

EXHIBIT "C"

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Environmental Determinations:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) ("CEQA"), and its implementing regulations (14 C.C.R. § 15000 et seq.) ("CEQA Guidelines"), the City of Escondido ("City") is the Lead Agency for the Project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures) because such categorical exemption applies to proposed developments that do not exceed 2,500 square feet on sites zoned for such use, if not involving the use of significant amount of hazardous substances; the use can be serviced by all necessary public services and facilities; and is not an environmentally sensitive area. The Project is a 1,026 square foot commercial development and satisfies all requirements noted above.
3. The Project also qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15332 (In-Fill Development Projects) because such categorical exemption applies to proposed developments within city limits on sites of no more than five acres substantially surrounded by urban uses, where the site has no habitat value for special status species, can be adequately served by all required utilities and public services, and the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (CEQA Guidelines § 15332(b)-(e)). Technical studies were provided by the Applicant and reviewed by the Planning Division to substantiate the categorical exemption as applied to the Project.
4. The Project also does not trigger any exceptions to the categorical exemption as listed in CEQA Guidelines section 15300.2.
5. The City Council has independently considered the full administrative record before it, which includes but is not limited to the December 7, 2022 City Council Staff Report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements have not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Planned Development Findings (Escondido Zoning Code section 33-403)

The proposed Project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Special Planning Area provisions, and Improvement Standards adopted by the City:

1. The Project does not include a residential component and is for the construction of a drive-

through coffee facility. The Project is located within the Planned Development - Commercial (PD-C) zone. As required by Article 19 of the EZC, the adoption of a Master and Precise Development Plan is required for the development of sites located within PD-C zoning district. As discussed in the staff report, the redevelopment of this site will fulfill several of the goals and principles outlined in the 2012 General Plan.

2. The Project is located on the south side of Tanglewood Lane, and is adjacent to Interstate 15. The site is one of the remaining residential uses in an area that has been trending towards commercial development. The Planned Development would support existing commercial uses and provide additional services within the target area as identified in the City's Land Use and Community Form chapter of the General Plan.
3. The Project will have a single driveway that has access from Tanglewood Lane to provide vehicular and bicycle access. The Project will be responsible for construction of sidewalk along its frontage which will fill a gap in the pedestrian network in the area. The driveway is located in an area that will maximize the sight distance for approaching vehicles on Tanglewood Lane. Based on the submitted traffic study, there is adequate driveway throat depth that would allow vehicles to enter and find parking without causing conflict to site circulation. Drive-through lane queuing will provide enough room for 18 vehicles, and there is additional space on-site that could accommodate at least 4 more vehicles before reaching Tanglewood Lane.
4. The Project is for the construction of a drive-through coffee facility. The Project is located in an area that is primarily non-residential uses with residential uses further to the south and west. The Project includes the redevelopment of a parcel with an existing single-family residence, and can be adequately serviced by existing public facilities.
5. The proposed Planned Development will redevelop an underutilized site containing a non-conforming single-family residence. The Project would contribute to an attractive, efficient, and stable environment by redeveloping the site with an appropriate commercial use for the area.
6. As discussed in the staff report, minimal grading is proposed on the site. The proposed elevation will be raised above the adjacent properties to the west; however, the site will follow the grade of Tanglewood Lane. The Project will not be visually obstructive with surrounding areas and facilities.
7. The subject site is one of the last remaining unimproved parcels in the Promenade Retail Center and Vicinity Target Area. Article 19 of the EZC requires the approval of a Master and Precise Development Plan to facilitate the development of the site. The Project would complement the target area, and would assist in the realization of the target area as outlined in the City's 2012 General Plan.