (Article 66) and DSP	Specific Request for This Planned Development
BUILDING SIGNS				
Wall Sign: 1 SF per 50 SF floor area Maximum 100 SF per sign, One sign per building wall 300 SF max area per building	301 (Corner Bldg. 10,054 sf)	Digital Marquee: 118 sf Blade: 76 sf (up to 38 each side)	Total 201 sf for all signs, marquee type signs not permitted.	Two signs per building wall; one sign with more than 100 sf. Marquee digital sign exceeds allowable 10% of wall signage
	309 (Ritz Theatre 10,964 sf)	Marquee: 180 sf (existing sign with changeable copy)	Total 219 SF Historic Signs may deviate from sign standards per Sec. 33-1395.12	Existing sign is a changeable copy marquee sign and exceeds 100 SF.
Projecting Wall Sign: Maximum 100 SF per sign, Buildings 4 or more stories Not Permitted in HD		Proposed architectural elements/logos to reflect historic uses (size to vary)	N/A	All projecting historic arch elements/logos type elements exempt from the allowable sign area. Final approval by Director of Community Development.

Additional signs on posts elements Applies to total allowable wall signage	301 and 309	Two Poster Marquees 22 SF ea, total 44 SF. These are changeable based on events/movie/artwork display, etc.	N/A	Additional signs above 1 per building frontage
Total Signage Area		418 sf	420 sf	Complies with maximum area of signage .

The requested additional signage, projecting architectural feature/logos and marquee signage was considered by the Historic Preservation Commission and the Commission, as a whole, generally supported the additional signage for the project, along with the restoration of the existing marquee sign. The HPC recommended the proposed new corner marquee sign be reduced in size and the applicant redesigned the sign to eliminate additional signage on the two wing areas. These wing elements now have been designed to reflect the architectural elements of the structure and to provide appropriate transition of the sign into the building façade. Staff supports the requested modifications to allow the additional signage because the new signage would be well integrated into the building design, would incorporate signage elements typical of the moderne architectural style and historic nature of the building, and would enhance economic revitalization and provide for significant visual focal image at this corner within the Downtown area.

Mural – The theatre used to include an abstract artwork (mural) that was prominent above the theater’s marquee. It is unknown artwork/mural was painted or executed in a different medium, and whether it was original or a later addition. A number of businesses on Grand Avenue had murals in the 1920s-1930s period, suggesting that the Ritz Theater’s mural may have been part of its original design. The applicant indicated they are proposing to include a new mural to replace the previous artwork. The Historic Preservation Commission recommended that if a mural be installed, that it be compatible the Art Deco time period and appropriate for the space, but did not need to exactly match the previous design. Murals are not considered signs and therefore are not factored into the allowable wall signage. The final design of the mural will need to be approved by the Staff Design Review Board in conformance with the City’s non-residential mural policy, and may be referred by the Director of Community Development to the City Appearance Committee and/or the Planning Commission, or other appropriate body if deemed necessary.

ENVIRONMENTAL REVIEW:

A draft Initial Study/Mitigated Negative Declaration (City File No. ENV 18-0004) was issued for the project in conformance with the California Environmental Quality Act (CEQA). Mitigation measures required under CEQA have been developed to reduce the potential for adverse impacts with respect to historic resources and hazardous materials. The City also has concluded necessary consultation with the Native American Tribes in accordance with Assembly Bill 52. The project would not have any potential impacts to Tribal Cultural Resources.

Staff received two written comments during the public review period (provided as Attachment "3"). The first correspondence expresses concern with traffic and parking-related issues. The second correspondence requests that the draft IS/MND be sent out for another 20-day public review period.

The Engineering Services Department, Traffic Division determined that due to the distribution of trips generated by the project to the multiple nearby public parking lots and on-street parking located throughout the downtown area, the project traffic would not exceed the thresholds requiring a detailed Traffic Impact Analysis in accordance with the City of Escondido Traffic Impact Analysis Guidelines. The project site is located within Vehicle Parking District 1 that does not require additional parking for current or future non-residential uses. Regarding parking, one of the goals of the Downtown Specific Plan is for a walkable mixed-use community. This goal anticipates the use of public parking (on lots and streets) by people who will be attending single or multiple functions and businesses. The proposed project is a multiple use project with theater, café, dance studios and offices. The use of the building will be varied, but will peak at times when the theater is in use.

Regarding the second correspondence that requests an additional public review period, City staff believes the description of the public notice of Intent to Adopt a Mitigated Negative Declaration meets the requirements for public noticing in conformance with the City's Municipal/Zoning Code and CEQA. The description of the project in the notice was adequate enough to encourage public participation in the process. Notwithstanding, CEQA is a statute that requires State and local public agencies to identify the significant environmental impacts of their actions, and to avoid or mitigate those impacts where feasible. Extending the public review period would not result in new public comment on environmental issues already covered, nor change the analysis or conclusions of the final IS/MND. The final IS/MND and technical studies are available on the City's web site and be viewed at:

<https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/TheGrand/mnd.pdf?v=2>

PUBLIC INPUT:

Staff has not received any written comments from the public regarding the proposed project, excepting the aforementioned concern about the project related traffic/parking and the noticing period for the draft IS/MND. In addition to written comment, City staff received two phone calls regarding proposed uses of the facility and also to provide additional information regarding the proposed project. Only clarifications were needed to field these inquiries.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
11/29/2018 10:40 p.m.

ATTACHMENTS:

- 1 Attachment 1 - Project Exhibits
- 2 Attachment 2 - Historic Preservation Commission Minutes (May 17, 2018 and July 19, 2018)
- 3 Attachment 3- Letters from Nicole J Purvis (November 26, 2018) and Jill Campbell (November 26, 2018)
4. Resolution No. 2018-175
5. Resolution No. 2018-175 – Exhibits A, B, and C
6. Ordinance No. 2018-23
7. Ordinance No. 2018-23 – Exhibits A, B, C, and D

ATTACHMENT 1
PHG18-0013

SPA

VALLEY BOULEVARD

PENNSYLVANIA AV

VALLEY PKWY

GRAND AV

IVY ST

JUNIPER ST

02ND AV

O

U2

KALMA ST

03RD AV

SPA

BROADWAY

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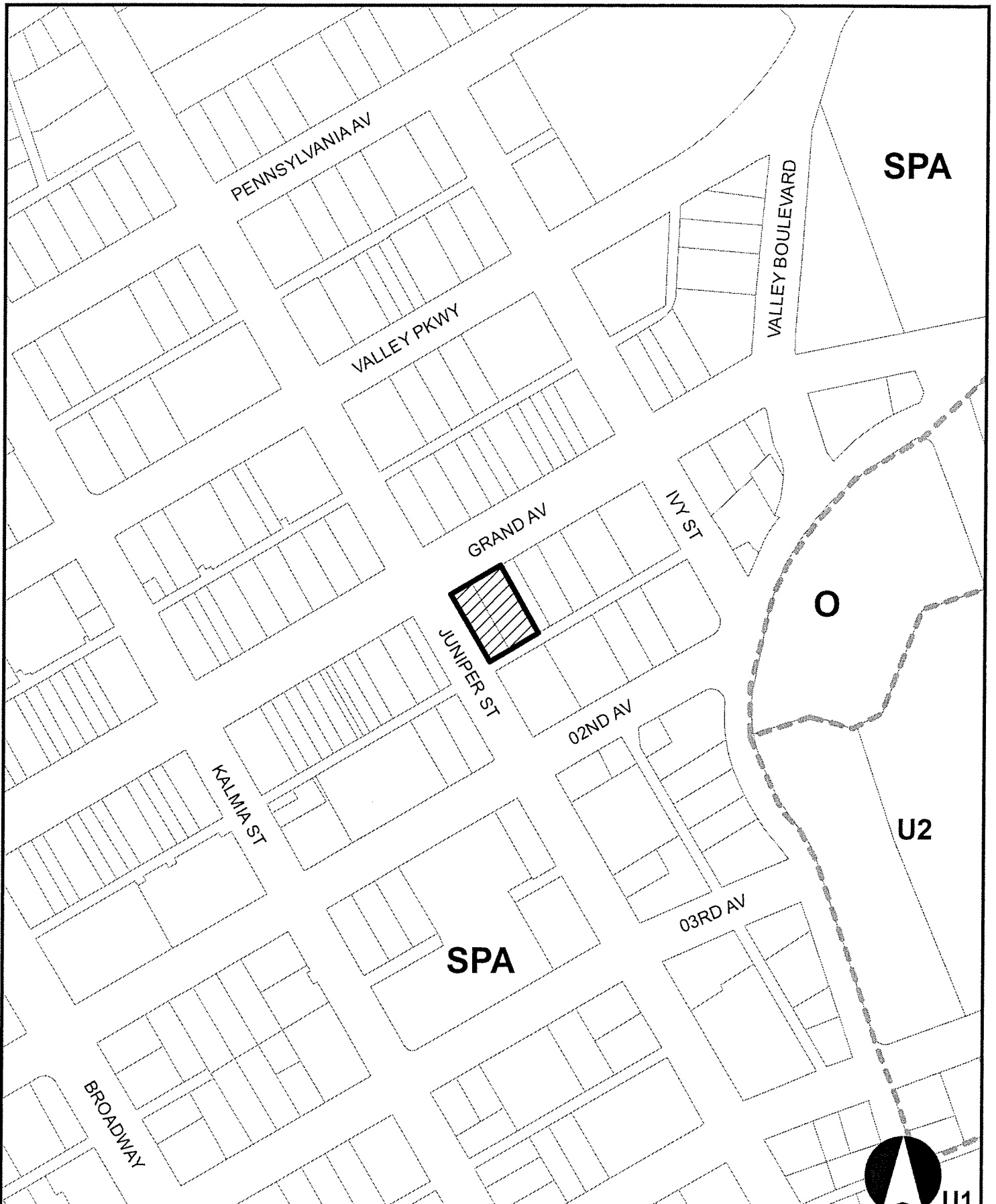


U1

PROPOSED PROJECT
PHG 18-0013



GENERAL PLAN



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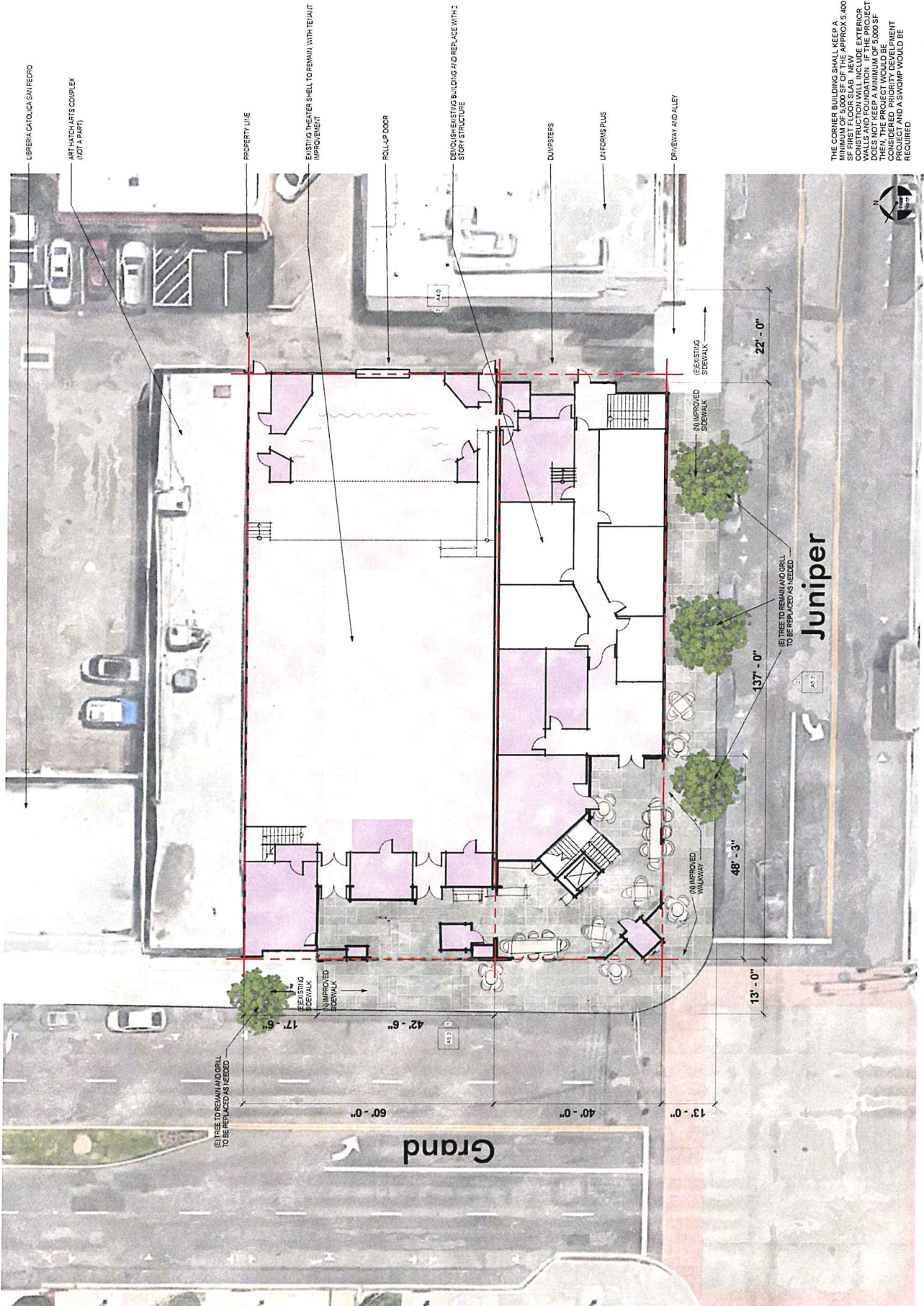
**PROPOSED PROJECT
PHG 18-0013**



