

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MASTER AND PRECISE DEVELOPMENT PLAN FOR GRAND AVENUE APARTMENTS (A 15-UNIT APARTMENT BUILDING) AND AUTHORIZING THE FILING OF A NOTICE OF EXEMPTION

APPLICANT: Nathan Houck, Sillman Wright Architects
CASE NOS.: PHG 17-0019

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

SECTION 1. The City Council makes the following findings:

a) Nathan Houck of Sillman Wright Architects ("Applicant") submitted a verified land use development application on property located on the north side of East Grand Avenue, east of East Ohio Avenue. The Project site is approximately 0.51 acre in size and currently has an address of 1316 East Grand Avenue, Escondido CA 92027, legally described as Exhibit "D", attached to this Ordinance and incorporated herein by this reference as though fully set forth. Said verified application was submitted to, and processed by, the Planning Division of the Community Development Department as Planning Case No. PHG 17-0019 and seeks approval of a Master and Precise Development Plan and Grading Exemption relating to the Project site. A site plan for the application is attached as Exhibit "E" and incorporated herein by this reference as though fully set forth.

b) The Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for February 12, 2019. Following the public hearing on

February 12, 2019, the Planning Commission adopted Resolution No. 2019-03, which recommended that the City Council approve the project's Master and Precise Development Plan and Grading Exemption.

SECTION 2. An original copy of the proposed 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 March 20, 2019, 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 March 20, 2019, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including the Planning Commission's recommendation on the request.
- d) Additional information submitted during the public hearing.

SECTION 4. Pursuant to the California Environmental Quality Act, a Notice of Exemption relative to the Project is attached as Exhibit "C" and incorporated herein by this reference as though fully set forth, and will be filed with the County Clerk.

SECTION 5. That, upon consideration of the Findings of Fact, attached as Exhibit "A", and the Conditions of Approval, attached as Exhibit "B", 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 March 20, 2019, City Council staff report, and is incorporated herein by this reference as though fully set forth herein.

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 March 20, 2019, 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. 2019-37 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.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 3rd day of April, 2019 by the following vote to wit:

AYES : Councilmembers: MARTINEZ, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

ABSENT : Councilmembers: DIAZ, MASSON

APPROVED:

DocuSigned by:
Paul McNamara
CAACE20782954D3...

PAUL MCNAMARA, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:
Zack Beck
A58535D0BDC1430...

ZACK BECK, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2019-02 passed at a regular meeting of the City Council of the City of Escondido held on the 3rd day of April, 2019, after having been read at the regular meeting of said City Council held on the 20th day of March, 2019.

DocuSigned by:
Zack Beck
A58535D0BDC1430...

ZACK BECK, City Clerk of the
City of Escondido, California

ORDINANCE NO. 2019-02

EXHIBIT "A" TO ORDINANCE NO. 2019-02

FINDINGS OF FACT

Environmental Determination:

Public Resources Code Section 21084 requires the CEQA Guidelines to include a list of classes of projects which have been determined *not* to have a significant effect on the environment and which shall be exempt from the provisions of CEQA. Section 15300 et. seq. of the CEQA Guidelines lists these exemptions. The Planning Commission, in its independent judgement, has determined the Project to be exempt from environmental review under Section 15332, Class 32, "In-Fill Development Projects." This determination was made because the project qualifies as a horizontal mixed-use planned development, as allowed in the Mixed Use Overlay of the East Valley Parkway Target Area of the General Plan. The project site is under five acres in size and substantially surrounded by urban uses; has no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services.

Public Notice and Outreach:

Planning Division staff provided public notice of the application in accordance with City and State public noticing requirements. At the time of writing this report, there have been no inquiries from the public. A notice was published in the local newspaper on February 1st, 2019. In addition, 32 notices were sent to owners and occupants within 500 feet of the project site. A public notice was also provided at the on the project site, on the City's website, and posted at City Hall and City Library.

Master and Precise Development Plan:

The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, Citywide Design Guidelines, and Improvement Standards adopted by the City.

1. The location, design, and residential density of the proposed Planned Development is consistent with the goals and policies of the Escondido General 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. The proposed project would construct a new apartment building with 15 residential units as well as a room for private storage of tenant property. The project would also provide 26 off-street parking spaces for tenant use. While the property is zoned General Commercial (CG) in the Zoning Code

and has a land use designation of General Commercial (GC) in the General Plan, it is also located within the Mixed Use Overlay of the East Valley Parkway Target Area, as defined in the General Plan. This overlay allows horizontal mixed-use planned developments comprised of exclusively residential buildings and exclusively commercial buildings. The project proposes to combine with an existing commercial property located to the direct east to form a horizontal mixed-use development. The proposed density of the project is 29.4 units/acre, which falls just below the minimum residential density of 30 units/acre for this Mixed Use Overlay; however, the project, at the proposed density substantially conforms to the densities conceptualized for the build out of the East Valley Parkway Target Area. The Target Area diagram provides a basic model or pattern to guide future development throughout the Target Area, rather than meant as a rigid development mandate.

The project would conform to General Plan Land Use and Community Form Policies 7.1 through 7.4 as described in the March 20, 2019 City Council staff report and the February 12, 2019 Planning Commission staff report.

2. The proposed location allows the Planned Development to be well integrated with its surroundings. Several existing multi-family developments exist in the general vicinity of the project, particularly to the south of Grand Avenue. Retail, office, and service uses are located within walking distance of the project site and bus service is available along Grand Avenue. Proposed development standards are largely consistent with those assigned to the City's R-5 (Very High Multiple Residential) zone.
3. All vehicular traffic generated by the Planned Development will be accommodated safely and without causing undue congestion upon adjoining streets. Engineering staff have determined that the proposed density of the project is below the threshold for requiring a traffic impact analysis.
4. The proposed location and design allows residents 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. All utilities intended for the site are already in place or can be extended to serve the site. Since the project site is already located within City limits and within an established neighborhood, police and fire services are available and do not need to be expanded for a development of this scale. The Fire Department has reviewed the project and all recommendations have been incorporated into the project design or included as conditions of approval.
5. The overall design of the proposed Planned Development produces an attractive, efficient and stable environment. A conceptual landscape plan has been provided that includes attractive and regionally-appropriate plantings. The project underwent design review on April 12, 2018, and recommendations from that review have been incorporated into the

project design. The project would utilize a neutral color palette and modern appearance to complement the surrounding neighborhood.

6. The Planned Development is well integrated with its settings, does not require excessive earthmoving or grading, or destruction of desirable natural features, nor is visually obstructive or disharmonious with surrounding areas and facilities, and does not substantially harm major views from adjacent properties. The project site is located near the top of a hill and therefore slopes downward from Grand Avenue toward the rear property line. The project would require grading in the amount of 232 cubic yards of cut and 5,067 cubic yards of fill (4,835 cubic yards of import). Two retaining walls would be necessary: one at the base of the apartment building along its west and south elevations, and a second along the north and east property lines, and a portion of the west property line. These walls and the associated grading would create a level pad for the apartment building and parking lot. The new building would be visually conspicuous due to its elevation relative to uses to the north and east, and its proposed height (43' from grade plane); however, the proposed building height would not exceed thresholds for either the existing zoning of the lot (General Commercial, which has no specific height limit) or for Escondido's higher-density residential zones (the R-5 zone allows heights up to 75'). Due to the small size of the site, the proposed building height and number of floors is necessary to obtain a density required by the General Plan for the applicable Mixed Use Overlay.
7. The uses proposed have a beneficial effect not obtainable under existing zoning regulations, and any departure from existing ordinance requirements shall be warranted by the design and the amenities incorporated in the Planned Development in accord with adopted city policy. The existing zoning for the project site is General Commercial. Development of this site with one or more viable commercial uses would be challenging due to its size, and the site's physical elevation more closely matches the existing residential uses to the east and south, than the existing commercial uses to the north and west. Development of the site with apartments would enhance the City's inventory of high-quality rental units, in a neighborhood where retail and services are available within walking distance and public transit is available.

