



CITY of ESCONDIDO

PLANNING COMMISSION MEETING

October 08, 2024 at 7:00 PM

Council Chambers: 201 North Broadway, Escondido, CA 92025

WELCOME TO YOUR COMMISSION MEETING

We welcome your interest and involvement in the legislative process of Escondido. This agenda includes information about topics coming before the Commission.

CHAIR

Stan Weiler

VICE CHAIR

David Barber

COMMISSIONERS

Carrie Mecaro

Barry Speer

Jeff Jester

Dustin Steeve

Marc Correll

MINUTES CLERK

Alex Rangel

HOW TO WATCH

The City of Escondido provides one way to watch a Commission meeting:

In Person



201 N. Broadway, Escondido, CA 92025



CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, OCTOBER 08, 2024

HOW TO PARTICIPATE

The City of Escondido provides two ways to communicate with the Commission during a meeting:

In Person



Fill out Speaker Slip and Submit to City Clerk

In Writing



<https://escondido-ca.municodemeetings.com>

ASSISTANCE PROVIDED

If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 760-839-4869. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired – please see the City Clerk.





CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, OCTOBER 08, 2024

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) September 24, 2024 Meeting Minutes

WRITTEN COMMUNICATIONS

Under state law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

ORAL COMMUNICATIONS

Under state law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

PUBLIC HEARINGS

Please limit your testimony to three minutes.

- [2.](#) **PL24-0057, PL22-0396, PL22-0397, PL22-0398 & PL24-0198 / Mission/CCP Drive-Through Facilities**

REQUEST: Approve Resolution No. 2024-17 recommending approval to City Council of a Tentative Parcel Map to allow the subdivision of a 3.74-acre property comprised of two parcels into four parcels; three Conditional Use Permits for drive-through facilities; a Design Review Permit for the construction of the facilities; and a non-emergency demolition of an existing building (over 50 years old) previously occupied by a restaurant use. The project includes ancillary improvements including but not limited to landscaping, frontage and circulation improvements. The request also includes adoption of the environmental document prepared for the project.

PROPERTY SIZE AND LOCATION: The 3.74-acre site is located on W Mission Avenue and Centre City Parkway and is addressed at 501 – 503 W Mission Avenue. (Assessor's Parcel Number(s): 229-171-30-00 and 229-171-29-00)



CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, OCTOBER 08, 2024

APPLICANT: 503 W Mission LLC

CEQA RECOMMENDATION: Recommend adoption of an Initial Study/Mitigated Negative Declaration

STAFF RECOMMENDATION: Recommend approval to City Council

CITY COUNCIL HEARING REQUIRED: YES NO

3. PL23-0296, PL23-0297 & PL24-0217 / Chick-Fil-A Restaurant Drive Through Restaurant

REQUEST: Approve Resolution No. 2024-19 recommending approval to City Council of a Specific Plan Amendment to the South Centre City Specific Plan to allow for “auto-oriented eating establishments” as a conditionally permitted use within the 13th Avenue Corners District specifically on the subject site in addition to minor text changes to development standards and definitions; a Conditional Use Permit to permit a proposed drivethrough use; and a Design Review Permit for construction of a drive through facility. The project would demolish an existing 9,558 square-foot restaurant building and construct a new 3,124 square-foot drive-through restaurant with a dual lane drive-through and associated menus, surface parking and landscaping improvements, and outdoor dining area. The request also includes adoption of the environmental document prepared for the project.

PROPERTY SIZE AND LOCATION: The 1.4-acre site is located at the southwest corner of W. 13th Avenue and S. Pine Street, addressed as 515 W. 13th Avenue (Assessor’s Parcel Numbers(s): 236-161-07 & 236-161-06).

APPLICANT: 4G Development & Consulting

CEQA RECOMMENDATION: Recommend adoption of the Initial Study/Mitigated Negative Declaration

STAFF RECOMMENDATION: Recommend approval to the City Council

CITY COUNCIL HEARING REQUIRED: YES NO

CURRENT BUSINESS

FUTURE AGENDA ITEMS

ORAL COMMUNICATIONS

Under state law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.



CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, OCTOBER 08, 2024

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

PLANNING COMMISSIONERS REPORT

CITY PLANNER'S REPORT

- [4.](#) Tentative Future Agenda

ADJOURNMENT



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

September 24, 2024 at 7:00 PM

Council Chambers: 201 North Broadway, Escondido, CA 92025

WELCOME TO YOUR COMMISSION MEETING

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CHAIR

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201 N. Broadway, Escondido, CA 92025



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

TUESDAY, SEPTEMBER 24, 2024

MINUTES

CALL TO ORDER: 7:00 p.m.

FLAG SALUTE: Stan Weiler

ROLL CALL:

Commissioners Present: Stan Weiler, Chair; David Barber, Vice Chair; Marc Correll, Commissioner; Jeff Jester, Commissioner; Carrie Mecaro, Commissioner; and Barry Speer, Commissioner.

Commissioner Absent: Dustin Steeve, Commissioner.

City Staff Present: Veronica Morones, City Planner; Dare DeLano, Senior Deputy City Attorney; Owen Tunnell, Assistant City Engineer; Alex Rangel, Minutes Clerk.

1. APPROVAL OF MINUTES: August 27, 2024

Motion: Commissioner Correll; Second: Commissioner Jester.

Motion carried (4-0) to approve the minutes.

Ayes: Weiler, Correll, Jester, Mecaro.

Abstain: Barber, Speer.

Absent: Steeve.

WRITTEN COMMUNICATIONS:

None.

ORAL COMMUNICATIONS:

None.

PUBLIC HEARINGS:

2. PL24-0057, PL22-0396, PL22-0397, PL22-0398, PL24-0198 / Mission and CCP Drive Through Facilities

REQUEST: Approve Resolution No. 2024-17 recommending approval to City Council of a Tentative Parcel Map to allow the subdivision of a 3.74-acre property comprised of two parcels into four parcels; three Conditional Use Permits for drive-through facilities; a Design Review Permit for the construction of the facilities; and a non-emergency demolition of an existing building (over 50 years old) previously occupied by a restaurant use. The project includes ancillary improvements including but not limited to landscaping, frontage and circulation improvements. The request also includes adoption of the environmental document prepared for the project.



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TUESDAY, SEPTEMBER 24, 2024

PROPERTY SIZE AND LOCATION: The 3.74-acre site is located on W Mission Avenue and Centre City Parkway and is addressed at 501 – 503 W Mission Avenue. (Assessor’s Parcel Number(s): 229-171-30-00 and 229-171-29-00)

ENVIRONMENTAL STATUS: Recommend adoption of an Initial Study/Mitigated Negative Declaration

APPLICANT: Sally Schifman

STAFF RECOMMENDATION: Continue this item to the regularly scheduled October 8, 2024 Planning Commission meeting.

PUBLIC COMMENT:

None.

COMMISSION DISCUSSION:

None.

COMMISSION ACTION:

None. The applicant requested this item be continued to the regularly scheduled October 8, 2024 Planning Commission meeting prior to the start of the September 24, 2024 meeting.

CURRENT BUSINESS

3. PL24-0147 – 522 E. 6th Ave.

REQUEST: Recommend to the City Manager authorization of a Mills Act Contract to assist the property owners of a single-family residence at 522 E. 6th Avenue with future preservation of the historic resource.

PROPERTY SIZE AND LOCATION: The 7,000 square foot site is located on 6th Avenue and is addressed at 522 E. 6th Avenue (Assessor’s Parcel No.: 233-291-11-00)

ENVIRONMENTAL STATUS: Categorical Exemption – CEQA Guidelines Section 15331 (Historic Resources Restoration / Rehabilitation)

APPLICANT: Lorene Hatley

STAFF RECOMMENDATION: Approval

PUBLIC COMMENT:

None.



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COMMISSION DISCUSSION:

The Commissioners discussed various aspects of the project, including the intent of the agreement and the future preservation efforts of the home.

COMMISSION ACTION:

Motion to approve Planning Resolution No. 2024-16, recommending to the City Manager the execution of a Mills Act contract for the property.

Motion: Vice Chair Barber; Second: Commissioner Correll

Motion carried (6-0) to approve the project.

Ayes: Weiler, Barber, Correll, Jester, Mecaro, Speer.

Absent: Steeve.

FUTURE AGENDA ITEMS:

None.

ORAL COMMUNICATIONS:

None.

PLANNING COMMISSIONERS:

None.