U1



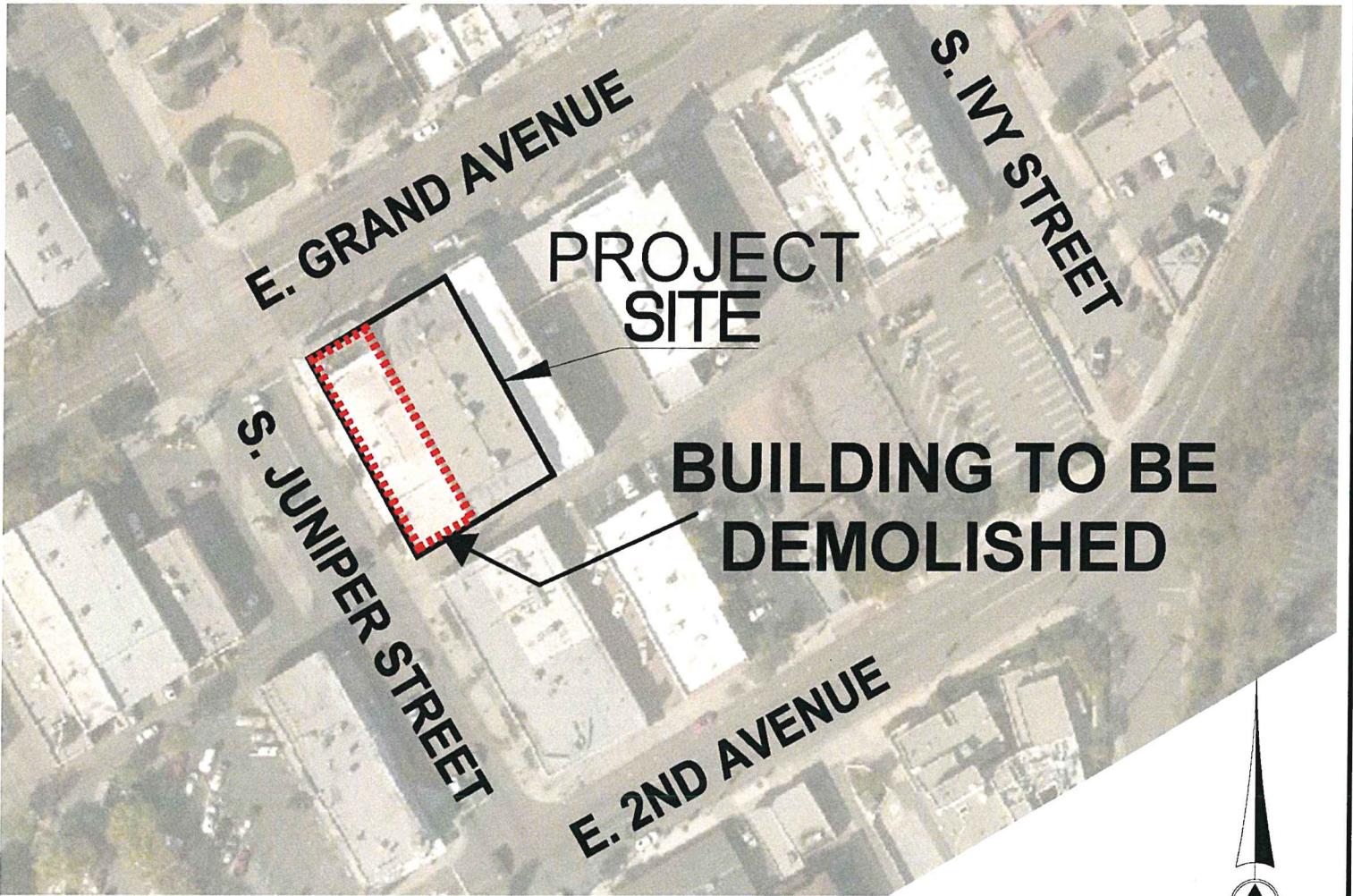
GENERAL PLAN



**PROPOSED PROJECT
PHG 18-0013**

S

SITE PLAN



E. GRAND AVENUE

S. IVY STREET

PROJECT SITE

S. JUNIPER STREET

BUILDING TO BE DEMOLISHED

E. 2ND AVENUE



**THE GRAND
DEMOLITION EXHIBIT**
N.T.S.

301 E. GRAND

**PROPOSED PROJECT
PHG 18-0013**

D



HISTORIC GRAND AVENUE VIEW



EXISTING GRAND AVENUE VIEW

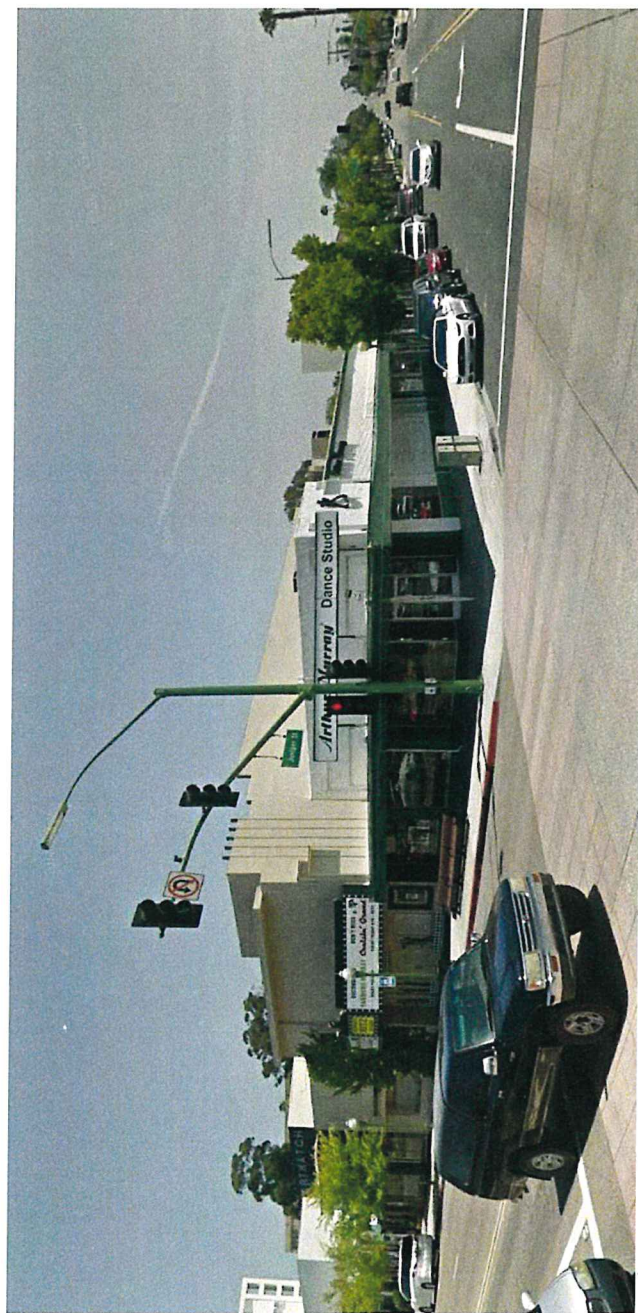
**PROPOSED PROJECT
PHG 18-0013**

P

PHOTOS



HISTORIC STREET VIEW



EXISTING STREET VIEW

PROPOSED PROJECT
PHG 18-0013

P

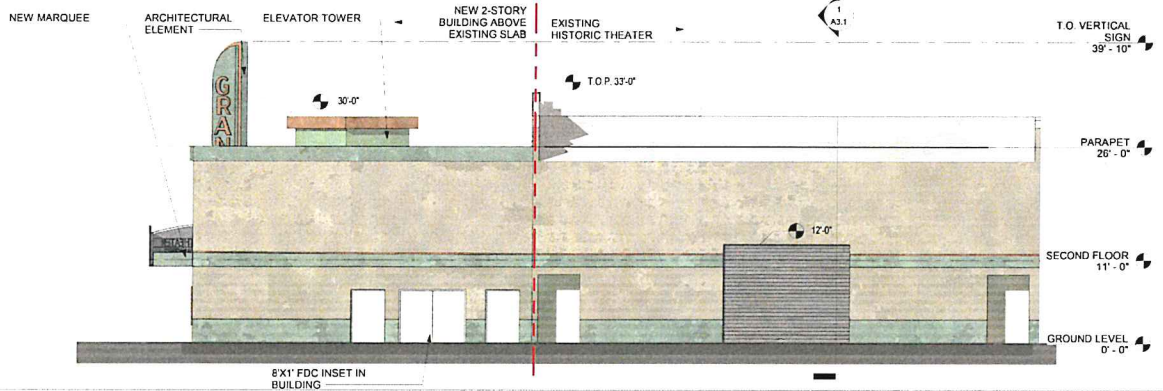
PHOTOS



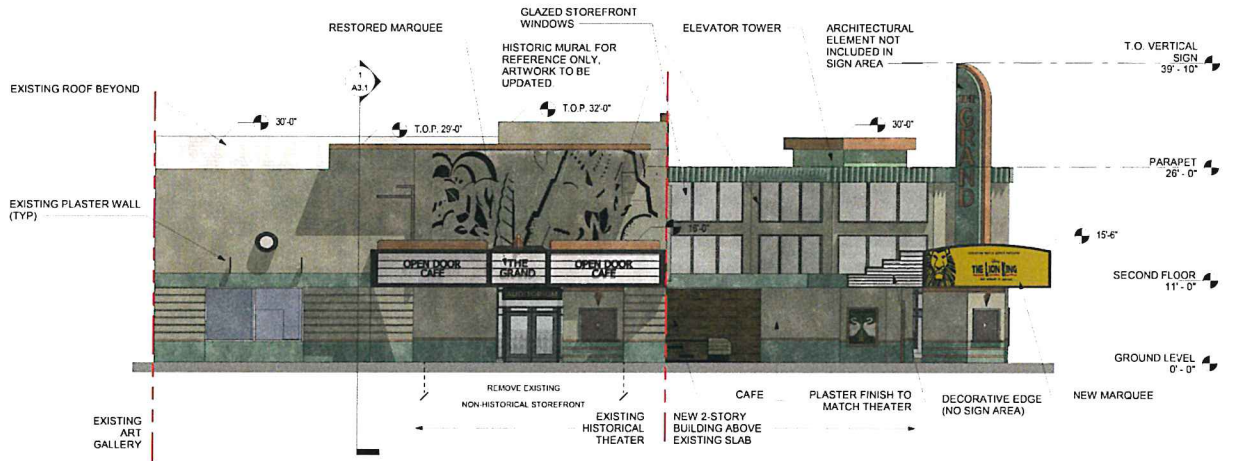
PROPOSED PROJECT
PHG 18-0013

3D

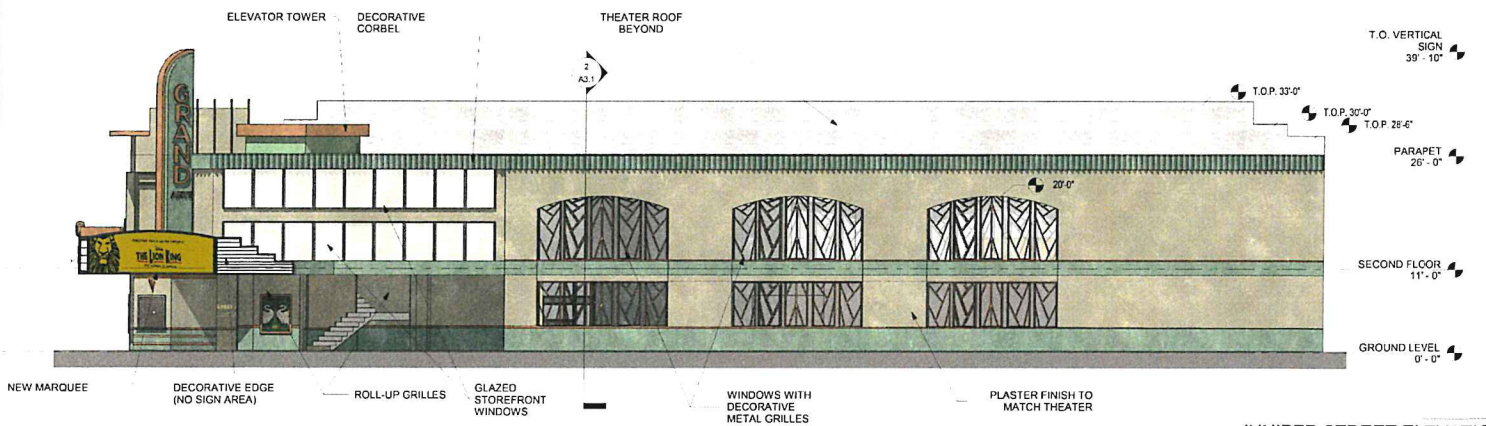
3D RENDERING



ALLEY ELEVATION



GRAND AVENUE ELEVATION



JUNIPER STREET ELEVATION

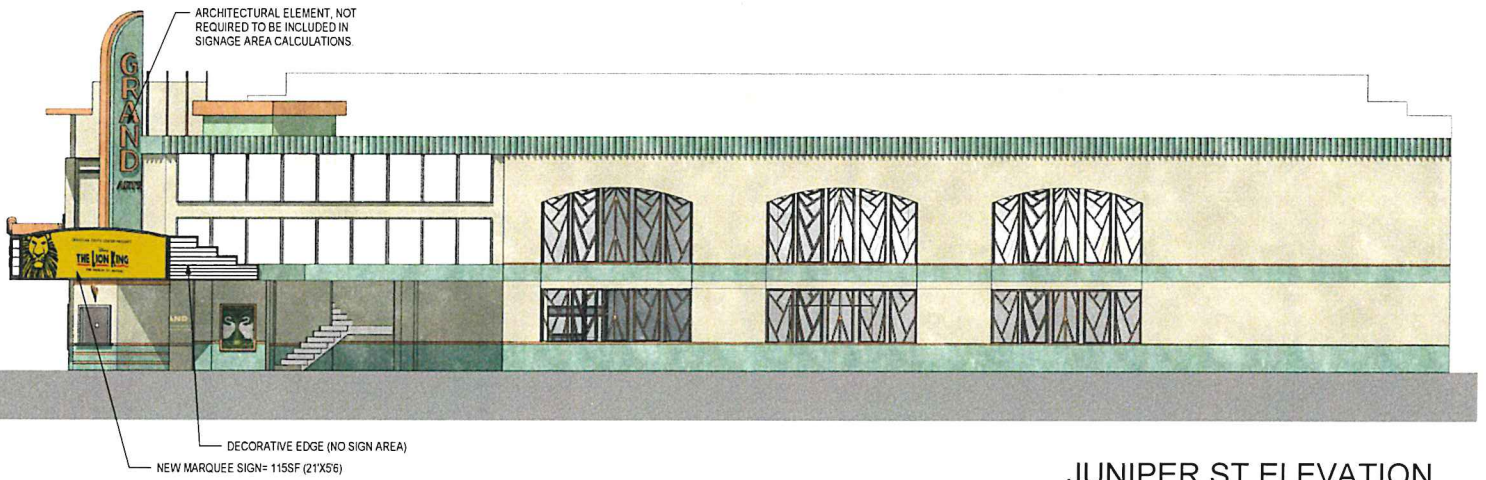
PROPOSED PROJECT
PHG 18-0013

E

ELEVATIONS



GRAND AVENUE ELEVATION



JUNIPER ST ELEVATION

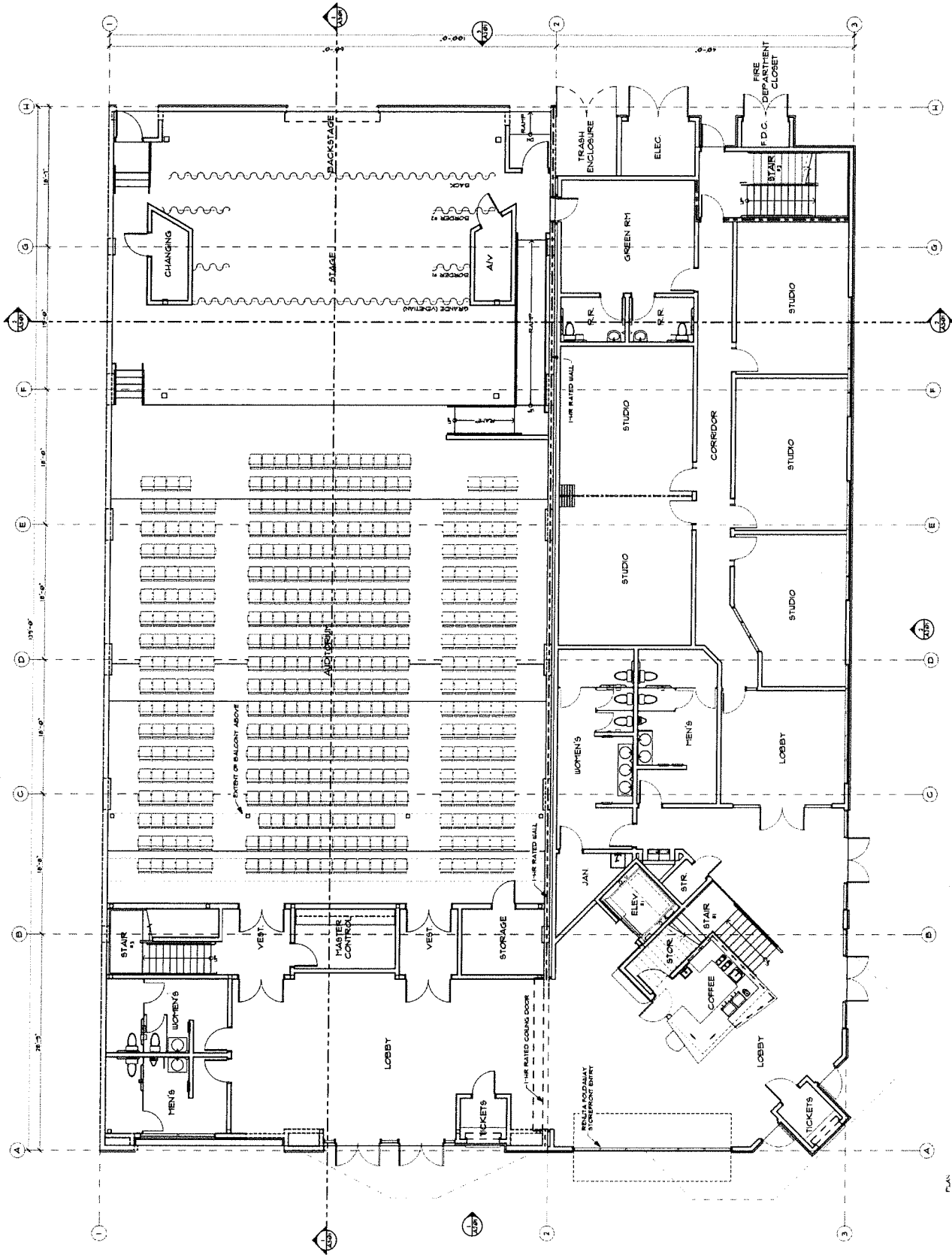


HISTORIC PERSPECTIVE

PROPOSED PROJECT
PHG 18-0013

E

ELEVATIONS



SEATING CALCULATIONS	511
FIRST FLOOR:	451
BALCONY:	120
TOTAL:	571

NEW FIRST FLOOR:	5,448 SQ. FT.
REMODELED FIRST FLOOR:	8,340 SQ. FT.
FIRST FLOOR TOTAL AREA:	13,788 SQ. FT.
TOTAL BUILDING AREA:	21,018 SQ. FT.

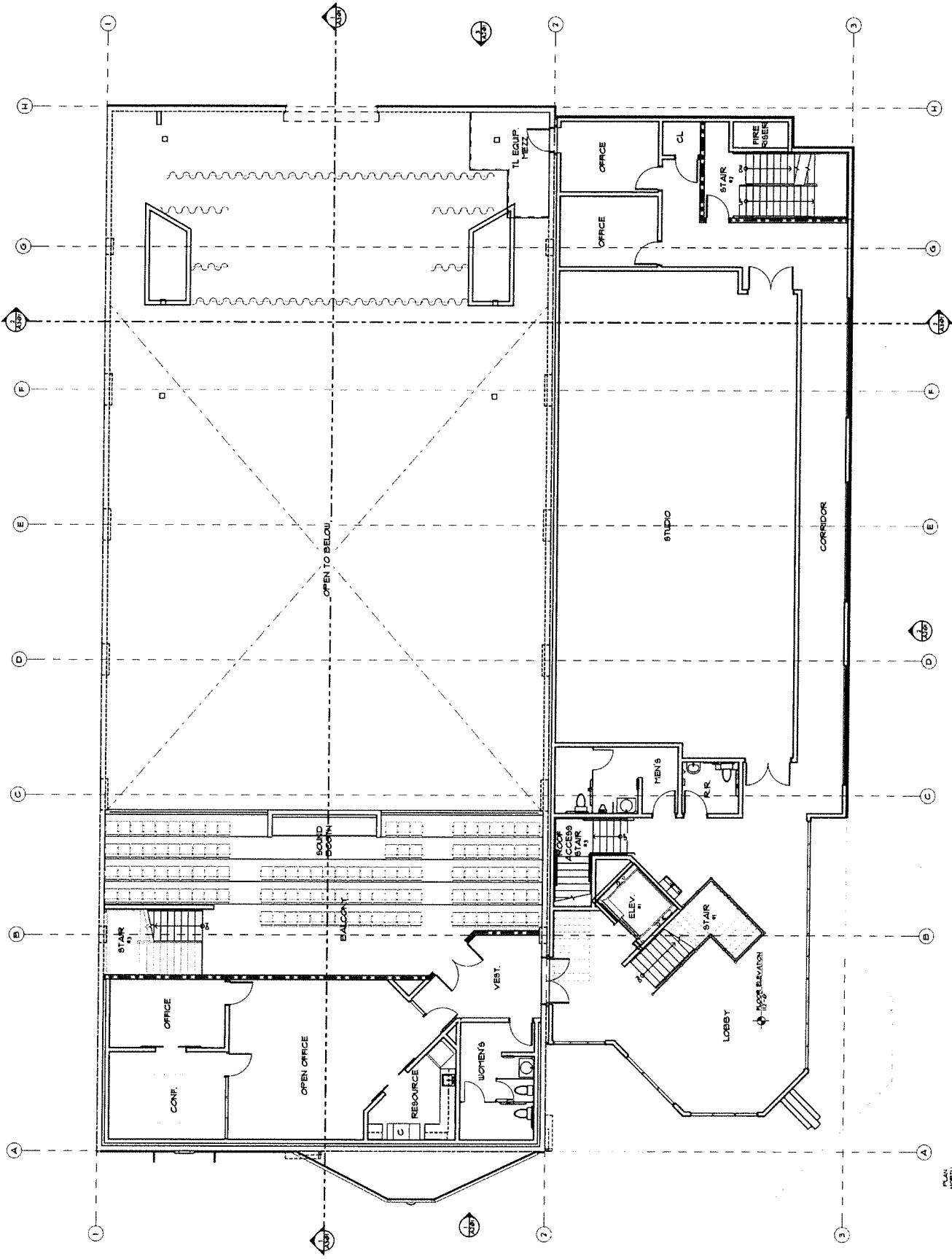
1 FIRST FLOOR PLAN




**PROPOSED PROJECT
PHG 18-0013**

F

FLOOR PLAN





1 SECOND FLOOR PLAN

 NEW SECOND FLOOR: 4,696 SQ. FT.

 REMODELED SECOND FLOOR: 2,624 SQ. FT.

 SECOND FLOOR TOTAL AREA: 7,320 SQ. FT.

 TOTAL BUILDING AREA: 21,018 SQ. FT.

**PROPOSED PROJECT
PHG 18-0013**

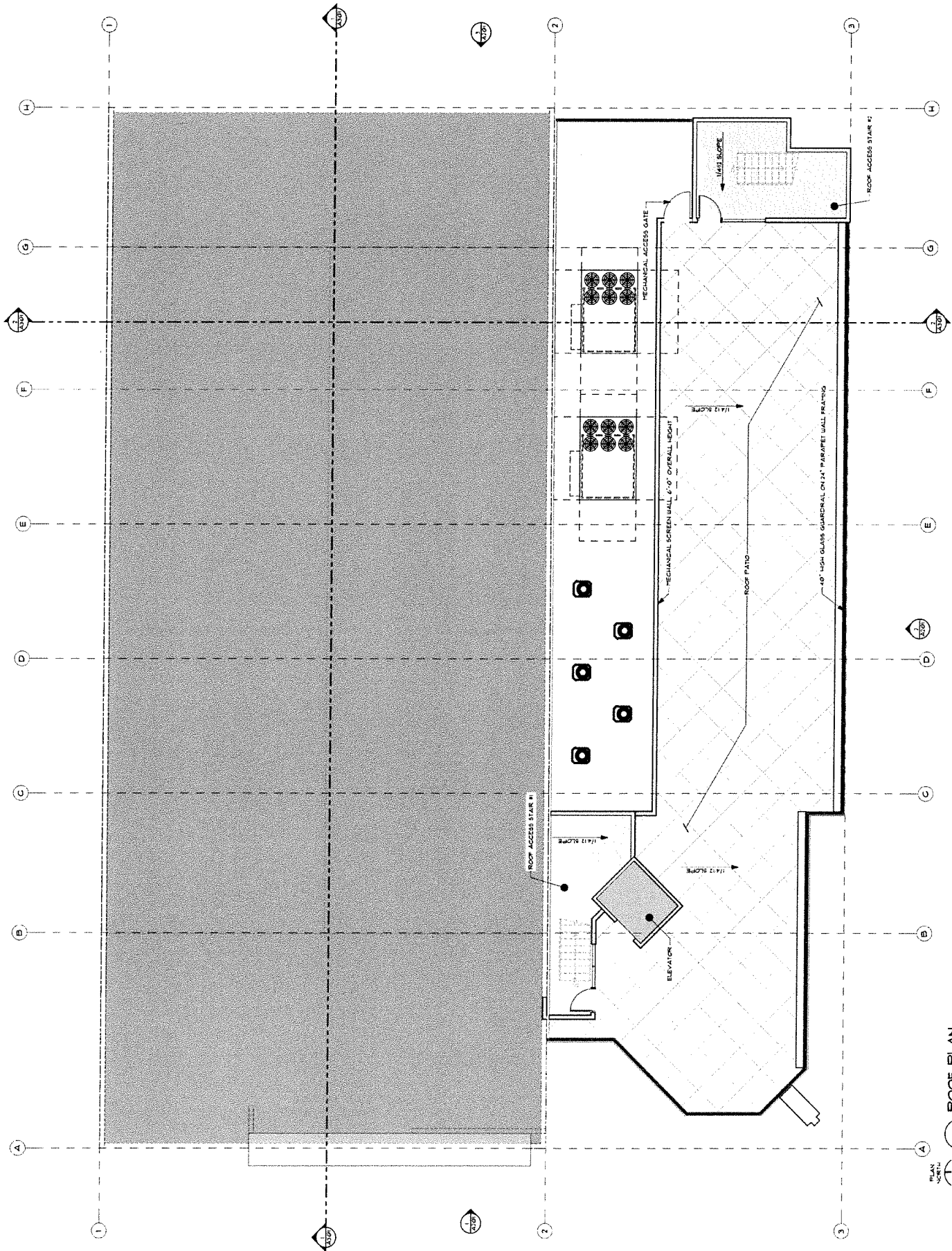
F

FLOOR PLAN

PROPOSED PROJECT
PHG 18-0013

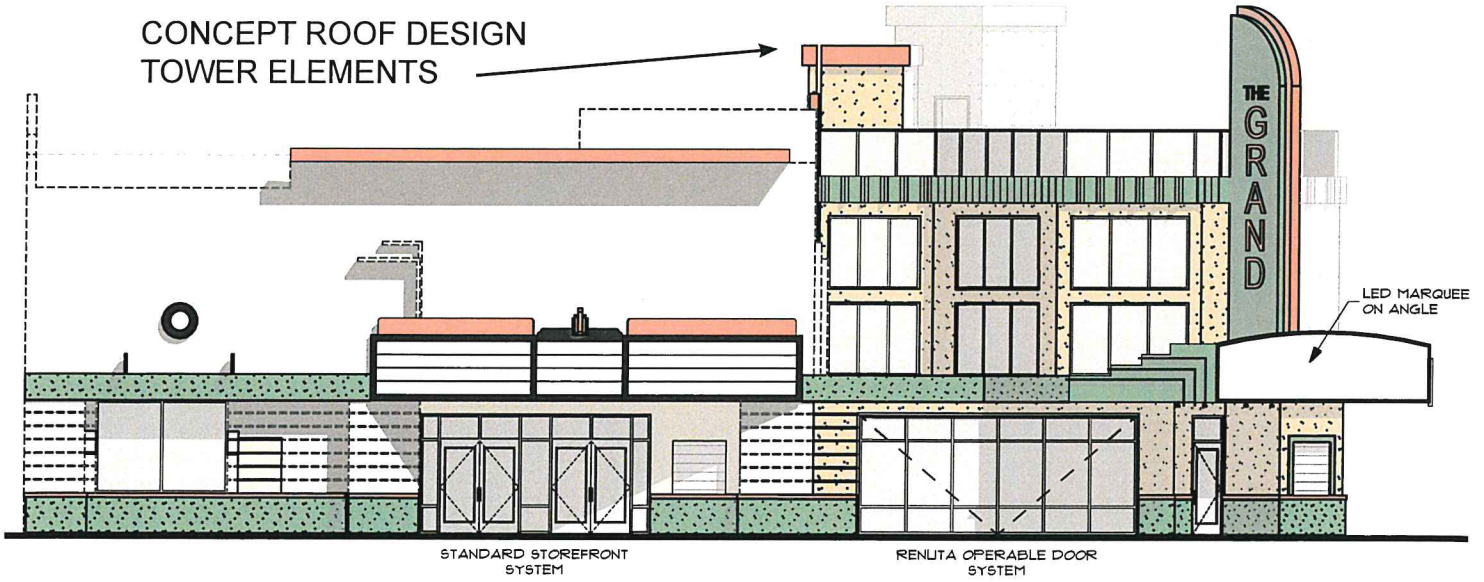
R

ROOF PLAN



PLAN NORTH
1 ROOF PLAN

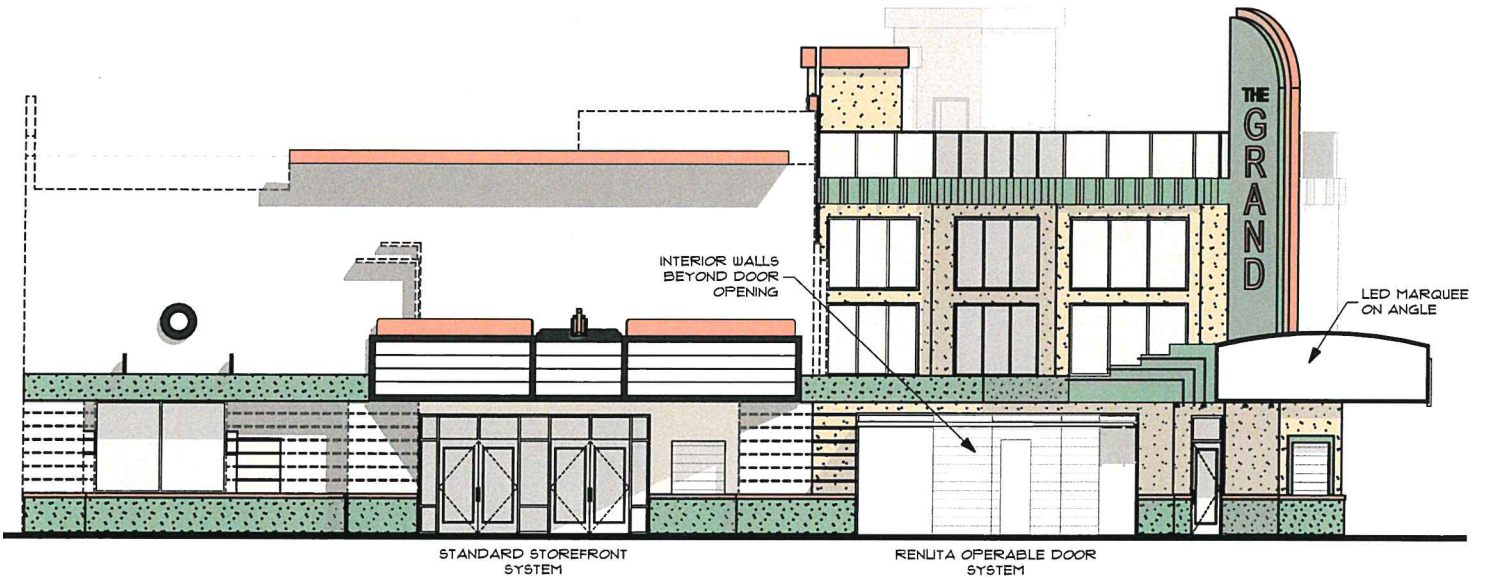
CONCEPT ROOF DESIGN
TOWER ELEMENTS



STANDARD STOREFRONT SYSTEM

RENLITA OPERABLE DOOR SYSTEM

RENLITA DOOR CLOSED POSITION - THE GRAND



STANDARD STOREFRONT SYSTEM

RENLITA OPERABLE DOOR SYSTEM

RENLITA DOOR OPEN POSITION - THE GRAND



RENLITA OPERABLE DOOR SYSTEM



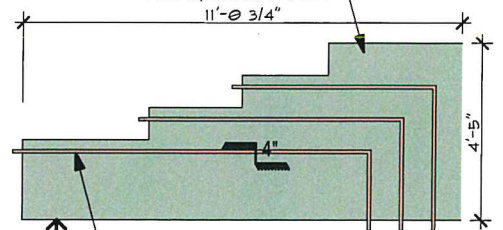
PROPOSED PROJECT
PHG 18-0013

D

CONCEPT GLASS SECURITY
AT ROOF LINE

THE
G
R
A
N
D

18 GA. ARCHITECTURAL SHEET
METAL, KYNAR FINISH
11'-0 3/4"



MAINTAIN 4" TRIM OVERHANG
1" RAISED METAL PROFILE TRIM COPPER FINISH

L.E.D. MARQUEE
SIGNAGE ON ANGLE

CONCEPT DESIGN WITH GLASS PARAPET BARRIER AND MARQUEE SIGN ENDS

PROPOSED PROJECT
PHG 18-0013

D

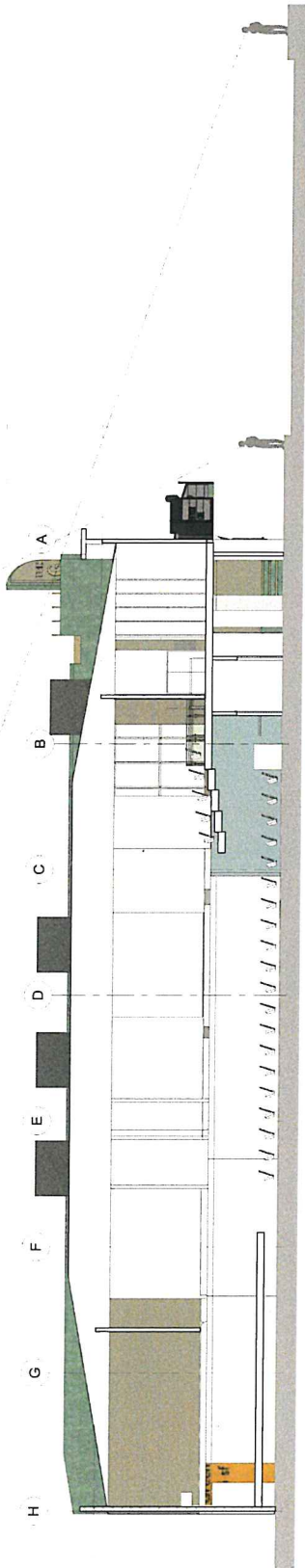
DETAILS - MARQUEE

T.O. VERTICAL SIGN
39'-10"