EXHIBIT "B" TO ORDINANCE NO. 2019-02

CONDITIONS OF APPROVAL

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.

Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the conditional use permit conditions.

GENERAL

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, 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. 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.
3. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
4. 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.
5. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
6. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47), and any exhibits included in the staff report(s), to the satisfaction of the Planning Division. Separate sign permits will be required for project signage.
7. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
8. All new utilities and utility runs shall be underground.

9. The design of the project shall be consistent with the Details of Request contained within the Planning Commission staff report. Any changes must be approved by the City through the appropriate review process.
10. Four copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the planting plan attached as an exhibit, to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of, a licensed landscape architect.
11. All landscaping, fences, and walls on site, in any adjoining public parkways shall be permanently maintained by the owner, assigns, or any successors in interest in the property. The maintenance program shall include normal care and irrigation of the landscaping, repair and replacement of plant materials and irrigation systems, and general clean-up. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the approval.
12. Any new walls shall incorporate decorative materials or finishes, and shall be indicated on the building plans. All freestanding walls visible from points beyond the project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be a type satisfactory to the Director of Community Development.
13. As proposed, 26 parking spaces would be provided for the project. Said parking spaces shall be striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to stripe per City standards. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the California Building Code, including signage.
14. The 17'-wide turnaround area in the parking lot shall be used only for parking of emergency vehicles, and as a turnaround area for large trucks (to enable trucks to exit the property in a forward-moving fashion). This turnaround area shall be signed and/or painted accordingly, to the satisfaction of the Planning Division and the Fire Department. The turnaround area shall not be used as parking for tenants, guests, or visitors.
15. Prior to issuance of a building permit, a parking management plan shall be submitted to the Planning Division describing how parking will be assigned to each unit, and how prospective tenants will be informed of this assignment.

16. The existing chain link fence along the north and east parking lots shall be replaced with a solid wood fence or similar, to the satisfaction of the Planning Division.
17. The permits shall be null and void if not utilized within twelve months of the effective date of approval.
18. An inspection by the Planning Division will be required prior to operation of the project. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
19. The City of Escondido hereby notifies the applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In conformance with California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the date of this letter) a check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

FIRE

1. A minimum fire flow of 1,500 gallons per minute (gpm) at 20 PSI shall be provided for this project.
2. An adequate water supply and approved all-weather access shall be provided before any combustibles are brought to the project site.

UTILITIES

1. Grading and improvement plans shall show 3' public utility easements around all fire hydrants, water meters, and detector checks.

ENGINEERING CONDITIONS OF APPROVAL PHG 17-0019

GENERAL

1. The applicant shall provide the City Engineer with a Title Report covering subject property.

2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with the proposed project, these utilities shall be relocated.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of any building permit.
4. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
5. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
6. The engineer shall submit to the Planning Department a copy of the Plot Plan as presented to the Planning Commission. The Plot Plan will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Plot Plan and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards in effect at the time of the Plot Plan approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.
2. Access to this project shall be improved with alley-type driveways in accordance with Escondido Standard Drawing No. G-5-E with a minimum throat width of 24 feet.
3. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.
4. All on-site roads, driveways, and parking areas shall be private. Typical sections and design details shall be to the satisfaction of the City Engineer and Community Development Director. The private street improvements shall include, but not be limited to, the construction of concrete curb, sidewalks, street lights, paving and base.
5. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
6. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer

and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

7. The developer may be responsible for an overlay of Grand Avenue due to the many utility trenches necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.
8. Adequate horizontal sight distance shall be provided at all driveways. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
9. The developer shall be required to construct a LED street light in accordance with Escondido Standard Drawing No. E-1-E on Grand Avenue at a location to the satisfaction of the City Engineer.
10. The property owner shall assume liability for damage and repair to City utilities in the event that damage is caused by the property owner, or their association, when repair or replacement of private utilities is done.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department prior to issuance of building permits. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.
3. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
4. A Construction General Permit is required from the State Water Resources Control Board for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of one or more acres.
5. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches.
6. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

7. The developer will be required to obtain permission from adjoining property owners for any off-site grading and slopes necessary to construct the project and/or the required improvements.
8. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.
9. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in their report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by the Regional or City Standard Drawings. The cost of any independent third party review deemed necessary by the City Engineer shall be reimbursed by the developer. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Department plan review and permit process.
10. All proposed retaining walls along parking lots and driveways shall have a traffic-rated guard rail.
11. The property owner shall maintain and repair all brow ditches which pass from one lot through an adjacent lot.
12. The trash enclosure area shall be constructed or modified to comply with storm water quality management requirement to the satisfaction of the City Engineer.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains shall be that of the property owner.
3. The project shall limit drainage flows to their pre-construction rates for the 100-year storm event. Details and calculations for the detention basin shall be submitted and approved as part of the grading plan check.
4. A Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include hydro-modification calculations (if the project is not exempt from hydromodification), treatment

calculations, post-construction storm water treatment measures, and maintenance requirements. The SWQMP shall demonstrate how proposed proprietary best management practices meet biofiltration treatment requirements in accordance with the City's Storm Water Design Manual.

5. All site drainage with emphasis on the roadway, parking, and driveway areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment (unless a mechanical method of treatment is approved by the City Engineer). Mechanical methods of storm water treatment shall include pre-treatment measures. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
6. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts from buildings shall be directed to landscaping to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.
7. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.

WATER SUPPLY

1. All water main locations and sizing shall be to the satisfaction of the City Engineer.
2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
4. Water meters and back flow prevention devices shall not be installed within the driveway apron or private drive areas.
5. No trees or deep rooted plants shall be planted within 10 feet of any water service.
3. All water services shall be installed per current City of Escondido Design Standards and Standard Drawings.
4. A hydraulic analysis of the proposed water improvements will be required to determine water main sizes and water system looping necessary to provide adequate domestic service and fire protection as required by the City Engineer and Fire Marshal.
5. All on-site water lines not in public easements will be considered a private water system. The property owner will be responsible for all maintenance of these water lines and facilities.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer and Director of Utilities.
2. A private 6" minimum PVC sewer lateral with a standard clean-out within 18" of the Public Utilities Easement/right-of-way shall be constructed for each Lot and shown on the Improvement and Grading plans. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings. The construction of all sewer laterals shall be included in the improvement plans and bonding quantities.
3. No trees or deep rooted bushes shall be planted within 10' of any sewer lateral, or within 15' of any sewer main.
4. All sewer laterals will be considered a private sewer system. The property owners will be responsible for all maintenance of their individual sewer laterals to the sewer main.

LANDSCAPE

1. A site landscaping and irrigation plan shall be submitted to the Engineering Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees.

EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Plot Plan and Grading Plan.
2. Public utility easements for sewer, water, storm drain, etc. which are deemed necessary by the City Engineer shall be granted to the City. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
3. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the Plot Plan. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Plot Plan. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

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 the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and 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 UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the property boundary or along fronting streets shall be relocated underground as required by the City's Ordinance. The developer may request a waiver of this condition by writing a letter to the City Engineer explaining his/her reasons for requesting the waiver. The developer will be required to pay a waiver fee as adopted by City Council resolution.
2. All new dry utilities to serve the project shall be constructed underground.
3. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.