CITY PLANNER'S REPORT:

City Planner Morones provided a Tentative Future Agenda for the upcoming October 8, 2024 Planning Commission meeting.

ADJOURNMENT

Chair Weiler adjourned the meeting at 7:31 p.m.

Veronica Morones. Secretary to the Escondido
Planning Commission

Alex Rangel, Minutes Clerk



STAFF REPORT

October 8, 2024

PL24-0057, PL22-0396, PL22-0397, PL22-0398, PL24-0198

501 – 503 W Mission Ave / Mission and CCP Drive Through Facilities

PROJECT NUMBER / NAME: PL24-0057, PL22-0396, PL22-0397, PL22-0398, PL24-0198 / Mission and CCP Drive Through Facilities

REQUEST: Adopt Resolution No. 2024-17 recommending approval to City Council of a Tentative Parcel Map to allow the subdivision of a 3.74-acre property comprised of two parcels into four parcels; three Conditional Use Permits for drive-through facilities; a Design Review Permit for the construction of the facilities; and a non-emergency demolition of an existing building (over 50 years old) previously occupied by a restaurant use. The project includes ancillary improvements including but not limited to landscaping, frontage and circulation improvements. The request also includes adoption of the environmental document prepared for the project.

PROPERTY SIZE AND LOCATION: The 3.74-acre site is located on W Mission Avenue and Centre City Parkway and is addressed at 501 – 503 W Mission Avenue. (Assessor’s Parcel Number(s): 229-171-30-00 and 229-171-29-00)

APPLICANT: 503 W Mission LLC

GENERAL PLAN / ZONING: General Commercial (GC)/ General Commercial (C-G)

PRIMARY REPRESENTATIVE: Sally Schifman

DISCRETIONARY ACTIONS REQUESTED: Tentative Parcel Map, Three Conditional Use Permits, Non-Emergency Demolition Permit, and a Design Review Permit

PREVIOUS ACTIONS: On May 18, 2023, the Historic Preservation Commission voted 4-0 to approve a recommendation to City Council on the Non-Emergency Demolition Permit.

CEQA RECOMMENDATION: Recommend adoption of an Initial Study/Mitigated Negative Declaration

STAFF RECOMMENDATION: Recommend approval to the City Council

REQUESTED ACTION: Approve Planning Commission Resolution No. 2024-17

CITY COUNCIL HEARING REQUIRED: YES NO

REPORT APPROVALS: Dare DeLano, Senior Deputy City Attorney
 Veronica Morones, City Planner



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CONTINUANCE FROM SEPTEMBER 24, 2024 PLANNING COMMISSION MEETING

On September 12, 2024, the applicant submitted a list of approximately 20 items identifying several issues/concerns with the City’s standard Conditions of Approval (“COA”). Several of the items simply required additional clarification from City staff, and resulted in nominal changes to the standard conditions of approval; however, a majority of the concerns regarding the COAs dealt with the timing of the issuance of permits related to construction of the buildings. City staff met with the applicant on September 19, 2024, in an attempt to resolve the issues/concerns raised by the applicant, but due to the complexity of the request the Project was continued to the Planning Commission meeting on October 08, 2024.

The Conditions of Approval outlined in the attached draft Planning Commission Resolution 2024-17 reflect the revised conditions as accepted by the applicant, and agreed to by City staff.

BACKGROUND

The project site is situated at the southwestern corner of Mission Avenue and Centre City Parkway and is currently comprised of two existing parcels, as depicted under Attachments 1 and 2. The site is currently occupied by a vacant restaurant, and existing Quality Inn Hotel. The restaurant was constructed in the Googie-style architecture in 1962. In 1983, the original user of the site, Denny’s Corporation, ceased operations and since then the site’s ownership has changed over the years. In 2017, the current property owner acquired the site and proposes redevelopment of the site.

As detailed in the summary of request below, the project includes a Tentative Parcel Map along with three Major Conditional Use Permits, and additional associated entitlements. Pursuant to Chapters 32 (Subdivisions) and 33 (Zoning) of the Escondido Municipal Code, the requested entitlements would typically be approved by different decision makers, as detailed in Table 1 below. However, pursuant to Section 32.105.01 of Chapter 32 of the EMC, when one or more actions requires review and approval of the City Council, then all actions shall be taken by the City Council pending a recommendation by the Planning Commission. For the proposed project, the Non-Emergency Demolition Permit requires City Council review and therefore all entitlements associated with this request are subject to final decision by the City Council.

Table 1: Requested Entitlements and Typical Decision Makers

Permit Name	Purpose	Typical Ultimate Decision Maker	Municipal Code Section
Non-Emergency Demolition Permit	Allow for demolition of a historic resource	City Council, with recommendation by Planning Commission	Ch. 33, Article 40, Sec. 33-803(b)
Major Conditional Use Permit	Allow for land uses conditionally permitted by the underlying zoning	Planning Commission	Ch. 33, Article 61, Sec. 33-1201(a)



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Tentative Parcel Map	Allow for subdivisions of land into four or fewer lots	Director of Development Services	Ch. 32, Article 32-1, Sec. 32-.102.02(A)
Design Review Permit	Regulate exterior appearance of buildings and site development	City Staff or Planning Commission*	Ch. 33, Article 64, Sec. 33-1354 and 33-1355(b)
* Application requests that involve ultimate approval by the Planning Commission <i>and</i> entail new construction require Planning Commission approval of the Design Review Permit.			

SUMMARY OF REQUEST

503 W Mission Avenue LLC (“Applicant”), represented by Sally Schifman, request approval of a Tentative Parcel Map to subdivide an existing 3.74-acre site comprised of two parcels into four parcels; three Conditional Use Permits for three separate drive-through facilities on the newly created parcels while maintaining the existing Quality Inn Hotel (Parcel 1). The Conditional Use Permit requests also include a reduction in the amount of required off-street parking for Parcel 4. The Applicant also requests a Non-Emergency Demolition Permit to demolish an existing structure over 50 years of age; and a Design Review Permit for the design of the site and proposed structures (“Project”). Below is a brief summary of each component of the Project.

Tentative Parcel Map (PL22-0396)

In order to develop the site for the proposed uses, the Applicant requests to subdivide an existing 3.74-acre site comprised of two existing parcels into four total parcels. The Tentative Parcel Map (“TPM”) depicted in Figure 1 for ease of reference, proposes to retain the existing Quality Inn Hotel on Parcel 1, which is proposed at approximately 95,746 square-feet. No substantive changes are proposed to this site or existing hotel, and the resulting parcel (i.e., Parcel 1) conforms to all requirements required for the hotel use. Parcel 2 (Starbucks) is located at the northerly section of the Project site and is approximately 22,503 square-feet. Parcel 3 (Chipotle) is located adjacent to the south of Parcel 2, and is approximately 20,043 square-feet. Parcel 4 (unnamed tenant) is located farthest to the south, and is approximately 22,750 square-feet. All parcels associated with the TPM meet the minimum lot size requirements for parcels within the General Commercial (C-G) zone as outlined in Article 16 (Commercial Zones) of the Escondido Zoning Code (“EZC”).

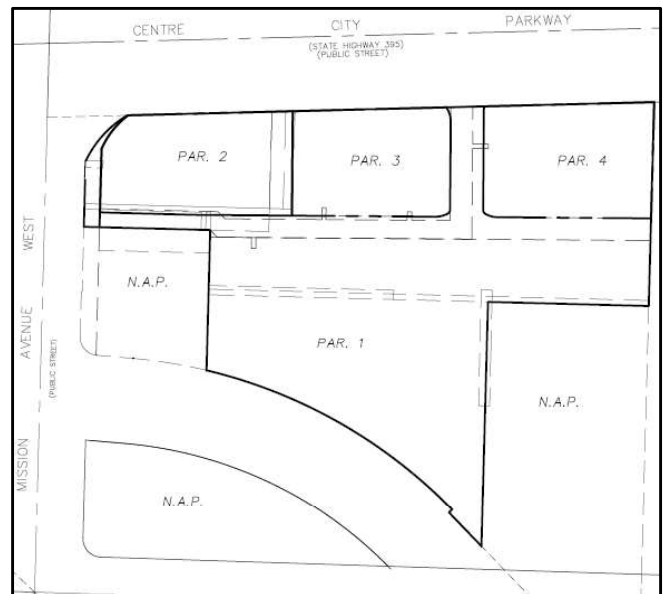


Figure 1 – Tentative Parcel Map Layout

Conditional Use Permits (PL24-0057 [Parcel 2], PL22-0397 [Parcel 3], PL22-0398 [Parcel 4])

As required by the Table 33-332 of Article 16 (Commercial Zones), the site’s underlying zoning district of General Commercial (C-G) requires a Conditional Use Permit (“CUP”) for drive-through facilities. Section 33-341 (Commercial



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drive-through facilities requirements) within Article 16 contains further site development standards for drive-through facilities relative to on-site circulation, width of drive-through aisles, architecture, and screening of the drive-through aisles.