PARAPET
26'-0"

SECOND FLOOR
11'-0"

GROUND LEVEL
0'-0"



T.O. VERTICAL SIGN
39'-10"

PARAPET
26'-0"

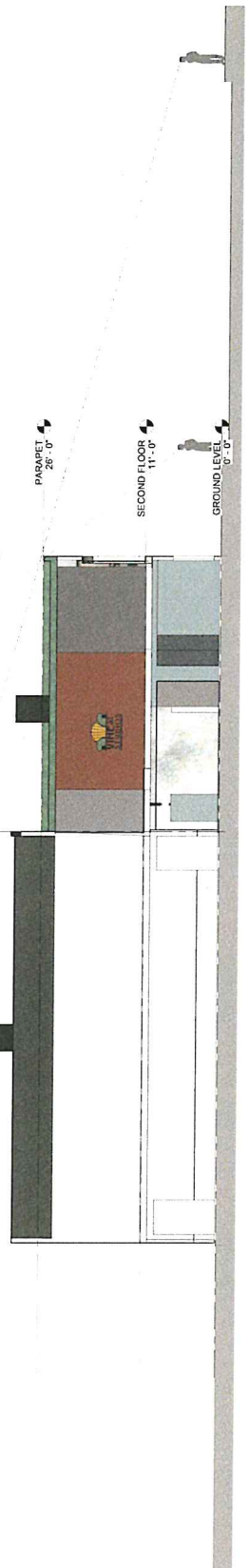
SECOND FLOOR
11'-0"

GROUND LEVEL
0'-0"

3

2

1

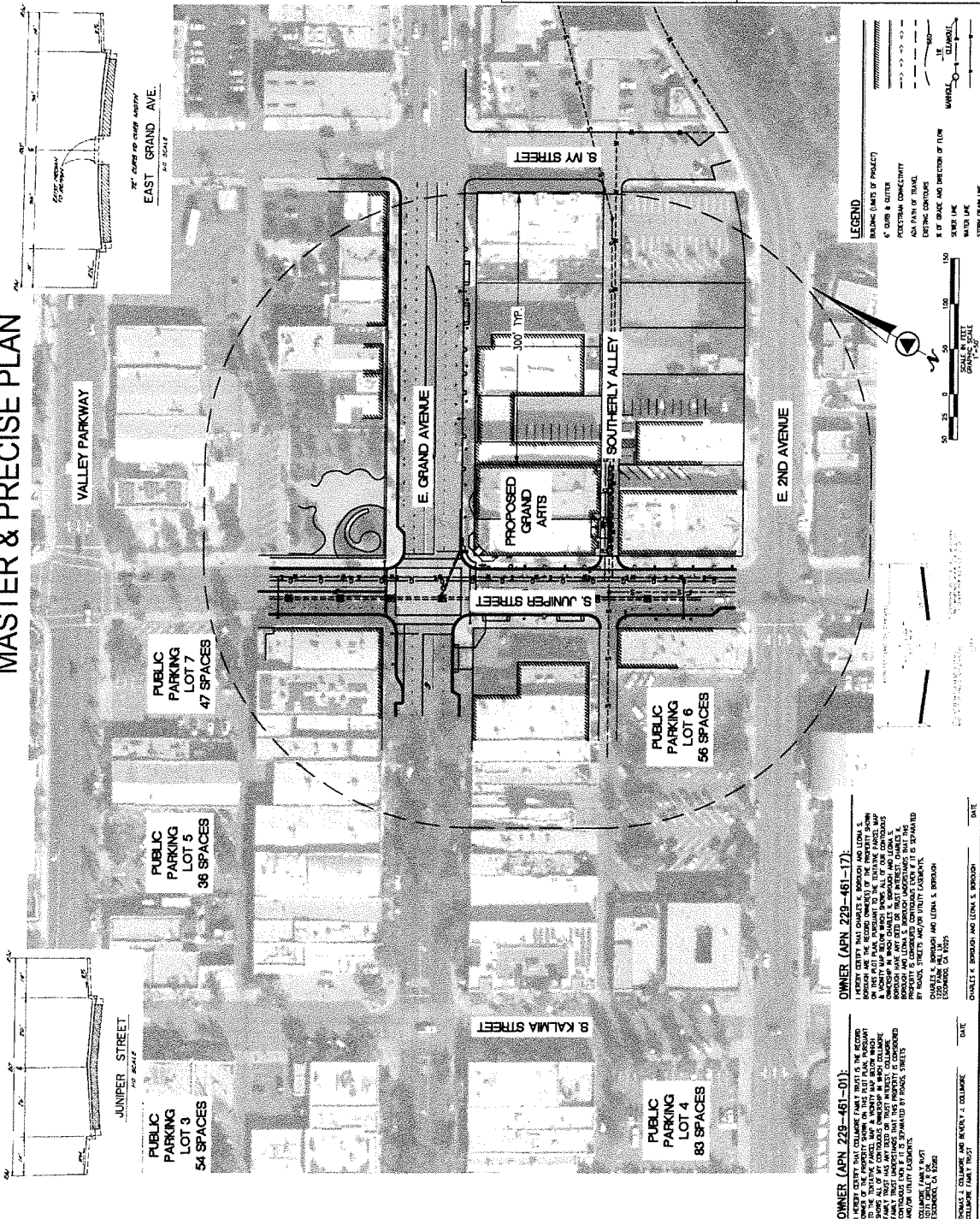


PROPOSED PROJECT
PHG 18-0013

E

ELEVATION

THE GRAND MASTER & PRECISE PLAN

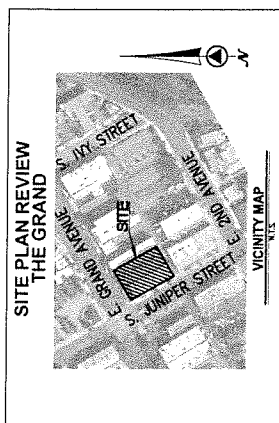


- SITE DATA:**
1. EXIST. AND PROPOSED CROWN PLAIN WARDENKIRK
 2. EXIST. AND PROPOSED ZONING DESIGNATION:
 3. TOTAL SITE AREA (PROJECT LOTS)
 4. BALDING STRUCTURE
 5. PARKING AVAILABILITY:
 6. CUL. COVERED WALKS
 7. SOURCE OF FLOODING:
 8. WATER:
 9. GAS AND ELECTRIC
 10. LEGAL ADDRESS:
 11. PRELIMINARY INFORMATION HAS BEEN OBTAINED FROM RECORD DATA
 12. OTHER SITE OR LOTS THAN THE SUBJECT

SITE ADDRESS:
301 S. JUNIPER STREET
LOS ANGELES, CA 90012

ENGINEER:
MASSON & ASSOCIATES, INC.
1000 WEST 10TH STREET
LOS ANGELES, CA 90015
TEL: 213.759.1100
WWW.MASSON-ENGINEERING.COM

- GENERAL NOTES:**
1. WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS AND THE CODES AND CONSTRUCTION STANDARDS OF THE CITY OF LOS ANGELES.
 2. THE EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AS NECESSARY.
 3. EXISTING SEWER LATERALS TO BE REPLACED WITH 12" DIA. 15' DEPTH TO THE CORNER BARRIERS.
 4. THE EXISTING WATER LATERALS AND SERVICES TO BE MAINTAINED.
 5. STRUCTURAL ANALYSIS SHALL BE PROVIDED TO SUPPORT THE LOADS AND BEING IN ACCORDANCE WITH THE LOCAL AND STATE REQUIREMENTS.
 6. THE EXISTING WATER SYSTEMS SHALL BE MAINTAINED AND THE LOT SHALL BE PROVIDED WITH A 12" DIA. WATER MAIN TO THE PROPERTY LINE.
 7. THE EXISTING GAS AND ELECTRIC SYSTEMS SHALL BE MAINTAINED AND THE LOT SHALL BE PROVIDED WITH A 12" DIA. GAS MAIN AND A 4" DIA. ELECTRIC MAIN TO THE PROPERTY LINE.
 8. RECORD WATER METERS SHALL BE INSTALLED AT THE PROPERTY LINE AND SHALL BE 12" DIA. METERS BASED ON 8" RISE WITH A MET OF 1/2" DIA. VALVE AND 1/2" DIA. NIPPLE.



PREPARED BY:
MASSON & ASSOCIATES, INC.
1000 WEST 10TH STREET
LOS ANGELES, CA 90015
TEL: 213.759.1100
WWW.MASSON-ENGINEERING.COM

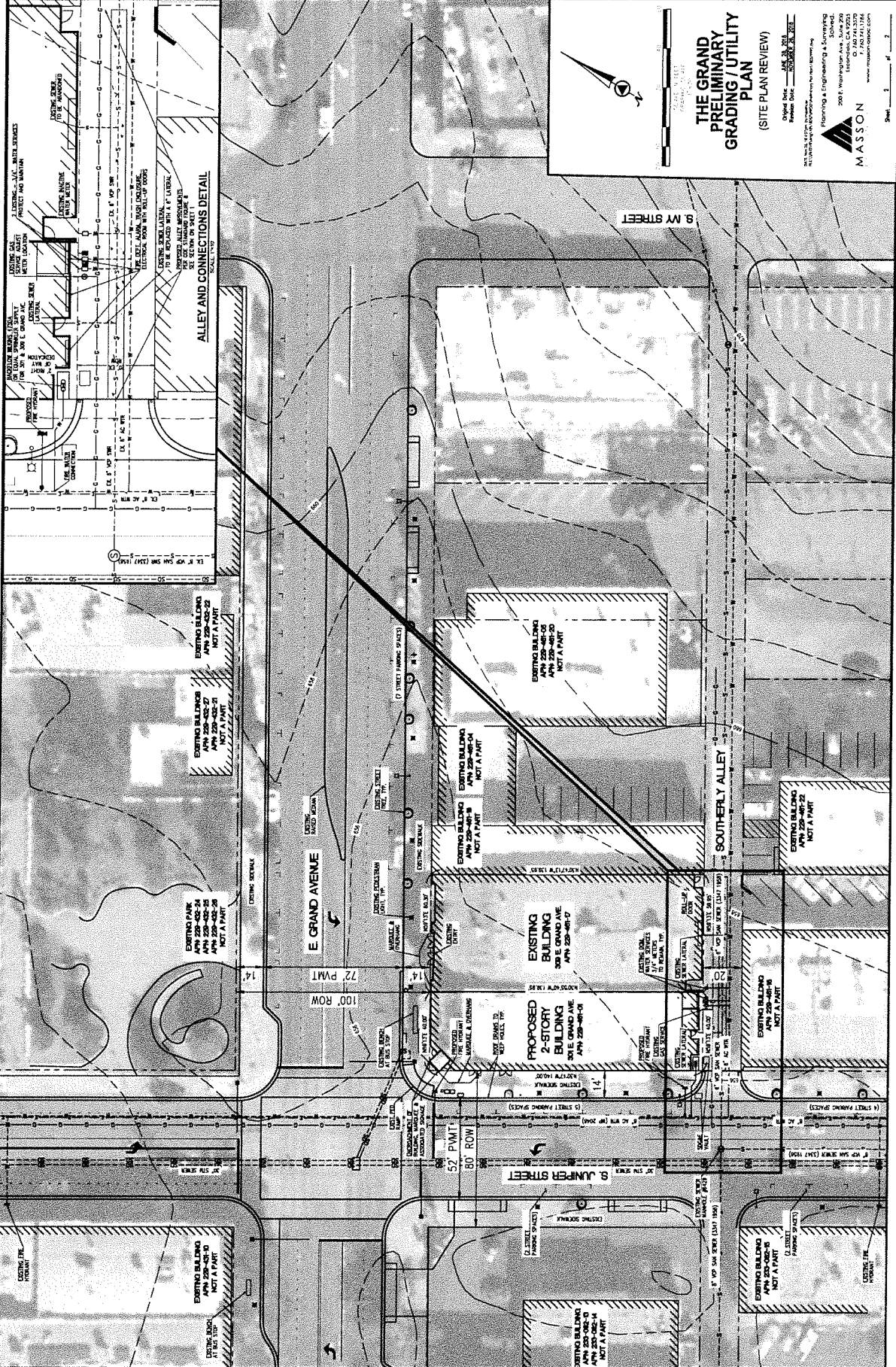
PROJECT DESCRIPTION:
REDEVELOPMENT IN THE CITY OF LOS ANGELES
A NEW TWO-STORY COMMERCIAL BUILDING AND
PARKING STRUCTURE WITH THE USE TO BE DETERMINED

ASSASSOR'S PARCEL NO.:
Parcel 6: 229-461-17
Parcel 7: 229-461-17
Parcel 8: 229-461-17
Parcel 9: 229-461-17
Parcel 10: 229-461-17
Parcel 11: 229-461-17
Parcel 12: 229-461-17
Parcel 13: 229-461-17
Parcel 14: 229-461-17
Parcel 15: 229-461-17
Parcel 16: 229-461-17
Parcel 17: 229-461-17
Parcel 18: 229-461-17
Parcel 19: 229-461-17
Parcel 20: 229-461-17
Parcel 21: 229-461-17
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Parcel 32: 229-461-17
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Parcel 95: 229-461-17
Parcel 96: 229-461-17
Parcel 97: 229-461-17
Parcel 98: 229-461-17
Parcel 99: 229-461-17
Parcel 100: 229-461-17

**PROPOSED PROJECT
PHG 18-0013**



MASTER & PRECISE PLAN



**THE GRAND
PRELIMINARY
GRADING / UTILITY
PLAN**
(SITE PLAN REVIEW)

Prepared By: **MASSON**
 Project No: **18-0013**
 Date: **06/20/2018**
 Drawing No: **01**
 200 F. Washington Ave., Suite 200
 Falls Church, VA 22044
 Phone: 703.261.1326
 Fax: 703.261.1326
 www.masson-engineering.com

**PROPOSED PROJECT
PHG 18-0013**

G

GRADING PLAN

ATTACHMENT 2

PHG18-0013

CITY OF ESCONDIDO

ACTION MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO HISTORIC PRESERVATION COMMISSION

July 19, 2018

The regular meeting of the Historic Preservation Commission was called to order at 3:00 by Chair Rea in Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Chair Rea, Vice-chair Spann, Commissioner Cowan, Commissioner Hanwit, Commissioner Purvis.

Commissioners absent: Commissioner Breitenfeld, Commissioner Correll.

Staff present: Adam Finestone, Principal Planner; Jay Paul, Senior Planner; Paul Bingham, Assistant Planner II; and Jasmin Perunovich, Assistant Planner I.

MINUTES:

Moved by Commissioner Cowan, seconded by Vice-chair Spann, to approve the minutes of the May 18, 2018 meeting. Motion carried unanimously.

WRITTEN COMMUNICATION:

Adam Finestone, Principal Planner, provided a handout regarding an upcoming public outreach campaign to solicit input on the City's Climate Action Plan (CAP) update.

ORAL COMMUNICATION:

Adam Finestone, Principal Planner, requested, and expressed gratitude in advance for patience dealing with a new audio recording system.

PUBLIC HEARINGS: None**CURRENT BUSINESS:**

H.1 CONTINUED DESIGN REVIEW – Case No. PHG18-0013

REQUEST: Proposed renovations and new construction at the Historic Ritz Theater building and adjacent property

LOCATION: Downtown Specific Plan - Historic Downtown District / 301-309 East Grand Avenue

Adam Finestone, Principal Planner, introduced and identified the scope of the item.

Jay Paul, Senior Planner, presented the staff report using a PowerPoint presentation.

Tim Cruz, applicant, Plain Joe Studios, provided a PowerPoint presentation regarding design aspects of the proposed project.

ACTION: Commission provided direction to the applicant.

H.2 FUTURE MINUTES FORMAT

REQUEST: Receive information regarding format changes for future HPC minutes

STAFF: Adam Finestone, Principal Planner

STAFF RECOMMENDATION: None

Adam Finestone, Principal Planner, provided information on the format of future Commission minutes and stated that audio recordings of meetings would be available on the City's website.

H.3 REPORT ON MARCH 23, 2018 OFFICE OF HISTORIC PRESERVATION SEMINAR

REQUEST: Presentation on Historic Preservation seminar

STAFF: Paul Bingham, Assistant Planner II

STAFF RECOMMENDATION: Receive presentation and discuss seminar

Paul Bingham, Assistant Planner II, provided a summary of the March 23, 2018, Historic Preservation Seminar. The Commission discussed the information presented.

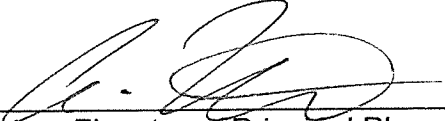
I. **ORAL COMMUNICATION:** None

J. **COMMISSIONER COMMENTS:**

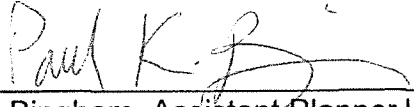
Chair Rea discussed the Explore Escondido app for smart phones and the Old Escondido walking tours. Chair Rea also informed the commission that she has resigned from the board of the Old Escondido Neighborhood Group.

ADJOURNMENT:

The meeting was adjourned at 5:22 PM



Adam Finestone, Principal Planner



Paul Bingham, Assistant Planner II

CITY OF ESCONDIDO**MINUTES OF REGULAR MEETING OF THE
ESCONDIDO HISTORIC PRESERVATION COMMISSION****MAY 17, 2018**

The regular meeting of the Historic Preservation Commission was called to order at 3:00 by Chair Rea in Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Chair Rea, Vice-chair Spann, Commissioner Breitenfeld, Commissioner Correll, Commissioner Cowan, Commissioner Hanwit, Commissioner Purvis.

Commissioners absent: None.

Staff present: Paul Bingham, Assistant Planner II; Adam Finestone, Principal Planner; Jay Paul, Senior Planner; and Eva Heter, Assistant City Clerk.

SWEARING IN OF NEW COMMISSIONERS:

Assistant City Clerk Heter administered the oath to Marc Correll, Errol Cowan, Nicole Purvis, and James Spann.

SELECTION OF CHAIR, VICE-CHAIR AND DETERMINATION OF SEATING ORDER**ACTION:**

Moved by Commissioner Correll, seconded by Commissioner Spann, to nominate Commissioner Rea to Chairman. Motion carried unanimously.

ACTION:

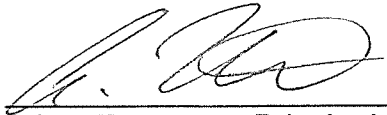
Moved by Commissioner Correll, seconded by Commissioner Hanwit, to nominate Commissioner Spann to Vice-chairman. Motion carried unanimously.

Commissioner Lee noted that he had struggled with preservation from a personal preference. He felt that sometimes the story behind a resource was just as important as the resource. He also felt there would be underlying issues when trying to preserve midcentury homes.

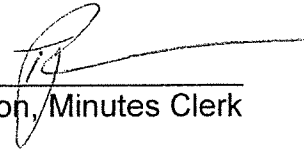
Commissioner Danskin felt telling the story for an historic resource was a key aspect of preservation.

Chair Rea noted that the History Center would be publishing a new book covering Escondido's history since 1990.

The meeting was adjourned at 4:42 pm. The next regular meeting was scheduled for May 17, 2018 at 3:00 p.m.



Adam Finestone, Principal Planner



Ty Paulson, Minutes Clerk

MINUTES:

Moved by Vice-chair Spann, seconded by Commission Correll, to approve the minutes of the March 8, 2018 meeting. Motion carried unanimously.

WRITTEN COMMUNICATION:

Adam Finestone, Principal Planner, provided packets of plans for Items J.2 and J.3, and the Advisory Body Handbook, updated March 2018.

ORAL COMMUNICATION: None

PUBLIC HEARINGS: None

CURRENT BUSINESS:**J.1 DESIGN REVIEW – Case No. PHG18-0011**

REQUEST: Proposed Remodel of the Historic Ritz Theater Building

LOCATION: 301-309 East Grand Avenue

Jay Paul, Senior Planner, made a correction to the agenda, indicating that Tim Cruz is the Project Manager, not the Architect. He provided an overview of the proposed project utilizing a PowerPoint presentation. He requested Commissioner input on the proposed project, including signage and architectural design (i.e., marque, signage, renovation of theatre and new two-story building). Senior Planner Paul noted the building would also include roll-down security grills.