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

Notice of Exemption

To: San Diego Assessor/Recorder/County Clerk
Attn: Fish & Wildlife Notices
1600 Pacific Hwy, Room 260
San Diego, CA 92101
MS A-33

From: City of Escondido
Planning Division
201 North Broadway
Escondido, CA 92025

Project Title/Case No.: PHG17-0019 (Master and Precise Development Plan and Grading Exemption for Grand Avenue Apartments)

Project Applicant: Nathan Houck, Sillman Wright Architects

Project Location - Specific: On the north side of East Grand Avenue, between East Ohio Avenue and Harding Street, addressed as 1316 East Grand Avenue.

Project Location - City: Escondido

Project Location - County: San Diego

Description of Nature, Purpose and Beneficiaries of Project:

A Master and Precise Development Plan for the construction of a new apartment building, to contain 15 units across three levels (five units per level), ranging in size from 700 square feet to 1,150 square feet, plus one basement-level storage room containing storage lockers and a bicycle rack. An off-street parking lot would provide 26 parking spaces as well as a turnaround area for large vehicles, and landscaping would be provided throughout the site. The project also includes a Grading Exemption for a retaining wall exceeding 10' in height within 50' of property lines (the retaining wall in question would be as tall as 22.5' near the northeast corner of the site). The project site is zoned CG (General Commercial), and is located within the GC (General Commercial) land use designation and the East Valley Parkway Target Area of the General Plan. It is also located within the Mixed-Use Overlay portion of the East Valley Parkway Target Area.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Mike LaCaze, LaCaze Development Company

Telephone: (310) 990-0193

Address: 420 31st Street, Suite B6, Newport Beach, CA 92663

Private entity School district Local public agency State agency Other special district

Exempt Status: Categorical Exemption. CEQA Section 15332, "In-fill Development Projects", Class 32.

Reasons why project is exempt:

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. While the site is within the General Commercial General Plan designation and zoning classification, it is also located within the Mixed Use Overlay of the East Valley Parkway Target Area as defined in the General Plan. This overlay allows for horizontal planned developments comprised of exclusively residential and exclusively commercial buildings. The proposed residential development and the existing commercial use at 1330 East Grand Avenue would comprise one horizontal planned development.

2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
3. The project site has no value as habitat for endangered, rare, or threatened species;
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
5. The site can be adequately served by all required utilities and public services.

Lead Agency Contact Person: Ann Dolmage, Associate Planner

Area Code/Telephone/Extension: (760) 839-4548

Signature: _____
_____, _____ Planner _____ Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

EXHIBIT "D" TO ORDINANCE NO. 2019-02

LEGAL DESCRIPTION

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

THE EASTERLY 160.00 FEET OF THAT PORTION OF LOT 2 IN BLOCK 180 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 723, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 28°49'30" WEST, ALONG THE WEST LINE THEREOF, 147.00 FEET; THENCE NORTH 61°13'00" EAST, PARALLEL WITH THE SOUTH LINE OF SAID LOT, 300.00 FEET; THENCE SOUTH 28°49'30" EAST, PARALLEL WITH THE WEST LINE OF SAID LOT 147.00 FEET TO THE SOUTH LINE THEREOF; THENCE SOUTH 61°31' 00" WEST, ALONG SAID SOUTH LINE 300.00 FEET TO THE POINT OF BEGINNING.

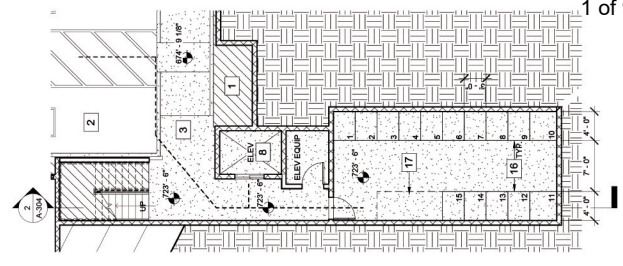
EXCEPTING THEREFROM, THE SOUTHERLY 9.00 FEET THEREOF, AS CONVEYED TO THE CITY OF ESCONDIDO FOR STREET PURPOSES BY DEED RECORDED MARCH 29, 1968 AS FILE NO. 52941 OF OFFICIAL RECORDS.

APN: 230-230-14-00

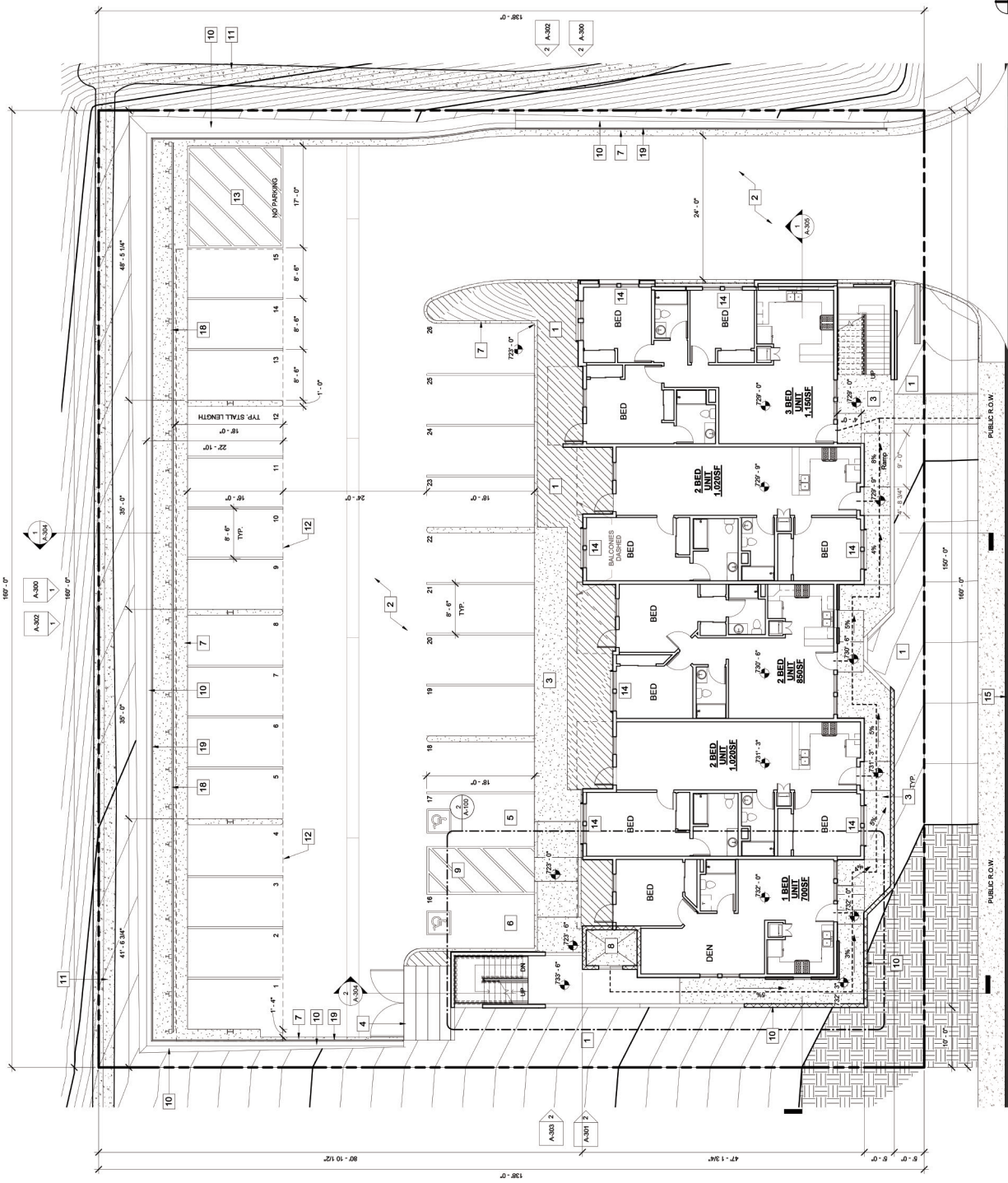
- KEYNOTES**
- 1 LANDSCAPING - REFER TO LANDSCAPE PLANS
 - 2 AC PAVING - REFER TO CIVIL PLANS
 - 3 CONCRETE PLAYWORK - REFER TO CIVIL PLANS
 - 4 COVERED TRASH ENCLOSURE WITH SWINGING DOORS
 - 5 VAN ACCESSIBLE PARKING SPACE
 - 6 ACCESSIBLE PARKING SPACE
 - 7 CONCRETE CURB - REFER TO CIVIL PLANS
 - 8 ACCESSIBLE ELEVATOR
 - 9 ACCESSIBLE STRIPPING
 - 10 RETAINING WALL - REFER TO CIVIL PLANS
 - 11 CASTING CONCRETE SWALE TO REMAIN - REFER TO CIVIL PLANS
 - 12 CARPORT COVERING ABOVE
 - 13 TURNAROUND AREA - KEEP CLEAR
 - 14 RESOLVE WINDOW - PROVIDE IF CLEAR MIN. IN FRONT FOR LADDER
 - 15 NEW RED PINE LANE CURB ALONG GRAND AVE
 - 16 8' CUBIC FOOT MIN. STORAGE LOCKER
 - 17 BIKE RACK AREA
 - 18 NEW TRAFFIC RATED GUARD RAIL - REFER TO CIVIL
 - 19 NEW 6 S. CABLE PEDESTRIAL GUARD RAIL WITH COMPOSITE WOOD CAP

