



STAFF REPORT

September 13, 2023
File Number 0600-10; A-3097-1

SUBJECT

PL23-0270 – EXTENSION OF TIME FOR 661 BEAR VALLEY PARKWAY DEVELOPMENT AGREEMENT

DEPARTMENT

Planning Division, Development Services Department

RECOMMENDATION

Request the City Council adopt Ordinance No. 2023-12, authorizing the Mayor to execute, on behalf of the City, a First Amendment to Development Agreement approving a two-year Extension of Time for the 661 Bear Valley Parkway Development Agreement.

Staff Recommendation: Approval (Development Services Department: Christopher McKinney, Deputy City Manager)

Presenter: Ivan Flores, Associate Planner

FISCAL ANALYSIS

None.

PREVIOUS ACTION

On August 15, 2018, the City Council approved the Project and certified a Final Environmental Impact Report (SCH No. 2016111969).

PLANNING COMMISSION ACTION

On August 22, 2023, the Planning Commission recommended approval of the Extension of Time on a 7 – 0 vote.

BACKGROUND

Trumark Homes (“Applicant”) has submitted a request for a Extension of Time (“EOT”) for a previously executed Development Agreement associated with Planning Case Nos. SUB15-0002, PHG15-0004, and ENV15-0001 (Bear Valley Parkway Development) (“Project”). On August 15, 2018, the City Council approved a Tentative Subdivision Map, Master Plan, Grading Exemption, and Development Agreement for 55 residential lots. The approval included the certification of a Final Environmental Impact Report (SCH No. 2016111060).



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The Extension of Time will extend the term of the Development Agreement by two years so the Applicant may finalize post-entitlement permits associated with the Project.

A complete Project description and analysis of the Project can be found on the August 22, 2023, Planning Commission Staff Report (see Attachment “1”).

ENVIROMENTAL ANALYSIS

On August 15, 2018, the City Council adopted Resolution No. 2018-120 for certification of a Final Environmental Impact Report (EIR) and adoption of a Mitigation Monitoring and Reporting Program. The Project is for an Extension of Time for a previously recorded Development Agreement. Pursuant to Section 15162 of the California Environmental Quality Act Guidelines, a subsequent EIR is only required if substantial changes are proposed which will require major revisions of the previous EIR; substantial changes with respect to the circumstances under which the project is undertaking due to the involvement of new significant environmental effects or substantial increase in the severity of the previously identified significant effects; or new information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time previous EIR was certified. The Project would not exceed the parameters outlined for requiring a subsequent EIR. A Notice of Determination will be filed with the County of San Diego per CEQA Guidelines Section 15075 (see Attachment “2”).

CONCLUSION AND RECOMMENDATION

Based on the analysis contained in this staff report, in addition to the August 22, 2023 Planning Commission Report, staff recommends that the City Council adopt Ordinance No. 2023-12 authorizing the Mayor to execute a First Amendment to Development Agreement which extends the term of the Development Agreement by two years up to September 21, 2025.

ORDINANCES

- a. Ordinance No. 2023-12
- b. Ordinance No. 2023-12, Exhibits A - C

ATTACHMENTS

- a. Attachment “1” – August 22, 2023 Planning Commission Staff Report
- b. Attachment “2” – Notice of Determination