Tim Cruz, Plain Joe Studios, provided an overview of the project by utilizing a PowerPoint Presentation. He indicated the existing footprint of the site was being maintained; however, the corner building would be demolished and replaced with a new two-story building. He reviewed the outside seating, café, and lounge area. He presented before and after project design photos of the interior and exterior of the building(s), and requested input from the Commission regarding the design of the project.

Commissioner Correll questioned if the typed face of the marque, shown in the presentation photos, was the proposed format for the lettering on the signage.

Senior Planner Paul stated the lettering format, shown in the photos, was just for discussion and only provides the initial concept to the design. The format of the typed face of the marque would be changeable copies, displaying various event titles for the location.

Commissioner Correll also questioned the type face of the upright feature, further stating that an older typeface may help to reflect the era of the structure. He felt the initial design proposal was more engrossing and attractive, and the second proposal seemed rather stark. However, he felt that neither of the two proposals adequately feature the historic/original building. He stated the project would be quite a significant feature for downtown and additional time to review the proposal would have been beneficial.

Commissioner Purvis stated she felt as though the project design represented a false sense of history. She referred back to the slide 8 of the power point presentation and requested clarification on the proposed demolition of the corner building, questioning if the building was on a local registry/survey. She questioned if there were any original architectural features present on the corner building that could be preserved, and inquired as to why the proposal wasn't presented to reconstruct the original structural design of the building.

Senior Planner Paul confirmed that the corner building was being proposed for demolition, further stating that the building was on a local registry/survey. A historical analysis had been conducted, approximately 10 years ago for the theatre building, which determined that there was a lack of original features, due to the amount of changes/modification, and did not to meet the criteria to be determined a significant historic resource.

Commissioner Hanwit stated the emphasis of the project should be on the original theatre marque and the second marque should be much smaller. She also noted she was not in favor of demolishing the corner site. She felt the arched windows presented in the renderings did not match the art deco design of the buildings

Commissioner Correll stated he appreciated the proposal and the intended uses; however, he felt that parking was a concern for the location. He questioned if it was within the Commissions purview to discuss use of the location.

Principal Planner Finestone stated the project being presented to the Commission is relative to design issues, not the issue of land use.

Vice-chair Spann recalled a previous proposal for the site, and the determination that the site not authentic enough to restore. He was in favor of restoring the theatre building to allow for utilization of the site. He questioned the finish on the windows. He also suggested that the blue line below the Marque should be extended past the marque. He stated there should be some leeway for the signage, considering the original marque will be retained; however, he felt the marque on the corner should be considerably smaller and could potentially mimic the shape of the original marque.

Tim Cruz, Plain Joe Studios, stated the finish on the windows would be copper. The horizontal lines painted on the building to extend past the Marque is easily and is not an issues. He requested additional input on the arch vs. squared design of the windows, and/or any significant changes that might affect the design process.

Chair Rea stated she was not in favor of the initial design proposal. She commented on the architectural design of the corner building and would like to see the corner accentuated. She appreciated the detail on the proposal which captures the upside down "L" and some of the vertical elements of the side of the building. She would like to see the tiles/blocks along with the corner of the building accentuated. She also noted she would like to see the old mural replicated on the blank wall above the marque. She was in favor of the proposed development and use of the property. Referring to Slide 12: She agreed that the blue strip should be placed on the opposing side of the marque. She appreciated the design of the vertical windows and the incorporation of replicated features from the exterior design present at City Hall. She also noted that she would like to see the size of the additional marque reduced. She called the attention to the café being exposed to the elements, and would like to see some options for both opening and closing off the café.

Commissioner Breitenfeld stated she would like to focus on consistency with the original design. She questioned the entrance located on the corner. She felt as though the design of the corner building overwhelmed the original building.

Tim Cruz, Plain Joe Studios, questioned if the design should show and emphasize the existing theater, which was purchased first and the corner building was purchased for incorporated design and visibility. He also indicated the proposed design was inspired to serve the pedestrian level. He stated the theatre and the corner building were being designed to operate as one facility. He also stated the theatre was believed to have the historical significance; thus, the design focused primarily on complementing the architectural design of the theatre.

Senior Planner Paul requested any recommendations for the final design of the project. He stated the project timeline needed to move forward in order to conduct the environmental review and present the project to the Planning Commission.

Principal Planner Finestone requested that the Commission formulate a motion to provide to provide direction to the applicant.

Vice-chair Spann recommended that the design be simplified.

Tim Cruz, Plain Joe Studios, stated the project would need to be reviewed within the next two to three weeks.

Commissioner Correll was in favor of the project, but the overall design consistency was the main concern.

Principal Planner Finestone stated staff would be able to assist with the general overall design; however, broad design changes were of concern and staff would want to bring the item back to the Commission for final review.

Commissioner Purvis requested a copy of the previous Historic Report/Survey. She also recommended the upper story of the new building should be setback and the ornamentation eliminated. She also recommended the pylon be minimized; corner marquee removed; and focus more attention on the design elements that are part of the historic features of the theatre and simplify the design of the corner building. She further stated she liked the color schemes and the details; however, some of the metal work seemed reminiscent of the City Hall rather than the theatre.

Principal Planner Finestone stated that the report/survey would be made available to the Commission.

ACTION:

Chair Rea motioned to defer to staff for project design changes and brought back to the Commission for review. Seconded by Commission Correll. Motion passed unanimously.

J.2 DESIGN REVIEW – Case No. ADM14-0047

REQUEST: Proposed Double Garage and Second Story Addition to OEN Residence

LOCATION: 1165 Chestnut Street

Paul Bingham, Assistant Planner II, provided a brief overview and supplemental documentation for the property. The HPC is tasked with Design Review of the proposed project, but the actual size of the addition may be reduced by further valuation calculations by staff later.

Chair Rea questioned the era of the site and surrounding area. Assistant Planner II Bingham stated that the original structure likely depicted the craftsman style era. Sammuel Mireles, Applicant stated that the existing Mediterranean house was not the original style, he wanted to return it to the craftsman style.

Chair Rea stated that a two story design was concerning, especially if the neighboring backyards are viewable from the second story. She stated that if the neighbors were in agreement with the design, she was in favor of the design.

Vice-chair Spann stated that he liked the plan and that the design was a nice addition to the neighborhood, the project makes the house more conformable.

Commissioner Breitenfeld stated that the existing garage was not usable. She questioned the square footage of the house.

Assistant Planner II Bingham identified the page in the staff report that discussed the square footage of the dwelling.

Chair Rea questioned if the building would have a sprinkler system.

Assistant Planner II Bingham stated that the project presentation was a conceptual design.

ACTION:

Vice-Chair Spann moved to approve staff recommendation for the proposed Double Garage and Second Story Addition to OEN Residence, Commissioner Cowan seconded the motion. Motion passed unanimously.

J.3 DESIGN REVIEW – Case No. ADM18-0082

REQUEST: Proposed Exterior Modifications to Local Register Garage Associated with its Conversion into an Accessory Dwelling Unit (SDU)

LOCATION: 421 East 4th Avenue

Commissioner Hanwit recused herself due to proximity of her personal residence to the project and stepped down from the dais.

Paul Bingham, Assistant Planner II, provided a brief overview and supplemental documentation, including proposed window and door changes that made sense to staff in light of the SDU's floor plan, and requested Commission Approval. Danny Iverson, Applicant Representative, was available for questions.

Chair Rea stated that she would like to see the existing door replaced and suggested that a Dutch door would be charming for the site.

Commissioner Purvis questioned if historic photos were investigated. Assistant Planner II Bingham indicated that the City did not have many photos, he identified the photos that were available.

Chair Rea, understanding that the garage would need to be sealed for habitability, she requested that the design show a resemblance of carriage doors with hinges.

ATTACHMENT 3

November 26, 2018

PHG18-0013

City of Escondido
Jay Paul, Sr. Planner
Planning Division
201 North Broadway
Escondido, CA 92025-2798

Re: Case Nos.: PHG 18-0013 and ENV 18-004, "The Grand"

Dear Mr. Paul,

Please reissue the public comment period for the Notice of Intent with a revised Project Description for the purpose of transparency and full-disclosure to the public. The Notice of Intent to Adopt a Mitigated Negative Declaration for the project located 301 and 309 East Grand Avenue, Escondido, CA 92025 failed to provide full-disclosure of the demolition of a contributing historical resource to the Downtown Historic District, and the conditional use as a religious assembly, i.e. a church within the Downtown Retail Core.

Respectfully,



Nicole J Purvis

cc:

Historic Preservation Commission
Planning Commission

Grand Patio LLC
1847 Sunny Slope Terrace
Escondido, CA 92027
760-745-1218
Fax: 760-743-6456

RECEIVED
NOV 26 2018
CITY MANAGER'S OFFICE

Re: Case No. ENV 18-0004

Escondido City Council
201 North Broadway
Escondido, CA 92025-2798

Dear Council Members:

I am concerned about the possible traffic and parking issues with "The Grand" proposed development. The intention is to adopt a mitigated negative declaration for the project.

In the letter from Masson on trip generation, it indicates that a Traffic Impact Analysis is not needed as only 282 additional ADTs would be generated. The letter assigns 1088 ADTs to the existing development. However 480 of those are for the theater that has been empty and unused for years. In a more realistic analysis I believe only the 224 ADTs for the strip commercial building should be assigned to the existing development. If that is done there will be an additional 762 ADTs which according to Masson's letter would be enough to require a Traffic Impact Analysis.

Parking is more of a concern to me than the increased traffic. I wonder where the people who come to a 614 seat theater are going to park. The nearest public parking lot to the proposed development is Lot 6. It has 56 spaces according to the letter. I don't know if the 56 spaces includes those that are reserved for the apartment residents or the businesses on Juniper.

I own a building one block away from the proposed development. The nearest two public parking lots to my building are Lot 4 and Lot 6. There has been some talk about building a parking structure on Lot 4. That would be nice when it is completed but during construction those 83 spaces would be lost.

Personally I am able and willing to walk several blocks for a special event like a street fair but not to go to dinner. Also the parking lots are not well lit at night so they don't seem very safe to me.

Please consider the parking and traffic impacts of the proposed development. Thank you.

Yours truly,



Jill E. Campbell
Operating Manager
Grand Patio LLC

RESOLUTION NO. 2018-175

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT
FOR THE GRAND PROJECT AND A
DEMOLITION PERMIT FOR A HISTORIC
COMMERCIAL RESOURCE WITHIN THE
HISTORIC DISTRICT OF THE DOWNTOWN
SPECIFIC PLAN

Case Nos. PHG 18-0013 and ENV 18-0004

WHEREAS, New Vintage Church (herein after referred to as “Applicant”), filed a verified application with the City of Escondido regarding the approximately 0.32-acre project site, addressed at 301 and 309 E. Grand Avenue (APNs 229-461-01 & -17), more particularly described in Exhibit “C,” (“Property”), and incorporated by this reference; and

WHEREAS, said verified application constitutes a request for a Conditional Use Permit (City File No. PHG18-0013) for the Property which consists of the interior and exterior renovation of the existing two-story Ritz Theater and use of the buildings to support the continued use of the theatre building. The project also includes a request for a Non-Emergency Demolition Permit pursuant to Article 40 (Historical Resources) for the demolition of a one-story commercial structure designated as a significant historic resource on the City’s Historic Site’s Survey located at 301 E. Grand Avenue. The proposed theater renovation will be sensitive to the historic “moderne” architectural design of the structure. The existing corner building would be replaced with a new two-story building designed to blend well with the architecture in the area and be compatible with the look and feel of the proposed Ritz Theater renovation. Existing and proposed

building sizes are approximately 10,964 sf for the theater and 10,054 sf for the new two-story building; and

WHEREAS, churches, synagogues, temples, missions, religious reading rooms, and other religious activities are permitted uses within the Historic District of the Downtown Specific Plan, subject to the approval of a Conditional Use Permit. The proposed interior and exterior renovation of the existing two-story Ritz Theater includes several land use activities as described therein the December 5, 2018 City Council staff report, which includes accessory church and/or religious activities; and

WHEREAS, Article 69 of the Escondido Zoning Code establishes an Escondido Business Enhancement Zone to induce and facilitate projects that provide significant public benefits and strengthen the image and appearance of the City of Escondido. Projects submitted under this section shall be evaluated pursuant to the criteria established in City Council policy, which was adopted by Resolution No. 2001-191 and most recently amended by Resolution No. 2006-56. Said Applicant filed a request for consideration, which was reviewed and considered by the Economic Development Subcommittee on August 9, 2018, to determine the eligibility of the request pursuant to Escondido Business Enhancement Zone (Article 69); and

WHEREAS, on August 9, 2018, the Council Economic Development Subcommittee recommended the project for processing in accordance with the Escondido Business Enhancement Zone (Article 69). The Businesses Enhancement Zone request was approved to allow for expedited processing and shall be exempt from review by any other entity including, without limitation, the historic preservation commission, and the planning commission; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines (14 California Code of Regulations Section 15000 et. seq.), the City is the lead agency for the project, as the public agency with the principal responsibility for approving the proposed project; and

WHEREAS, the City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration (City File No. ENV18-0004) and Mitigation Monitoring Report Program that was prepared for the project, and the City Council has adopted it, along with the Mitigation Monitoring and Reporting Program per City Council Ordinance No. 2018-23; and

WHEREAS, this City Council has considered the Conditional Use Permit and Non-Emergency Demolition Permit request, the staff report, Final Initial Study/Mitigated Negative Declaration, and incorporates by reference the findings made therein; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Conditional Use Permit and Non-Emergency Demolition Permit prepared for the project; and

WHEREAS, the City Council of the City of Escondido did, on December 5, 2018, hold a duly noticed public hearing as prescribed by law and all those desired to be heard were heard. Evidence was submitted to and considered by the City Council, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted by the Applicant;
- b. Oral testimony from City staff, interested parties, and the public;

c. The staff report, dated December 5, 2018, with its attachments as well as City staff's recommendation on the project, which is incorporated herein as though fully set forth herein; and

d. Additional information submitted during the public hearing.

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

1. That the above recitations are true.

2. That the Findings of Fact/Factors to be Considered attached as Exhibit "A" were made by said Council, and is incorporated by this reference.

3. Although said project was reviewed and processed for in-take in pursuant to the streamlined incentives of the Business Enhancement Zone, the City has made no decisions that constitute an irretrievable commitment of resources toward the proposed project prior to the review, consideration, and potential adoption of any environmental determination made in association with the project. Nor has the City previously committed itself or its agents to a definite course of action with respect to making a decision on the proposed project.

4. That upon consideration of the Findings/Factors, all material in the staff report (a copy of which is on file in the Planning Division) this City Council approves the Conditional Use Permit and Non-Emergency Demolition Permit, as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to the Conditions of Approval as set forth as Exhibit "B" and is incorporated by this reference.

5. Concurrently with this Resolution, the City Council is taking a number of actions in furtherance of the project, as generally described by the December 5, 2018 City Council staff report. No single component of the series of actions made in connection with the project shall be effective unless and until it is approved by an Ordinance or Resolution and all related actions and decisions are procedurally effective within their corporate limits as a statute in the manner provided by state law. Therefore, this Resolution shall become effective after final passage and operative only if City Council Ordinance No. 2018-23 is approved.

6. That this Conditional Use Permit and Demolition Permit shall be null and void unless utilized within 36 months, or unless an Extension of Time is granted pursuant to Article 61 of the Escondido Zoning Code.

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED PHG18-0013

Environmental Determination:

1. The requirements of the California Environmental Quality Act (CEQA) have been met and an Initial Study/Mitigated Negative Declaration (City File No. ENV18-0004) was prepared and issued for the project, pursuant to the adoption of Ordinance No. 2018-23. The findings of this review are that the Initial Study identified effects related to Cultural Resources and Hazardous Materials that might be potentially significant. However, design and minimization measures, revisions in the project plans and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level. No significant issues remain unresolved through compliance with code requirements, mitigation measures and the recommended conditions of approval.

Conditional Use Permit

1. The General Plan land-use designation for the subject properties is Specific Plan and located within Specific Planning Area 9 (Downtown Specific Plan), and also located within the Historic District (HD). The proposed project would be consistent with the Economic Prosperity Goals and Objectives of the General Plan because the project will provide for uses that will bring in theater goers, café customers, dance and performing arts students, employees and office workers and other public assembly uses that would assist in the revitalization and economic improvement of the area and increase pedestrian activity. The buildings will be renovated and/or rebuilt in a manner consistent with the history and/or historic context and architectural style of the buildings, which would meet the redevelopment goals of the Downtown Area. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets and intersections or public facilities, create excessive noise or compatibility impacts, and adequate public services could be provided to the site.

The proposed project would be in conformance with the Downtown Historic District as the overriding principle of design for historic buildings is to be consistent with the significant architectural style of the building. The 'Secretary of the Interior Standards and Guidelines for Historic Preservation' (Standards) is an appropriate resource for reference. The Historic Resources Evaluation Report for 301 & 309 Grand Ave., Escondido, CA details the proposed means that the rehabilitation of the Ritz Theater will comply with the Standards, and how impacts associated with the demolition of the building at 301 East Grand will be mitigated by the rehabilitation of the Ritz Theater, development of the new two-story building to be compatible with and complement the "moderne" style of architecture of the Ritz theatre building, and preparation of the necessary Historic American Building Survey (HABS) Documentation according to the National Park Service standards and guidelines.

2. Granting the proposed Conditional Use Permit would be based upon sound principles of land use because the site is physically suitable to accommodate the proposed range of uses and the site previously was constructed with a theatre building and commercial building to support a variety of commercial type uses. The project is designed to respond to uses required by the community as the intended uses of the two buildings would consist of offices; dance, art, and performance

studios; meeting space for a variety of assembly type uses, and continued/renewed use of the theater. The theater is proposed to be used for general live theater productions during the majority of the time and for religious assembly generally on Sunday mornings and limited weekday use. The corner building also would be used to accommodate related religious support activities. The proposed project would be well-integrated with the surrounding commercially developed properties and would enhance the physical appearance of the site with the renovation of the existing theatre building and construction of a new two-story building that to be consistent with the architectural style of the theatre building.

3. Granting the Conditional Use Permit will not cause deterioration of bordering land uses or create special problems for the area because the property is zoned for a mix of commercial type uses and currently constructed with a two-story theatre building and adjacent on-story commercial building. The project has been design to be compatible with the building throughout the Historic Downtown area and the project would not have any visual adverse impact to surrounding uses or views. The project would not result in or generate any adverse noise, dust, odor or traffic impacts. The Engineering Department indicated the project is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is located within a developed area characterized by a mix of commercial development. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets and intersection or public facilities, create excessive noise and adequate public services could be provided. The project is located within the City's Vehicle Parking District No. 1 and adequate parking facilities are located throughout the District to support the proposed project.
4. The proposed Conditional Use Permit has been considered in relationship to its effect on the community, and the request would be in compliance with the General Plan Policies and reasons stated above and detailed in the Planning Commission staff report dated December 5, 2018. The impacts of the proposed project will not adversely affect the policies of the General Plan or the provisions of the Municipal Code. The project as proposed will be required to comply with all applicable Building and Fire Codes through the standard plan checking process.

Demolition Permit:

1. The City of Escondido's inventory of significant historical resources would not be diminished by the demolition of the subject resource, and that there remains in the community and downtown area similar resources with the "Moderne" style, including the proposed rehabilitation of the adjacent Ritz Theatre Building.
2. That all feasible economic and physical alternatives to demolition have been evaluated, and that the applicant has shown that there is no reasonable alternative left to pursue, other than demolition. Based on a letter report prepared by Grimm & Chen Structural Engineering, a proposed second-story addition to the existing one-story commercial structure is not feasible due to the considerable increase of the seismic and gravity loads that would be placed on the existing structure and the extensive structural upgrades to support a second story addition which would be cost prohibitive. A letter report prepared by Preconstruction Services evaluated the viability of moving the structure and concluded it would be cost prohibitive to successfully move such a structure due to its condition, structural frame construction, age, structural and seismic

codes, structural steel interior skeleton framework needed to move the structure, logistics to transport the structure to a new location, and ability to survive the process without additional and substantial repairs.

3. Appropriate mitigation measures have been included to reduce impacts to less than a significant level and the Historical Society and/or other appropriate historic agency will have access to the building to retrieve any historic material, and to provide photo documentation of the resources conducted according to Historic American Building Survey (HABS) specifications.
4. The applicant will have an approved development plan (Conditional Use Permit, Demo Permit and Master and Precise Development Plan, City File No. PHG18-0013) approved by the City Council prior to issuance of a demolition permit for the building located at 301 E. Grand Avenue.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG18-0013

This project is conditionally approved as set forth on the application and project drawings, all designated as approved by the City Council on December 5, 2018, and shall not be altered without the express authorization by the Planning Division.

Nothing in this permit shall relieve the applicant from complying with conditions and regulations generally imposed upon activities similar in nature to the activity authorized by this permit.

Environmental

The approval of the Conditional Use Permit and demolition permit application, related to the Project called "The Grand" (Planning File No. PHG18-0003, is granted subject to the approval of the Final IS/MND and is subject to all Project features and mitigation measures contained therein. Applicant shall implement, or cause the implementation of the Final IS/MND Mitigation Monitoring and Reporting Program, provided as "Exhibit C to Ordinance 2018-23," which is incorporated herein by reference as though fully set forth herein.

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, Engineering Division, and the Fire Chief. Approval of this request shall not waive compliance with any sections of the Municipal Code and all other applicable City regulations in effect at the time of Building Permit issuance unless specifically waived herein.
2. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
3. Access for use of heavy firefighting equipment as required by the Fire Chief 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 there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.
4. An engineered structural stability report clarifying the ability to hold Fire Sprinklers will be required prior to submittal of engineering plans. If the building is unable to be fire sprinklered the reduction in fire flow will no longer be valid per code. An increase in fire flow will likely mean large piping, looping of the water system, and additional fire hydrants. This will be a significant change to the project.
5. 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.

6. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development.
7. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75). A copy of the lighting plan shall be included as part of the building plans, to the satisfaction of the Planning Division.
8. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08). Outdoor audible security and door alarms shall not be used. Mechanical parking lot sweeping and other noise generating outdoor maintenance activities shall be restricted to daytime operational hours.
9. All new utilities shall be underground.
10. As proposed, the buildings, architecture, color and materials, and the conceptual landscaping of the proposed development shall be in accordance with the staff report, exhibits, project Details of Request and conditions of approval, to the satisfaction of the Planning Division.
11. A separate sign permit would be required for any building signage in conformance with the City's Sign Ordinance. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66), Downtown Specific Plan, except as modified herein by the Master Development Plan approval and in conformance with the details contained in the December 5, 2018 staff report and exhibits.
12. The mural is not counted against allowable wall signage. The final design of the mural will need to be approved by the Staff Design Review Board in conformance with the City's non-residential mural policy, and may be referred by the Director of Community Development to the City Appearance Committee and/or the Planning Commission, or other appropriate body if deemed necessary.
13. Any rooftop equipment must be appropriately screened from public view utilizing materials and colors which match the building, to the satisfaction of the Director of Community Development. The final building plans shall clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment.
14. The hours of operation for use of the theater is not limited through the approval of this Conditional Use Permit. If the operation of the theater results in conflicts pertaining to parking, noise, traffic/circulation, or other factors at the discretion of the Director of Community Development, this Conditional Use Permit may be submitted to the Planning Commission for their subsequent review at a public hearing. The hours may be limited further by the Planning Commission should substantiated complaints arise pertaining to the hours of operation.
15. Appropriate covered or indoor trash enclosure area(s) shall be provided. Any exterior doors shall not swing out into the alley or public right-of-way, unless approved by the Engineering Services Division.
16. All new utilities shall be underground.
17. This Conditional Use Permit and Demo Permit shall become null and void unless utilized 36 months of the effective date of this Resolution.