- LEGEND**
- ACCESSIBLE UNDERPASS WITH 1/4" METAL PLATE
 ----- ACCESSIBLE PATH OF TRAVEL (UNLESS NOTED OTHERWISE WITH SPECIFIC NOTES) SHALL NOT EXCEED 2% (RAMP) SHALL NOT EXCEED 8.33%

- NOTES**
- UNITS SHALL BE ACCESSIBLE AND ADAPTABLE PER CBC 11A
 LAOUREE ALONG ACCESSIBLE PATH OF TRAVEL TO HAVE LEVEL DOOR



Site Plan - Lower Level



Site Plan 1

**PROPOSED PROJECT
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KEYNOTES

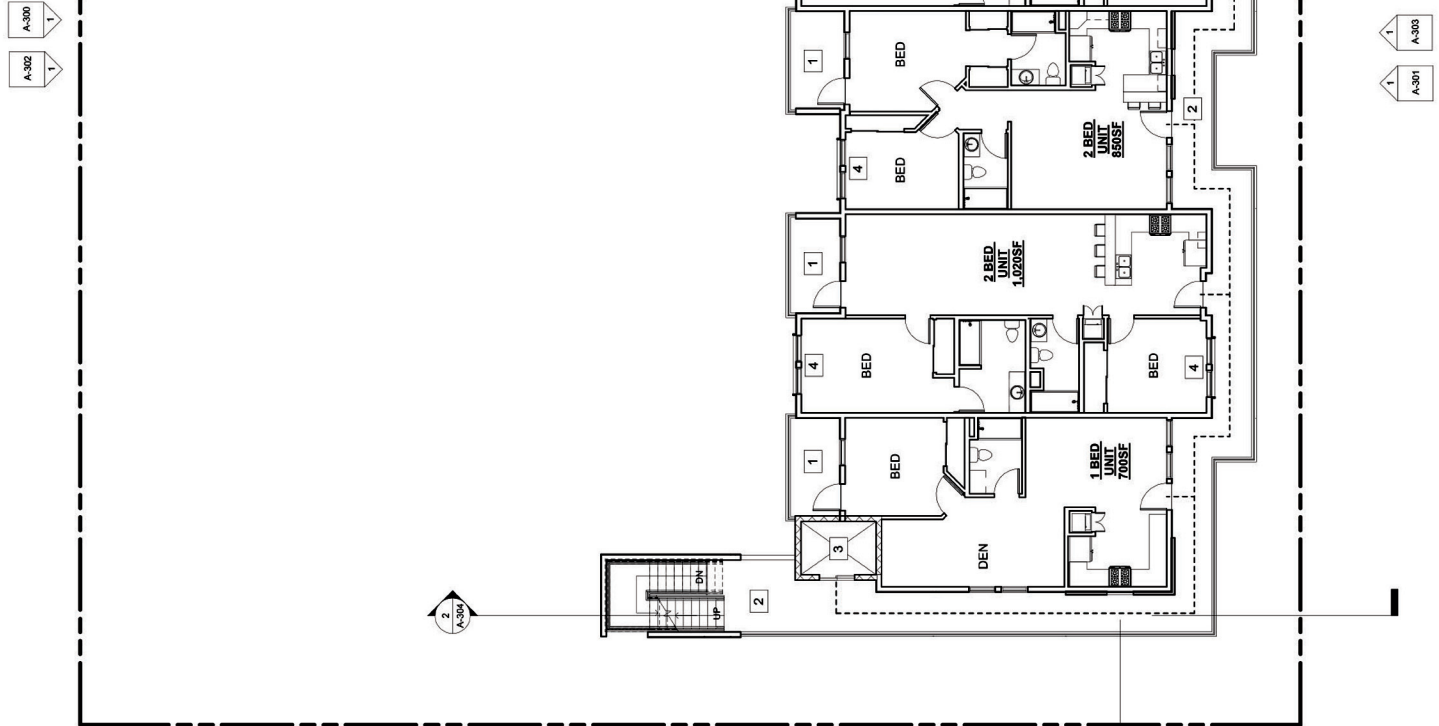
- 1 BALCONY
- 2 ACCESSIBLE WALKWAY
- 3 ACCESSIBLE ELEVATOR
- 4 RESCUE WINDOW - PROVIDE 10' CLEAR MIN. IN FRONT FOR LADDER ACCESS

LEGEND

----- ACCESSIBLE UNOBSTRUCTED PATH OF TRAVEL -
ACCESSIBLE PATH OF TRAVEL (UNLESS NOTED
OTHERWISE) SHALL BE MAINTAINED IN THE
DIRECTION OF TRAVEL AND CROSS SLOPE NOT TO
EXCEED 2% (RAMPS SHALL NOT EXCEED 8.33%)

