



# STAFF REPORT

DATE: 12/12/2023

PL23-0075 – 143-145 W. Grand Avenue

**PROJECT NUMBER / NAME:** PL23-0075 – Master and Precise Development Plan

**REQUEST:** The Project includes a Master and Precise Development Plan for the conversion and remodel of a two-story commercial structure to accommodate four, two-bedroom apartment units on the second floor. The Project also includes redesign of the existing parking located along the alley to include six covered parking spaces, new trash enclosure, exterior stairway and second-story landing/terrace to provide access to the units. The proposal also includes adoption of the environmental determination for the Project.

**PROPERTY SIZE AND LOCATION:** The 0.16-acre project site is located on the south side of West Grand Avenue, between S. Maple Street and S. Broadway addressed at 143-145 W. Grand Avenue (Assessor's Parcel No. 233-062-02-00)

**APPLICANT:** Zadar LLC, Owner

**GENERAL PLAN / ZONING:** Downtown Specific Plan (SPA 9) / Historic Downtown District (HD)

**PRIMARY REPRESENTATIVE:** Curtis Lively (Grand West Associates)

**DISCRETIONARY ACTIONS REQUESTED:** Master and Precise Development Plan

**PREVIOUS ACTIONS:** Historic Preservation Commission design review 11-16-23

**CEQA RECOMMENDATION:** The Project qualifies for an exemption under the California Environmental Quality Act ("CEQA") Guidelines sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structure)

**STAFF RECOMMENDATION:** Recommend City Council approval of the Master and Precise Development Plan

**REQUESTED ACTION:** Approve Planning Commission Resolution No. 2023-24

**CITY COUNCIL HEARING REQUIRED:** X YES    \_\_\_ NO

**REPORT APPROVALS:** X Dare DeLano, Senior Deputy City Attorney

X Veronica Morones, City Planner



# CITY of ESCONDIDO

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### BACKGROUND

The 0.16-acre Project site (50' x 140' parcel) is located within the Historic Downtown District. The property contains an approximately 8,000 square foot two-story building (4,000 SF upper story) and paved parking area located on the south side of the site along a 20-foot-wide public alley. The existing two-story, rectangular-shaped, stucco-clad commercial building was constructed in 1920 in the "commercial vernacular" style, which is typified by a recessed facade, flat roof, and brick-like detail trim along the roof line. A commercial tenant (The Grand Tea Room and Design MOE) currently occupies the first floor and the upper floor is vacant. The City issued a Certificate of Appropriateness for previous alterations to the exterior of the building in 1999 which included replacement of the storefront windows and construction of a new recessed wall and entry door under the second floor. The second story of the building once housed Escondido's first hospital. Photographs of the Project location and existing Project site are provided under Attachment 1. The property is listed on the City of Escondido's Historic Sites Inventory and also on the Local Register (Attachment 2).

### SUMMARY OF REQUEST

The Project applicant, Zadar LLC ("Applicant") submitted an application for the conversion and remodel of a two-story commercial structure to accommodate four, two-bedroom apartment units on the second floor. Unit sizes range from 816 square feet to 934 square feet. The Project also includes redesign of the existing parking located along the alley to include six covered parking spaces, new trash enclosure, exterior stairway and second-story landing/terrace to provide access to the units. An interior hallway with a single exterior entry door from a new second-story terrace/landing would provide access to all units. The proposed covered parking structure would also function as an open space roof deck for the residents.

The Planning Commission provides a recommendation to the City Council due to the requested legislative action (Master Development Plan). Therefore, the Planning Commission's reviewing role is to make a recommendation to City Council for approval or denial of the Master and Precise Development Plan.

### SUPPLEMENTAL DETAILS OF REQUEST

- |                     |  |
|---------------------|--|
| 1. Property Size:   | 0.16 acres (1 parcel)  |
| 2. Number of Units: | 4 rental apartments  |
| 3. Building Size:   | 8,000 square feet (4,000 SF 1 <sup>st</sup> floor and 4,000 SF 2 <sup>nd</sup> floor)<br>50' W x 80' L |
| 4. Commercial:      | 4,000+/- SF ground level to remain   |

	<u>Minimum Required</u>	<u>Provided</u>
5. Unit Size:	N/A	816 SF – 934 SF
6. Unit Type:	N/A	4, two-bedroom units
7. Density:	Up to 75 du/ac	25 du/ac (4 unit/0.16 ac)
8. Lot Coverage:	N/A	57 percent bldg. lot coverage
9. Building Height	Up to 45 feet-3 Stories (HD Dist.- Retail Core)	2-Stories – 27'
10. Motor Vehicle Parking:	8 residential and 0 commercial (1.75 per unit and 1 guest) 8 total spaces required	6 spaces (no commercial spaces) On-street provided parking along Grand Avenue frontage (open public spaces)



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11. Setbacks:	<u>Per SP requirements</u>	<u>Existing/Proposed</u>
a. Front Yard (Grand):	14' from curb face/or P/L whichever is greater	0' to P/L and 14' to existing bldg.
b. Rear Yard (alley):	0' for building 5' surface parking	58' to existing building 0' to carport structure/parking*Per PD
c. Side Yard:	0' for building 5' surface parking	0' to existing building 0' to new carport structure and Parking *Per PD
12. Open Space / Landscaping:	1,200 SF (300 SF per unit)	1,200 SF (carport rooftop area)
13. Signage:	Per Article 66 (Sign Ord)	Per Article 66
14. Trash:	1 Trash Enclosure	1 Trash Enclosure
15. Heating and Ventilation:	Screening required	Mech Equipment located behind roof parapet walls

### PROJECT ANALYSIS

#### 1. General Plan Conformance:

##### a. Land use and density consistency

The City's General Plan land-use designation for the 0.16-acre Project site is Specific Planning Area – Downtown Specific Plan (SPA 9) with a district designation of Historic Downtown (HD). The Project site is located within the Retail Core Area of the Downtown Specific Plan. The HD District and Retail Core Area along Grand Avenue permit for multi-family residential as an allowed use only when located on the second floor, as ground-floor commercial is required. The HD District allows a residential density of up to 75 dwelling units per acre (du/ac) with a height limit of three stories and 45 feet. Based on the parcel size of 0.16 acres, the property could accommodate a theoretical yield of up to 12 units. The Project proposes the conversion of the second floor of the 27-foot-high building to accommodate four market rate apartment units with commercial uses on the ground floor. No increase in the building height is proposed. Therefore, the proposed Project is consistent with the land-use density and height standards envisioned for the Downtown Specific Plan.

The City adopted a "Downtown Density Transfer Program" that allows for the transfer of residential density from underutilized properties to properties that are undergoing redevelopment. This program allows property owners to re-assign or transfer units to other properties via a City administered density credit pool. The City holds the density credits until a redeveloping property acquires the density through the City's program. The density transfer program prevents the loss of potential units when a property is redeveloped below the maximum density for the site in an effort to achieve full build-out in the Downtown Specific Plan area. The project proposes a density/yield that falls short of the maximum density allowed on the subject property; therefore, the unused balance of eight residential units would be transferred to the Density Transfer Program, as required under Condition of Approval No. E.11.



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### b. Housing Element and “No Net Loss”

The City identified a number of properties within the Downtown Specific Plan area where the conditions of existing uses are conducive to future redevelopment. The 2012 General Plan rezoned a majority of Escondido’s Downtown to accommodate high-density residential and mixed-uses. While some properties in downtown Escondido are reserved for commercial development, residential and mixed-use development at densities of 45 to 100 du/ac are allowed throughout most of the specific planning area. Through the incentives and flexibility offered by the Downtown Specific Plan, the City has experienced a steady pace of redevelopment activities in the area being recycled into higher intensity developments.

Overall, vacant and underutilized properties in the Downtown Area can accommodate 3,939 new units. This estimate is based on the highly conservative yield adjustments (e.g., 50% to 75% of the maximum). As identified in the 2021-2029 Housing Element (Program 1.1: Sites Inventory and No Net Loss Monitoring), the City of Escondido has been allocated a Regional Housing Needs Assessment (“RHNA”) of 9,607 units (1,864 very low income; 1,249 low-income; 1,527 moderate-income, and 4,967 above-moderate income units). The proposed Project would not result in the loss of any existing residential units and would result in four new market rate apartment units. The Project site is not identified in the City’s General Plan Housing Element Suitable Sites Inventory for the 6th RHNA Planning Cycle. Because the provision of “no net loss” applies to housing located on any site listed in the City’s Housing Element, the City does not need to determine if this Project or a decision related to this Project would be subject to No Net Loss Law and its remedies.

### 2. Climate Action Plan Consistency:

The Project is screened out of additional Greenhouse Gas Analysis based on the project type and also due to the Project qualifying for a CEQA Categorical Exemption. Projects screened out by the CAP Checklist are assumed to have a less than significant impact on GHG emissions. The screening threshold for multi-family uses is 55 units, and for mixed-use projects, is less than 36 single-family equivalent units (SFE). The Project proposes the conversion of 4,000 square feet of commercial space to four multi-family units (2.8 SFE) with an existing 4,000 square feet of commercial space (7.2 SFE) for a total SFE of 10. As such, the Project has been determined to be consistent with the Climate Action Plan.

### 3. Site Design:

#### a) Project Access, Circulation and Parking:

The Project site fronts onto W. Grand Avenue on the north and a 20-foot-wide public alley on the south, which provides access to an existing on-site, fenced parking and utility area. The Project design includes reconfiguration of the existing parking and utility area located towards the rear of the building to include six covered parking spaces, a new trash enclosure and stairway to the upper floor. The Project would include dedication of the alley an additional two-feet along the Project’s southern frontage. Additionally, Grand Avenue is classified as a collector street and currently provides parallel and angled street parking. The Project site is also located within Vehicle Parking District No. 1, with several municipal parking lots in close proximity to the Project site. Although on-street parking spaces are



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provided along the Project frontage, these spaces are open public spaces and are not specifically reserved for the subject building.

The Project requires a minimum of eight residential spaces for the proposed four units (seven for the individual units and one guest space). Because the site is located within Parking District No. 1, mixed-use projects are exempt from non-residential parking requirements. Therefore, parking is not required for the ground-floor commercial space. In addition to the Project site's location within Parking District No. 1, parking may be further modified through the Planned Development process. As such, the applicant proposes a total of six parking spaces (yielding a minimum of one covered space per unit with an overall ratio of 1.5 space per unit) and requests a parking reduction of two spaces so as to maximize the adaptive reuse potential of the upper story. Condition of Approval No. C3 would require the applicant submit a parking management plan to the planning division detailing how the six spaces will be programmed for occupancy. For example, one parking space may be dedicated for each unit, with two additional spaces programmed for either the units, or set aside as guest spaces. Ultimately, Condition No. C3 will ensure the applicant programs the use of the parking spaces to the satisfaction of the Director of Development Services. The 1.5 parking ratio would be consistent with other approved high density multi-family projects throughout the Downtown Area in close proximity to transit services. There are dedicated bus stops along 2nd Avenue and Valley Parkway to serve the Downtown Area and Project. The North County Transit District Station/Sprinter Line is located at the northwest corner of W. Valley Parkway and Quince Street, five blocks (approximately 2,000 feet or 0.37 miles) to the west.