18. Prior to issuance of building permits for the project, a Lot-Tie Agreement shall be recorded between parcels 229-461-01 & 229-461-17 (301 and 309 E. Grand Avenue).
19. The use needs to operate and maintain consistency with zoning statute (Section 33-1106) for religious activities, to the satisfaction of the Director of Community Development. The siting of operations of uses associated with the religious activities shall be in conformance with the Historic District of the Downtown Specific Plan.
20. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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 the "County Clerk," in the amount of \$2,280.75 for a project with a Negative Declaration. In addition, these fees include an additional authorized County administrative handling fee of \$50.00 (Total fee of 2,330.75). Failure to remit the required fees in full within the specified time noted 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 all the required filing fees are paid.
21. At any time after project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
22. The approval of the Conditional Use Permit and associated Master and Precise Development Plan application, called "The Grand," and Demo Permit is granted subject to the approval of the Final IS/MND and is subject to all Project features and mitigation measures contained therein. The Applicant shall implement, or cause the implementation of the Final IS/MND Mitigation Monitoring and Reporting Program, provided in the Conditions of Approval as "Exhibit B" and contained in Ordinance 2018-23 which is incorporated herein by reference as though fully set forth herein. The project shall be in compliance with all of the following mitigation measures:

ENGINEERING CONDITIONS OF APPROVAL

GENERAL

1. As surety for the construction of required alley and waterline 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 plans and the issuance of Building Permits.
2. 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.
3. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public alley, fire hydrant, fire detector check valves, and waterline improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to issuance of a final Certificate of Occupancy by the City.
4. The project engineer will be required to locate and pothole all existing utilities along project frontages to verify connection locations and depths and to design new facilities to standard required utility clearances at crossings.
5. An encroachment permit (continuing encroachment permit) will be required (as determined by the Directory of Engineering Services) for any architectural/building encroachments into the right-of-way, to the satisfaction of the Engineering Services Division. The building owner shall indemnify the City and the building's insurer shall list the City as additionally insured.
6. The proposed security gates/doors that swing out into the public right-of-way shall be equipment with appropriate safety features to prevent operation that would impact someone standing in front in the path of its swing up and down.

STREET IMPROVEMENTS AND TRAFFIC

1. The project owner shall be responsible for removal and reconstruction alley improvements across the project frontages to current alley standards.
2. The adjacent alley shall be improved to 22 feet wide from the Juniper Street alley entrance to across the frontage of APN 229-461-01 (301 E. Grand) and 20 feet wide across the frontage of APN 229-461-17 (309 E. Grand). Alley improvements shall include removal of existing alley paving, installation of a 4-foot-wide PCC ribbon gutter down the middle and reconstruction of full alley width structural section and paving across the project frontage. The existing Alley approach on Juniper Street shall be subject to removal and reconstruction of full concrete panels if damaged as the result of this alley reconstruction and/or installation of the required water improvements.
3. The developer will be required to provide a detailed detour and traffic control plan, for all construction within the Juniper Street right-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

DRAINAGE

1. A Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared only if all newly created or replaced onsite impervious areas meets or exceeds 5,000 square feet. The SWQMP shall be submitted for approval with the final improvement and grading plans. The Storm Water Quality Management Plan shall include treatment calculations, post construction storm water treatment measures, and maintenance requirements.
2. Any on-site trash enclosure area shall include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer and Planning Director.

WATER SUPPLY

1. Fire hydrants and Fire detector check assemblies shall be installed in accordance with City of Escondido Water Standard Drawings and at locations approved by the Fire Marshal. These items shall be designed and constructed to the satisfaction of the Utilities Engineer.
2. The developer shall construct any public water main extensions and/or upsizing necessary to provide the required fire flows to the site and its vicinity. Any public water main extension and/or upsizing shall be sized to meet the required fire flow and the City of Escondido Water Standards. The design for these water facilities and water mains, if required, shall be included on the project's improvement plans designed by a Registered Civil Engineer.

SEWER SUPPLY

1. Per City of Escondido Sewer Standards, a minimum six-inch lateral is required for the project. A six-inch lateral may not connect to an existing six-inch main. Upsizing of the existing six-inch sewer main in the alley or slip-lining between Grand and 2nd Avenue from manhole to manhole may be required.

EASEMENTS AND DEDICATIONS

1. The developer shall dedicate 2 feet of right-of-way along the alley frontage of APN 229-461-01 (301 E. Grand Ave.).
2. Public Waterline Easement(s) shall be granted to the City of Escondido as needed for any public fire hydrants, water meters and other water appurtenances that are proposed to be placed within private property.

Material necessary for processing a dedication or easement shall include: a current grant deed or title report, a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying (document size) and traverse closure tapes. The City will prepare all final documents.

CASH SECURITY AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and a stop notice by written notice given to

the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.

2. 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.

UTILITY COORDINATION AND RELOCATION

1. The developer shall sign a written agreement stating that they have made all such arrangements as may be necessary to coordinate and provide utility construction, and relocation as needed. All new utilities shall be constructed underground.

EXHIBIT "C"

**PHG18-0013
Property Description**

APNs 229-461-01 & -17

LOT 24 AND THE WESTERLY 15 FEET OF LOT 23 IN BLOCK "P" OF ESCONDIDO, EXCEPT THEREFROM ALL THAT PORTION OF LOT 23 IN BLOCK "P" OF ESCONDIDO, ACCORDING TO MAP THEREOF NO. 336, BY O. N. SANFORD, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, IF ANY, INCLUDED WITHIN THE FOLLOWING DESCRIPTION:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF LOT 21 IN SAID BLOCK FROM WHICH THE NORTHWEST CORNER THEREOF BEARS SOUTH 59°13' WEST 24.53 FEET; THENCE SOUTH 30° 47' 13" EAST 139.95 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 21; THENCE SOUTH 59° 13' 00" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 21, 22 AND 23, A DISTANCE OF 59.95 FEET; THENCE NORTH 30°55' 40" WEST 139.95 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 23; THENCE NORTH 59°13'00" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOTS 23, 22 AND 21 A DISTANCE OF 60.30 FEET TO THE POINT OF BEGINNING.

ALL THAT PORTION OF LOTS 21, 22 AND 23 IN BLOCK "P" OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, BY O. N. SANFORD, FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF SAID LOT 21 FROM WHICH THE NORTHWEST CORNER THEREOF BEARS SOUTH 59° 13' WEST 24.53 FEET; THENCE SOUTH 30° 47' 13" EAST 139.95 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 21; THENCE SOUTH 59° 13' 00" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 21, 22 AND 23 A DISTANCE OF 59.95 FEET; THENCE NORTH 30° 55' 40" WEST 139.95 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 23; THENCE NORTH 59° 13' 00" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOTS 23, 22 AND 21 A DISTANCE OF 60.30 FEET TO THE POINT OF BEGINNING.

ORDINANCE NO. 2018-23

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ADOPTING A MASTER AND PRECISE
DEVELOPMENT PLAN, AND ADOPTING AN
INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION (IS/MND) AND MITIGATION
MONITORING AND REPORTING PROGRAM
TO SUPPORT THE GRAND PROJECT
PROPOSAL

CASE NOS.: PHG 18-0013 and ENV 18-0004

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

SECTION 1. The City Council makes the following findings:

a) New Vintage Church (herein after referred to as “Applicant”), filed a verified application with the City of Escondido regarding the approximately 0.32-acre Project site, addressed at 301 and 309 E. Grand Avenue (APNs 229-461-01 & -17), more particularly described in Exhibit “D,” (“Property”), and incorporated by this reference. Said verified application was submitted to, and processed by, the Planning Division of the Community Development Department as Planning Case Nos. PHG18-0013 and ENV 18-0004 and seeks approval of a Master and Precise Development Plan and Conditional Use Permit relating to the Project site.

b) Article 69 of the Escondido Zoning Code establishes an Escondido Business Enhancement Zone to induce and facilitate projects that provide significant public benefits and strengthen the image and appearance of the City of Escondido. The Businesses Enhancement Zone incentive request was approved by the Council Economic Development Subcommittee to allow for expedited processing and shall be

exempt from review by any other entity including, without limitation, the historic preservation commission, and the planning commission.

SECTION 2. An original copy of the Master and Precise Development Plan and all other related Project materials are on file in the Office of the City Clerk, with a copy of each document submitted to the City Council for its consideration. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 3. The City Council did on December 5, 2018, hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

- a) Written information including all application materials and other written and graphical information posted on the Project website.
- b) Oral testimony from City staff, interested parties, and the public.
- c) The City Council staff report, dated December 5, 2018, which along with its attachments, is incorporated herein by this reference as though fully set forth herein.
- d) Additional information submitted during the public hearing.

SECTION 4. Pursuant to the California Environmental Quality Act, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared in accordance with the requirements of the California Environmental Quality Act of 1970, as amended ("CEQA") and state and local guidelines implementing CEQA. The Initial

Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level.

SECTION 5. That, upon consideration of the Findings of Fact, attached as Exhibit "A," the City Council desires at this time and deems it to be in the best public interest to approve the Master and Precise Development Plan, which is attached to the December 5, 2018 City Council staff report, and is incorporated herein by this reference as though fully set forth herein.

SECTION 6. The City of Escondido is the Lead Agency of the Project, and the City Council is the decision-making body for the proposed Project. The City Council does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project; (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA; and (3) the Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project. Whenever a Lead Agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation. The City Council does hereby approve construction of the Project

(Planning File Nos. PHG18-0013 and ENV 18-0004) and adopt the Initial Study/Mitigated Negative Declaration, attached as Exhibit "B," and Mitigation Monitoring Reporting Program prepared for the Project, attached as Exhibit "C." The City Council designates the City Clerk at the Office of the City Clerk at 201 North Broadway, Escondido California 92025, as the custodian of documents and records of proceedings on which this decision is based.

SECTION 6. All references within this Ordinance to "Applicant," "Developer," or "Subdivider" shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors of assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Project site.

SECTION 7. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 8. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. Concurrently with this Ordinance, the City Council is taking a number of actions in furtherance of the Project, as generally described by the December 5, 2018 City Council staff report. No single component of the series of actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its

corporate limits as a statute in the manner provided by state law. Therefore, this Ordinance shall become effective after final passage and publication as required by law, and operative only if City Council Resolution No. 2018-175 is approved.

SECTION 10. The City Council authorizes all subsequent action to be taken by City Officials consistent with this Ordinance.

SECTION 11. That the City Clerk is hereby directed to certify to the passage of this Ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

SECTION 12. The Ordinance shall become effective 30 days from the date of the passage.

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED PHG18-0013 AND ENV18-0004

Environmental Determination:

1. The Planning Division completed an environmental assessment for the project, and, based on which assessment, decided to prepare an Initial Study and Mitigated Negative Declaration (IS/MND) in accordance with the California Environmental Quality Act (CEQA), including, without limitation, CEQA Guidelines sections 15070 *et seq.*. On October 31, 2018, the City provided a Notice of Intent to adopt a IS/MND to the public, responsible agencies, trustee agencies and the County Clerk. The IS/MND was available for public review from November 2, 2018 through November 26, 2018.
2. Pursuant to CEQA (Public Resources Code Section 21000 *et. seq.*), and its implementing regulations (the State CEQA Guidelines), 14 California Code of Regulations Section 15000 *et. seq.*, the City is the lead agency for the Project, as the public agency with the principal responsibility for approving the proposed Project.
3. The City Council reviewed and considered the proposed IS/MND, together with any comments received during the public review process for the IS/MND prior to making any decision on the Project.
4. In connection with the approval of a project involving the preparation of IS/MND that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and
5. The purpose of this IS/MND is, among other things, to provide objective information regarding the environmental consequences of the proposed project to the decision makers and the public and to identify measures to substantially lessen or avoid significant adverse environmental effects of the project. Also in conformance with CEQA, the City has prepared a Mitigation Monitoring and Reporting Program for reporting or monitoring on the measures the City hereby has either required or made a condition of approval to the Project to mitigate or avoid significant environmental effects, which is adopted together with the IS/MND, and is attached hereto this Resolution as a Condition of Approval.
6. The findings of this review are that the Initial Study identified effects related to Cultural Resources and Hazardous Materials that might be potentially significant. However, design and minimization measures, revisions in the project plans and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level. No significant issues remain unresolved through compliance with code requirements, mitigation measures and the recommended conditions of approval.

Master and Precise Development Plan:

1. The General Plan land-use designation for the subject properties is Specific Plan and located within Specific Planning Area 9 (Downtown Specific Plan), and also located within the Historic District (HD). The proposed project would be consistent with the Economic Prosperity Goals and Objectives of the General Plan because the project will provide for uses that will bring in theater goers, café customers, dance and performing arts students, employees and office workers and other public assembly uses that would assist in the revitalization and economic improvement of the area and increase pedestrian activity. The buildings will be renovated and/or rebuilt in a manner consistent

with the history and/or historic context and architectural style of the buildings, which would meet the redevelopment goals of the Downtown Area. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets and intersections or public facilities, create excessive noise or compatibility impacts, and adequate public services could be provided to the site.

The proposed project would be in conformance with the Downtown Historic District as the overriding principle of design for historic buildings is to be consistent with the significant architectural style of the building. The 'Secretary of the Interior Standards and Guidelines for Historic Preservation' (Standards) is an appropriate resource for reference. The Historic Resources Evaluation Report for 301 & 309 Grand Ave., Escondido, CA details the proposed means that the rehabilitation of the Ritz Theater will comply with the Standards, and how impacts associated with the demolition of the building at 301 East Grand will be mitigated by the rehabilitation of the Ritz Theater, development of the new two-story building to be compatible with and complement the "moderne" style of architecture of the Ritz theatre building, and preparation of the necessary Historic American Building Survey (HABS) Documentation according to the National Park Service standards and guidelines.

2. Granting the proposed Planned Development would be based upon sound principles of land use because the site is physically suitable to accommodate the proposed range of uses and the site previously was constructed with a theatre building and commercial building to support a variety of commercial type uses. The project is designed to respond to uses required by the community as the intended uses of the two buildings would consist of offices; dance, art, and performance studios; cafe; meeting space for a variety of assembly uses, and continued/renewed use of the theater. The theater is proposed to be used for general live theater productions during the majority of the time and for religious assembly generally on Sunday mornings and limited weekday use. The corner building also would be used to accommodate related religious support activities. The proposed project would be well-integrated with the surrounding commercially developed properties and would enhance the physical appearance of the site with the renovation of the existing theatre building and construction of a new two-story building that to be consistent with the architectural style of the theatre building.
3. Granting the Planned Development will not cause deterioration of bordering land uses or create special problems for the area because the property is zoned for a mix of commercial type uses and currently constructed with a two-story theatre building and adjacent on-story commercial building. The project has been design to be compatible with the building throughout the Historic Downtown area and the project would not have any visual adverse impact to surrounding uses or views. The project would not result in or generate any adverse noise, dust, odor, excessive grading/earthmoving or traffic impacts. The Engineering Department indicated the project is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is located within a developed area characterized by a mix of commercial development. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets and intersection or public facilities, create excessive noise and adequate public services could be provided. The project is located within the City's Vehicle Parking District No. 1 and adequate parking facilities are located throughout the District to support the proposed project. The proposed location and design allow the business establishments proposed within the zone to be adequately serviced by existing or proposed public facilities and services and does not provide an undue or negative impact on existing public facilities and services.
4. The overall design of the proposed planned development and signage would produce an attractive and coordinated commercial project because it involves the rehabilitation of a significant historic resource (Ritz Theater) and development of a new two-story commercial structure designed to

complement the style of the theater building. The proposed development is well-integrated with the surrounding properties and the design would be compatible with surrounding commercial development throughout the downtown area. Commercial store front elements and a covered lobby area orients towards Grand Avenue and Juniper Street to maintain the commercial character along the corridor and provides a pedestrian orientation along the street/sidewalk. The requested modifications to allow the additional signage and deviate from the sign regulations is appropriate because the new signage would be well integrated into the building design and would incorporate signage elements typical of the moderne architectural style and historic nature of the building that would enhance economic revitalization and provide for significant visual focal image at this corner within the Downtown area.

5. The uses and signage proposed have a beneficial effect not obtainable under existing zoning regulations. The project would provide for the continued use of the historic theatre, while providing an appropriate mix of retail/cafe, office, entertainment, educational and cultural uses. The project also provides for a vibrant and exciting environment with land uses that foster an "18-hour" atmosphere, in addition to areas that provide a mix of non-residential land uses, as well as office employment. The project development and additional signage will strengthen the character of Downtown with elements that are architecturally compatible with the existing urban fabric and complementary to the legacy of "main-street."
6. The requirements of the California Environmental Quality Act (CEQA) have been met and an Initial Study/Mitigated Negative Declaration (City File No. ENV18-0004) was prepared and issued for the project.
7. The location and design of the proposed planned development is consistent with the goals and policies of the Escondido General Plan, the Downtown Specific Plan, and any applicable specific plan or with any policies adopted by, or being considered by the Escondido city council, or in the process of being prepared and adopted.

Proceedings:

1. The Record of Proceedings upon which the City Council bases its decision includes, but is not limited to: (1) the Final IS/MND and the appendices and technical reports cited in and/or relied upon in preparing the Final IS/MND; (2) the staff reports, City files and records and other documents, prepared for and/or submitted to the City relating to the Final IS/MND and the Project itself; (3) the evidence, facts, findings and other determinations set forth in herein; (4) the General Plan and the Escondido Municipal Code; (5) all designs, plans, studies, data and correspondence submitted to the City in connection with the Final IS/MND and the Project itself; (6) all documentary and oral evidence received at public workshops, meetings, and hearings or submitted to the City during the comment period relating to the Final IS/MND and/or elsewhere during the course of the review of the Project itself; (7) all other matters of common knowledge to the to the City, including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the City and its surrounding areas.

EXHIBIT "B"
FINAL IS/MND
PHG18-0013 AND ENV18-0004

Due to the number of pages of Exhibit B, a link has been provided to review the document electronically on the City's web site at.

<https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/TheGrand/mnd.pdf?v=2>

A hardcopy of the Exhibit is available for review in the Office of the Planning Division during normal business hours. To obtain a copy, please contact the City Clerk at (760) 839-4617 or Planning Division at (760) 839-4671..

Mitigation Monitoring and Reporting Program (MMRP)

PROJECT NAME: Initial Study/Mitigated Negative Declaration for The Grand project (ENV18-0004)

PROJECT DESCRIPTION: Conditional Use Permit, Master and Precise Development Plan and Demo Permit. "The Grand" project consists of the interior and exterior renovation of the existing two-story Ritz Theater located on East Grand Avenue, together with the demolition of the majority of the existing one-story commercial building at the corner of East Grand/Juniper Street. The project components include a Conditional Use Permit for the proposed uses of the building(s), along with a Master and Precise Development Plan and Demolition Permit to facilitate the development of the project, design features, demolition of the one-story building (historic resource), and proposed additional signage in excess of the Downtown Specific Plan sign requirements. The intended uses of the two buildings will consist of offices; dance, art, and performance studios; a ground-floor café; and continued use of the theater to support a variety of entertainment and public assembly type uses, including religious services and supporting accessory type uses. A Mitigated Negative Declaration (MND) has been prepared pursuant to CEQA and provides an analysis of potential impacts from the proposed project.

PROJECT LOCATION: City of Escondido, CA, comprised of two parcels (approximately 0.32 acres) generally located at the southeastern corner of Grand Avenue and Juniper Street, addressed at 301 and 309 E. Grand Avenue (APNs 229-461-01 & 17).