NOTES

UNITS SHALL BE ACCESSIBLE AND ADAPTABLE PER CBC 11A
CORR. ALONG ACCESSIBLE PATH OF TRAVEL TO HAVE LEVEL DOOR
LANDINGS



**PROPOSED PROJECT
PHG 17-0019**

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KEYNOTES

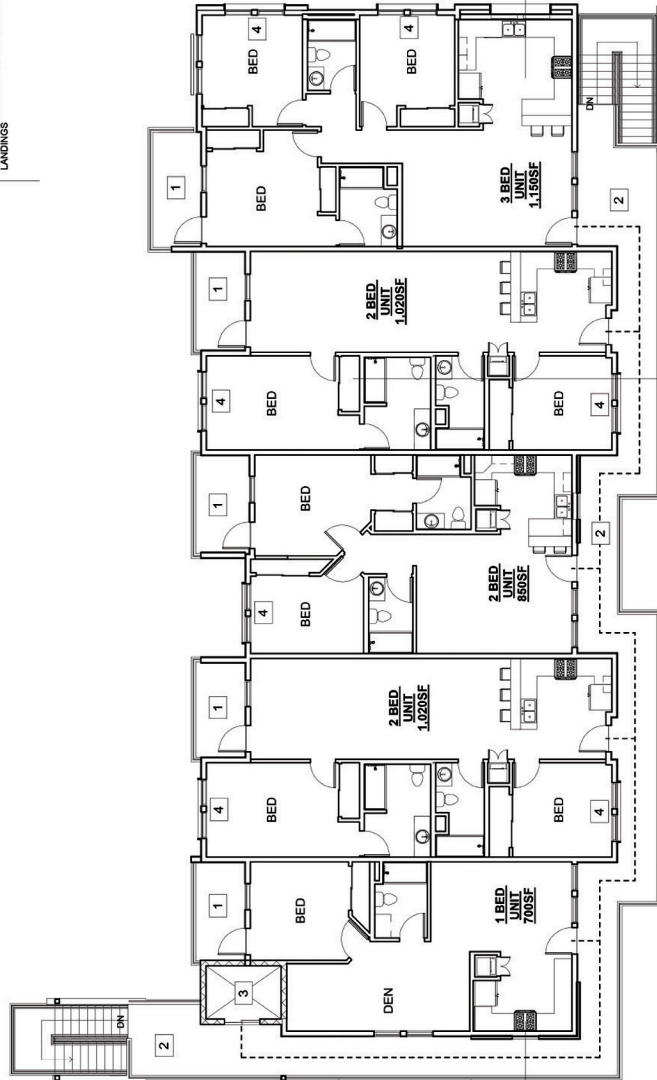
- 1 BALCONY
- 2 ACCESSIBLE WALKWAY
- 3 ACCESSIBLE ELEVATOR
- 4 RESCUE WINDOW - PROVIDE 10' CLEAR MIN. IN FRONT FOR LADDER ACCESS

LEGEND

----- ACCESSIBLE UNOBSTRUCTED PATH OF TRAVEL - ACCESSIBLE PATH OF TRAVEL (UNLESS NOTED OTHERWISE) SHALL BE CLEAR OF OBSTACLES. DIRECTION OF TRAVEL AND CROSS SLOPE NOT TO EXCEED 2%. (RAMPS SHALL NOT EXCEED 8.33%)

NOTES

* UNITS SHALL BE ACCESSIBLE AND ADAPTABLE PER CBC 11A.
 † JOINS ALONG ACCESSIBLE PATH OF TRAVEL TO HAVE LEVEL DOOR LANDINGS

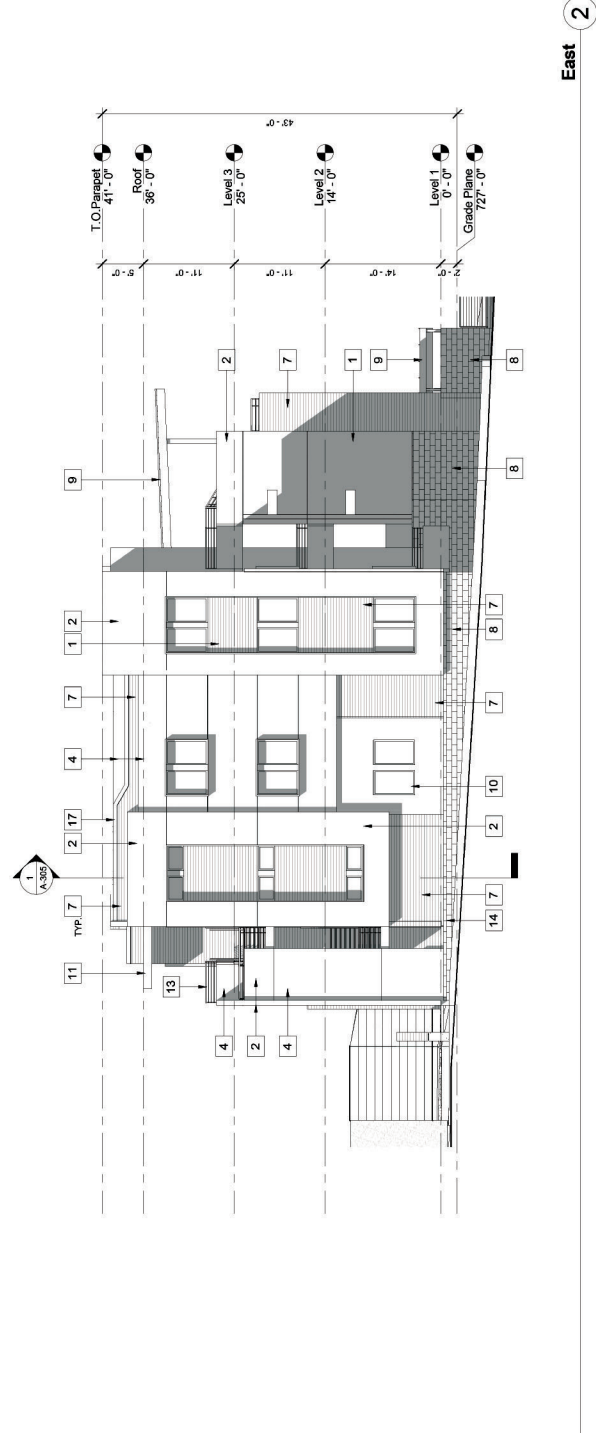


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KEYNOTES

- 1 STUCCO - DE 6108 PALE WHEAT - SMOOTH TROWEL
- 2 STUCCO - DE 6135 VERONA BEACH - SMOOTH TROWEL
- 3 STUCCO - DE 6109 KRAFT PAPER - SMOOTH TROWEL
- 4 STUCCO - DE 6110 WARM HEARTH - SMOOTH TROWEL
- 5 STUCCO - DE 6112 CEDAR CHEST - SMOOTH TROWEL
- 6 PAINT DE 5543 SPANISH OLIVE
- 7 WOOD BOARD FINISH
- 8 CMU
- 9 METAL STANDING SEAM ROOF - DARK BRONZE
- 10 GLAZING WITH DARK BRONZE ANODIZED FRAME
- 11 METAL CANOPY - DARK BRONZE
- 12 WALKWAY
- 13 METAL RAILING
- 14 RETAINING WALL - REFER TO CIVIL PLANS
- 15 COVERED TRASH ENCLOSURE WITH SWINGING DOORS
- 16 BALCONY
- 17 FLASHING - DARK BRONZE