Due to the limited width of the parcel, existing above-ground infrastructure, upper-story access requirement, new trash enclosure, and required dedication along the alley, the Applicant is also requesting a reduction in setbacks for the parking spaces to allow them along the side and rear alley where a five-foot setback otherwise would be required.

b) Open Space and Landscaping:

A minimum of 300 square feet of open space is required per unit, which equates to 1,200 square feet of open space for the four-unit Project. The Project would provide 1,200 square feet of common open space areas for the residents consisting of a usable upper-story deck on top of the new covered parking structure. Small landscape opportunities within the parking area also would be provided. The Downtown Specific Planning Area provides additional open space amenities in close proximity to the Project site, including Grape Day Park and the smaller park/recreation area at the corner of E. Grand Avenue and Juniper Street.

c) Architectural Design, Color/Materials and Unit Mix:

The site consists of a two-story structure that includes existing ground-floor commercial (two, separate tenant spaces) and an upper floor proposed for conversion to accommodate four, two-bedroom residential units. Unit sizes range from 816 square feet to 934 square feet. The windows on the alley-facing/rear elevation would be replaced with energy efficient units with a dark brown finish and a similar multi-pane design. Access to the units would be from an interior hallway with a single exterior entry door from the second-story terrace/landing. The existing upper-story doors would be removed.



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The rear of the building facade would include a stucco veneer and the entire building painted a light tan. The proposed covered parking structure would function as an open space roof-type deck for the residents. Metal tube-style railing would be installed along the new stairs, terrace/landing and parking/roof deck. Exterior lighting fixtures would be installed along the rear elevation with a color finish to match the window and door color. New code compliant windows with a frame style and multiple frames similar to the existing windows would replace the upper story windows on the Grand Avenue facade. These new windows will also function as emergency "rescue windows" to comply with Fire Department requirements. Project plans are included with this staff report as Exhibit "B" to draft Planning Commission Resolution No. 2023-24.

d) Historic Preservation Commission Recommendation:

The Downtown Specific Plan requires design review and the issuance of a Certificate of Appropriateness to be considered by the Historic Preservation Commission because the property is listed on the Local Register. The Historic Preservation Commission acts in an advisory role to the Director of Development Services on this matter. On November 11, 2023, the Historic Preservation Commission considered the Project and voted 5-0 to recommend approval of the Project design, exterior improvements and issuance of a Certificate of Appropriateness. The Commissioners did not express any concerns with the Project design and proposed building modifications.

### 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. As part of the overall decision-making process to move forward with a proposed development project, it is important to evaluate the contributions and demands that development will place upon a public agency's general fund and the city's ability to provide ongoing public services. To avoid the need for a city to subsidize new development, a city can establish or require special funding mechanisms to ensure that new development pays for itself.

The Escondido City Council adopted Resolution No. 2020 declaring the City's intent to form a Community Facilities District (collectively referred to herein as the "CFD") to offset the cost of governmental services associated with new development. CFD No. 2020-1, Citywide Services, was formed and the special tax that will be assessed on properties as a result of the development of new residential units is based upon the Fiscal Impact Analysis (FIA) that was prepared to support the creation of CFD No. 2020-01. Developers to whom these residential project entitlements are assigned are responsible to establish a funding mechanism to provide a source of funds for the ongoing municipal services required for the Project and the Project has been conditioned accordingly. The benefit of entering CFD No. 2020-01 is that the annexation process is significantly streamlined, which saves staff time and costs to developers.

In accordance with the adopted Resolution, the subject property falls under the Category III (18-30 du/ac) rate of \$778.01 per unit per year through June 30, 2024. Based on a four-unit development, the current estimated annual amount for ongoing services is \$3,112.04 subject to annual adjustments. The special tax for CFD 2020-1 will escalate at the maximum rate of inflation as determined by the Consumer Price Index ("CPI") and at a minimum rate of 2% per year.





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### ENVIRONMENTAL ANALYSIS

The Project qualifies for an exemption under the California Environmental Quality Act ("CEQA") Guidelines sections 15301 (Existing Facilities), and 15303 (New Construction or Conversion of Small Structure). A Notice of Exemption has been included with the staff report as Attachment 3.

### PUBLIC INPUT

Staff has not received any comments from the public regarding the Project.

### CONCLUSION AND RECOMMENDATION

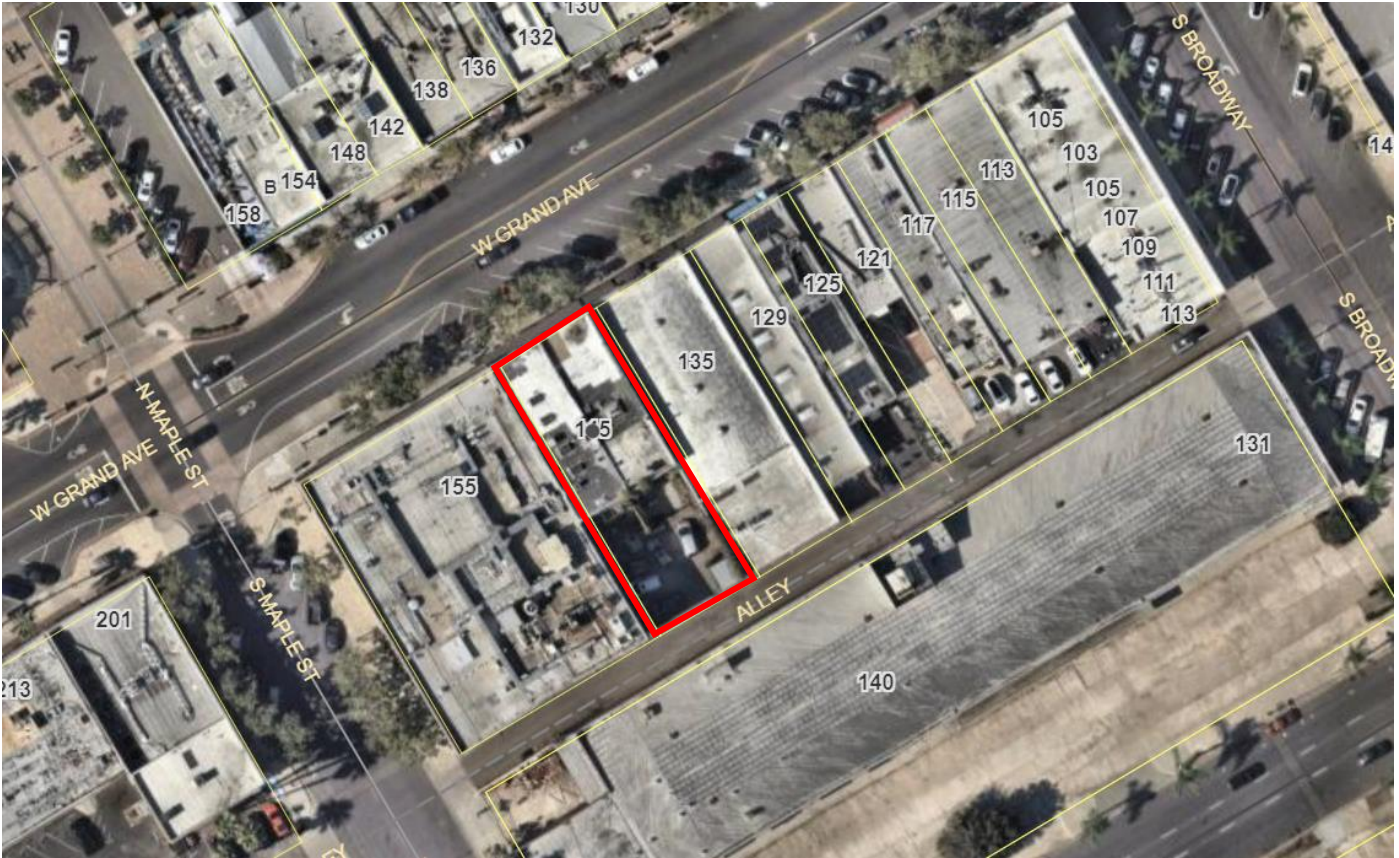
1. The proposed Project is consistent with the General Plan and the Downtown Specific Plan that encourages redevelopment of underutilized commercial properties and urban residential growth within the Downtown Area. The Project would further the Land Use and Community Form goals in Chapter II of the Escondido General Plan, including those related to community character and smart growth, as well as the Housing goals in Chapter IV of the General Plan, which include planning for sustainable growth and providing housing opportunities for all income groups and household types.
2. All land use development applications that consist of a Master and Precise Development Plan are subject to design review and the final decision-maker is the City Council. The proposed Project is consistent with the guiding principles for the Downtown Specific Plan (as modified by Planned Development) identified in the Land Use and Community Form Element of the Escondido General Plan because such principles accommodate the type of high-density urban development envisioned for the area. The proposed Project also provides for a well-designed, residential development that will be beneficial to its future residents and provide visual appeal in an area that is currently undergoing significant revitalization.
3. Staff recommends that the Planning Commission adopt Resolution 2023-24, recommending that the City Council approve the proposed Master and Precise Development Plan, as described in this staff report and as detailed in Exhibits "A" through "D" to Draft Planning Commission Resolution No. 2023-24.

### ATTACHMENTS

1. Location Map/Aerial
2. Historic Survey Information
3. Categorical Exemption
4. Draft Planning Commission Resolution No. 2023- 24 including Exhibits A, B, C and D

Attachment "1"  
**ATTACHMENT 1**

Project Location



143-145 W. Grand Avenue  
APN 233-062-02-00



# City of Escondido HISTORIC RESOURCES INVENTORY

## IDENTIFICATION AND LOCATION

1. **Historic Name** Escondido Hospital (upstairs)
2. **Common or Current Name** Sunray Beauty - 95 Stores
3. **Number & Street** 143-145 West Grand Avenue

Ser.No.

Natl. Reg. Status

Local Designation

Local Ranking Individ. Signif.

Cross-Corridor

City: Escondido Vicinity Only

Zip 92025 County: San Diego

4. UTM zone A E4923.90

B N36645.10

C Zone 11

D

5. Quad map No. Parcel No. 203-062-02

Other

## DESCRIPTION

6. **Property Category** If district, number of documented resources
7. Briefly describe the present physical appearance of the property, including condition, boundaries, related features, surroundings, and (if appropriate) architectural style.

This stucco-covered two story high rectangular building has a metal grill covering the top half of the front facade. The front portion of this flat-roofed structure is older than the back which is constructed of poured-in-place board-formed concrete. The recessed front has a slanted, wood-framed window on the west end, a narrow wood-framed picture window in the center, and a slanted metal-framed glass door. There is a new recessed slanted window on the east end. One column of original brick can be seen on the northeast corner of the front facade. In the back, hinged metal coverings are used on upper windows and a large door has been filled in with concrete blocks.