In addition to the proposed drive-through use on Parcel 4, the Project also includes a request for a reduction in the amount of off-street parking that is required by the EZC for this select parcel. Pursuant to Section 33-764 of Article 39 (Off-Street Parking), a reduction in parking for a conditionally permitted use may be considered by the decision-making body as part of the CUP. The Applicant requests a 45% reduction in the amount of required off-street parking required on Parcel 4. Based on the proposed design for Parcel 4, a total of 20 parking stalls is required pursuant to Section 33-765 of Article 39. The proposed reduction would result in a total of 11 required parking spaces for the parcel. As depicted in Attachment 3, Parcel 4 would include 20 total spaces; however, nine of the parking stalls provided are proposed as compact spaces which do not count toward the Parcel's required parking as stipulated in Article 39. The compact spaces are a constraint of design due to size limitations of Parcel 4, and still meet the intent and purpose of off-street parking spaces.

Design Review Permit (PL24-0198)

Section 33-1354 of Article 64 (Design Review) of the EZC requires any discretionary action by the Planning Commission that includes new construction be reviewed by the Planning Commission for conformance with the design guidelines outlined in Article 64. The Project before the Planning Commission requires multiple Conditional Use Permits (i.e., discretionary action by the Commission), and includes new construction for three drive-through facilities. The Project in its entirety is being reviewed for conformance with the design review guidelines identified in Article 64 that pertain to architecture and site design due to it functioning as one center with similar architecture, and shared vehicle and pedestrian access.

Non-Emergency Demolition

Article 40 (Historic Resources) of the EZC contains the regulations related to the preservation of historic resources, listing/de-listing of historic resources, and incentives for preservation efforts. Furthermore, Article 40 contains provisions related to the demolition of historic resources, and demolition of potential historic resources. Due to the structure meeting the 50-year threshold (baseline for considering a structure's historic potential), a Historic Structure Assessment ("HSA") was prepared by Brian F. Smith Associates, which can be found under the environmental documentation for the Project.

As discussed in the HSA, the building is potentially eligible to be listed on the City's Local Register under Criteria 2 ("Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect's work and are not substantially altered") and 5 ("Escondido historical resources that are 50 years"), and potentially eligible for the California Register of Historic Resources under Criterion 3 ("It embodies the distinctive characteristics of a type, period, region, or method, of construction; represents the work of an important creative individual; or possesses high artistic values.") The Project site is occupied by a building with Google architectural features. Due to these findings, the Planning Commission's decision entails a recommendation to the City Council on the demolition of the structure.



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SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size:	Parcel 1 (Quality Inn Hotel): 2.19 acres Parcel 2 (Starbucks): 0.50 acres Parcel 3 (Chipotle): 0.46 acres Parcel 4 (Unknown Tenant): .52 acres	
	<u>Minimum Required</u>	<u>Provided</u>
2. Lot Coverage/Floor Area Ratio:	None	Parcel 1: 27% Parcel 2: 6.6% Parcel 3: 11.2% Parcel 4: 10.6%
3. Building Height	None (UBC)	Parcel 1: Existing Parcel 2: 19'-7.5" Parcel 3: 20'-8" Parcel 4: 20'-8"
4. Motor Vehicle Parking:	20 off-street spaces ea. restaurant 83 off-street spaces for hotel use	Parcel 1: 94 spaces Parcel 2: 20 spaces Parcel 3: 20 spaces Parcel 4: 11 spaces*
5. Setbacks:		
a. Front Yard:	15'-0**	Parcel 1: >100' from W. Mission Parcel 2: 33'-10" from W. Mission Ave Parcel 3: 15'-0" from CCP Parcel 4: 17'-0" from CCP
b. Rear Yard:	None	N/A
c. Side Yard:	None	N/A
6. Trash:	Trash Enclosure	Provided for ea. parcel per City standard

*Request a 45% reduction in the amount of required off-street parking as permitted through the Conditional Use Permit process

** A 15'-0" setback is only required on lots that have a front lot line on Centre City Parkway. For those parcels with a frontage on W. Mission, the setback requirement is 0'-0".

PROJECT ANALYSIS

1. General Plan Policy Conformance:

Commercial Land Use Policy 8.11: Allow drive through facilities subject to the mitigation of identified air quality, traffic safety, and visual impacts based on appropriate studies submitted to the satisfaction of the city prior to approval.

In accordance with CEQA Guidelines, an Initial Study/Mitigated Negative Declaration ("IS/MND") was prepared for the Project. As discussed throughout the IS/MND, the Project would not have any significant



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impacts and therefore not require any mitigation relative to air quality, traffic safety, and visual impacts. The Project is required to construct frontage improvements along Mission Avenue and Centre City Parkway, in addition to a signalized left turn pocket within the existing landscaped median. These frontage and signalization improvements would ensure conformance with City requirements adopted for the purposes of compliance with the General Plan’s Mobility and Infrastructure chapter.

The proposed Project’s visual changes would be minimal due to consistency in design, height, and architecture of surrounding developments. The Project site is currently developed with a two-story hotel that spans the majority of the site’s width; an existing single-story commercial building at the northeastern corner of the site; a pool, tennis court, and ancillary fencing for the recreation uses at the southeastern corner of the site; and paved circulation areas throughout the site designed for parking and egress/ingress. The proposed Project entails retention of the existing hotel and construction of three new buildings similar in height to the existing commercial building and smaller in scale and massing than the existing hotel. Improvements to pedestrian features, landscaping on- and off-site, as well as intervening block walls to shield vehicles in queue would all ensure no adverse visual impacts occur.

Employment Acreage Policy 1.4: *Promote quality economic development that fosters job availability, economic revitalization, and tax revenues.*

The Project would redevelop an existing vacant building, and revitalize an existing parcel that is underutilized. The size of the parcel accommodates the proposed development, and would revitalize the corner of Mission Avenue and Centre City Parkway with improved landscaping, new buildings, and uses compatible with the surrounding area. Patrons of the existing hotel would now have immediate access to dining facilities via the accessible access across the internal drive aisle that runs parallel to Parcel 1.

2. Zoning Conformance:

The Project includes the subdivision on one parcel into four, along with the construction of three new drive-through facilities. The existing hotel use would remain on newly created Parcel 1, which would meet all required standards for the General Commercial (C-G) zone. For new auto-oriented uses (drive-in, drive-through), such use is permitted within the C-G zoning district via a Conditional Use Permit. Commercial drive-throughs are further regulated by Section 33-341 (Commercial drive-through facilities requirements) of Article 16 (Commercial Zones) which outlines standards related to site design, stacking, and enhanced architectural design. The site design accomplishes desirable transitions through the use of buffered landscaped areas at the Centre City and Mission frontages. A new pedestrian sidewalk would provide public access around the site, adjacent to those street frontages and be buffered by a low-wall at the parcel boundaries to ensure screening from vehicles in the drive-through queue. The proposed Project provides for a minimum 12-foot width on curves and straight sections for Parcels 2 through 4, as shown within Attachment 3. Parcel 2 provides for queuing of 22 vehicles; Parcel 3 provides for queuing of 11 vehicles; and Parcel 4 provides for queuing of 19 vehicles. The City’s Traffic Engineering and Planning staff reviewed all three drive-through designs and reviewed the applicable analyses to determine the designs as proposed provide adequate stacking to ensure no overflow occurs within public streets. Parcel 3 is designed with only one queuing lane because of the proposed business operation which would be pickup only and not allow for any on-site in-car ordering (app/online ordering only). The proposed signalized entrance for the site would ensure no ingress or egress points of conflict for the site, and the shared internal access roadway would permit for shared circulation common in multi-commercial developments such as this.



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3. Climate Action Plan Consistency:

As required for new developments, the Project completed a Climate Action Plan Consistency Checklist. Commercial projects that are less than 20,000 square-feet emit fewer than 500 MTCO₂e per year, and found to be consistent with the City's CAP screening criteria. The Project is not subject to the measures of the CAP.