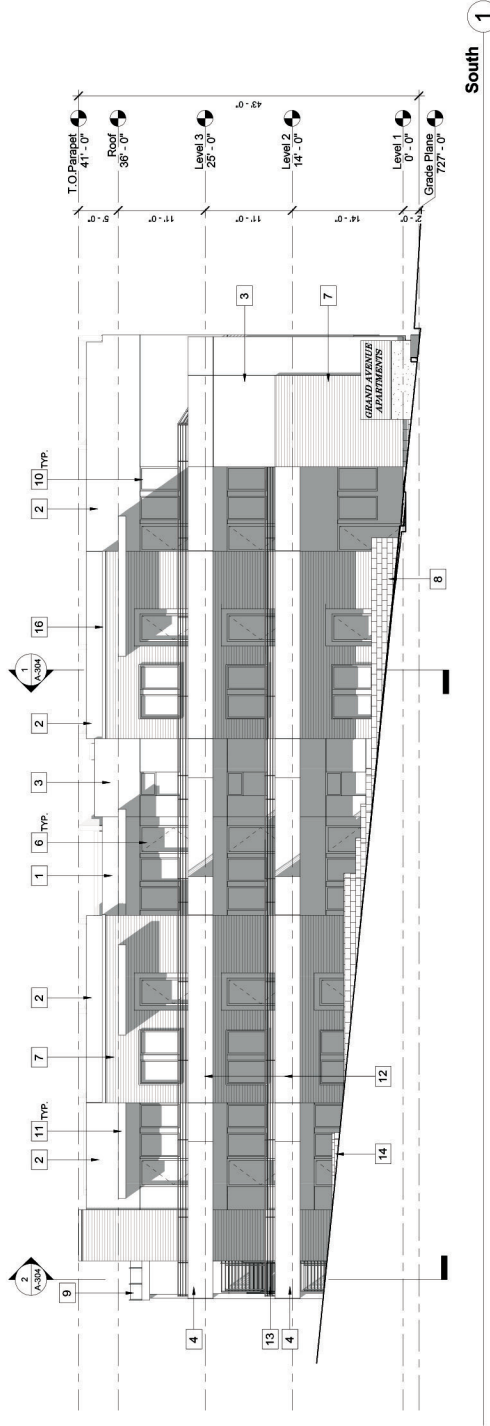
**PROPOSED PROJECT
PHG 17-0019**

E

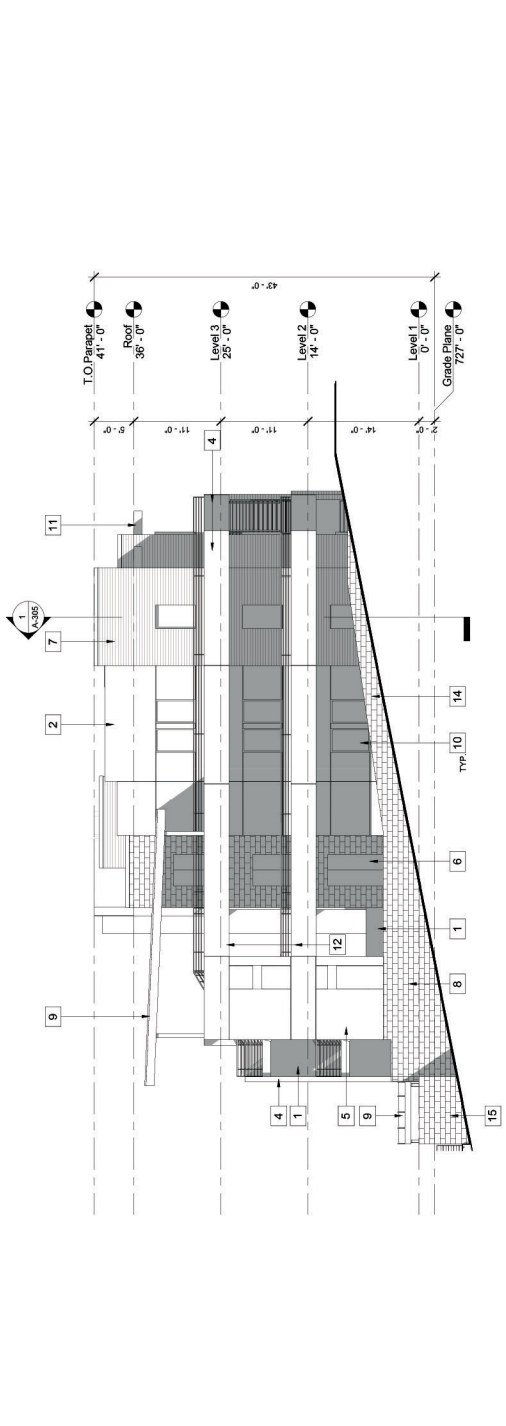
ELEVATIONS

KEYNOTES

- 1 STUCCO - DE 6106 PALE WHEAT - SMOOTH TROWEL
- 2 STUCCO - DE 6103 VERONA BEACH - SMOOTH TROWEL
- 3 STUCCO - DE 6109 KRAFT PAPER - SMOOTH TROWEL
- 4 STUCCO - DE 6110 WARM HEARTH - SMOOTH TROWEL
- 5 STUCCO - DE 6112 CEDAR CHEST - SMOOTH TROWEL
- 6 PAINT DE 543 SPANISH OLIVE
- 7 WOOD BOARD FINISH
- 8 CMU
- 9 METAL STANDING SEAM ROOF - DARK BRONZE
- 10 GLAZING WITH DARK BRONZE ANODIZED FRAME
- 11 METAL CANOPY - DARK BRONZE
- 12 WALKWAY
- 13 METAL RAILING
- 14 RETAINING WALL - REFER TO CIVIL PLANS
- 15 COVERED TRASH ENCLOSURE WITH SWINGING DOORS
- 16 FLASHING - DARK BRONZE



South 1

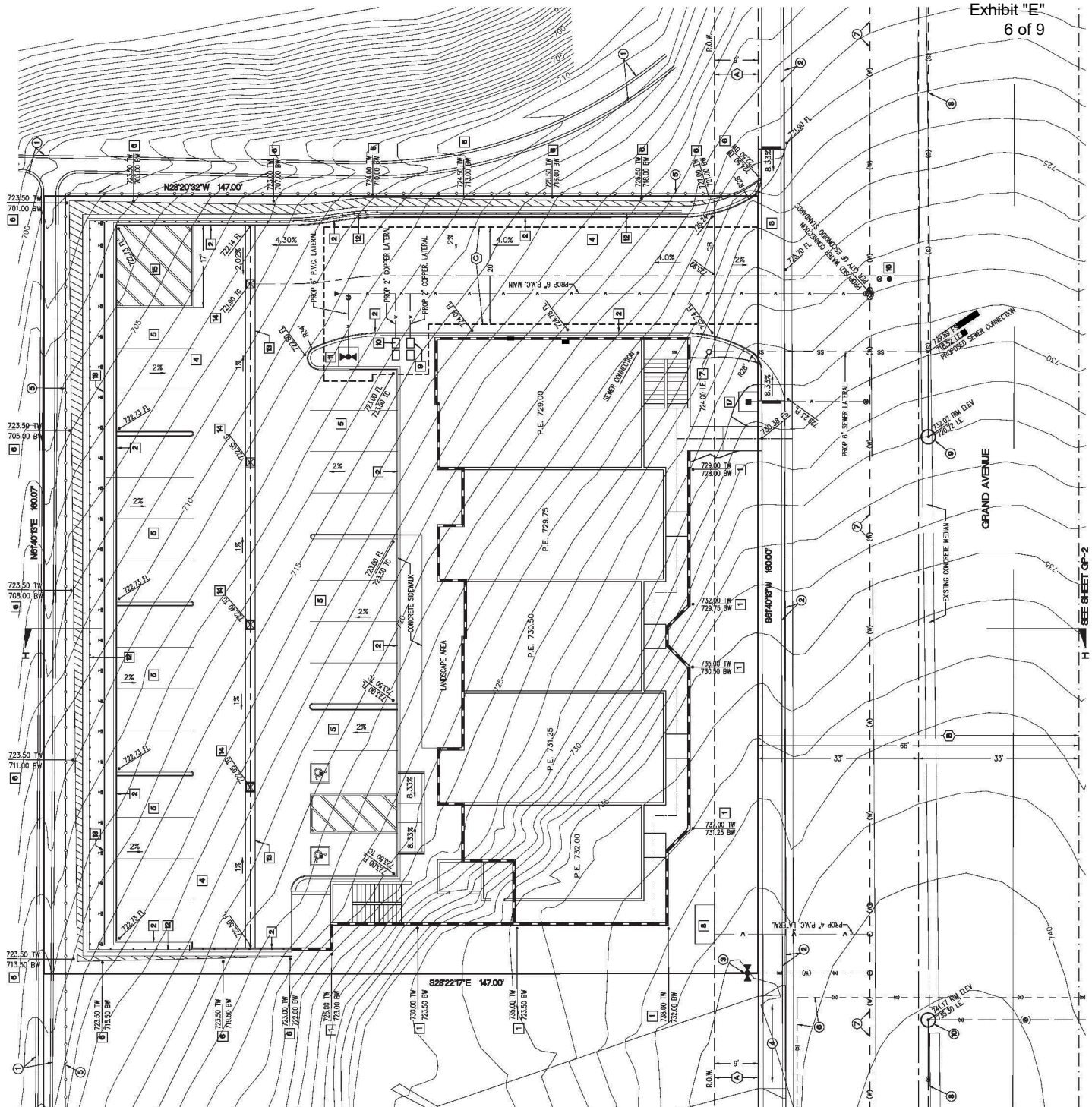


West 2

**PROPOSED PROJECT
PHG 17-0019**

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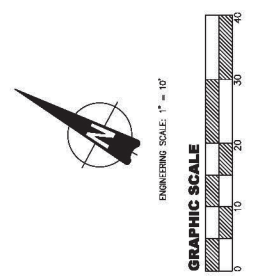
ELEVATIONS