The architectural style is: Commercial Vernacular

The condition is: good

The related features are: none

The surroundings are: commercial

The boundaries are:



8. **Planning Agency** City of Escondido

9. **Owner and Address**  
Alex and Margaret Babays  
2150 West First Avenue #102  
Vancouver, B.C. V6K1

10. **Type of Ownership** private

11. **Present Use** storefront

12. **Zoning**

13. **Threats** none known



## HISTORICAL INFORMATION

14. Construction **Date(s)** c1920      Original location unknown      Date moved
15. Alterations & **date** extensive, see Description
16. Architect unknown      Builder unknown
17. Historic attributes (with number from list)

## SIGNIFICANCE AND EVALUATION

18. **Context for Evaluation:** Theme architect; explore/settle      Area  
 Period      Property Type      Context formally developed?
19. Briefly discuss the **property's** importance within **the** context. Use historical and architectural analysis as **appropriate**. Compare with similar **properties**.

145 West Grand, upstairs, housed Escondido's first Hospital in 1923-1924, "organized by local doctors Kemper, Ridley, Dotson and surgeons J. V. and R. V. Larzalere. The north light windows were good for operations but severe cases had to be taken to a San Diego hospital."

## 20. Sources

"Escondido As It Was", by Ryan.

21. Applicable **National Register** criteria

## 22. Other Recognition:

State Landmark Number

## 23. Evaluator

Date of Evaluation 1990

## 24. Survey type

## 25. Survey name

## 26. Year Form Prepared 1993

By(Name) Donald A. Cotton Associates

Organization Revised by AEGIS 1990

Address 111 Spring Street

City & Zip Claremont, CA 91711

Phone (714) 621 1207

**NOMINATION REPORT FOR THE CITY OF ESCONDIDO  
LOCAL REGISTER OF HISTORIC PLACES**

Address of Resource: 143-145 West Grand Avenue

Existing Use: Vacant/Commercial

Zoning: CBD

General Plan Designation: SPA #9 - Downtown Specific Plan

Tier Designation: Central Neighborhood/Tier One

Construction Date: 1923

Meets Ordinance Criteria 1, 2, 3, 5 and 7 for Local Register Listing.

Justification for Register Listing:

This second story of this rectangular building once housed Escondido's first hospital. The hospital was opened by the brothers, Drs. Larzalere.

The Commercial Vernacular architecture is evident in the recessed facade, flat roof, and a metal grille. Modifications to the rear of the structure include poured concrete construction and metal coverings on the upstairs windows.

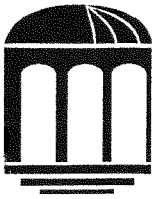
The property is located within the Downtown Retail District of the Downtown Specific Plan which permits retail, services and restaurants. The resource could accommodate retail on the lower level with offices on the second floor, which would be consistent with the Downtown Specific Plan Area.

Staff Recommendation:

Staff recommends this resource be placed on the Local Register.

Commission Action:

On 3/3/92 the Commission unanimously approved staff's recommendation to place this structure on the Local Register.



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

## CERTIFICATE OF APPROPRIATENESS

Pursuant to Chapter VI of the Downtown Revitalization Area Plan, Section B.2, a Certificate of Appropriateness shall be required for all new construction and work on the exterior of a building or site in the Specific Plan Area.

Pursuant to Section B.2, the Planning Division staff and the Design Review Board have reviewed the project described below and find that it is in conformance with the Downtown Revitalization Area Specific Plan and the Downtown Retail (DR) District.

**PROJECT LOCATION:** 145 West Grand Ave.  
On the south side of Grand Ave. between Kalmia and Broadway.

**APPLICANT:** Chilaca's Restaurant  
Richard Uribe

**PROJECT DESCRIPTION:** Exterior remodel of an existing commercial building on the Local Register of Historic Structures. The work was done prior to approvals and includes removing the storefront windows and constructing a wall and entry door approximately 15' back, under the second floor. The recessed entry creates a covered outdoor seating area in the front of the structure. The lower level of the front façade has been stuccoed in a dark green, extending across the entire front of the building.

### ANALYSIS/FINDINGS:

1. The project was reviewed by staff and the Design Review Board as a minor project involving exterior changes to an existing building, pursuant to Section VI.B.2 and Figure VI-1 of the Downtown Revitalization Area Specific Plan.
2. The Downtown Business Association (DBA) Design Review Committee supported the work done, and indicated that the new eating area was attractive and added to the ambiance of Downtown.
3. The project is consistent with the development standards of the Downtown Retail (DR) District since the project involves only façade changes to an existing building.
4. The project is in conformance with the Design Guidelines of the Specific Plan in that the overall changes are compatible with adjacent development; no significant structural changes have been made; the changes are easily identifiable as new and can be removed in the future; and the alterations do not destroy historically significant features since the storefront that was removed was not original.

This document certifies that the project described above is in conformance with the goals and guidelines of the Downtown Revitalization Area Specific Plan.

Signature: Rozanne Cheng Title: Senior Planner Date: 3-11-99



**NOMINATION REPORT FOR THE CITY OF ESCONDIDO  
LOCAL REGISTER OF HISTORIC PLACES**

Address of Resource: 148 and 152 West Grand

Existing Use: Commercial

Zoning: CBD

General Plan Designation: SPA #9 - Downtown Specific Plan

Tier Designation: Central Neighborhood/Tier One

Construction Date: 1890

Meets Ordinance Criteria 1, 5 and 7 for Local Register Listing.

Justification for Register Listing:

The building was once the offices of Drs. Larzalere, two of the first doctors in Escondido. The doctors opened the first hospital on Grand.

The building is considered Commercial Vernacular which is evident by the brick-like detail trim along the roof line.

The site is within the Downtown Retail District of the Downtown Specific Plan. Retail, restaurant and offices are permitted uses within the district.

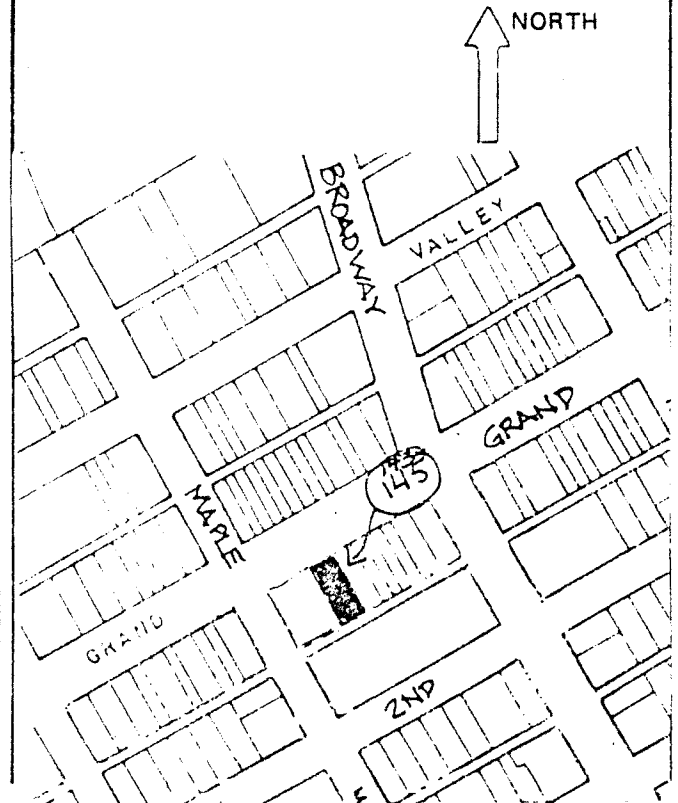
Staff Recommendation:

Staff recommends this resource be placed on the Local Register.

Commission Action:

On 3/3/92 the Commission unanimously approved staff's recommendation to place this structure on the Local Register.

Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



Attachment 3



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 and Wildlife Notices  
1600 Pacific Highway, Room 260  
San Diego, CA 92101  
MS A-33

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

**Project Title/Case No.:** Master and Precise Development Plan/PL23-0075

**Project Location - Specific:** The 0.16-acre project site is located on the south side of West Grand Avenue, between S. Maple Street and S. Broadway addressed at 143-145 W. Grand Avenue (Assessor's Parcel No. 233-062-02-00).

**Project Location - City:** Escondido **Project Location - County:** San Diego

**Description of Project:** Master and Precise Development Plan for the conversion and remodel of a two-story, 8,000 square-foot commercial structure to accommodate four, two-bedroom apartment units on the second floor. The Project also includes redesign of the existing parking located along the alley to include six covered parking spaces, new trash enclosure, exterior stairway and second-story landing/terrace to provide access to the units.

**Name of Public Agency Approving Project:** City of Escondido

**Name of Person or Agency Carrying Out Project:**

Name: Curtis Lively, (Grand West Associates), Zadar LLC, Owner

Telephone: (760) 594-1255

Address: 31 W. Grand Avenue, Suite 103, Escondido, CA 92025

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

**Exempt Status:** The project is categorically exempt from further CEQA review pursuant to CEQA Guidelines sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures).

**Reasons why project is exempt:**

The 0.16-acre project site is within a developed downtown retail core area and surrounded by urban uses. The site is developed with an existing building and development is limited to the conversion of the upper story to four residential units. In addition to the interior building work, site improvements are considered minor to include a covered parking carport type structure, new exterior stairway and landing, and minor exterior facade modifications (e.g., doors and windows). It has been determined the project would not result in any significant impacts to traffic, noise, air quality, or water quality, or historic structures due to the limited scope of work. The project site does not contain any sensitive habitat and all required utilities and public services can be provided to the site with existing facilities located within adjacent streets or easements. The Project also does not trigger any exceptions to the categorical exemption as listed in CEQA Guidelines section 15300.2.

**Lead Agency Contact Person:** Jay Paul, Planning Division Area Code/Telephone/Extension (760) 839-4537

Signature J Paul

12-1-2023

Jay Paul, Senior Planner

Date

☒ Signed by Lead Agency

Date received for filing at OPR: N/A

Planning Commission  
Hearing Date: December 12, 2023

Effective Date: December 22, 2023

PLANNING COMMISSION RESOLUTION NO. 2023-24

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ESCONDIDO, CALIFORNIA,  
RECOMMENDING CITY COUNCIL APPROVAL OF A  
MASTER AND PRECISE DEVELOPMENT PLAN FOR  
A FOUR-UNIT RESIDENTIAL PROJECT WITHIN THE  
DOWNTOWN SPECIFIC PLANNING AREA

APPLICANT: Zadar, LLC

CASE NOS: PL23-0075

WHEREAS, Zadar, LLC., ("Applicant"), filed a land use development application, Planning Case No. PL23-0075 ("Application"), constituting a request for a Master and Precise Development Plan to convert the second floor of a two-story commercial building into four multi-family residential units ("Project"), on approximately 0.16 acres generally located on the south side of W. Grand Avenue, between S. Maple Street and S. Broadway, addressed at 143-145 W. Grand Avenue (Assessor's Parcel Number 233-062-02-00); and

WHEREAS, the subject property is located within the Downtown Specific Plan (SPA 9) and is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as though fully set forth herein ("Property"); and

WHEREAS, the Application was submitted to, and processed by, the Planning Division of the Development Services Department in accordance with the rules and regulations of the Escondido Zoning Code and the applicable procedures and time limits



specified by the Permit Streamlining Act (Government Code section 65920 et seq.) and the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"); and

WHEREAS, second floor multi-family residential units are permitted uses within the Historic Downtown District ("HD") with ground-floor commercial, in accordance with the Downtown Specific Plan; and

WHEREAS, on November 11, 2023, the Historic Preservation Commission reviewed and considered the Project for design review and issuance of a Certificate of Appropriateness, and did recommend approval of the Project design in a vote 5-0; and

WHEREAS, pursuant to CEQA and the CEQA Guidelines (Title 14 of 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 Planning Division studied the Application, performed necessary investigations, prepared a written report, and hereby recommends approval of the Project as depicted on the plan set shown in Exhibit "B," which is attached hereto and made a part hereof by this reference as though fully set forth herein; and

WHEREAS, City staff provided public notice of the application in accordance with City and State public noticing requirements; and

WHEREAS, on December 12, 2023, the Planning Commission held a duly noticed public hearing as prescribed by law, at which time the Planning Commission received and considered the reports and recommendation of the Planning Division and gave all persons full opportunity to be heard and to present evidence and testimony regarding the

Project. Evidence was submitted to and considered by the Planning Commission, 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 12, 2023, 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; and

WHEREAS, the public hearing before the Planning Commission was conducted in all respects as required by the Escondido Municipal Code and the rules of this Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido that:

1. The above recitations are true and correct.
2. The Planning Commission, in its independent judgment, has determined the Project to be exempt from environmental review pursuant to CEQA Guidelines sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structure).
3. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and on its behalf, the Planning Commission makes the substantive findings and determinations detailed in Exhibit "C," which is attached hereto and made a part hereof by this reference as though fully set forth

herein, relating to the information that has been considered. In accordance with the Findings of Fact and the foregoing, the Planning Commission reached a recommendation on the matter as hereinafter set forth.