APPLICANT/CONTACT PERSON: Tim Spivey, New Vintage Church

PHONE NUMBER/Email: (760) 658-4989 tim@newvintagesd.org

ASSOCIATED CASE NO.: ENV18-0004 and PHG18-0013

APPROVAL BODY/DATE: City Council, December 5, 2018

PROJECT MANAGER: Jay Paul, Planning Division
(760) 839-4537
jpaul@escondido.org

Phase at which the Mitigation Measures are to be implemented

Prior to issuance building and demo permits

Mitigation Measure	Description	Identification No. Location in Doc.	Responsibility for Implementation	Certified Initials/Date	Comments
Cultural Resources					
MM-CUL-01 Historic documentation and compliance	Prior to submittal of construction drawing documents for building permit purposes, the developer/owner shall provide verification of a Secretary of the Interior's Standards Qualified Historic Architect familiar with the time period of construction being retained for documenting compliance and protection. This verification shall be submitted to the Planning Division of City of Escondido.	MM-CUL-01	Project applicant/developer		
MM-CUL-02 Photo documentation	The applicant shall complete black-and-white archival-level photo documentation of all buildings constructed on the premises and proposed for preservation in place (Ritz Theatre) or demolition (Grand Market). The photo-documentation shall	MM-CUL-02	Project applicant		

Mitigation Measure	Description	Identification No. Location in Doc.	Responsibility for Implementation	Certified Initials/Date	Comments
	<p>be completed prior to issuance of demolition permits for the project. Photo-documentation shall be submitted to the Planning Division of the City of Escondido. This mitigation measure would create a collection of preservation materials that would be available to the public and inform future research. In this way, documentation of the affected properties and presentation of the findings to the community could reduce the impact on historical resources.</p>				
<p>MM-CUL-03 Review architectural plans for compliance</p>	<p>Prior to issuance of the building permit, the fully developed architectural plans for the Project shall be reviewed by an architectural historian to ensure compliance with the Standards as outlined in the ASM report.</p>	<p>MM-CUL-03</p>	<p>Project applicant and Architectural Historian</p>		
<p>MM-CUL-04 Historic Structures Report to determine significance and appropriate treatment</p>	<p>Historic Structure Report. Prior to construction on the site, the existing historic buildings must be documented. The Historic Structure Report is the optimal first phase of historic preservation efforts for a significant building or structure, preceding design and implementation of rehabilitation work (Ritz Theatre building) or demolition (Grand Market Building). The Historic Structure Report provides a critical first step in planning an appropriate treatment and determining the character defining features, understanding how the buildings and site has changed over time, and assessing levels of deterioration within the framework of the Standards</p>	<p>MM-CUL-04</p>	<p>Project applicant Project historian</p>		
<p>MM-CUL-05 HABS report for proper documentation of resources</p>	<p>Historic American Building Survey Documentation (HABS). Prior to demolition of the Grand Market building, the entire site and Grand Market building should be documented according to the National Park Service's Standards and Guidelines. The documented report must be prepared by a Secretary of the Interior's Qualified Historic Architect and Historian. The contents of the report shall include an architectural description, historical context, and statement of significance, per HABS Historical Report Standards. This documentation, formerly referenced as HABS Level II, shall include 11"x17" measured drawings; historic documentation and description in outline format and large format quality 4"x5" photographs of the exterior and interior of each building and features included in the documentation. If available, copies of historic photographs of the resources shall be included in the documentation (MM-CUL-02). One hardcopy and one electronic (pdf) copy of this documentation shall be submitted to each of the following: the City of Escondido, the Escondido Historical Society, and the Escondido Public Library Pioneer Room. The appropriate level</p>	<p>MM-CUL-5</p>	<p>Project Applicant Historic Architect and Historian</p>		

Mitigation Measure	Description	Identification No. Location in Doc.	Responsibility for Implementation	Certified Initials/Date	Comments
	of HABS documentation and written narrative shall be determined in consultation with Planning staff. This mitigation measure would create a collection of preservation materials that would be available to the public and inform future research. In this way, documentation of the affected properties and presentation of the findings to the community could reduce the impact on historical resources.				
MM-CUL-06 Salvage Materials	Salvage Materials. Prior to demolition, distinctive representative architectural elements (interior and exterior features) shall be identified, and if feasible, salvaged for reuse in relation to the proposed plan, or perhaps removed to another location on-site as provided for in the Standards. If reuse on-site is not feasible, opportunities shall be made for the features to be donated to various interested historical or archival depositories, to the satisfaction of the Director of Community Development.	MM-CUL-06	Project Applicant/ contractor		
MM-CUL-07 On-Site Construction Observation to monitor demo and construction activities	On-Site Construction Observation. A qualified architect shall make periodic site visits to monitor demolition and construction activities to assure compliance with the approved construction documents with regards to historic resources. This shall be documented to the satisfaction of the Director of Community Development, prior to certificate of occupancy. During the course of administering and implementing this measure, in the event that previously unidentified historic fabric is discovered, resources shall be determined by the qualified historic architect in consultation with City staff to determine potential reuse or donation within the framework of the Standards.	MM-CUL-07	Project Applicant Project Architect		
MM-CUL-08 Interpretive program	The project applicant shall work with a Planning staff or other qualified professional to institute an interpretive program on-site that references the property's history and the contribution of the historical resource to the broader neighborhood or historic district. An example of an interpretive program may be installation of interpretive signs or commemorative plaques in a publicly accessible and visible location that describe the history of the site. This must be installed prior to certificate of occupancy. Although implementation of this mitigation measure may reduce impacts on historical resources, it alone would not lessen the effects to a less-than-significant level	MM-CUL-08	Project Applicant Planning Div		
Hazardous Materials					
MM-H-1 Asbestos Removal	Any materials containing asbestos that will be disturbed during future renovation or demolition activities must be managed in accordance with any applicable local, State and Federal	MM-H-1	Project Applicant Certified		

Mitigation Measure	Description	Identification No. Location in Doc.	Responsibility for Implementation	Certified Initials/Date	Comments
	<p>regulations by a licensed abatement contractor under controlled conditions. Current federal and state regulations require any repair, renovation and/or demolition of such materials be conducted only by workers and/or contractors who have been properly trained in the correct handling of asbestos. All asbestos work should be accomplished under the direction of an Independent State Certified Asbestos Consultant with oversight performed by a State Certified Site Surveillance Technician. The materials must be disposed of at an approved facility licensed to handle such waste.</p>		Asbestos Consultant		
MM-H-2	<p>The OSHA Construction Asbestos Standard requires building and/or facility owners to notify the following persons of the presence, location and quantity of asbestos or material presumed to contain asbestos at any concentration, at the work sites in their buildings and facilities:</p> <ul style="list-style-type: none"> • Prospective employers applying or bidding for work whose employees reasonably can be expected to work in or adjacent to areas containing such material; • Employees of the owner who will work in or adjacent to areas containing such material; • On multi-employer worksites, all employers of employees who will be performing work within or adjacent to areas containing such materials; • Tenants who will occupy areas containing such material; and • Any additional suspect materials not previously sampled should be assumed to contain asbestos until further testing proves otherwise. 	MM-H-2	Project Applicant Contractor		
MM-H-3	<p>Lead containing paint was identified on multiple surfaces at the Site. Any loose and flakey lead containing paint on the Site building (exterior stucco at 309 Grand) must be scraped and removed by a licensed abatement contractor with the underlying substrate stabilized</p>	MM-H-3	Project Applicant Licensed abatement contractor		

EXHIBIT "D"

**PHG18-0013
Property Description**

APNs 229-461-01 & -17

LOT 24 AND THE WESTERLY 15 FEET OF LOT 23 IN BLOCK "P" OF ESCONDIDO, EXCEPT THEREFROM ALL THAT PORTION OF LOT 23 IN BLOCK "P" OF ESCONDIDO, ACCORDING TO MAP THEREOF NO. 336, BY O. N. SANFORD, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, IF ANY, INCLUDED WITHIN THE FOLLOWING DESCRIPTION:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF LOT 21 IN SAID BLOCK FROM WHICH THE NORTHWEST CORNER THEREOF BEARS SOUTH 59°13' WEST 24.53 FEET; THENCE SOUTH 30° 47' 13" EAST 139.95 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 21; THENCE SOUTH 59° 13' 00" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 21, 22 AND 23, A DISTANCE OF 59.95 FEET; THENCE NORTH 30°55' 40" WEST 139.95 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 23; THENCE NORTH 59°13'00" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOTS 23, 22 AND 21 A DISTANCE OF 60.30 FEET TO THE POINT OF BEGINNING.

ALL THAT PORTION OF LOTS 21, 22 AND 23 IN BLOCK "P" OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, BY O. N. SANFORD, FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF SAID LOT 21 FROM WHICH THE NORTHWEST CORNER THEREOF BEARS SOUTH 59° 13' WEST 24.53 FEET; THENCE SOUTH 30° 47' 13" EAST 139.95 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 21; THENCE SOUTH 59° 13' 00" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 21, 22 AND 23 A DISTANCE OF 59.95 FEET; THENCE NORTH 30° 55' 40" WEST 139.95 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 23; THENCE NORTH 59° 13' 00" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOTS 23, 22 AND 21 A DISTANCE OF 60.30 FEET TO THE POINT OF BEGINNING.



CITY COUNCIL STAFF REPORT

Current Business Item No. 14

December 5, 2018

File No. 0120-10

SUBJECT: Appointment to Historic Preservation Commission

DEPARTMENT: City Clerk's Office

RECOMMENDATION:

It is requested that the City Council ratify the Mayor's appointment to fill an unscheduled vacancy on the Historic Preservation Commission, term to expire on March 31, 2020.

The following individuals have indicated their interest in serving:

Alexa Clausen
Marion Hanlon
Robin Fox

BACKGROUND:

Following an email from Jesse Hanwit, indicating that she was no longer able to serve on the Historic Preservation Commission, a Notice of Vacancy was duly posted for a 10-day period in accordance with the State law and City policy. The list of interested individuals reflects those who applied during the annual recruitment held in March 2018 and the posting period following the resignation.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Eva Heter, Interim City Clerk
12/04/2018 10:20 a.m.

CITY COUNCIL STAFF REPORT

Current Business Item No. 15

December 5, 2018

File No. 0800-40

SUBJECT: Marriott Hotel Development Impact Fee

DEPARTMENT: City Manager's Office

RECOMMENDATION:

The current developer of the Marriott Springhill Suites Hotel has requested that the City assess Development Impact Fees at the level prior to the increase that became effective earlier this year. City staff has no legal authority to assess fees different from those on the schedule adopted by the City Council. The City Council could:

- 1) Approve the applicant's request to impose the original fees for the development.
- 2) Deny the applicant's request and impose the updated fees that are currently in effect.
- 3) Approve the applicant's request, but also amend the approved Transit Occupancy Tax (T.O.T.) sharing agreement allowing the City to potentially recoup additional revenue at an earlier timeframe to offset the fee increase.

FISCAL ANALYSIS:

Development Impact Fees for the project totaling \$436,634.00 involving Public Facilities, Wastewater, Traffic, Public Art, and Drainage impacts were granted two deferrals that expired prior to payment. Updated Citywide fees were approved by the City Council in 2017, and effective on February 19, 2018. These fees have been applied to the project and total \$968,282.00. Approval of the applicant's request to pay the pre-2018 fees would result in \$531,648.00 less revenue collected.

BACKGROUND:

On October 19, 2005, the City Council approved a Master and Precise Plan in the La Terraza Development for a four-story, 105-room, business-class hotel. The economic conditions to construct and operate a hotel were not favorable until 2016 when the Marriott Springhill Suites Hotel application was submitted for processing.

On January 25, 2017, the City Council adopted Resolution No. 2017-10, authorizing the execution of a 10-year Economic Incentive Agreement whereby the City agreed to make future incentive payments to the developer based on the amount of the transient occupancy tax (T.O.T.) generated on the project. Under the agreement, the City would retain 50 percent of the T.O.T. and make incentive payments of 50 percent to the developer. Total payments under the agreement would not exceed \$1.8 million.

The project is responsible for paying Development Impact Fees established by the City Council, which are collected from new projects to offset the cost of Citywide public capital facilities necessary to serve the new development. Rather than paying Development Impact Fees at Building Permit issuance, the City allows developers of larger projects to defer these fees upon request for up to one year, or until final occupancy (whichever comes first), as a means to facilitate project financing.

At the developer's request, the Marriott Hotel developer was granted a fee deferral in December 2016 allowing payment to be made by December 29, 2017. The fee deferral program requires developers to pay fees that are established at the time of payment. Any Citywide fee adjustment(s) that might occur while the fees are in deferment are included when the applicant ultimately pays those fees. The Marriott Hotel fee deferral expired without fees being paid by the applicant.

In late December 2017, the City Council updated Development Impact Fees that went into effect on February 19, 2018. Developments identified as "pipeline projects" based on their processing status were granted an extension to pay their prior Development Impact Fees until July 1, 2018. Staff provided representatives of qualifying projects two notices in January 2018 regarding the pending fee increases, and the July extension to pay the fees. The Marriott Hotel project qualified as a "pipeline project" and notices regarding the pending fee increases, and July extension to pay prior fees, were sent to the project owner on record, as well as the architect/engineer. The Marriott Hotel fee extension expired, but staff allowed construction to continue in order to facilitate project completion.

The applicant claims that the ownership of the Marriott Hotel project changed during the course of construction. Staff was not provided updated information regarding the new ownership and, while the project architect/engineer who were also sent notices did not change, the new owner was not informed of the fee increases. The new owner has formally requested that the prior fees be reinstated based on the financial analysis and revenue projections originally prepared for the project. The current applicant states that the project's financial lenders will not incur additional debt to absorb the updated fees, and asserts these higher fees place the almost-completed hotel project in jeopardy.

CITY COUNCIL OPTIONS:

Because Development Impact Fees are established by the City Council through the Municipal Code, staff cannot administratively waive or modify the fees. It should be noted that while the City Council has complete discretion regarding these Development Impact Fees the decision to accommodate the applicant's request should not be made lightly. A project changing ownership or representation during construction is not an infrequent occurrence. However, waiving/adjusting the established fees for this project could establish a precedent for similar fee relief requests where ownership changes occur and applicants fail to properly notify the City.

Based on staff's review there are several options the City Council could take:

- 1) Approve the applicant's request to impose the original fees for the development.
- 2) Deny the applicant's request and impose the updated fees that are currently established.
- 3) Approve the applicant's request, but also amend the approved Transit Occupancy Tax (T.O.T.) sharing agreement allowing the City to potentially recoup additional revenue to offset the fee increase as described below:

An economic analysis prepared by Keyser Marston Associates (KMA) identified that a reasonable target unleveraged Internal Rate of Return for the Marriott Hotel required additional economic incentives. To accomplish this, the City Council approved an Annual Incentive Payment Agreement involving a 50 percent rebate of each prior calendar year's T.O.T. collections for a 10-year term with the total payments not to exceed \$1.8 million. The agreement may be extended for up to two additional years, if necessary, to reach this amount. The KMA analysis included annual T.O.T. revenue projections based on industry-standard room and occupancy rates that were factored into the hotel's financing. The City will receive 100 percent of T.O.T. collections upon conclusion of the agreement.

The City has discussed with the applicant amending the existing incentive agreement and directing a larger share of T.O.T. revenues to benefit the City in order to recoup the increased fees. The applicant has indicated that this would not be acceptable because the financial lenders have incorporated the terms of the existing agreement and the KMA revenue projections into the project financing that cannot be modified.

As a compromise, a minor restructuring of the agreement could involve the City claiming 100 percent of each year's T.O.T. revenues that exceed the projections in the KMA analysis, rather than equally splitting all T.O.T. revenues with the hotel owner. Such a modification would not change the project's \$1.8 million economic incentive or the duration of the agreement that the hotel relies on for financing purposes. The restructuring would, however, potentially provide the City with greater revenues earlier in the hotel's operation for use at the City's discretion. Staff has discussed this option with the applicant who supports this approach as it would preserve the hotel's financing arrangement with the lender. If the City Council chooses to accept this option, staff would return at a future meeting with an amended incentive agreement.

Currently, the project construction and inspection schedule are on track for the hotel to open no later than the second quarter of 2019.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Jay Petrek, Assistant City Manager
11/29/2018 2:30 p.m.



FUTURE CITY COUNCIL AGENDA ITEMS

Updated November 29, 2018

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

December 12, 2018
6:00 p.m. (Installation Ceremony)

CONSENT CALENDAR

Certification of 2018 General Municipal Election Results
(E. Heter)

Request the City Council approve certifying the November 6, 2018, City of Escondido General Municipal Election and declare the results.

December 19, 2018
4:30 p.m.

CONSENT CALENDAR

Regional General Permit (RGP 94) – Channel Maintenance Program Implementation and Renewal Consultant Bid Award
(C. McKinney)

The City of Escondido obtained a Regional General Permit 94 for Channel Maintenance (RGP 94) in August 2015. RGP 94 authorizes the City to perform operations and maintenance at 63 concrete and earthen storm water facilities. The permit expires in 2020, therefore, renewal of the permit, annual reporting, and biological monitoring of this project require specialized expertise that the consultant will provide through approximately December 2020.

Approval of Recognized Obligation Payment Schedule (ROPS) 19-20 for the Period July 1, 2019 through June 30, 2020
(S. Bennett)

Request the City Council approve the ROPS 19-20 so that the Successor Agency may continue to make payments due for enforceable obligations.

Request for Authorization to Process an Amendment to the Downtown Specific Plan Related to the Former Palomar Hospital Site and Adjacent Properties at the Intersection of East Valley Parkway and Valley Boulevard
(B. Martin)

The request is to authorize staff to initiate processing an amendment to the Downtown Specific Plan to facilitate the redevelopment of the old downtown hospital site as a master-planned mixed-use development. In addition to the hospital site, the project would include a number of additional, adjacent parcels and parcels across Valley Boulevard from the hospital property.

December 19, 2018
Continued

PUBLIC HEARINGS

Approve an Amendment to Fiscal Year 18-19 CDBG Action Plan Allocating Funds to the LED Street Light Retrofit Project and Bid Award for the LED Street Light Retrofit Project
(B. Martin)

It is proposed that the 2018 CDBG Action Plan be amended to program \$150,000 to the Creek Trail Fencing Project and \$150,000 to the LED Street Light Retrofit Program. It is further recommended that the City Council award the bid to the lowest responsible and responsive bidder for the LED Street Light Retrofit project. This Project features the retrofitting of 644 non-LED street light and safety light fixtures with new LED luminaries within the area bounded by Lincoln Avenue, Ash Street, 13th Avenue, South Broadway and Upas Street. This area includes (12) twelve CDBG-eligible neighborhoods: Adams/Gamble, Calm Grove, Park Place, North Hickory, West Hillside Group, South Elm/ Hickory, Los Arboles, Westside Involved Neighbors, Old Escondido Historic District, Ontario, Tulip Group, and Orange Place Collaborative.

CURRENT BUSINESS

Climate Action Plan – Informational Report and Status Update
(B. Martin)

(Continued from November 28, 2018)

Although the City of Escondido was one of the first group of cities to prepare and adopt a CAP in the San Diego region, a lot has changed since then – and the City’s CAP needs to be amended. On June 20, 2018, City Council received an overview of the work program and anticipated outreach to be expected during phase 1 of the outreach and engagement period. City Council will receive a status update at the November 28, 2018 meeting.

Grape Day Park Development Update
(J. Axelrod)

Staff will provide an update on the Council Action Plan Neighborhood Improvement priority of making the vision of an expanded Grape Day Park a reality and seek direction from the City Council on the project.

Review and Update of Current City Council Subcommittee and Member Assignments
(Mayor)

Request the City Council make determinations and ratify members to serve on the Council/Mayoral appointed subcommittees.

FUTURE AGENDA ITEMS

Weekly Activity Report



November 29, 2018

FEATURED THIS WEEK

New Bridge Craned in Over the Escondido Creek

On November 20 the new pedestrian bridge was placed over the Escondido Creek as part of the Escondido Creek Bikeway Missing Link Project. This project fills an existing gap between the Escondido Creek Trail on N. Broadway and the Inland Rail Trail on Quince Street by constructing new bike facilities through the core city area. Read more about the project [here](#).



Over 1,100 Volunteers Lend a Hand in Kit Carson Park

On November 17, The Church of Rancho Bernardo held their annual serve day at Kit Carson Park. This event is the City's largest volunteer turnout of the year. The Church brought over 1,100 volunteers to clean, pick up trash, trim plants and trees, plant new trees and spread mulch for nearly 4 hours. This equates to 82.5 weeks of labor saved. It would take two full time employees nearly 10 months to complete this many hours of labor. This one day of service saves our taxpayers over \$81,000! Thank you to The Church of Rancho Bernardo for this amazing commitment to Escondido.



Successful Fire Department Partnership with Palomar College

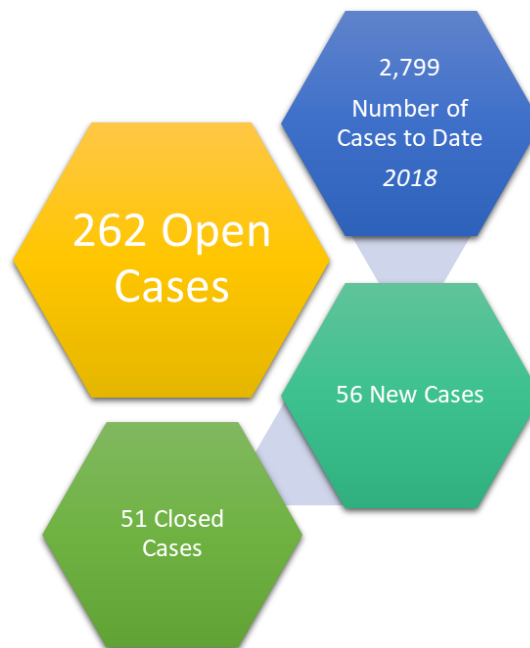
In response to our ongoing challenges recruiting paramedics, the Fire Department recently implemented a partnership with Palomar College's Paramedic School to fast track selected paramedic students into full time positions with the City. After completing the classroom portion of paramedic school, students must complete a 22-shift (two month) internship assigned to a preceptor assigned on an ambulance. In September of this year three students were selected to complete their internship with our Fire Department. All three students successfully passed their internships and graduated from paramedic school. They have applied for full time positions and are currently in backgrounds. We expect all three to be hired full time in January 2019.

Pollinator Gardens Pop Up in Escondido

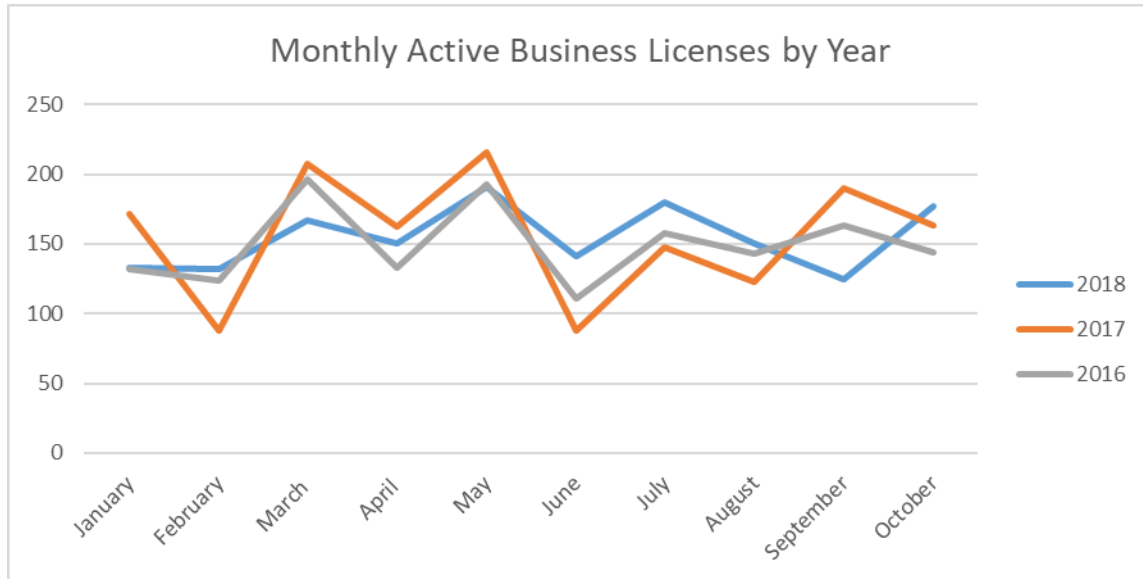
The small space between Evans Tire and the Escondido Creek is more than just landscaping. The Plaza Del Arroyo pocket park is a functioning pollinating garden that is full of bees, beetles, and caterpillars that aid in the overall ecosystem in the area. Read more in the San the Union Tribune article [here](#).