- EXISTING FEATURES**
- 1 CONCRETE BROW DITCH (PROTECT IN PLACE)
 - 2 CONCRETE CURB AND GUTTER (PROTECT IN PLACE)
 - 3 FIRE HYDRANT PER W-3-E (PROTECT IN PLACE)
 - 4 CONCRETE DRIVEWAY APRON (PROTECT IN PLACE)
 - 5 CHAINLINK FENCE
 - 6 EXISTING 12\"/>

- CONSTRUCTION NOTES**
- 1 MASONRY RETAINING WALL
 - 2 6\"/>
 - 3 PROPOSED DRIVEWAY APRON PER C-5-E
 - 4 PROPOSED ASPHALTIC CONCRETE
 - 5 PLANTABLE MECHANICALLY STABILIZED LATHEN WALL
 - 6 PROPOSED 2\"/>
 - 7 PROPOSED 2\"/>
 - 8 PROPOSED 4\"/>
 - 9 PROPOSED 2\"/>
 - 10 PROPOSED 2\"/>
 - 11 PROPOSED 4\"/>
 - 12 PROPOSED PEDESTRIAN GUARD RAIL PER CALTRANS DETAIL B11-47
 - 13 PROPOSED 3\"/>
 - 14 PROPOSED CATCH BASIN
 - 15 PROPOSED 20\"/>
 - 16 PROPOSED 20\"/>
 - 17 PROPOSED 4\"/>
 - 18 PROPOSED 4\"/>
 - 19 PROPOSED TRAFFIC RATED GUARD RAIL PER CALTRANS DETAIL RSP-4712

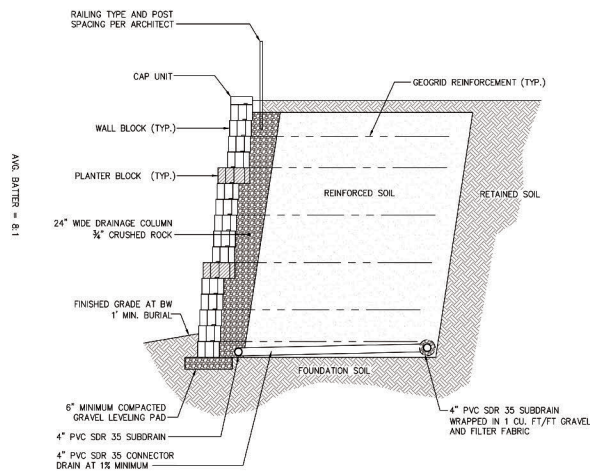
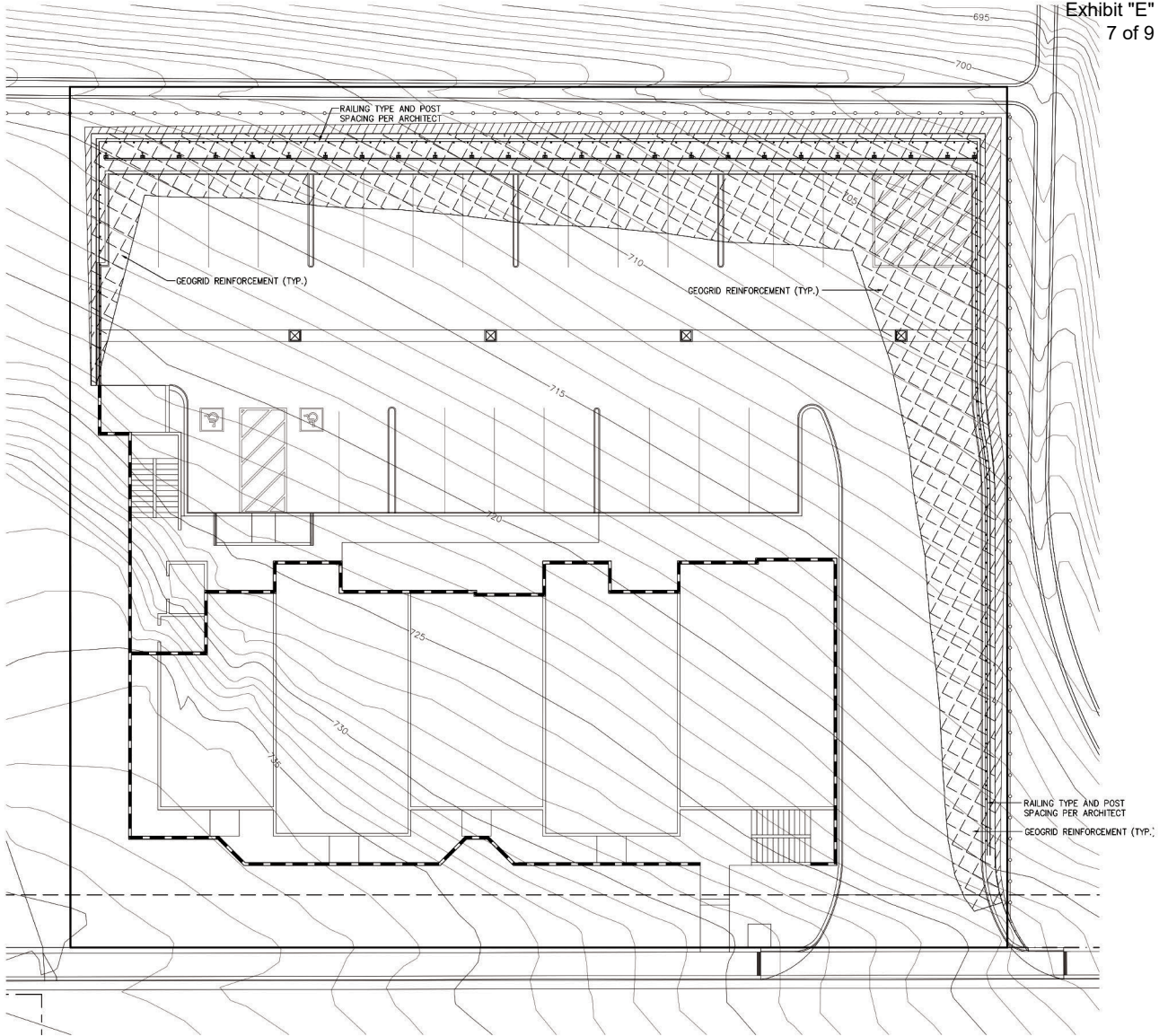
- EASEMENTS**
- A CONVEYED TO THE CITY OF ESCROWED FOR STREET PURPOSES BY DEED RECORDED MARCH 28, 1988 AS FILE NO. 20474 OF OFFICIAL RECORDS
 - B EXISTING 66' WIDE PUBLIC ROAD AND UTILITY EASEMENT.
 - C PROPOSED 20' WIDE PUBLIC UTILITY EASEMENT.