4. The Application to use the Property for the Project, subject to each and all of the conditions hereinafter set forth in Exhibit "D," is hereby recommended for approval by the City Council. The Planning Commission expressly declares that it would not have approved/recommended approval of this Application except upon and subject to each and all of said conditions, each and all of which shall run with the land and be binding upon the Applicant, the owner, and all subsequent owners of the Property, and all persons who use the Property for the use permitted hereby.

5. The development plans for the Project are on file in the Planning Division of the Development Services Department and are available for inspection by anyone interested herein, and the development plans are incorporated herein by this reference as if they were fully set forth herein. The Project is recommended for conditional approval as set forth on the Application and Project drawings, all designated as recommended for approval by the City Council, and which shall not be altered without the express authorization by the Planning Division. Any deviations from the approved development plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.

PASSED, ADOPTED, AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 12th day of December, 2023, by the following vote, to wit:

Attachment "1"

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ABSENT: COMMISSIONERS:

---

Rick Paul, Chair  
Escondido Planning Commission

ATTEST:

---

Veronica Morones, Secretary of the  
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by  
the vote above stated.

---

Alexander Rangel, Minutes Clerk  
Escondido Planning Commission



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**Planning Case No. PL23-0075**

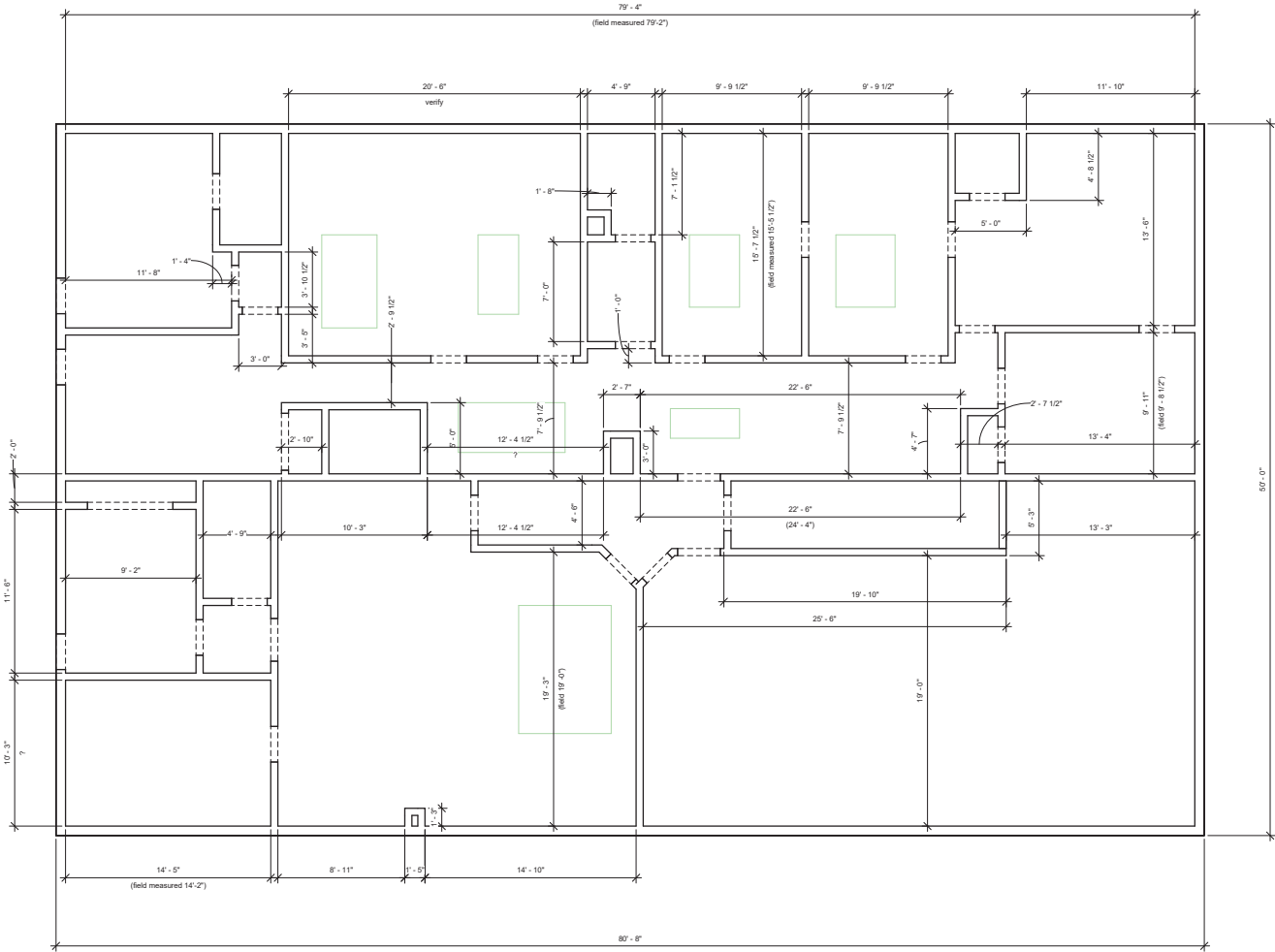
Real Property in the City of Escondido, County of San Diego, State of California as follows:

Lots 19 and 20 in Block 79 of Escondido, County of San Diego, according to Map thereof No. 336, filed in the office of the County Recorder of San Diego County, July 10, 1886. follows:

APN 233-062-02-00







2ND FL-ASBUILT  
1/4" = 1'-0"



PROJECT DATA:

**GRAND WEST ASSOCIATES, INC.**  
DESIGN BUILD  
401 West Grand Ave., Suite 103  
Escondido, CA 92025  
Tel: 760.794.4000  
cell: 760.794.4000  
corporate@grandwest.com

**DJANI REMODEL**  
145 W. GRAND AVE  
ESCONDIDO, CA 92025

REVISION

#	DESCRIPTION	DATE
A		
B		
C		
D		
E		

APPROVED ARCHITECT

CURTIS E. LUTHE  
NO. C-1386  
RE 20835  
STATE OF CALIFORNIA

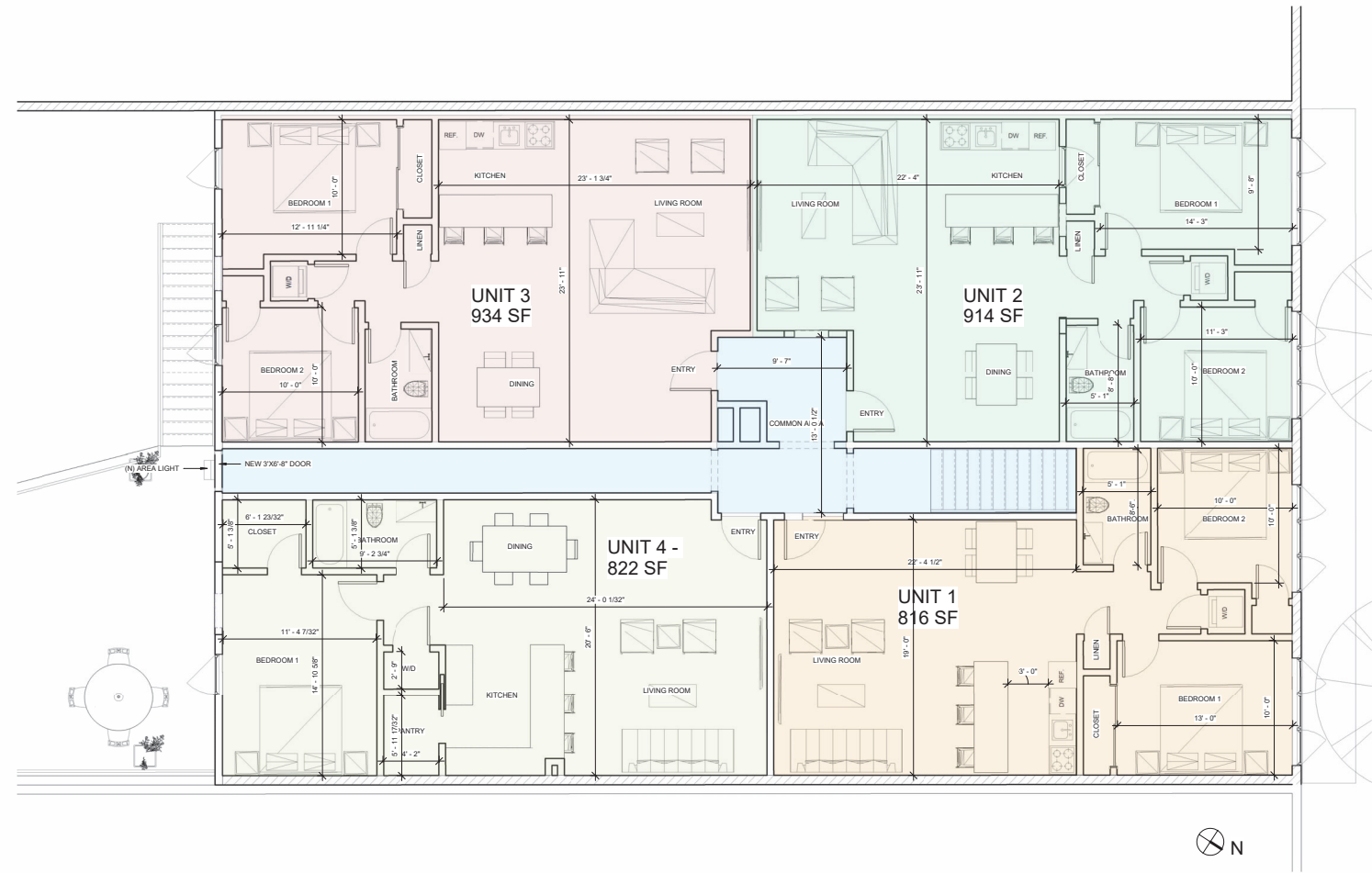
SHEET INFORMATION

**A-S-BUILT PLANS**

**A1**

PLOT DATE: 9/1/2023 2:40:25 PM





① 2ND FLOOR PLAN  
1/4" = 1'-0"