BY THE NUMBERS

Code Enforcement



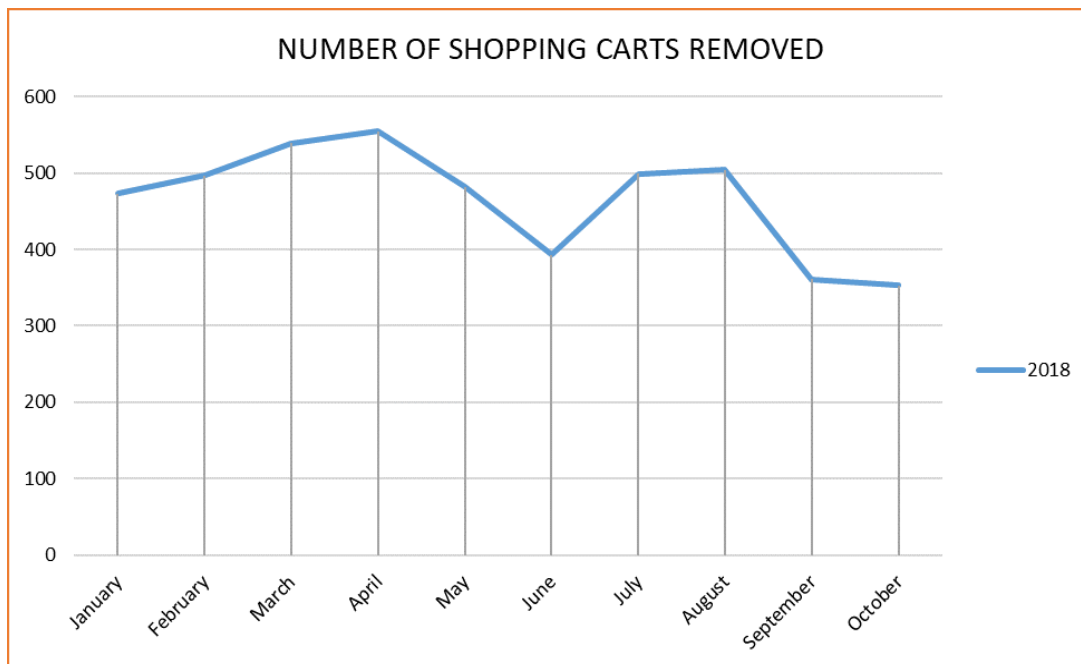
Business Licenses

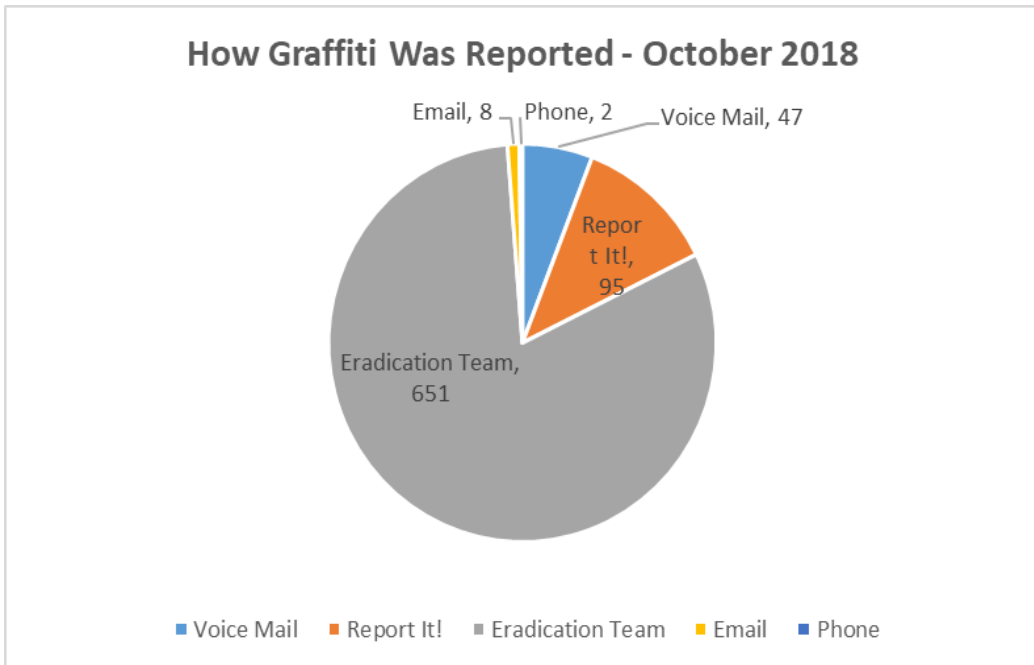
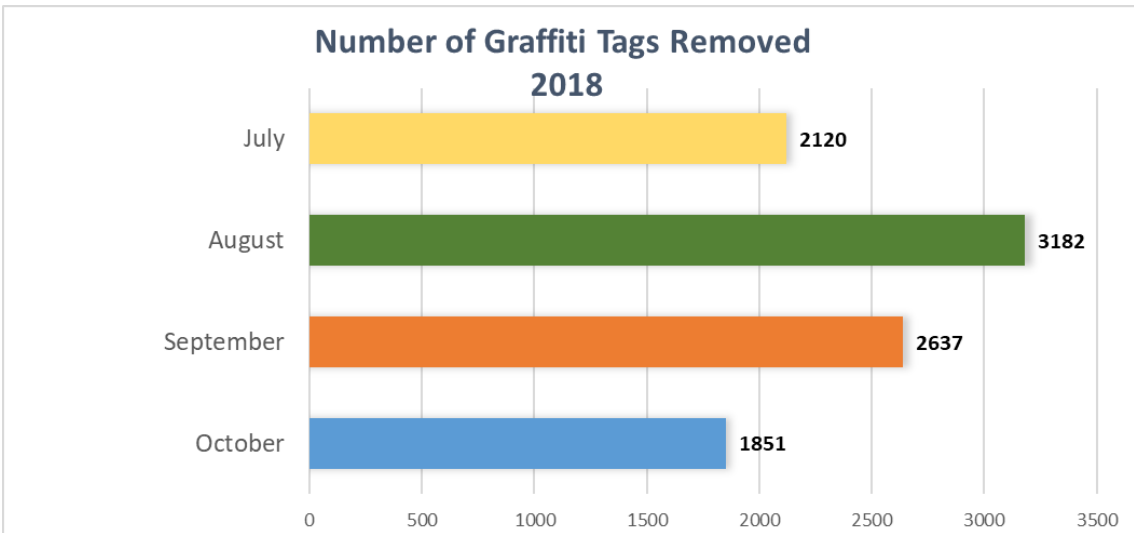


Graffiti Restitution

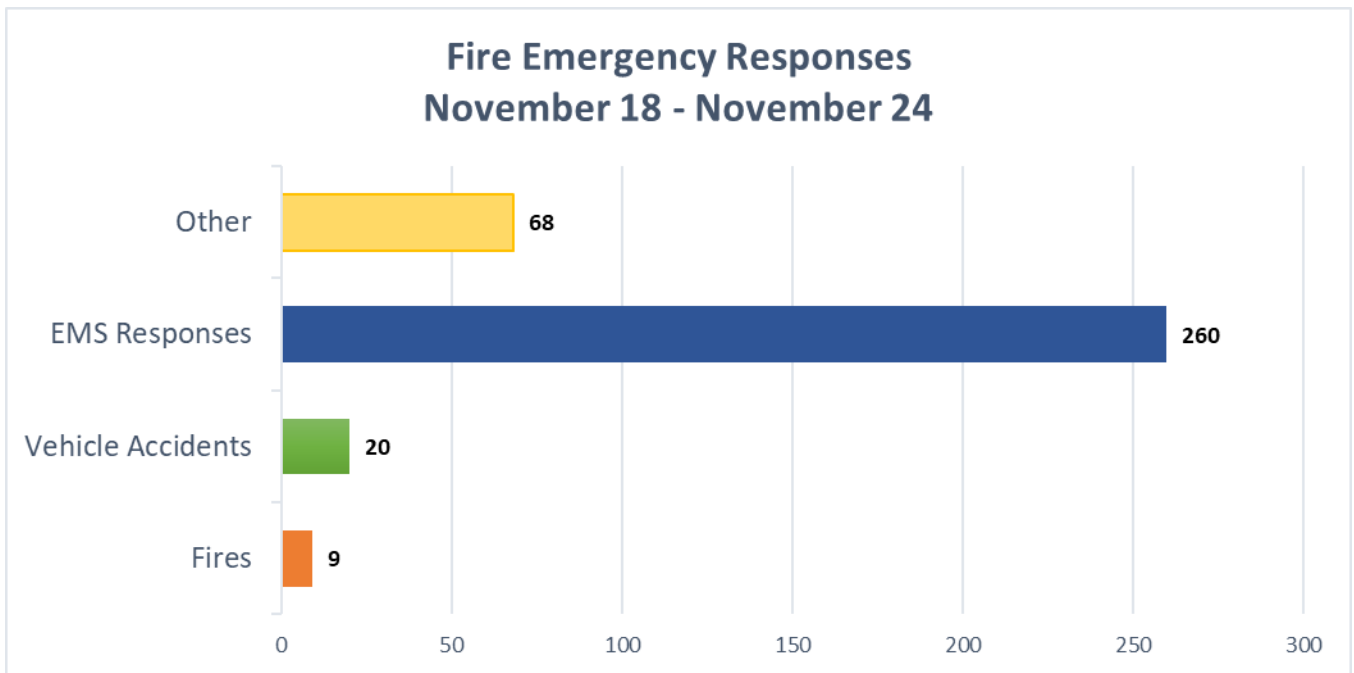
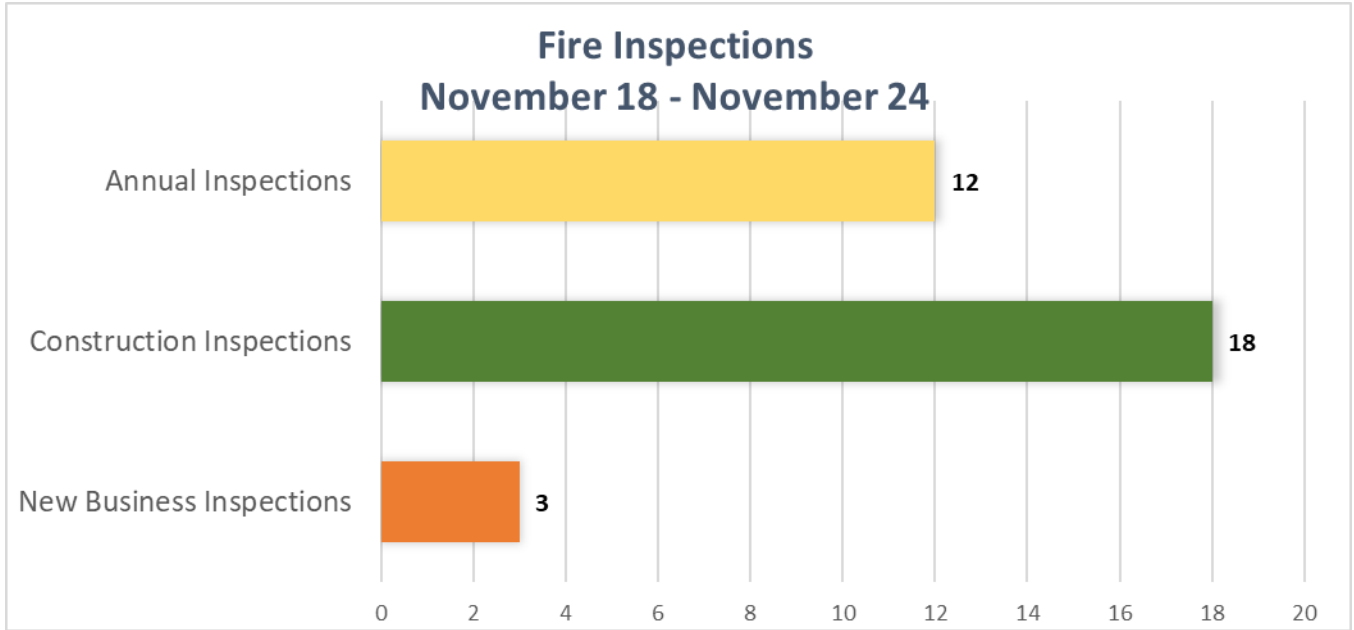
Collected This Week	Collected Year to Date
\$0	\$8,829.40

Public Works



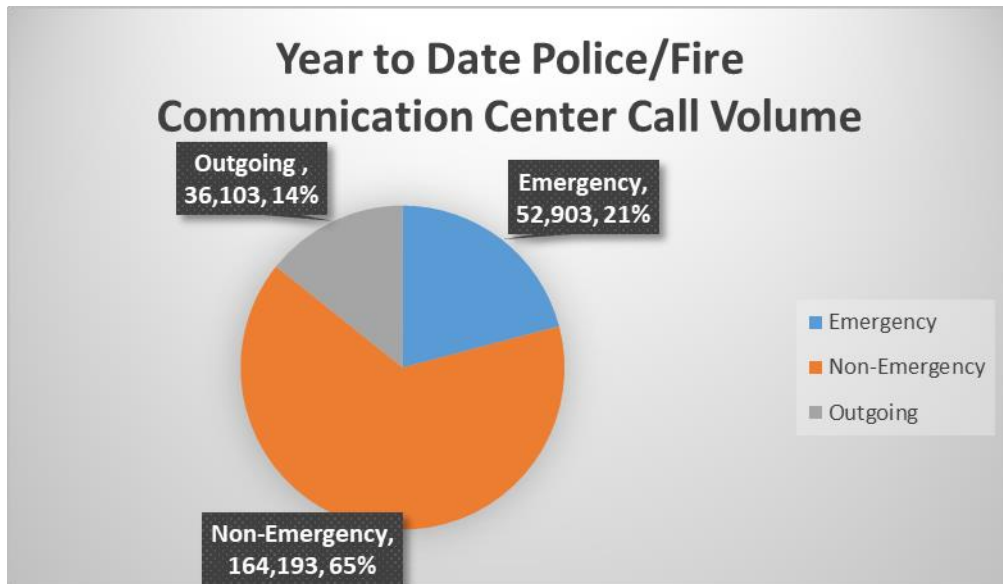
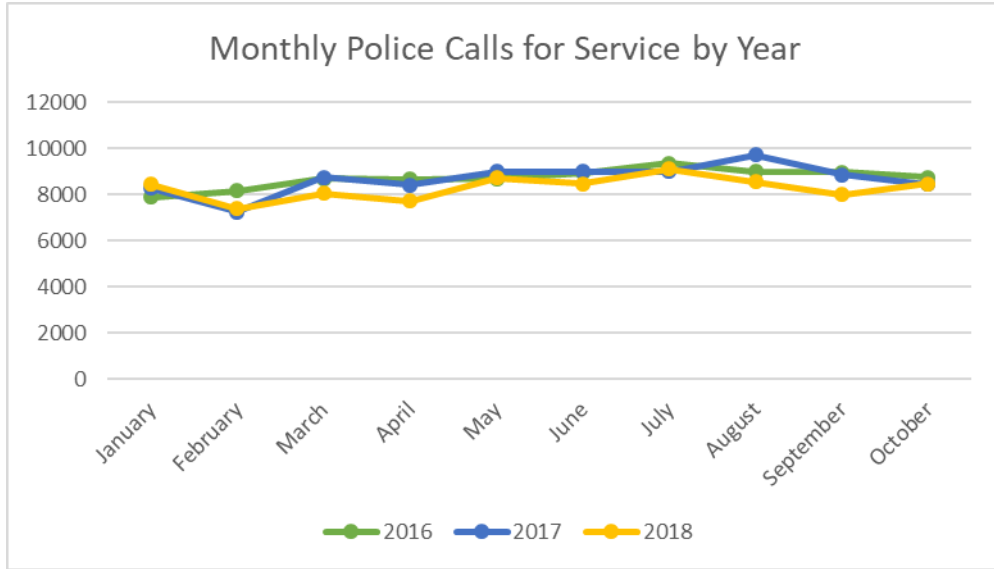


Fire

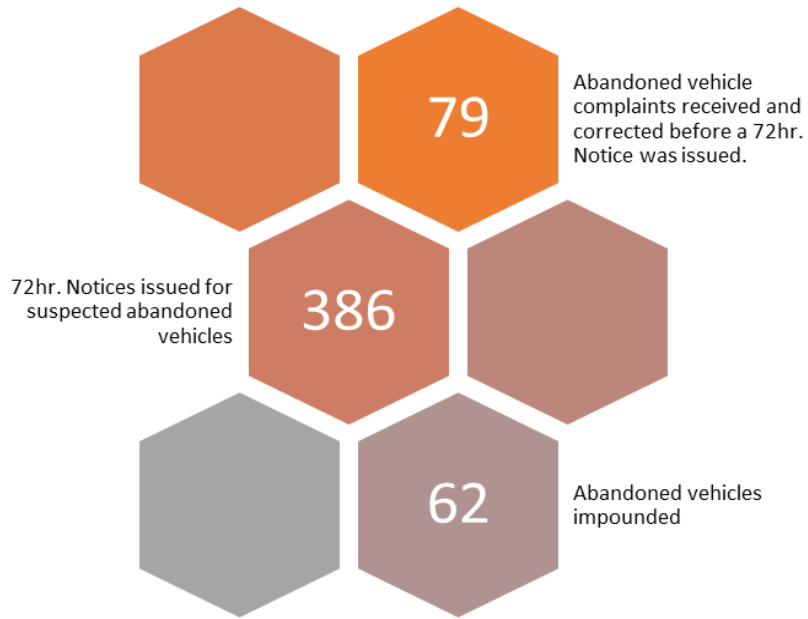


Total Emergency Responses (Year To Date)	14,176
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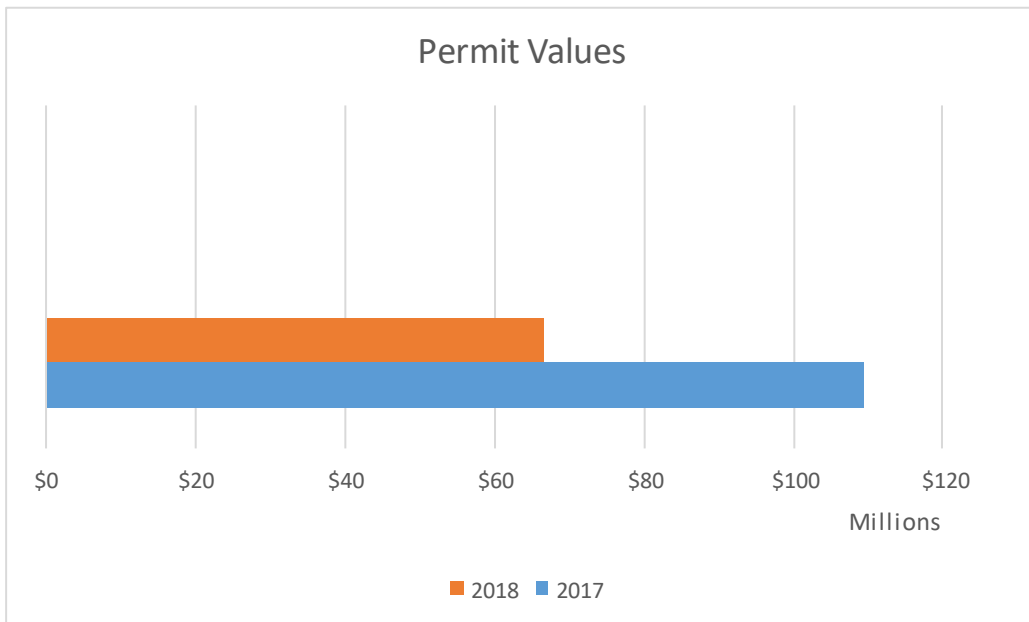
Police

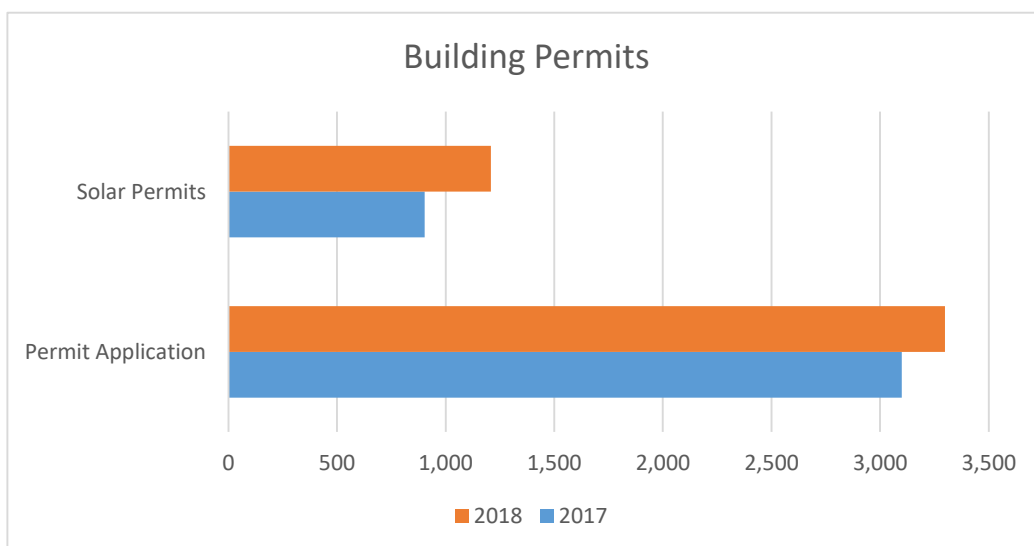


October Abandoned Vehicle Data



Building Division:





POLICE DEPARTMENT

Incidents:

Peaceful Week

We are happy to report that Thanksgiving week proved to be rather peaceful in Escondido. Below is what little there is to report this week;

Domestic Violence Leads to Vehicle Pursuit

On November 20 at 3:18 p.m., officers responded to a domestic violence call at the Best Value Inn, 555 N. Centre City Pkwy. Thomas Kerr (53-year-old resident of Escondido) had threatened and battered his girlfriend, and threatened to kill the hotel manager. Kerr fled in a vehicle as officers arrived. Officers attempted to stop the vehicle, but Kerr eluded them and a vehicle pursuit ensued. As with all vehicle pursuits, officers are continuously weighing the public safety risk posed by the pursuit against the need to capture the suspect. In this case, Kerr was driving in a reckless manner that outweighed the need for an immediate apprehension. Officers canceled the pursuit to avoid unnecessary risk to public safety. Kerr was found and arrested on 11-26-18 in San Marcos. He was booked on charges of domestic battery, criminal threats, and felony evading.

Motorcyclist Injured in Collision

On November 10, at 6:35 a.m., officers responded to a traffic collision at the intersection of El Norte Pkwy. and Fig St. The collision involved a truck and a motorcycle. The motorcyclist sustained serious injuries and was transported to Palomar Medical Center. The Escondido Police Traffic Division is handling the investigation.

COPPS:

The COPPS (Community Oriented Policing and Problem-Solving) Unit is dedicated to increasing the quality of life for the residents of Escondido through pro-active responses to crime trends, quality of life issues, and addressing crime and public nuisance in Grape Day Park and at Maple Plaza.

- 4 arrests
- 17 citations

EVENTS:

Captain Murphy and Lt. Al Owens (retired) represented EPD and the Police Athletic League (PAL) at the Boys and Girls Club. A family in need was given new appliances, food and \$600 in gift cards courtesy of Maytag and their Dependable Leaders Award.

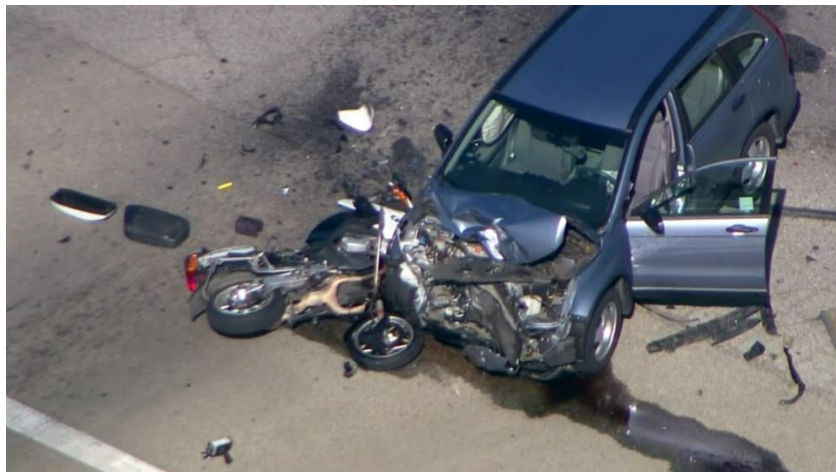


TIP OF THE WEEK:

According to the National Highway Traffic Safety Administration (NHTSA), motorcyclist deaths occurred 28 times more frequently than fatalities in vehicles. Here are some important reminders when operating a motorcycle;

- **Get a license:** State law requires a motorcycle license to operate on public roadways.
- **Wear safety equipment:** State law requires that all riders wear a U.S. Department of Transportation (DOT) helmet. Make sure that your helmet has a DOT symbol on the outside back of the helmet. Additionally, arms and legs should be covered by wearing leather or heavy denim. Last, wear boots, gloves, and reflective clothing for added protection and visibility.
- **Know your bike:** Motorcycles vary in handling. Ride in a controlled area until you become accustomed to the unique feel of your bike.
- **Ride responsibly:** Understand and follow traffic laws, do not take unnecessary risks, signal before making lane changes, and do not ride when intoxicated.