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GRADING PLAN

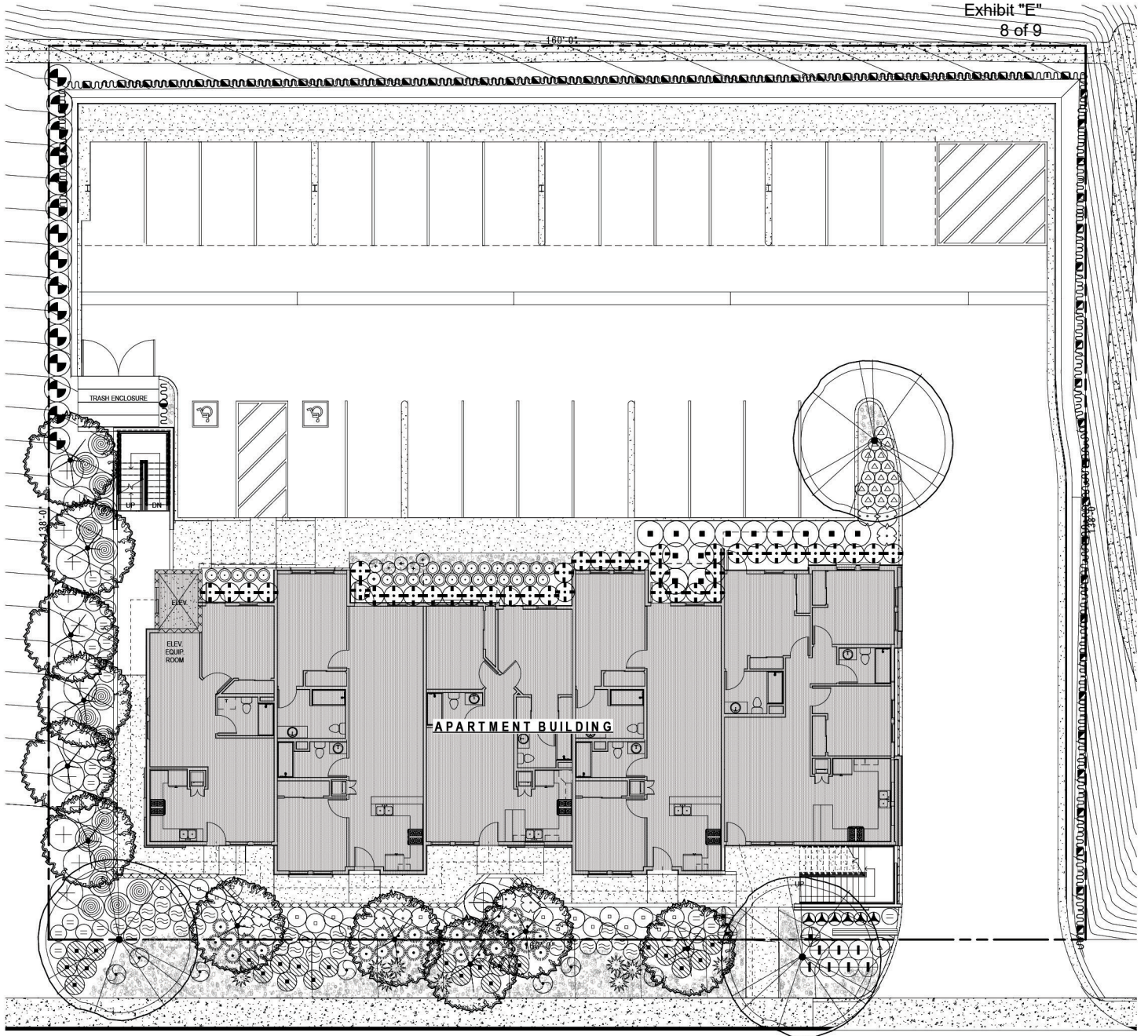


ANY FENCE OR GUARDRAIL WITHIN 3' OF TOP FACE OF WALL WILL REQUIRE SLEEVE-IT 1224R

TYPICAL PLANTABLE GEOGRID REINFORCED WALL SECTION
NOT TO SCALE

PROPOSED PROJECT PHG 17-0019

D



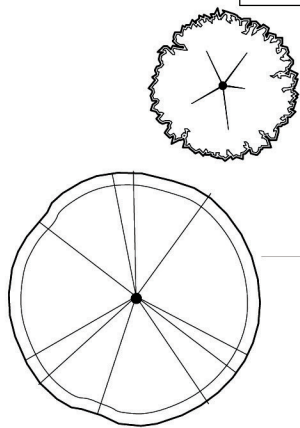
EAST GRAND AVENUE

**PROPOSED PROJECT
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LANDSCAPE PLAN

PLANTING LEGEND



SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	DETAIL REF.	WUCOL RATING
	<i>BRACHYCHTON POPULNEUS</i>	BOTTLE TREE	11	24" BOX	STANDARD TRUNK		L
	<i>KOELREUTERIA PANICULATA</i>	GOLDEN RAINTREE	3	24" BOX	STANDARD TRUNK		L
	<i>ACACIA COGNATE 'COUSIN ITT'</i>	LITTLE RIVER WATTLE	16	5 GAL.			L
	<i>BACCHARIS X STARN</i>	NO COMMON NAME	15	1 GAL.			L
	<i>GREVILLEA 'MOONLIGHT'</i>	NO COMMON NAME	3	5 GAL.			L
	<i>HAMELIA PATENS SIERRA RED'</i>	FIRECRACKER BUSH	23	5 GAL.			L
	<i>JASMINE ANGULARE</i>	SOUTH AFRICAN JASMINE	14	5 GAL.			M
	<i>LANTANA X 'NEW GOLD'</i>	NEW GOLD LANTANA	24	5 GAL.			L
	<i>MYRSINE AFRICANA</i>	AFRICAN BOXWOOD	39	5 GAL.			M
	<i>NANDINA DOMESTICA 'HARBOR DWARF'</i>	DWARF HEAVENLY BAMBOO	28	5 GAL.			M
	<i>RUELLIA BRITTONIANA</i>	MEXICAN PETUNIA	11	5 GAL.			M
	<i>TECOMA X SMITHII</i>	ORANGE BELLS	15	5 GAL.			L
	<i>KNIPHOFIA UVARIA 'MALIBU YELLOW'</i>	HOT POKER PLANT	29	5 GAL.			L
	<i>TEUCRUM CHAMAEDRYS</i>	GERMANDER	16	1 GAL.			L
	<i>MUHLENBERGIA CAPILLARIS 'REGAL MIST'</i>	GULF MUHLY	30	1 GAL.			L
	<i>PENNISETUM ORIENTALE</i>	ORIENTAL FOUNTAIN GRASS	33	1 GAL.			L
	<i>AGAVE 'BLUE GLOW'</i>	BLUE GLOW AGAVE	9	5 GAL.			L
	<i>AGAVE DESMETIANA VARIEGATA</i>	VARIEGATED SMOOTH AGAVE	7	5 GAL.			L
	<i>ALOE CAMERONII</i>	STARFISH ALOE	3	5 GAL.			L
	<i>BULBINE NATALENSIS</i>	ROOIWORTEL	6	1 GAL.			L
	<i>CRASSULA ARBORENSIS UNDULATIFOLIA</i>	RIPPLE JADE	2	5 GAL.			L
	<i>PEDILANTHUS MACROCARPUS</i>	SLIPPER FLOWER	6	1 GAL.			VL
	<i>PORTULACARIA AFRA MINIMA</i>	EMERALD ELEPHANT CARPET	7	5 GAL.			L
	<i>HARDENBERGIA VIOLACEA 'HAPPY WANDERER'</i>	PURPLE VINE LILAC	1	5 GAL.	TRAIN TO BLOCK WALL		M
	<i>FICUS PUMILA</i>	CREEPING FIG	65	1 GAL.	INSTALL (1) PLANT PER EACH PLANTER BLOCK		M
	2" - 4" DECORATIVE RIVER ROCK						

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LANDSCAPE LEGEND