#	REVISION	DATE
A	DESCRIPTION	
B		
C		
D		
E		



PROJECT DATA:  
**DJANI REMODEL**  
145 W. GRAND AVE  
ESCONDIDO, CA 92025

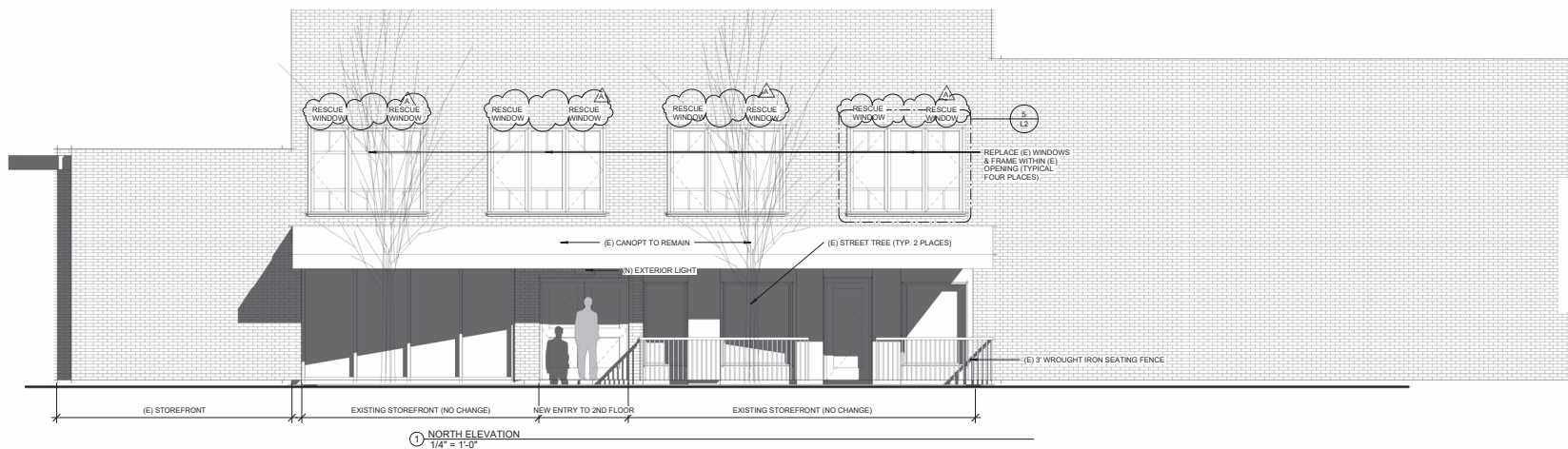
**GRAND WEST ASSOCIATES, INC.**  
DESIGN BUILD  
411 West Grand Ave., Suite 105  
Escondido, CA 92025  
cell: 760-994-4335  
www.grandwest.com

DESIGNED BY: Author	CHECKED BY: Checker
DRAWN BY: Author	DATE: 08/10/2023
SCALE: AS SHOWN	25% Maximum Project Number
CURTIS E. WRIGHT	08/10/2023

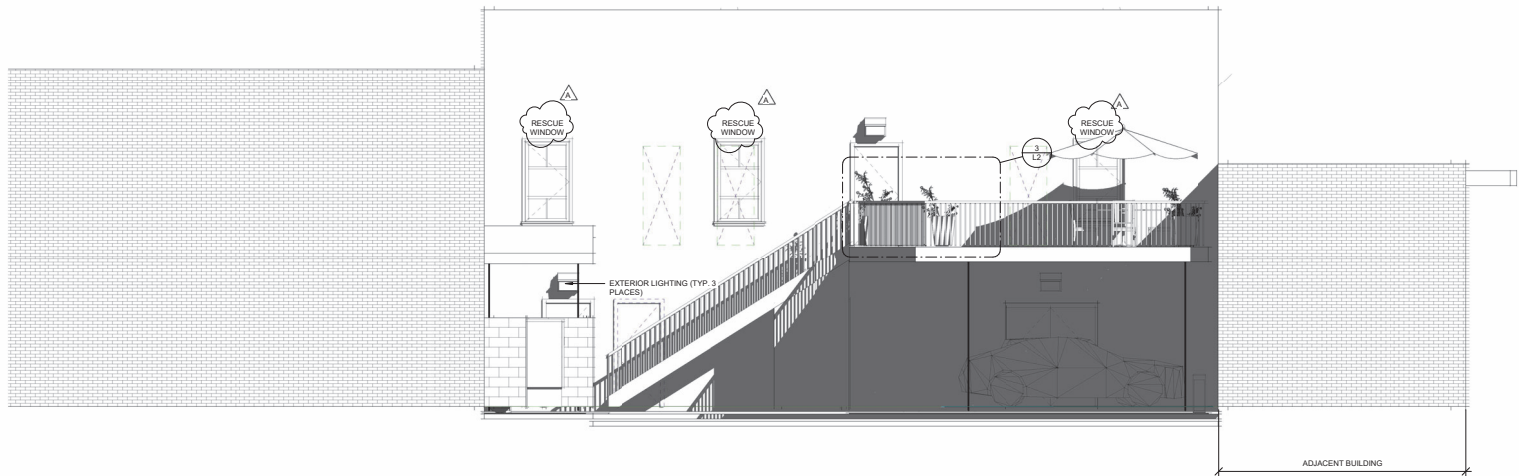
SHEET INFORMATION  
**2ND FLOOR  
CONCEPT 2**

**A2**  
PLOT DATE: 8/10/2023 2:19:00 PM

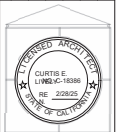
Attachment "1"



2 SOUTH ELEVATION  
1/4" = 1'-0"



REVISION		DATE
#	DESCRIPTION	
A		
B		
C		
D		
E		



PROJECT DATA:  
**DJANI REMODEL**  
145 W. GRAND AVE  
ESCONDIDO, CA 92025

GRAND WEST ASSOCIATES, INC.  
DESIGN BUILD  
411 West Grand Ave., Suite 103  
Escondido, CA 92025  
cell: 760-994-4333  
cwg@grandwestassociates.com  
www.grandwestassociates.com

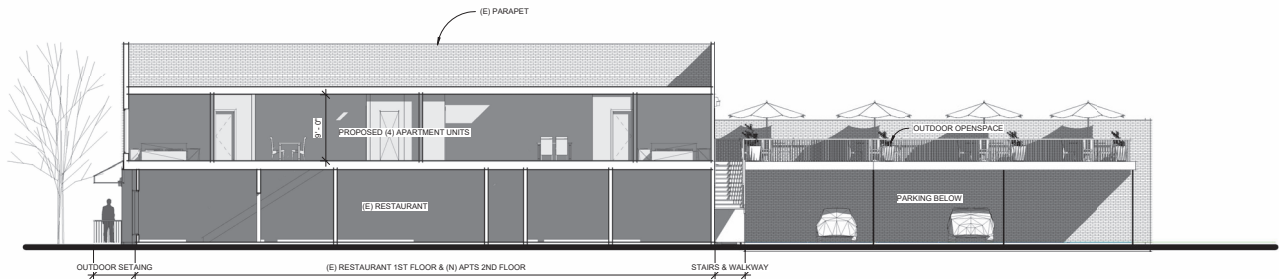
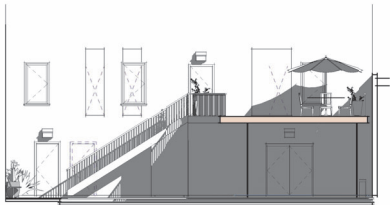
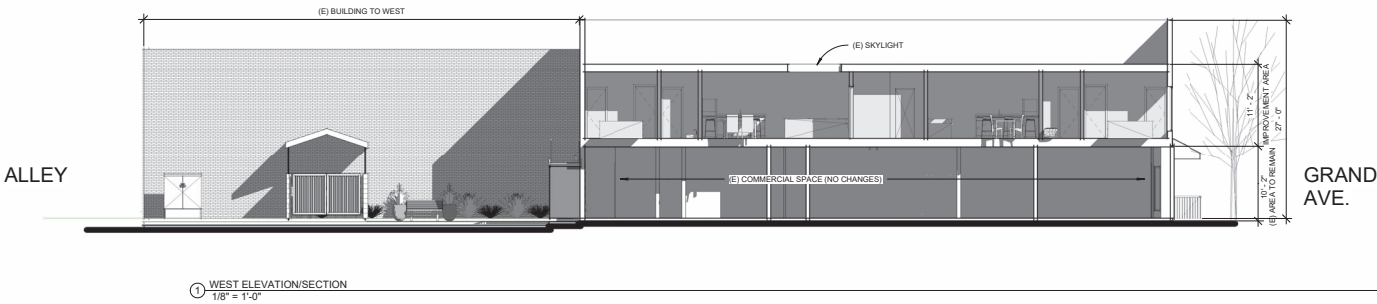
DESIGNED BY	Autor
DRAWN BY	Checker
DATE	Issue Date
SCALE	A3 SHOWN
20% Minimum Project Number	
CURTIS E. CURTIS	Architect

SHEET INFORMATION

ELEVATIONS

A3  
PLOT DATE: 9/12/2023 2:19:16 PM

Attachment "1"