4. Site Design

a. Grading, topography, retaining wall, and fencing:

As proposed, the Project requires minimal grading due to the existing topography and development of the site. The site is relatively flat, and does not require significant grading. No retaining walls are a part of the development; however, freestanding walls are proposed along the frontage of Centre City Parkway. The purpose of the freestanding wall is to provide shielding of the drive-through aisles as required for commercial drive-through facilities. The freestanding walls are approximately 3.5-feet and would be constructed of decorative material (e.g., split-face, etc.). No other fencing is proposed throughout the site; however, the site would be heavily screened via a combination of the freestanding walls, landscaping along the frontage, and on-site landscaping.

b. Project Access and Circulation:

The site would be accessed via Centre City Parkway ("CCP") and W Mission Avenue. The existing driveway on W Mission Avenue would be reconstructed and allow for similar access to the site as existing currently off Mission Avenue, and a new driveway would be constructed on CCP including a signalized left turn pocket onto the site heading northbound on CCP. Within the site, access easements would be established in order to facilitate circulation between the parcels, including continued access to Parcel 1 (existing hotel). Parcel 4 would have a single-lane entrance and exit while Parcel 2 and 3 would each have a double-lane entrance into their respective site. Circulation is designed to prevent spillover from the drive-throughs into the main ingress/egress from W. Mission Avenue.

The draft conditions of approval found under Attachment 4 include a requirement for the Applicant to purchase access rights from the City of Escondido for purposes of creating new access on Centre City Parkway for the proposed Project. Engineering condition (G)(VIII)(5) stipulates the purchase responsibility and the established fee of \$43,500.00. The City Council is the acting body on the granting of access rights to Centre City Parkway. Prior to the City's acquisition of Centre City Parkway, the California Department of Transportation ("CalTrans") acquired access rights from abutting properties in order to construct Centre City Parkway. These rights were previously acquired by the State of California in 1948, and subsequently relinquished to the City in the late 1970s. Should the Project be approved as conditioned, the City Council would authorize the payment for granting of abutter's access right to Centre City Parkway prior to recordation of the Parcel Map.



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c. Building Orientation:

The proposed designs for the Starbucks (Parcel 2) and speculative tenant building (Parcel 4) orient their drive-through windows towards W Mission Ave, and Centre City Parkway, respectively. Chipotle's drive-through window (Parcel 3) would face the internal driveway leading onto the site from Centre City Parkway.

d. Open Space and Landscaping

The Project includes approximately 50 trees as shown on the preliminary landscape plans (refer to Exhibit "C" of Attachment 4), which includes the required number of street trees along the frontage (17 total street trees required and 20 provided). The proposed tree palette consists of *Acacia Stenophylla* ("Shoe-String Acacia"), *Arbutus x Marina* ("Marina Strawberry Tree"), *Cercis Canadensis* ("Eastern Redbud"), and *Pistacia x Red Push* (Red Push Pistache). In addition to the proposed trees for the Project are several existing mature *Washingtonia Robusta* ("Queen Palm") and *Syagrus Romanzoffiana* ("Mexican Fan Palm") that the Applicant stated would retain on-site and maintained as a part of the Project.

e. Parking:

As indicated in the supplemental details of request, Parcels 2 and 3 (drive-through facilities) each require and provide 20 off-street parking spaces consistent with the standards of Article 39 (Off-street Parking) of the EZC. However, Parcel 4 (no tenant) includes a request for a reduction in the required off-street parking in order to address site constraints. Specifically, the Parcel 4 site design includes 11 standard spaces (18-feet deep by 8.5-feet wide) consistent with City standards but cannot accommodate nine additional standard spaces. Instead, the Applicant proposes nine additional compact spaces, which are not permitted within commercial zones for the purposes of meeting required parking. Pursuant to Section 33-764 (a)(1) of Article 39, adjustments to the required off-street parking may be considered by the decision-making body through the CUP process. The Project site provides 11 off-street parking spaces (45% reduction) for the intent and purpose of meeting the requirements of the EZC. As a project design feature, the Applicant proposes to include an additional nine compact off-street spaces, resulting in a total of 20 off-street parking spaces (11 standard spaces + 9 compact spaces).

5. Building Design:

a. Building Height, Mass, and Scale:

As indicated in the supplemental details of request, the proposed buildings range from 19'-0" to 21'-0" in height. All of the proposed building designs incorporate flat roofs with parapets to screen roof mounted equipment (HVAC units). The massing and scale of the proposed buildings is consistent with the development in the area which is comprised of mainly low-lying commercial buildings. The existing hotel on site is a two-story structure, and the commercial development located directly to the east is a single-story drive-through development with similar massing and scale as the proposed designs.



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b. Building Materials:

The buildings would incorporate three different exterior material, including white stucco, composite vertical siding in “Island Mist” (Grayish color) and “Tiki Torch” (wood-like material). The Starbucks building (Parcel 2) incorporates a juxtaposition of stucco finish with composite wood siding resulting in an earth tone palette. The Chipotle building (Parcel 3) off-sets the stucco through the use of the “Island Mist” siding on all elevations. The unknown tenant (Parcel 4) would be constructed as proposed, which includes similar materials of stucco and composite wood cladding to ensure design cohesiveness across all three structures. The use of contemporary material is consistent with new development in the area, specifically the development across Centre City Parkway.

6. Non-Emergency Demolition

The Project includes a request for a Non-Emergency Demolition Permit because the structure is over 50 years old which is the baseline for properties that may be eligible for listing on Escondido Local Register of Historic Places. As it pertains to the California Environmental Quality Act (“CEQA”), any resource that is eligible to be listed on a local register may also qualify it for listing within the California Register of Historical Resources (“CRHR”). Prior to the dissolution of the City’s Historic Preservation Commission (“HPC”), this Non-Emergency Demolition Permit was brought before the HPC at the May 18, 2023 meeting for recommendation of approval to the City Council for their ultimate decision. As discussed in the Historic Structure Assessment (see Appendix B.1 of the Final Initial Study/Mitigated Negative Declaration), and the attached resolution (Attachment 4), the structure may be eligible under Criteria 2 and 5 for listing on the City’s Local Register and Criteria 3 of the CRHR. While the structure is eligible for listing, its demolition would not diminish the existence of this architectural style within the City as there are other Googie designed buildings within the City. Specifically, 810 N. Broadway, 2680 S. Escondido Boulevard, and the sign located at the corner of Mission and Broadway, are additional sites exemplifying Googie style. The HPC voted 4 – 0 recommending approval of the request and recommended demolition of the building because no reasonably foreseeable alternatives to demolition exist.

FISCAL ANALYSIS

The owner will be responsible for payment of all applicable development impact fees.

ENVIRONMENTAL ANALYSIS

The California Environmental Quality Act (“CEQA”) applies to proposed projects initiated by, funded by, or requiring discretionary approvals from state or local government agencies. CEQA Guidelines Section 15367 states that a lead agency, in this case, the City of Escondido, is the agency that has the principal responsibility for carrying out or approving a project and is responsible for compliance with CEQA. As lead agency, the City must complete an environmental review to determine if implementation of the Project would result in significant adverse environmental impacts. In compliance with CEQA, an Initial Study (“IS”) has been prepared to assist in making that determination. Based on the nature and scope of the Project and the evaluation contained in the IS environmental checklist, the City has concluded that a Mitigated Negative Declaration (“MND”) is the appropriate level of analysis for the Project.



CITY of ESCONDIDO

STAFF REPORT

Item 2.

As provided in CEQA Statute Section 21064.5, and stated in CEQA Guidelines section 15070, an MND can be prepared when “(a) the initial study shows that there is not substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or (b) the initial study identifies potentially significant effects, but (1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.” The MND prepared for the Project identified potentially significant impacts in the areas of Biological Resources, Cultural Resources, and Tribal Cultural Resources. However, through incorporation of mitigation measures, the impacts can be reduced to a less-than-significant level.

A Draft IS/MND was released for a 30-day public review period from July 25, 2024 to August 26, 2024. One comment letter was received, and pertained to the Traffic Impact Analysis conducted for the Project. Responses to those comments were prepared and have been incorporated into a Final IS/MND. The Final IS/MND has identified no new environmental impacts which have not been addressed through the aforementioned mitigation measures. The Final IS/MND has been included as Exhibit “F” to Planning Commission Resolution No. 2024-17.

PUBLIC INPUT

The City received one comment during the 30-day public review period for the Final IS/MND from Caltrans. The comment from CalTrans was specific to the Traffic Impact Analysis and Local Mobility Analysis. A response is incorporated into the Final IS/MND.