Ride Safe!



FIRE DEPARTMENT

News:

- On Thursday, November 8 Due to the Red Flag Warning and high winds in the region, the City of Escondido Fire Department contributed to a CALFIRE pre-positioned strike team of brush engine crews by providing the Strike Team Leader (Battalion Chief Jeff Sargis) and a brush engine from Station 3. (Captain Teague, Engineer Collins and Firefighter Paramedic C. Smith). The strike team was one of four requested by CAL FIRE and pre-positioned in San Diego County so that a large number of firefighters could rapidly be sent to any fire that might have started. Chief Sargis' strike team was assigned for six days to the North County area, mostly staged in San Marcos and Escondido. Although they were dispatched to several reported fires, fortunately none of the fires grew into major incidents.



- Last week, maintenance was performed on the Fire Department training tower and underground water storage system. When water is flowed at the tower for fire training, it is pumped from and drains back into an underground cistern. Maintenance and inspections of the underground storage area are needed to maintain expensive equipment and prolong the lifespan of the facility. The photos show Fire Department personnel performing a confined space entry into the cistern to pressure wash the inside area. Dirt and debris that had accumulated over several years was removed. City Storm Water Division personnel assisted using their Vactor truck to vacuum all the debris and water from the cistern. On duty Fire Department crews working alongside Storm Water Division personnel to clean out the cistern and perform maintenance saved the cost of hiring a vendor, provided an opportunity for confined space entry

experience, and was a great example of inter-department collaboration to ensure that we are Clean, Safe, and Efficient!



Mutual Aid:

- The City of Escondido Fire Department assisted with management of the Camp Fire in Butte County by deploying two of our personnel as Public Information Officers. Engineer Brad Bihun left on November 8 and returned home safely on November 22. Engineer Dom Polito left on November 12 and returned home safely on November 21. Between November 8 and November 25 the Camp Fire burned 153,336 acres, destroyed over 14,500 buildings, mainly in the community of Paradise, and took the lives of at least 85 people. The Camp Fire is officially the most destructive and deadly wildfire in the history of the state.
- On Friday, November 11, the Fire Department deployed brush engine OES8632 (Captain Paulson, Engineer Schmeiser, Firefighters Frasca and Tlapala) as part of Strike Team 6848C to the Hill Fire in Ventura County. They returned home safely on November 16.

COMMUNITY DEVELOPMENT

Major Projects Update

The following major projects are being reviewed and coordinated by Planning, Engineering, Fire, Building and Utilities. The list of projects below encompasses recent project updates and/or milestones from last week.

Commercial / Office:

1. Escondido Research and Technology Center (ERTC) – West (Developer: James McCann) 2181 Citracado Parkway – A plan for a new two-story, 57,000 SF, 52-bed Palomar Rehabilitation Institute was submitted as a Plot Plan on July 31, 2017. The Plot Plan approval

letter was issued on February 7. A second grading plan check was submitted by the applicant on April 16, and the grading permit is ready to be issued once Planning receives information from the applicant that assures adequate parking is provided.

2. Escondido Research and Technology Center (ERTC) – East (Developer: James McCann) 2130 Citracado Parkway – Building plans for the first 71,656 SF medical office building in this approved medical complex area across from Palomar Hospital were submitted into plan check on October 9. Esgil and Planning have provided plan check comments. Fire has approved the plans. A Specific Plan Amendment (SPA) will be required to move the temporary parking lot on this site to another location within ERTC. The SPA application was submitted on November 13.
2. Ritz Theater “The Grand” (Developer: New Venture Church) 301, 309 E. Grand Avenue – A proposed CUP to renovate the existing Ritz Theater and adjacent commercial building to provide for a variety of assembly uses including performing arts and religious services. The application was submitted on May 17. The Historic Preservation Commission considered historic-related design issues on July 19, and provided direction to the applicant. The applicant was granted expedited processing through the Business Enhancement Zone regulations at a City Council Economic Development Subcommittee meeting on August 9. A Mitigated Negative Declaration has been prepared to analyze the environmental impacts of the project. The MND 20-day public review period ended on November 26. A City Council hearing has been scheduled for December 5.

Industrial

1. Escondido Self-Storage Facility (Developer: Brandywine Homes, Inc.) 2319 Cranston Dr. – Updated building plans were resubmitted into plan check on July 24. Esgil and Fire have approved the plans. Planning provided comments on the building plans on September 19. The final map was approved by City Council on September 19, and has recorded. The grading permit has been approved and the final improvement plan Mylar’s have been signed. The building plans have been approved by Esgil and Fire. Engineering and Planning approvals are still outstanding.
2. Citracado Business Park (Developer: Dentt Properties) 2207 Harmony Grove Road – A proposed specific plan for two industrial warehouse/office buildings (145,930 SF and 125,930 SF) with the buildings to be separated by the future extension of Citracado Parkway. The application was submitted on August 14. All departments have completed their initial review and comments were sent to the applicant on September 17. SDG&E also has provided comments regarding the high voltage power lines that traverse the site. The applicant’s traffic consultant submitted revised methodology and distribution to Engineering on October 19. A meeting with the applicant to review the various departmental comments occurred on October 29. A revised submittal is expected soon.

City Projects

1. Micro-Filtration Reverse Osmosis (Developer: City of Escondido Utilities Department) SE corner Ash/Washington – The City Council approved a contractual agreement with Black and Veatch for engineering services on April 4. A project design kick-off meeting occurred on June 13. A Request for Qualifications to solicit a Design/Build firm was released the first

week of September. A site walk with potential bidders was conducted the last week of September. Statements of Qualifications have been received; and the RFP is expected to be issued soon to a short-list of three selected consultants.

2. Lake Wohlford Replacement Dam (Developer: City of Escondido Utilities Department) – A Draft EIR was prepared and issued for a 45-day public review period that began on October 4, 2016 and closed on November 17, 2016. A field visit with staff from the state and federal wildlife agencies took place on May 11, 2017, to review biological mitigation requirements including an agency request for full mitigation for emergent vegetation at the eastern end of the lake that came into existence since the lake level was reduced for safety reasons. Staff sent a follow-up letter to the wildlife agencies on June 29, 2017, seeking clarification on the proposed biological mitigation requirements. Additional information has been compiled and analyzed by the City's biological consultants based on recent conversations with the agencies. The biological consultant and staff met with the wildlife agencies on November 28, to discuss a modified approach to fulfilling mitigation requirements.

Institutional

1. Escondido Assisted Living (Developer: Tigg Mitchell, Mitchell Group) 1802 N. Centre City Parkway – This CUP application for a 71,300 SF three-story, assisted living and memory care facility with 90 total units was submitted on October 31, 2017. The City Council authorized review of a General Plan Amendment request on March 21, which was necessary to review the request to allow a third floor for the building. The applicant has been actively engaged with Fire, Engineering and Planning staff and has provided several revisions intended to address identified issues with the most recent project revision received on June 25. Draft environmental documents were submitted to Planning the second week of August and comments on those documents were returned to the applicant on August 29. A revised draft Mitigated Negative Declaration was received on October 25. Staff met with the applicant on November 8 to discuss the revised document. Public review of the draft MND is expected to commence soon.

Residential

1. Safari Highlands Ranch (SHR) (Developer: Jeb Hall, Concordia Homes) 550 lots east of Rancho San Pasqual – A Notice of Availability for the Draft EIR was issued on October 16, 2017 for public review and comment. The comment period ended on January 2. Staff transmitted all the comment letters and emails to the Draft EIR consultant for review and to prepare a response to each comment. The Draft EIR and appendices have been posted on the City's website at the following link:
<https://www.escondido.org/safari-highlands-ranch-specific-plan.aspx>

The responses to comments have generated related revisions to the project design. The applicant's engineer submitted a revised tentative map on October 26. Generally, the amount of grading and the area of disturbance has decreased, while the overall number of 550 residential lots has remained the same. The revised Tentative Map and exhibits have been posted on-line at the link above.

2. 18 lots at 701 San Pasqual Valley Rd (Developer: Bob Stewart) – Staff comments on the revised tentative map were issued the last week of July 2017. Planning staff met with the

applicant on June 27 to discuss remaining issues. The applicant has occasionally engaged in discussions with various departments since that time, but has declined a staff offer to schedule a comprehensive meeting with all city departments. On October 31, the applicant indicated by email that revised plans would be submitted soon.

3. The Villages at Escondido Country Club (Developer: Jason Han, New Urban West, Inc.) 380 residences – The City Council voted 3-2 to approve the project on November 15, 2017. The applicant submitted rough grading plans, drainage improvement plans and utility relocation plans for all three villages on May 7. There have been three rounds of plan checks on the rough grading plans since the original submittal and a permit-ready letter for rough grading was issued on August 31 and revised on September 4. Landscape plans were submitted on June 5, and a second submittal was received on October 2. The applicant submitted the final map and other improvement plans on July 9. Additional comments on the improvement plans, utility location plans, storm drain plans and all technical studies were provided by Engineering on September 11. Country Club Lane street improvement plans were submitted for first plan check on October 9, and Engineering comments were provided on November 21.

The approved tentative subdivision map, Final EIR and appendices, Specific Plan and other related information can be accessed on the City's website at the following link:

<https://www.escondido.org/ecc.aspx>

5. North Avenue Estates (Developer: Casey Johnson) 34 lots at North Ave./Conway Dr. –The City Council approved the project on January 10. LAFCO approved the annexation application on October 1. A first round of final engineering plans was submitted on May 24. Comments were returned to the applicant on July 5. Staff met with Taylor Morrison Homes the week of November 5 to discuss the Precise Development Plan process.
6. Aspire (106 condo units on Municipal Lot 1) (Developer: Addison Garza, Touchstone Communities) – The proposal consists of a six-story mixed-use development across from City Hall on Parking Lot 1. The project was initially submitted for entitlement processing on June 23, 2017. Subsequent meetings with the applicant and staff have been on-going, and the most recent resubmittal of the project plans was received on May 10. Fire is awaiting confirmation that Maple Street will support the weight of their apparatus. A Traffic Impact Analysis has been provided and Planning is awaiting submittal of the rest of the environmental documentation for review. A meeting with the applicant occurred on September 12, to discuss remaining project issues. A purchase and sale agreement for the project site (Parking Lot 1) was approved by the City Council on September 19. Concerns regarding parking have been expressed; and the applicant has brought a parking consultant on board to review the issue.
7. The Ivy (95 condo units at 343 E. 2nd) (Developer: Addison Garza, Touchstone Communities) - The condo project was initially submitted for entitlement processing on June 23, 2017. Subsequent meetings with the applicant and staff have been on-going, and the most recent resubmittal of the project plans was received on May 10. An environmental initial study and Draft Mitigated Negative Declaration (MND) were submitted for review on June 11. Comments on the MND were sent to the applicant and consultant on July 30, and revised documents are expected soon. Planning met with the applicant and consultant to

discuss the comments on August 9. A meeting with the applicant occurred on September 12,, to discuss remaining project issues.

8. Grand Avenue Apartments (Developer: Norm LaCaze, Escondido Venture 99, LLC) 15 apt. units at 1316 E. Grand Ave. – A planned development application proposing 15 multi-family units in one three-story building on a vacant 0.51-acre lot was submitted for entitlement processing on September 22, 2017. Several follow-up meetings with staff were held to discuss issues regarding the project design and revised plans were submitted in early April, and most recently on August 10. Outstanding issues include guest parking, drainage, additional fire hydrant and an ambulance turnaround. A meeting with the applicant to discuss these issues took place on October 11, and revised plans are expected this week.
9. Quince Street Senior Housing (Developer: Matt Jumper, 220 Quince, L.P.) 145 apartment units at 220 N. Quince St. – The five-story affordable senior housing apartment project was submitted on November 21, 2017. Four meetings with the applicant team and multiple city departments have occurred since the project submittal to discuss project design issues, with the most recent meeting occurring on July 12. Utilities conducted a fire flow test at the site on June 26. A constraints map to identify fire access routes and locations of existing utilities has been approved by staff and the applicant utilized that map to submit a revised project on November 21.
10. Sager Ranch/Daley Ranch Resort Specific Plan (Developer: J. Whalen Associates, Inc., Sager Ranch Partners) 203 housing units and 225-room resort hotel on 1,783-acres, just north and east of Daley Ranch – This proposed residential and resort hotel annexation and specific plan project was received on March 2. The project submittal has been deemed incomplete and a letter from staff requesting additional project related information was sent to the applicant on April 4. Requested information includes annexation exhibits, proposed general plan amendment text, a proposed Transfer of Development Rights Program, environmental initial study, and a fiscal impact analysis. Planning met with the applicant on May 17 to discuss items listed in the letter. A follow-up meeting to discuss engineering issues occurred on June 27. The applicant met with Escondido Fire and Valley Center Fire on August 1 to discuss fire protection issues. Significant fire-related issues to be addressed include the steepness of the project entry road, secondary emergency access and Fire Department response times. A follow-up meeting with the applicant to discuss these issues occurred on October 11.

A project webpage containing draft documents and plans has been added to the Planning Division's website at the following link:

[Daley Ranch Resort Specific Plan - City of Escondido](#)

11. Nutmeg Condo General Plan Amendment (Developer: Jim Simmons, CCI) 137 townhome condo units on 7.7 acres on both sides of Nutmeg between I-15 and Centre City Parkway – This proposed multi-family residential development includes a GPA from Office to Urban III (up to 18 du/acre) as well as a vacation of approximately one acre of public right-of-way for use in the project. The project application was received on June 15. Comments from Planning, Fire, Engineering, Utilities and Traffic Engineering were provided to the applicant on July 13. A follow-up meeting with the applicant to discuss the comments occurred on July 31. Engineering has indicated that a specific alignment plan will be required to address the street radius on Nutmeg along the project frontage. Fire has identified some access issues

that need to be addressed as well. Based on a preliminary environmental study of the project, it has been determined that an Environmental Impact Report will be prepared to support the project. A Notice of Preparation was sent out on August 29, and closed on October 1. A Scoping Meeting occurred on September 6. The applicant submitted revised plans and studies on October 16. Engineering, Utilities and Fire provided comments on the revised plans on November 13. A follow-up meeting with the applicant occurred on November 28.

12. Oak Creek (Builder: KB Homes) 65 single-family residential lots on approximately 44 acres at Felicita Road and Hamilton Lane – The original developer, New Urban West, has secured permits from CDFW, ACOE and RWQCB. The new builder (KB Homes) filed a modification to the Precise Development Plan to revise the architecture and reduce the size of the homes. The Zoning Administrator approved the revised architecture on October 25. Grading, drainage and storm water management plans were submitted for first plan check on July 25. Fire and Engineering issued comments on the rough grading plan on September 4. Second plan check submittals for rough grading, off-site improvements and final map were received on October 23. The model homes were submitted into plan check the last week of October. The project biologist and landscape architect are coordinating completion of the biological mitigation requirements with staff prior to issuance of a grading permit. Utilities and Rincon MWD staff have scheduled a meeting with the applicant to discuss water service.
13. Mercado 3-Story Mixed Use Building (Developer: Curtis Lively) 5 residences and 2 commercial suites on 0.14-acre at 510 W. 2nd Avenue – A Plot Plan for five two-story residential units on top of 2,375 SF of commercial floor area and a parking garage was submitted July 13. Staff review comments were provided to the applicant who then submitted revised plans. A water main extension north from Third Avenue will be required to serve the project. Additional Planning and Engineering comments were sent to the applicant on September 27. Planning provided additional comments on an emailed version of a revised site plan on November 26.
14. 555 West Grand Mixed-Use Building (Developer: Ed McCoy) 32 condo units in three floors over a parking garage – This 32-unit mixed-use development with 610 SF of office/flex space was submitted as a planned development application on August 27. The project is seeking a reduction in parking and open space standards. Initial multi-department comments were sent to the applicant on September 26. The applicant met with Fire, Engineering, Planning and Utilities staff on October 16 to discuss the staff comments. An alternative site plan showing garage access from Quince Street was submitted by the applicant on October 31. Staff supports the alternative access plan and is working with the applicant to incorporate it into the project design.
15. Accessory Dwelling Units – Planning staff is currently working on seven applications for accessory dwelling units. 22 accessory dwelling units have been approved so far this year. Three accessory dwelling units were approved last year.

Building Division:

1. On this short three-day holiday week, the Building Division issued 66 permits (including 21 solar photovoltaic) with a total valuation of \$70,459.

2. Our building inspectors responded to 146 inspection requests and 104 customers visited the Building counter during the week.
3. *No change from the previous:* The Meadowbrook three-story apartment building with underground garage at 2081 Garden Valley Glen is preparing the building for final inspection. Building inspected the gas lines on September 13. Cabinetry installation is ongoing. Permits have been issued for roof mounted solar.
4. *No change from the previous:* The Westminster Seminary at 1725 Bear Valley Parkway so far has received final inspection approval and Temporary Certificates of Occupancy for all buildings except for Buildings B and H.
5. The Emmanuel Faith Church education building at 639 E 17th Ave has requested final building inspection and certificate of occupancy and they are working on the inspection corrections.
6. A Temporary Certificate of Occupancy has been requested at the Veterans Village project at 1540 S. Escondido Blvd.
7. Centre City Shopping Center (Centre City Parkway/Mission Avenue) – A final building inspection and Certificate of Occupancy has been approved for the new carwash business. Interior tenant improvement permits were issued and gas test and drywall has been inspected for the new Yoshinoya restaurant in the center building. Habit Burger has received a final building inspection and they are working on the corrections. Stanton Optical has received final building inspection approval.
8. The Latitude 2 apartment project at 650 Center City Pkwy is nearing completion of Building 1, cabinets and finish are being set at Buildings 2 and 3, drywall has been approved at Buildings 3 and 4 and 5. A Certificate of Occupancy for the first building is expected within 1 week.
9. *No change from the previous.* The new two story church sanctuary building at 1864 N. Broadway has completed the slab, roof sheathing and exterior lath.
10. The 212,000 SF industrial shell building at 2005 Harmony Grove has received an extension of their 30-day Temporary Certificate of Occupancy to expire on December 29, 2018.
11. The Citron multifamily project at 2516 S Escondido Blvd has foundation inspection approval for Buildings 6, 7 and 8, roof sheathing for Buildings 9 and 10, rough framing for Building 4, exterior framing for Building 5 and floor sheathing inspection for Building 6.
12. *No change from the previous.* The new 105 room hotel at 200 La Terraza received partial drywall and framing inspection approvals.
13. *No change from the previous.* The four-story, 102,774 square foot self-storage building at 222 W. Mission Ave. has received inspection approval for 2nd floor mechanical, partial drywall and roof deck framing and partial framing.

14. The new five-story self-storage building at 852 Metcalf St. has received slab inspection approval and underground plumbing.
15. The new Gateway Grand 126-unit apartment project at 700 W. Grand Ave. has received foundation inspection for all pier footings for Building A and foundation and slab inspection for Building B and the clubhouse building and grade beams for Building C.
16. *No change from the previous.* Foundation and underground plumbing have been approved for all three buildings at the new 9-unit apartments on 917 W. Lincoln Ave.

ENGINEERING DEPARTMENT

Capital Improvements

1. Valley Parkway/Valley Center Road Widening Project: Calendar Day 344 – The contractor is continuing the tree planting and staking of the trees along the Valley Center Road portion this week. The traffic signal contractor has returned this week to complete the signal cabinet relocation for Lake Wohlford Road on Tuesday. On Wednesday, the contractor will be replacing the signal pole at the North East corner of Lake Wohlford / Valley Center Road. Both activities require a signal outage between the hours of 8 a.m. to 3 p.m. Stop signs and electronic notification boards will be in place to aid with vehicle travel. The metal guard rail system along Valley Center Road at the new bridge abutment will be installed this week.
2. Transit Center Pedestrian Bridge Project – *No changes from that reported last week:* Transit Center Pedestrian Bridge and Spruce Street Channel Improvement Project is moving forward with 100% design. City is seeking final Permit from the Army Corps. Negotiations of drainage/wall easements and TCEs with property owners are still underway. Negotiation with NCTD for a MOU is ongoing.
3. Missing Link Project - A flurry of activity has been occurring in the month of November. The pedestrian bridge element was installed on November 20, with the aid of a 3-hour crane operation. The concrete bridge deck and surrounding public improvements were installed on Tuesday of this week. The final traffic signal foundations for the Woodward and Broadway intersection are being installed this week with the signal pole delivery date being December 6th. The asphalt bike path along Centre City Parkway and the flood control channel to Quince Street was completed on November 20. The fencing, traffic striping, and asphalt berm elements are being installed on Wednesday of this week.
4. Public Service Agreement – Maintenance Yard Groundwater Monitoring Well Destruction: The City has solicited bids for the destruction of 14 groundwater monitoring wells located within the Public Works Maintenance Yard. The contractor began the demolition on Monday, November 26, with completion of the project on Thursday, November 29.
5. HSIP Traffic Signal Project – The low bid was received from DBX Construction in the amount of \$687,276.00. The project will provide new traffic signals at Valley Parkway / Date Street and El Norte Parkway / Fig Street intersections. The project is funded Highway Safety Improvements Projects. The contractor has begun to submit material for review.

Private Development

1. Centre City Shopping Center - Construction of the offsite public improvements along Mission Avenue from Centre City Parkway have been substantially completed last week. This allowed for the opening of the new third lane of vehicle travel between Washington Avenue to the South and HWY 78 onramp to the North. Merchants opened for business on Monday of this week. The project is located at 425 West Mission Avenue.
2. Tract 932 - Canyon Grove Shea Homes Community – *No changes from that reported last week*: Engineering will be finalizing additional houses this week. Of the 179 home lots developed since the start of construction on February 11, 2016, only 30 remain unoccupied.
3. Latitude II Condominiums by a Lyon Homes Partnership: Washington Avenue @ Centre City Parkway - Reconstruction of the Centre City Parkway improvements was completed this past week. Final striping alignment has been completed which will allow opening a third North bound travel lane along with a bike lane between Washington Avenue and Mission Avenue.
4. Exeter Industrial Park – *No changes from that reported last week*: The remaining roadway improvements along Harmony Grove Road were completed on Saturday, October 20. Final striping and traffic signal loop installation is set for Thursday of this week. The project is located at 2005 Harmony Grove Road.
5. Tract 934 – 5 lot subdivision located at 1207 Gamble Street. The grading operation is continuing this week.
6. Gateway Project - The contractor has completed water line testing this week and will complete the tie in to the City system on Wednesday, November 28. The project is located at 700 W. Grand Avenue, the previous site of Escondido Police Department.
7. Emmanuel Faith Church – The new traffic signal activation was completed on Wednesday November 21. The project began with the activation of the grading for the new building on February 8, 2017. The traffic signal construction began on March 8 of this year. With the completion of the traffic signal this will conclude the reporting of this project.
8. Lincoln Rock Apartments – *No changes from that reported last week*: The 3 building pads have been poured. The project is located at the Southwest corner of Rock Springs Road and Lincoln Avenue.

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