#	REVISION	DESCRIPTION	DATE
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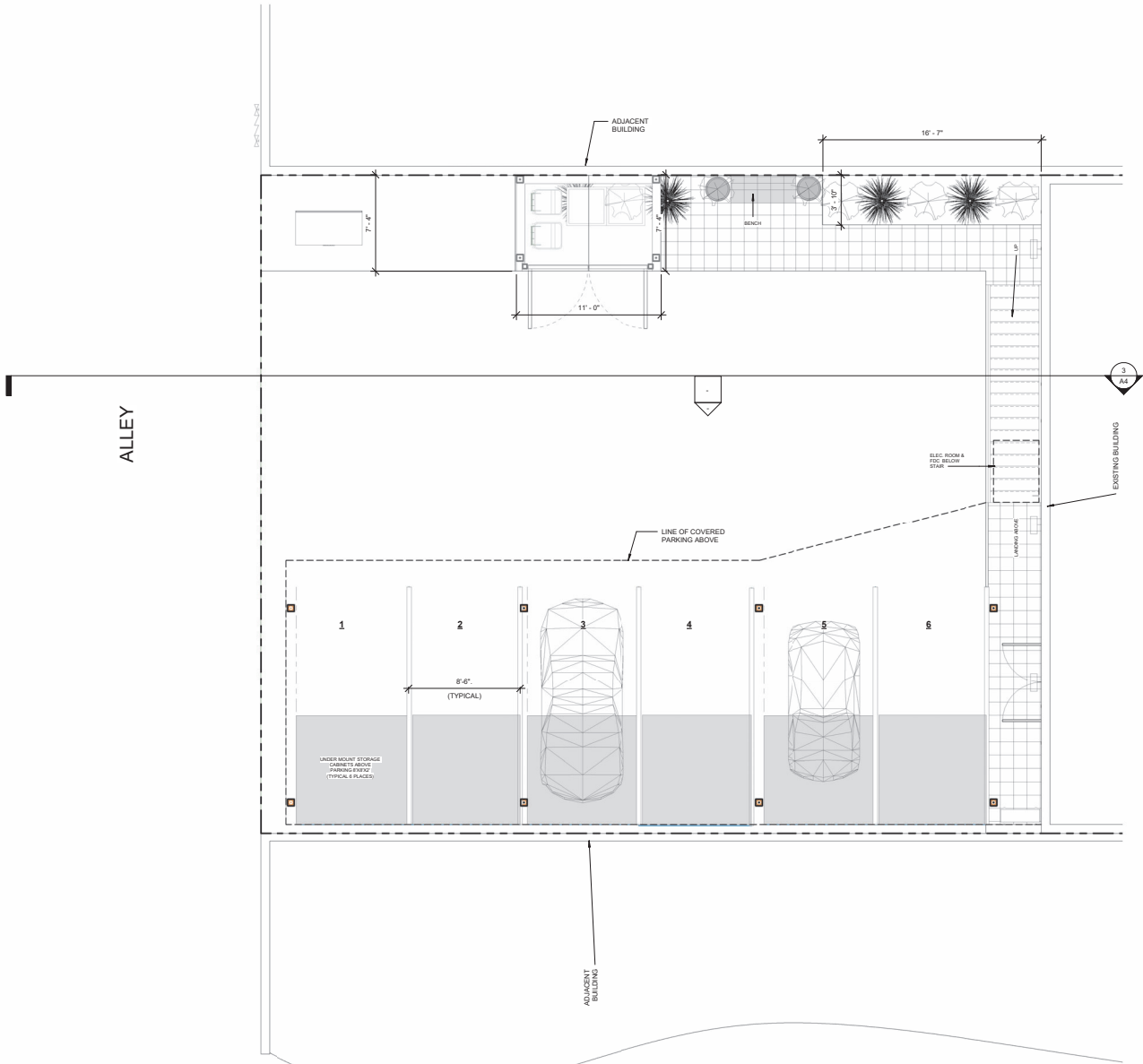
PROJECT DATA:  
**DJANI REMODEL**  
145 W. GRAND AVE  
ESCONDIDO, CA 92025

**GRAND WEST ASSOCIATES, INC.**  
D E S I G N  
411 West Grand Ave., Suite 103  
Escondido, CA 92025  
cell: 760-994-4355  
cwa@grandwestassociates.com

DESIGNED BY: Author  
CHECKED BY: Checker  
DATE: 09/12/2023  
SCALE: AS SHOWN  
20% Review Project Number  
CWA/TEC: 15885-15885

SHEET INFORMATION  
**ELEVATIONS & SECTIONS**

**A4**  
PLOT DATE: 9/12/2023 2:19:27 PM



1 SITE PLAN - PARKING  
1/4" = 1'-0"

PROJECT DATA:

GRAND WEST ASSOCIATES, INC.

DESIGN BUILD

411 West Grand Ave., Suite 103  
Escondido, CA 92025  
cell: 760-994-4355  
e: gwa@grandwest.com

PROJECT DATA:

DJANI REMODEL

145 W. GRAND AVE

ESCONDIDO, CA 92025

REVISION

DATE

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UNNAMED

AS-2

DATE: 9/1/2023 2:19:44 PM

① CONCEPTUAL LANDSCAPE PLAN  
1/8" = 1'-0"



① CONCEPTUAL LANDSCAPE PLAN  
1/8" = 1'-0"

TREES			
SYMBOL	TREE NAME	QTY.	WUCOLS
	EXISTING STREET TREE	2	M

SYMBOL	ACCENT PLANT NAME	WUCOLS
	ROSMARINUS 'TUSCAN BLUE', TUSCAN BLUE ROSEMARY 5 GAL. SIZE	L
	AGAVE MEDIUM PICTA ALBA, CENTURY AGAVE 15 GAL. SIZE	L

SYMBOL	NAME	WUCOLS
	MUHLenbergia RIGENS, DEER GRASS 1 GAL. SIZE 42" O.C.	M

THIS PROJECT IS LOCATED IN 'WUCOLS'  
REGION '4 SOUTH - INLAND'

② PLANT DATA  
1 : 3

1 : 3

**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
A		
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C		
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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
A		
B		
C		
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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
A		
B		
C		
D		
E		



**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
A		
B		
C		
D		
E		



**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
A		
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C		
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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
A		
B		
C		
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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

DATE

REVISION

#	DESCRIPTION	DATE
A		
B		
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**PROJECT DATA:**

**DJANI REMODEL**

145 W. GRAND AVE.  
ESCONDIDO, CA 92025

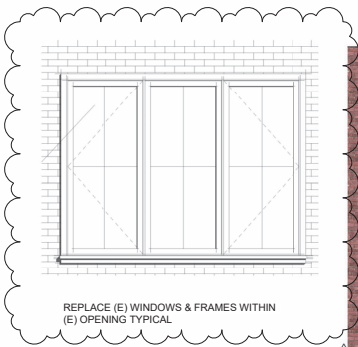
DATE

REVISION

#	DESCRIPTION	DATE
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B		
C		
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⑤ TYPICAL REPLACEMENT WINDOW  
DETAIL  
1/2" = 1'-0"

**WINDOWS & EXTERIOR DOORS**

MILGARD "ULTRA SERIES"  
FIBERGLASS - (OR APPROVED EQUAL)

COLOR: BARK



BARK COLOR

**VERTICAL WROUGHT IRON HANDRAIL SYSTEM - OR  
APPROVED EQUAL**

1. WROUGHT IRON RAILS
2. COLOR - BARK TO MATCH WINDOW COLOR



④ SOUTH ELEVATION - COLOR  
1/4" = 1'-0"

SPECIFICATION SHEET  
145 W. GRAND AVE.  
ESCONDIDO, CA 92025

AREA	DESCRIPTION	COLOR	NOTES
ROOFING	TORCH APPLIED ASPHALTIC	GRAY (EXISTING)	EXISTING
SIDING STUCCO	7/8" STUCCO VENEER	BONE	EXPO STUCCO OR APPROVED EQUAL
WINDOWS & EXTERIOR DOORS	METAL CLAD OR APPROVED EQUAL	REGAL BROWN	MANUFACTURER T.B.D.
PAINT	PRIME & TWO COATS	VARIES	FRAZEE PAINT OR APPROVED EQUAL
EXTERIOR LIGHTING	T.B.D.	MATCH WINDOW TRIM	MANUFACTURER T.B.D.
GUARDRAIL	WROUGHT IRON	MATCH WINDOW TRIM	CUSTOM FABRICATED

**EXTERIOR LIGHTING**

T.B.D.

COLOR: TO MATCH WINDOW COLOR



**EXTERIOR STUCCO COLORS**

LAHABRA STUCCO - (OR APPROVED EQUAL)

COLOR ONE: #81585 CHARLESTON (BASE 100)



(E) EXTERIOR STUCCO COLOR

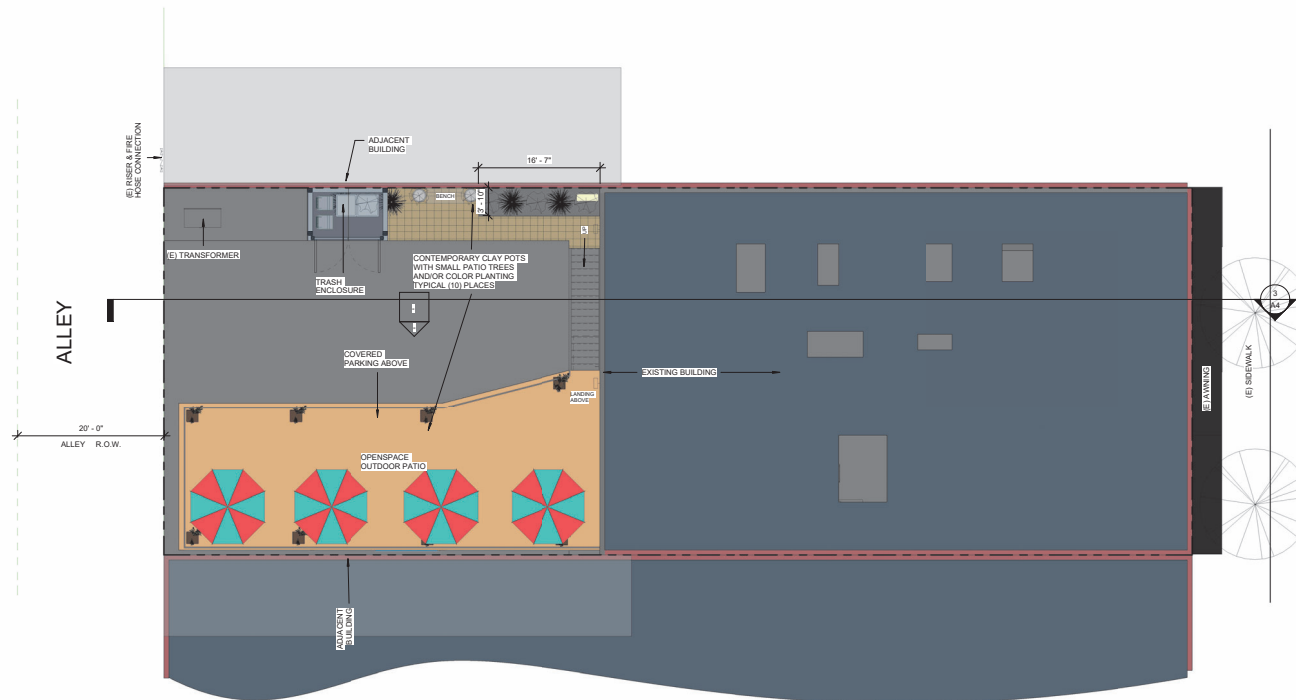
REVISION  
DATE  
DESCRIPTION  
# A B C D E

**DJANI REMODEL**  
145 W. GRAND AVE  
ESCONDIDO, CA 92025

PROJECT DATA:  
**GRAND WEST ASSOCIATES, INC.**  
DESIGN BUILD  
411 West Grand Ave., Suite 103  
Escondido, CA 92025  
cell: 760-994-1055  
email: gwa@grandwest.com

DESIGNED BY: Author  
CHECKED BY: Checker  
DATE: Issue Date  
SCALE: AS SHOWN  
25% Minimum Project Number  
CUT FILE: 10/10/2023 2:20:17 PM

**MATERIAL BOARD**  
  
**L2**



① CONCEPTUAL LANDSCAPE PLAN Copy 1  
1/8" = 1'-0"



REVISION		DATE
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E		



**DJANI REMODEL**  
145 W. GRAND AVE.  
ESCONDIDO, CA 92025

PROJECT DATA:



DRAWN BY:	AUSTON
CHECKED BY:	CHECKER
DATE	ISSUE DATE
SCALE	AS SHOWN
JOB NUMBER	PROJECT NUMBER
CAD FILE:	MacHomeL Library\Cloud\B... 1802082.dwg