The Project was noticed in accordance with State Law and the Escondido Zoning Code (Article 61, Division 6) and no public comments pertaining to the public hearing have been received as of the writing of this staff report.

CONCLUSION AND RECOMMENDATION

The Project includes the redevelopment of an underutilized parcel located in an area with new development. A portion of the parcel contains a vacant building, and ancillary unused outdoor facilities. The Project would redevelop the entirety of the site while retaining an existing hotel. The Project complies with all the standards as required by the underlying zoning district, and with the design standards for new development within the City. An environmental review analyzed any potential impacts under the California Environmental Quality Act (“CEQA”) guidelines, and any identified impacts may be considered less than significant with mitigation incorporated.

Based on the analysis contained in this staff report, Planning staff recommend the Planning Commission adopt Resolution No. 2024-17 recommending the City Council approve the Project as proposed.

ATTACHMENTS

1. Aerial Map
2. General Plan and Zoning Map
3. Proposed Site Plans
4. Draft Planning Commission Resolution No. 2024-17 including Exhibits A – F

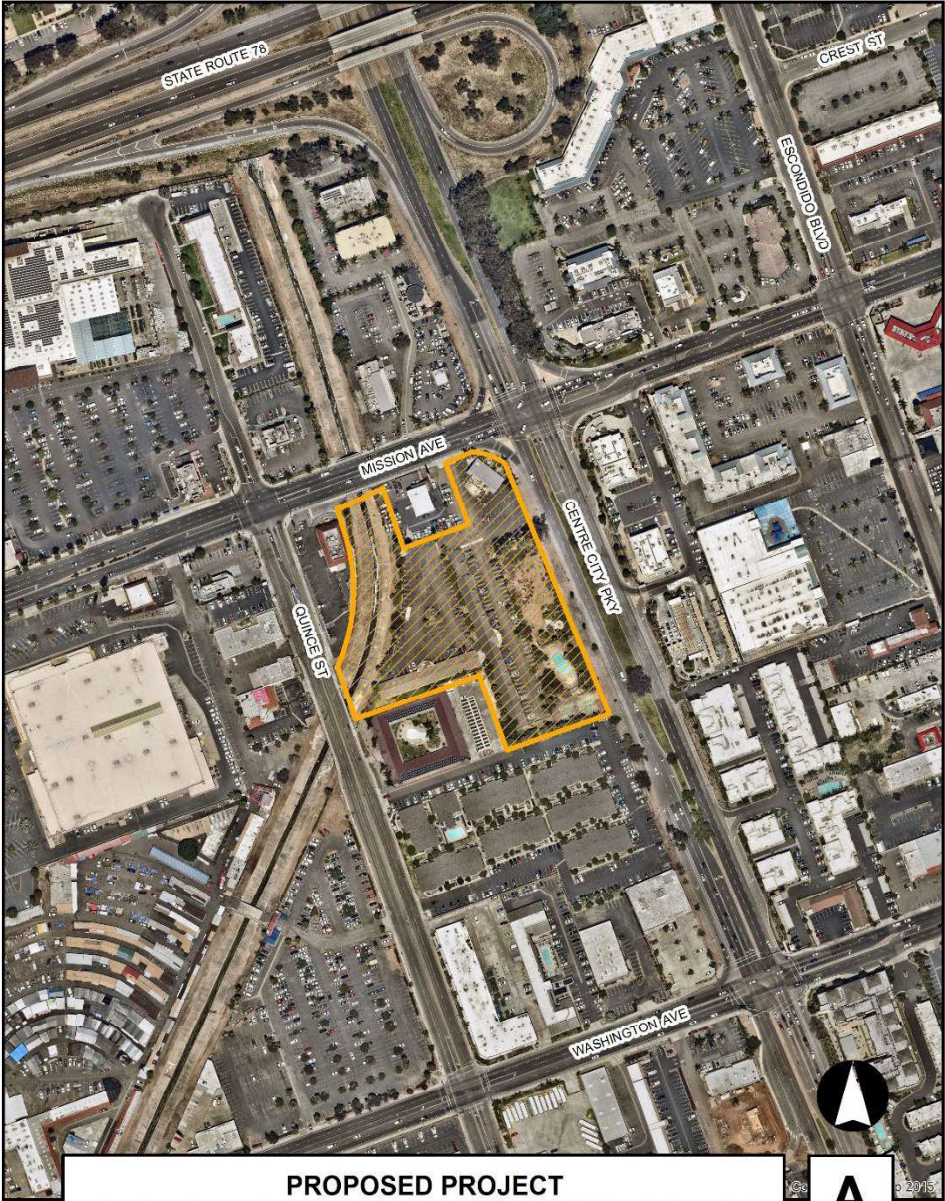


CITY of ESCONDIDO

STAFF REPORT

Attachment 1

Aerial



PROPOSED PROJECT
PL24-0057/PL22-0396/PL22-0397/PL22-0398/PL24-0198

A
AERIAL

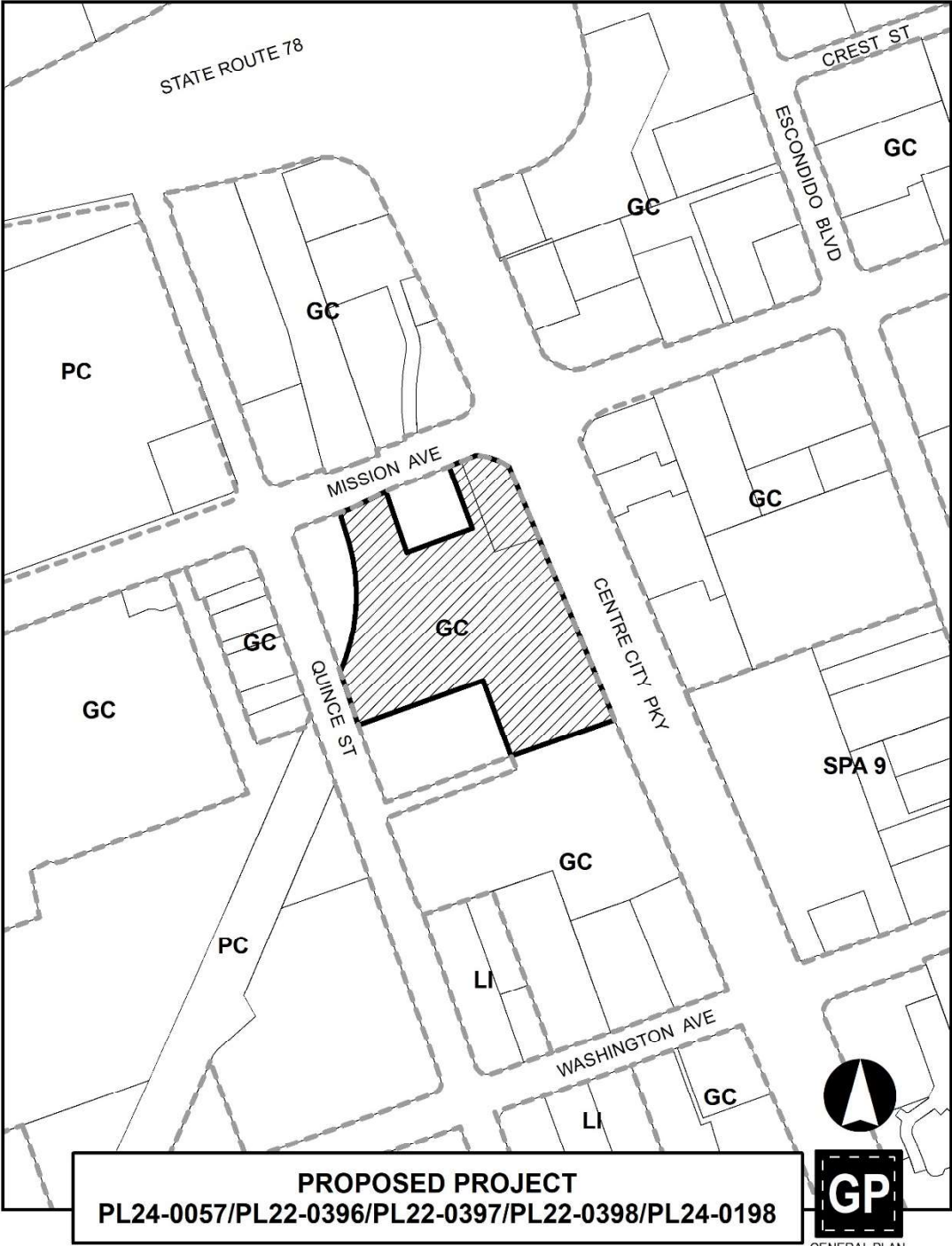


CITY of ESCONDIDO

STAFF REPORT

Attachment 2

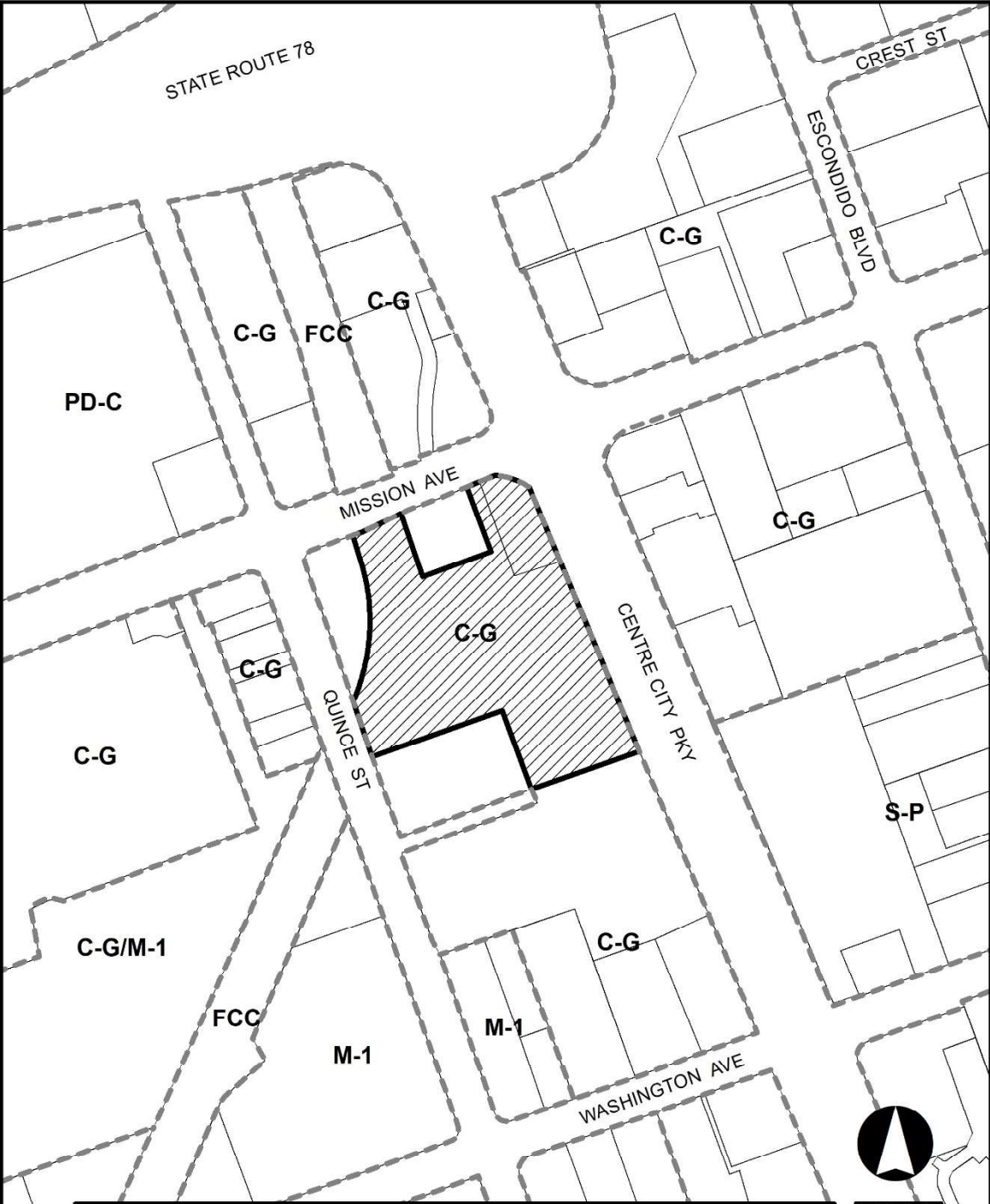
General Plan Land Use and Zoning





CITY of ESCONDIDO

STAFF REPORT

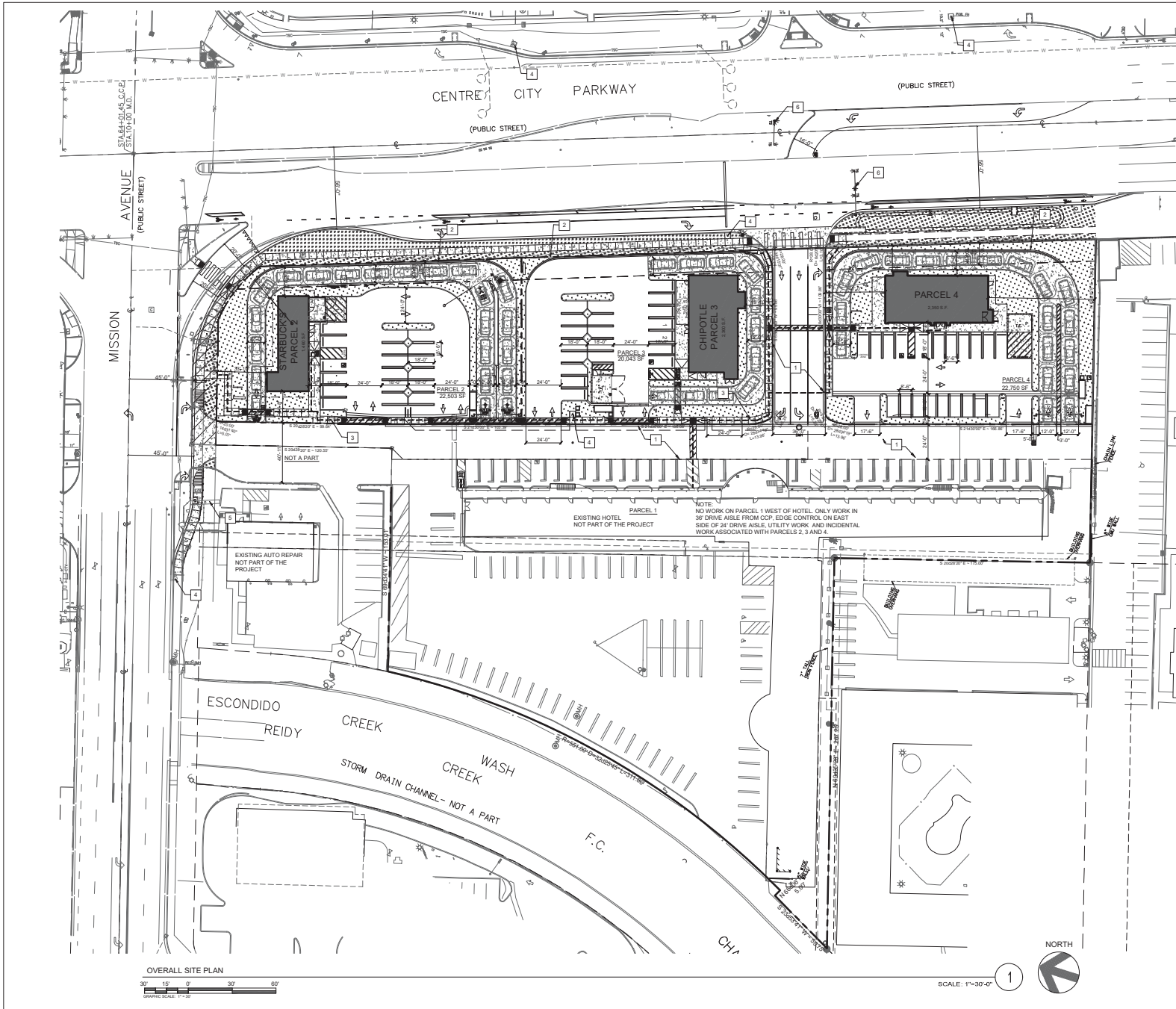


PROPOSED PROJECT
PL24-0057/PL22-0396/PL22-0397/PL22-0398/PL24-0198



Attachment 3 Project Plans

Item 2.