COLOR  
 CONCEPTUAL  
 LANDSCAPE  
 PLAN  
 L3

DT DATE: 9/1/2023 2:20:25 PM



**EXHIBIT "C"**  
**Findings of Fact**  
**PL23-0075**

**Environmental Determination(s)**

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 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structure) because such categorical exemption applies to proposed developments that consist of minor alterations to private structures involving negligible or no expansion beyond the existing or former use. This applies to development such as interior or exterior alterations, and additions to existing structures of not more than 10,000 square feet. The project also qualifies because it involves the conversion of existing unused space to multi-family residential totaling no more than six dwelling units in urbanized areas. The project site is 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. The Project also does not trigger any exceptions to the categorical exemption as listed in CEQA Guidelines section 15300.2.
3. The Planning Commission has independently considered the full administrative record before it, which includes but is not limited to the December 12, 2023, Planning Commission 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 has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

**Master and Precise Development Plan**

1. The location, design, and residential density of the proposed Project is consistent with the goals and policies of the Escondido General Plan because mixed-use residential development is permitted and encouraged in the Downtown Specific Plan Area (SPA 9) and the Historic District (HD). The proposed infill residential project would be in conformance with General Plan Housing Element's Goals and Policies to plan for quality managed and sustainable growth; provide a range of housing opportunities for all income groups and populations with special needs, and; encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. The site is physically suitable for the proposed density of development because the property is within a downtown urban core area and the project will assist in the ongoing revitalization of the Downtown Area and retail core by establishing a permanent residential base in the downtown area. The subject site is located within the Historic District of the Downtown Specific Plan, which allows multi-family mixed-use

development up to 75 du/ac. Based on the property size of 0.16 acres, the Historic Downtown District would allow up to 12 units and a three-story structure up to 45 feet in height. The request to remodel the second story of the existing two-story, 27-foot-high building is consistent with the land use density and development requirements envisioned for this area. The project density of 25 du/ac is consistent with the allowable density for the project site.

The proposed Planned Development, consisting of a Master and Precise Development Plan, includes a request for a parking reduction from eight spaces to six spaces, along with reduction in setbacks for the six parking spaces. The Downtown Specific Plan allows for modifications to development standards through the Planned Development process. The proposed modifications to the development standards would be appropriate for this project, as discussed in the Planning Commission staff report dated December 12, 2023.

2. The proposed location of the development allows the planned development to be well integrated with its surroundings by providing a mixed-use residential housing project in close proximity to transit, and near retail and other commercially developed properties. Adequate parking, circulation, utilities and access would be provided for the development (as detailed in the staff report). The project would not be out of character for the area because the Historic Downtown District of the Downtown Specific Plan envisions an upscale urban area with a mix of high-density residential and commercial development. Further, the proximity to the Escondido Transit Center makes the density appropriate. The proposed exterior improvements to the buildings are appropriate for the proposed location due to the street-oriented appeal and urban design characteristics, along with the quality of the architectural design and use of a variety of building materials and colors. The proposed exterior improvements also would be consistent and appropriate for the historic design of the structure.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, as determined by the Engineering Division.
4. The overall design of the proposed residential mixed-use development would produce an attractive, efficient and stable environment for living because adequate residential amenities, parking, and landscaping would be provided. Further, the design of the development is consistent with a high quality, urban infill project that will provide housing opportunities within walking distance of downtown commercial and retail services consistent with the City's vision for the downtown area. The project includes sufficient on-site open space amenities appropriate for this mixed-use urban development, including a parking roof-deck common open area with outdoor seating areas.
5. The proposed development would be well integrated into its surroundings, because the new structures would incorporate compatible and integrated architecture, materials and colors, and the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties. No grading is proposed for the project other than minimal ground preparation for the modified parking area.
6. The uses proposed have a beneficial effect not obtainable under existing zoning regulations. Utilizing the Planned Development process allows flexibility from the Downtown Specific Plan requirements in order to achieve a higher-density residential project in the urban core and adaptive reuse of the existing underutilized building. The project would provide residential opportunities integrated into a comprehensive and self-contained development, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process.

7. The project would provide an environment of sustained desirability and stability because City services and adequate access would be provided; adequate parking would be provided; the proposed architecture would be integrated into its surroundings; and the project could serve as a catalyst for further revitalization efforts in the area.
8. The improvements are not likely to cause substantial environmental concerns because the property was previously developed with commercial uses. The site does not contain any sensitive or protected habitat or other environmental concerns as determined during the environmental review. The design of the project and the type of improvements are not likely to cause serious public health problems because the project will not degrade the levels of service on the adjoining streets or drainage system as the project incorporates appropriate infrastructure improvements. Adequate city sewer and water is available to the site.
9. The general provisions, conditions, and exceptions applicable to the underlying Downtown Specific Plan shall be applied to the planned development, unless a different regulation or standard is prescribed by an adopted planned development. Development standards related to parking, setbacks, building height and open space as described in the December 12, 2023 staff report shall be governed by the site-specific Master Development Plan standards, which shall be adopted as part of the Project. All other provisions of the Escondido Zoning Code and Downtown Specific Plan shall prevail during the implementation and operation of the Project.

#### **No Net Loss**

1. No Net Loss Law (Government Code section 65863) applies when a site is included in the jurisdiction's Housing Element's inventory of sites and is either rezoned to a lower residential density or is approved at a lower residential density or affordability level than shown in the Housing Element. The City does not need to determine if this Project or a decision related to this Project would be subject to No Net Loss Law and its remedies. The Project site is not identified in the vacant/underutilized sites land inventory of the City's Sixth Cycle (current) Housing Element (i.e., Appendix B of Chapter IV of the General Plan).

## EXHIBIT "D"

### CONDITIONS OF APPROVAL

Planning Case Number: PL23-0075

This Project is conditionally approved as set forth on the application received by the City of Escondido on **February 14, 2023**, and the Project drawings consisting of Civil Plans/Grading, Sections, Site Plans, Floor Plans, Architectural Elevations, Landscape Plans and Colored Elevations; all designated as recommended for approval on **December 12, 2023**, and shall not be altered without express authorization by the Development Services Department.

For the purpose of these conditions, the term "Applicant" shall also include the Project proponent, owner, permittee, or its successor(s) in interest, as may be applicable.

#### A. General:

1. **Acceptance of Permit.** Should the Applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
  - a. Acceptance of the Permit by the Applicant; and
  - b. Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
2. **Permit Expiration.** The Permit shall expire 36 months from the effective date of City Council approval of the Master and Precise Plan unless additional time is granted pursuant to Zoning Code Article 19.
3. **Certification.** The Director of Development Services, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. Three copies of final Approved Plan set, shall be submitted to the Planning Division for certification. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.
4. **Conformance to Approved Plans.**
  - a. The operation and/or use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.

## Attachment "1"

- b. Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
  - c. Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Development Services to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. This includes modifications to any Grading Exemptions for the slopes up to an additional one foot in height, and modifications to retaining wall heights. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.
- 5. Limitations on Use.** Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Development Services Department.
- 6. Certificate of Occupancy.**
- a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
  - b. Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Development Services.
- 7. Availability of Permit Conditions.**
- a. Prior to issuance of building permits, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Development Services.
  - b. The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.
- 8. Right to Entry.** The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.
- 9. Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from

other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

- 10. Fees.** 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 Development Services. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Development Services Department.
- 11. Community Facility District or Funding Mechanism.** In accordance with the General Plan, the Developer shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding shall be in accordance with City Ordinance 2020-10, unless another amount is approved by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into Services CFD 2020-1 or the establishment of another lawful funding mechanism reasonably acceptable to the City ("Public Services Funding Agreement"). Projects that elect to annex into the Services CFD shall submit consent forms prior to the first permit issuance if they have not done so already. The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager's designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City's issuance of any permit for the Project.
- 12. Public Art Partnership Program.** All requirements of the Public Art 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.
- 13. Clerk Recording.**
  - a. State Law (SB 1535), effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. If the Project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, or if the Project was analyzed through a negative declaration or environmental impact report, the Applicant shall remit to the City of Escondido Planning Division, within two (2) working days of the effective date of the adoption of the environmental document, a check payable to the "San Diego County Clerk," in the amount that is published by the County Clerk's

Office. 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. The County Clerk's Office filing fees for other environmental review documents are adjusted annually by the California Department of Fish and Wildlife. If the fee increases after the date of this approval, the Applicant shall be responsible for the increase.

- b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

**14. Legal Description Adequacy.** 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.

**15. Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

**16. Enforcement.** If any of the terms, covenants or conditions contained herein shall fail to occur or if they are, by their terms, to be implemented and maintained over time, the City of Escondido shall have the right to deny or withhold subsequent permit approvals or permit inspections that are derived from the application entitlements herein granted; issue stop work orders; pursue abatement orders, penalties, or other administrative remedies as set forth in state and local laws; or institute and prosecute litigation to compel compliance with said conditions or seek damages for their violation. The applicant/developer shall be notified in advance prior to any of the above actions being taken by the City and shall be given the opportunity to remedy any deficiencies identified by the City.

**17. Indemnification, Hold Harmless, Duty to Defend.**

- a. The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner of the Property (including the Applicant's or the owner of the Property's contractors, subcontractors, licensees, sublessees, invitees, agents, consultants, employees, or volunteers), or such



activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City).

- b. The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project's environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant's payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).
- c. The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written Deposit Account Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

**B. Construction, Maintenance, and Operation Obligations:**

- 1. Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Community Development, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein or by the terms of a Development Agreement.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of the property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

- 2. Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulations or to obtain permits from other agencies to make certain on- or off-site improvements prior to Final Map recordation, grading permit issuance, building permit issuance, or certificate of occupancy as required. This review may result in conditions determined by the reviewing agency.

At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

- 3. Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
- 4. Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code, unless modified by this Project Planned Development. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.
- 5. Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
- 6. Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
- 7. General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all

exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.

- 8. Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
- 9. Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
- 10. Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
- 11. Trash Enclosures.** Appropriate trash enclosure(s) or other approved trash system shall be approved by the Planning and Engineering Services Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
- 12. Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
- 13. Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
- 14. Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof, demonstrating compliance with the California Green Building Standards Code sections cited above.
- 15. Construction Equipment Emissions.** Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board ("CARB") certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii)

functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall demonstrate to the satisfaction of the Director of Community Development that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model ("CalEEMod") or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary Project-generated functional equivalencies in the diesel PM emissions level are achieved, consistent with the environmental review/Addendum.

**C. Parking and Loading/Unloading.**

1. As shown on the site plan, a minimum of 6 on-site covered parking spaces shall be provided at all times. Parking shall be subject to the on-site parking requirements of Article 39 and this Planned Development, as identified in the Project details of request. Any garages or carports shall be maintained to provide parking for vehicles and storage (as may be designed) and other use of the garage or carport space shall not impede the use of the parking of vehicles.
2. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.
3. Prior to issuance of building permits, a parking management plan shall be submitted to the Planning Division for review and approval. Said plan shall address space assignment(s), additional spaces, (assignment and use) gate hours (if provided), general maintenance, signage and striping, delivery and other short-term parking allowances/requirements, guest parking (if provided), and any other issues which affect the use and maintenance of the parking areas/spaces, including access and staging of the trash bins for access by Escondido Disposal, to the satisfaction of the Director of Development Services.

**D. Landscaping:** The property owner or owners' association assumes all responsibility for maintaining all on-site landscaping; storm water facilities, any landscaping in the public right-of-way, and other common areas in a manner that satisfies the conditions contained herein.

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.
6. **Landscaping Plans.** Applicant shall install all required improvements including screening walls, retaining walls, storm improvements, and landscaping in substantial conformance to the planting and irrigation schedule as shown on the concept plans detailed in the Planning Commission staff report and associated Resolution exhibits.
  - a. A final landscape and irrigation plan shall be submitted to the Engineering Services Division for review and approval (as determined by the Director of Development Services), if meeting any of the criteria listed under Section 33-1323 of the Zoning Code. Five copies of detailed landscape and irrigation plans shall be submitted to the Engineering Services Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees, paid in accordance with the prevailing fee schedule in effect at the time of submittal. Details of Project fencing and walls, including materials and colors, shall be provided on the landscape plans. (Building permits may also be required.) The landscape and irrigation plans shall be reviewed and approved by the Planning Division and Engineering Services Division prior to issuance of grading permits, and shall be equivalent or superior to the conceptual landscape plans included as part of the Approved Plan set, to the satisfaction of the Planning Division. 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, except where stricter requirements are imposed by the State of California.
  - b. Screening walls, retaining walls, storm improvements, and landscaping (i.e., planting and irrigation) is to be provided prior to final occupancy, to the satisfaction of the Director of Development Services.
  - c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. The landscape architect shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The Applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
  - d. Any new freestanding walls and/or retaining walls shall incorporate decorative materials or finishes, and shall be indicated on the landscaping plans. (Building permits may also be required.) 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 Development Services.

**E. Specific Planning Division Conditions:**

1. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning and Building Divisions, Fire Department and Engineering Services Division have been completed.
2. Building plans, prepared by a licensed design professional, must be submitted for the Project and must comply with the building and fire codes in effect at the time of building plan submittal.

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3. The plans submitted for building permit shall include notes or details containing the necessary work involved in complying with these Project conditions.
4. The screening of roof-mounted, ground-mounted, or wall-mounted mechanical equipment and devices is required in accordance with Section 33-1085 of the Escondido Zoning Code.
5. The building, architecture, colors and materials, and conceptual landscaping shall be in substantial conformance with the Planned Development exhibits attached as Exhibit "B" and on-file with the Planning Division, except as modified by these conditions of approval. Minor modifications may be approved by the City Planner. Major modification will require a modification to the Planned Development in accordance with Article 19 and the Downtown Specific Plan. The final design and materials for the exterior windows and doors shall be approved by the Planning Division prior to the submittal of building plans for the Project.
6. Permitted animals/pets shall be allowed in conformance with those identified in the Escondido Zoning Code for R-4/5 zoned properties (pursuant to Article 57), unless more restrictive standards are applied by the property owner.
7. Balconies and patios shall be kept in a neat and orderly manner. Items stored on balconies/patios should be kept out of view or properly screened. Items shall not be hung over, across or on balconies or patios (such a towels, clothing, etc.).
8. Any materials containing asbestos that will be disturbed during demolition activities must be managed in accordance with any applicable local, State and Federal 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.
9. The upper floor windows facing Grand Avenue shall be designed to ensure all rooms comply with the relevant interior noise standards of 45 CNEL for habitable areas. Appropriate means of air circulation and provision of fresh air also shall be incorporated into the final building plans to ensure that windows would be able to remain closed (if necessary). Conformance with the requirement shall be included on the building plans.
10. The parking structure roof-top open space area shall incorporate seating and shade-type amenities for the residents. These facilities shall be of a heavy-duty all-weather type design and maintained in good condition throughout the life of the project. Compliance with this requirement shall be demonstrated on the final building plans.
11. The Project shall participate in the Density Transfer Program as a "sending area" as described in the staff report(s). A deed restriction shall be recorded prior to building permit issuance, transferring eight units into the Transfer Density Credit Pool.

**F. General Building Division Conditions:** Building plans must be submitted for the Project. These comments are preliminary only. A comprehensive plan check will be completed prior to permit



issuance and additional technical code requirements may be identified and changes to the originally submitted plans may be required.

1. The applicant shall submit a complete set of construction plans to the Development Services Department for building permit plan check processing. The submittal shall include any necessary structural calculations and State Energy compliance documentation (Title 24). Construction plans shall include a site plan, a foundation plan, floor and roof framing plans, floor plan(s), section details, exterior elevations, and materials specifications (as may be required based on the scope of work to be done). Submitted plans must show compliance with the latest adopted editions of the California Building Code (The International Building Code with California Amendments, the California Mechanical, Electrical and Plumbing Codes). Commercial and Multi-residential construction must also contain details and notes to show compliance with State disabled accessibility mandates. These comments are preliminary only. A comprehensive plan check will be completed prior to permit issuance, additional technical code requirements may be identified, and changes to the originally submitted plans may be required.

**G. General Fire Division Conditions:**

1. Fire underground line, fire sprinkler, and fire alarm plans shall be a deferred submittal to the Escondido Fire Department. FDC and hydrant placement shall be coordinated and approved by the Escondido Fire Department.

**ENGINEERING CONDITIONS OF APPROVAL**

**GENERAL**

1. The location of all existing on-site and adjacent utilities and storm drain facilities shall be determined by the Developer's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the Public Improvement Plans. This utility/facility relocation work shall be completed prior to issuance of Building Permits.
2. Improvement plans prepared by a Civil Engineer are required for all public street, utility, and storm drain improvements. These plans shall be submitted for review through the City's virtual plan review portal as a single package containing all items on the Engineering Initial Submittal Checklists.
3. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Improvements Cost prepared by the project engineer. The Developer is required to provide Performance (100% of total public improvement cost estimate), Labor and Material (50% of total public improvement cost estimate) and Guarantee and Warranty (10% of total public improvement cost estimate) bonds for all public improvements prior to approval of the Improvement Plans and issuance of Building Permits. All improvements shall be completed prior to issuance of a Certificate of Occupancy.
4. As surety for the construction of required off-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 Improvement Plan, or Building Permit.
5. 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.

### **IMPROVEMENTS**

1. 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.
2. All gated entrances shall be designed and improved to the satisfaction of the City Engineer. No gates or structures shall be constructed with the alley ROW including the 2-foot-wide area to be dedicated as ROW.
3. The developer shall dedicate to the City of Escondido a 2-foot-wide strip across the project on the alleyway side as ROW. A dedication document shall be prepared by a land surveyor and recorded prior to issuance of any building permit.
4. Trash enclosures shall be constructed to comply with storm water quality management requirements to the satisfaction of the City Engineer.
5. The public alleys and streets shall be adequately illuminated from the project building structure to the satisfaction of the City Engineer and Building Official. This lighting shall be maintained by the property owner.
6. The Developer may be responsible for an overlay of the adjacent alleyway street 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.
7. The Developer will be required to provide a detailed detour and traffic control plan, for all construction and staging activities, and any requested materials placement within existing rights-of-way to the satisfaction of the City Engineer. This plan shall include any proposed sidewalk closures and provide for alternate pedestrian access around the project site. This plan shall be approved prior to the issuance of an Encroachment Permit for construction or other project activities within the public right-of-way.
8. 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.

### **WATER SUPPLY**

1. The Developer is required at their sole expense to design and construct an 8-inch PVC water main in Maple Street. This water main shall connect to the existing 8-inch water main located at the intersection of Maple Street and the alley, and extend north on Maple Street. A fire hydrant, RPDA, and FDC together with an adequate water supply shall be installed on the required water main at a location approved by the Fire Marshall. Fire hydrants shall connect to a minimum 8-inch water main. Fire service lines shall connect to a minimum 8-inch water main.
2. The final locations and sizing of all required water mains, water services, fire hydrants, detector check assemblies, and other water appurtenances shall be designed and installed to the satisfaction of the Director of Utilities and the Utilities Engineer.
3. A reduced pressure detector check assembly is required for the project and shall be located just inside the property line. Fire suppression and sprinkler systems beyond the Detector Check Valves are private and shall be designed and constructed per current Building, Plumbing, and Fire Code Standards, and per the requirements of the City Fire Marshal and City Building Official.

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and shall be approved by a separate submittal to the Building Department. Although private and approved by separate plans and permit, all fire suppression lines shall be shown for reference and review on the various final engineering plan sets.

4. All on-site water lines and backflow prevention devices beyond the City water meter or DCA shall be considered a private water system. The property owner shall be responsible for all maintenance of these water lines and appurtenances.
5. A 1-inch minimum water service, 1-inch water meter, and backflow prevention device shall be required for domestic water supply per City of Escondido Design Standards and Standard Drawings. Water meters and backflow prevention devices shall not be installed within a driveway apron or on private drive areas. Backflow prevention assemblies are private and should be located on private property. Backflows shall be located directly behind the public meter.
6. No trees or deep-rooted bushes shall be planted within 10-feet of any water mains.
7. There shall be no permanent structures located within the City's Public utility Easements.
8. Improvement plans for all proposed water mains and appurtenances shall be prepared by a Civil Engineer and submitted to the City of Escondido for review and approval.
9. All public water mains shall be located under asphalt or concrete pavement and not under curbs, gutters, medians or sidewalks.
10. Any water services to be replaced, reconnected or relocated as a part of this project shall be replaced in entirety from the public water main to the public water meter to the satisfaction of the Utilities Engineer and Water Distribution Department.
11. Any fire hydrants to be replaced, reconnected or relocated as a part of this project shall be replaced in entirety from the public water main to the fire hydrant per the satisfaction of the Utilities Engineer and Water Distribution.
12. The Developer shall disconnect at the public main, all water services and fire hydrants laterals to be abandoned, to the satisfaction of the Utilities Engineer and Water Distribution Department.

### **SEWER**

1. No trees or deep-rooted bushes shall be planted within 15-feet of any sewer main or within 10-feet of any sewer lateral. Sewer laterals shall be 5-feet horizontally clear from other utilities.
2. All sewer laterals shall be considered a private sewer system. The property owner shall be responsible for all maintenance of sewer laterals to the public sewer main.
3. Any sewer mains, laterals, and appurtenances shall be designed and constructed per current City of Escondido Design Standards and Standard Drawings, and to the satisfaction of the Utilities Engineer.
4. The project design shall be such that all existing or new sewer manholes are accessible at all times by City Vector trucks for maintenance.
5. The Developer shall cap and plug at the public sewer main all sewer lines and laterals to be abandoned, to the satisfaction of the Utilities Engineer and the City Inspector.
6. The location of all sewer laterals shall be shown on the grading and improvement plans.

### **CITYWIDE COMMUNITY FACILITIES DISTRICT (CFD)**

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1. In accordance with the General Plan, the applicant shall offset the cost of public services through an approved funding mechanism. The applicant has indicated their intent to meet this requirement through annexation to the Citywide Community Facilities District (CFD). The applicant shall submit a complete Annexation Application, Unanimous Approval signed by the property owner, a title report issued within the last 30-days, and processing fees to the Engineering Department prior to the first submittal of the Building Permit. The Annexation Application and the Unanimous Approval forms are available on the following webpage: <https://www.escondido.org/community-facilities-districts>