PROJECT DESCRIPTION
THE PROJECT PROPOSES TO CONSTRUCT THREE DRIVE-THRU RESTAURANTS ON AN EXISTING DEVELOPED SITE. THE SITE WILL BE DIVIDE INTO FOUR PARCELS. PARCEL 1 IS FOR THE EXISTING HOTEL. THE PROJECT PROPOSED OF SITE IMPROVEMENT INCLUDING THE RIGHT TURN LANE FROM MISSION TO CENTER CITY PARKWAY AND LEFT TURN POCKET INTO THE SITE INCLUDING TRAFFIC SIGNALING.

PROJECT NOTES
CONDITIONAL USE PERMIT
CASE NUMBER: PL24-0057, PL24-0198, PL22-0396, PL22-0397, PL22-0398
ADDRESS: SOUTH EAST CORNER OF MISSION AVE AND CENTER CITY PARKWAY
APN: 229-171-29 AND 229-171-30
ZONING: C-G (GENERAL COMMERCIAL)

PROPOSED LAND USE:
FOR PARCEL 2,3 AND 4: DRIVE-THRU RESTAURANTS.
PARCEL 1: EXISTING HOTEL
SITE AREA: 3.70 ACRES ±
PARCEL 1 - 95,746 S.F. , 2.198 AC
PARCEL 2 - 22,503 S.F. , 0.516 AC
PARCEL 3 - 20,043 S.F. , 0.460 AC
PARCEL 4 - 22,750 S.F. , 0.522 AC
REQUIRED SET BACKS:
FRONT: 15' FACING CENTER CITY PARKWAY
SIDE: NONE
STREET SIDE: NONE
REAR: NONE

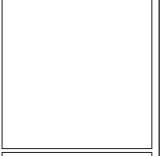
PROPOSED BUILDING AREA **COVERAGE**
PARCEL 2: 1,460 S.F. 6.60%
PARCEL 3: 2,300 S.F. 11.25%
PARCEL 4: 2,350 S.F. 10.62%
PARKING:
REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
PROVIDED: 20 SPACES AT PARCELS 2, 3, 4.
PARCEL 1 EXISTING.
SIZE: 8'-6"x18'-0" STANDARD
9'-0" x 180'-0" ACCESSIBLE

PROJECT DIRECTORY
OWNER
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131
ATTN: PATRICK COX
PLANNING AND MAPPING
HWL
2988 LOCKER AVE E., STE 217
CARLSBAD, CA 92010
760-629-2280
ATTN: STAN WEILER
CIVIL ENGINEER
MOUR GROUP ENGINEERING + DESIGN
6595 RIVERDALE STREET
SAN DIEGO, CA 92120
(619) 727-4800
ATTN: GLENN MCGURTZEN
JOSEPH SKIMMING
LANDSCAPE ARCHITECT
LANDSCAPE ARCHITECTURE
MSLA
300 CANYON FALLS DRIVE
FOLSOM, CA 95630
CONTACT: MICHAEL SHULAR
(916) 988-3372
ARCHITECTURE/STRUCTURAL ENGINEERING
MOUR GROUP ENGINEERING + DESIGN
6595 RIVERDALE STREET
SAN DIEGO, CA 92120
(619) 727-4800
ATTN: GLENN MCGURTZEN
JOSEPH SKIMMING

GENERAL NOTES
A. SEE CIVIL AND LANDSCAPE DRAWING FOR OFF-SITE WORK.

- 1 SITE PLAN KEY NOTES:**
- EASEMENT
 - 3' CMU SCREEN WALL
 - ACCESSIBLE PATH OF TRAVEL
 - FIRE HYDRANT
 - EXISTING POLE SIGN
 - PROPOSED TRAFFIC SIGNAL

Revisions:



PROPOSED DEVELOPMENT
PARCEL 2
CENTER CITY PARKWAY AND MISSION AVENUE
ESCONDIDO, CA 92025

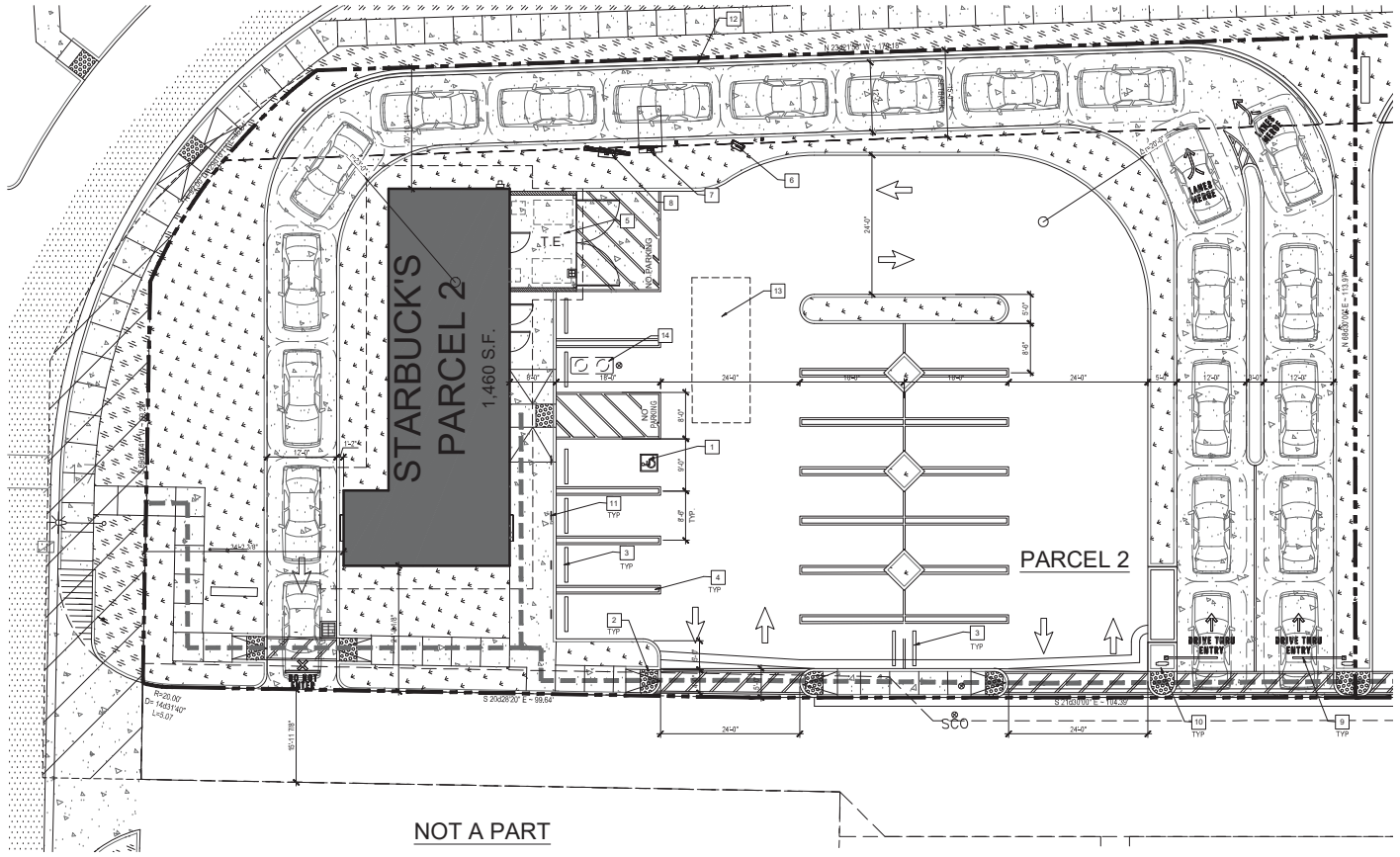
CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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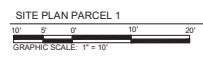
DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
OVERALL SITE PLAN

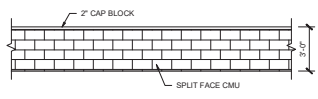
SHEET #
AS000



NOT A PART



SCALE: 1"=10'-0"



TYPICAL SCREEN WALL SCALE: 1/4"=1'-0"

PARCEL 2 INFORMATION

PARCEL 2 AREA - 22,096 S.F.
 PROPOSED BUILDING AREA 1,460 S.F. COVERAGE 6.59% PROPOSED
 OCCUPANCY: A2B DRIVE THRU RESTAURANT
 NOTE: PROPOSED BUILDING WILL A DRIVE-THRU ONLY, NO CUSTOMER SEATING
 CONSTRUCTION TYPE: V6 - NO SPRINKLERS
 PARKING:
 REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
 PROVIDED: 20 SPACES AT PARCELS 2, 3, 4.
 SIZE: 8'-0" X 18'-0" STANDARD
 9'-0" X 180'-0" ACCESSIBLE

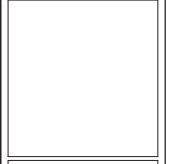
SITE PLAN KEY NOTES:

1. ACCESSIBLE PARKING STALL
2. CURB RAMP WITH TRUNCATED DOMES
3. WHEEL STOP
4. PARKING STRIPING
5. TRASH ENCLOSURE, WITH 6'-0" CMU WALLS, METAL GATES AND ROOF.
6. PRE-ORDER BOARD, BY TENANT UNDER SEPARATE PERMIT
7. ORDER SCREEN, BY TENANT UNDER SEPARATE PERMIT
8. MENU BOARD, BY TENANT UNDER SEPARATE PERMIT
9. HEIGHT RESTRICTION BAR, BY TENANT UNDER SEPARATE PERMIT
10. DRIVE-THRU SIGN, BY TENANT UNDER SEPARATE PERMIT
11. MOBILE ORDER PICK-UP SIGN BY TENANT
12. 3 FOOT HIGH CMU SCREEN WALL. SEE DETAIL 2 BELOW.
13. 10'-0" X 25'-0" X 14 HIGH LOADING AREA
14. GREASE INTERCEPTOR

SITE PLAN LEGEND

- INDICATES LANDSCAPING, SEE LANDSCAPE PLANS
- INDICATES CONCRETE PAVING
- INDICATES PATH ACCESSIBLE OF TRAVEL

Revisions:



PROJECT: **PROPOSED DEVELOPMENT PARCEL 2**
 CENTRE CITY PARKWAY AND MISSION AVENUE
 ESCONDIDDO, CA 92025

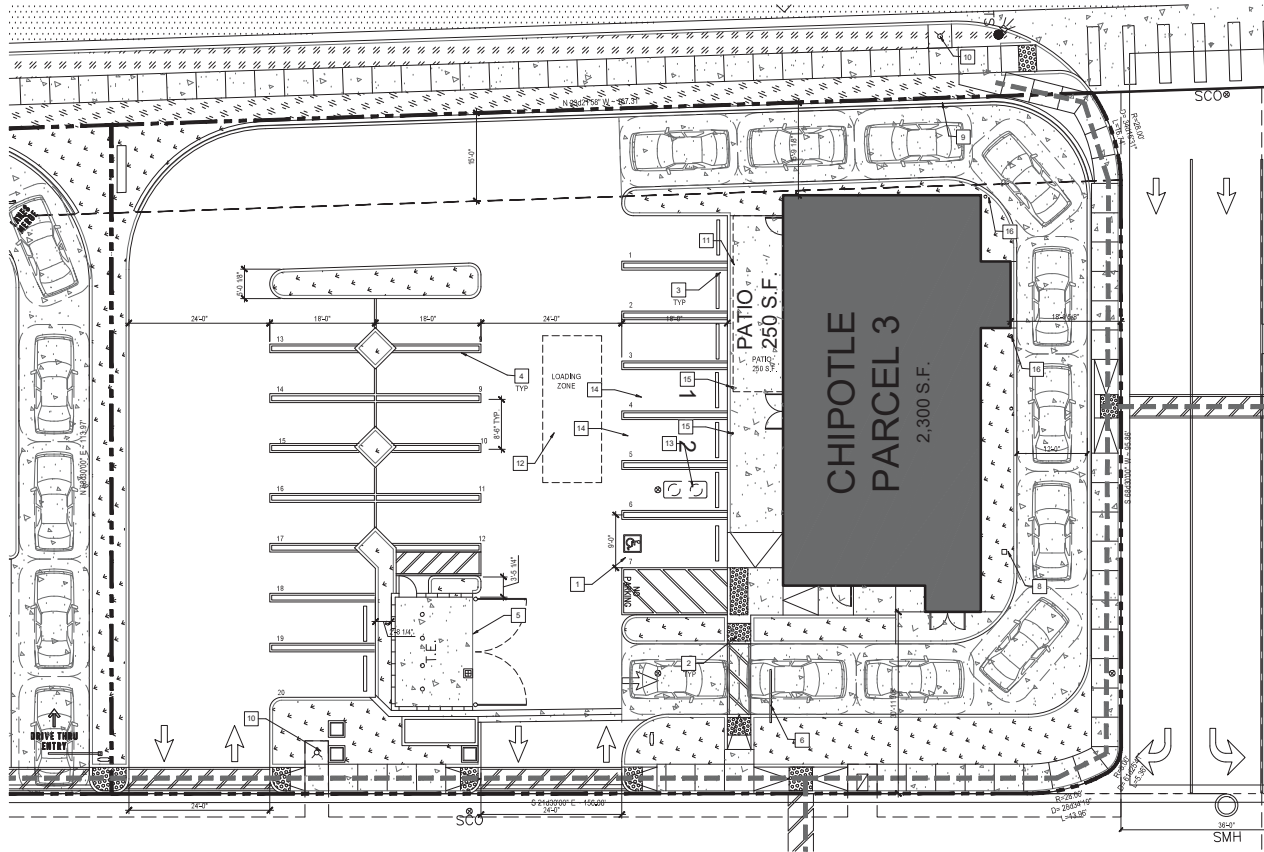
CLIENT: **501 WEST MISSION, LLC**
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

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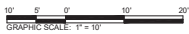
DATE: AUGUST 23, 2024
 PROJECT NO.: WM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
ENLARGED SITE PLAN PARCEL 2

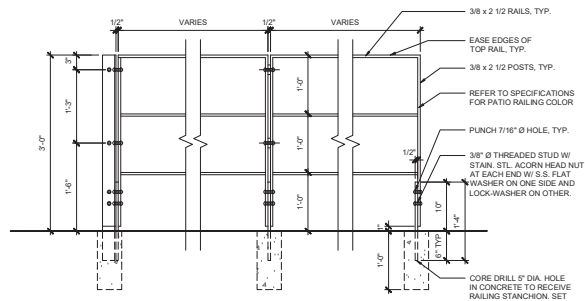
SHEET #
AS201



SITE PLAN PARCEL 3



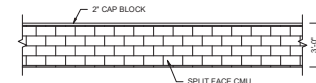
SCALE: 1"=10'-0"



PATIO RAILING

SCALE: 1/4"=1'-0"

3



TYPICAL SCREEN WALL

SCALE: 1/4"=1'-0"

2

PARCEL 3 INFORMATION

PARCEL 3 AREA - 20,428 S.F.
 PROPOSED BUILDING AREA COVERAGE 11.06%
 PARCEL 3 2,300 S.F.
 OCCUPANCY: A2 DRIVE THRU RESTAURANT
 CONSTRUCTION TYPE: VB - NO SPRINKLERS
 PARKING:
 REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
 PROVIDED: 20 SPACES
 SIZE: 8'-6" X 18'-0" STANDARD
 9'-0" X 18'-0" ACCESSIBLE

SITE PLAN KEY NOTES:

1. ACCESSIBLE PARKING STALL
2. CURB RAMP WITH TRUNCATED DOMES
3. WHEEL STOP
4. PARKING STRIPING
5. TRASH ENCLOSURE, WITH 6'-0" CMU WALLS, METAL GATES, ROOF AND BOLLARDS
6. HEIGHT RESTRICTION BAR, BY TENANT UNDER SEPARATE PERMIT
7. DRIVE-THRU SIGN, BY TENANT UNDER SEPARATE PERMIT
8. ANNOUNCE SIGN BY TENANT UNDER SEPARATE PERMIT
9. 3 FOOT HIGH CMU SCREEN WALL. SEE DETAIL BELOW.
10. PROPOSED FIRE HYDRANT
11. PATIO RAILING, SEE DETAIL BELOW
12. 10'-0" X 25'-0" X 14' HIGH LOADING AREA
13. GREASE INTERCEPTOR
14. PULL-IN SPACES
15. PICK-UP PARKING SIGN
16. BOLLARD

SITE PLAN LEGEND

- INDICATES LANDSCAPING, SEE LANDSCAPE PLANS
- INDICATES CONCRETE PAVING
- INDICATES ACCESSIBLE PATH OF TRAVEL

Revisions:

1	
2	
3	
4	
5	



PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
 CENTRE CITY PARKWAY, SAN JOSE AVENUE
 ESCONDIDO, CA 92025

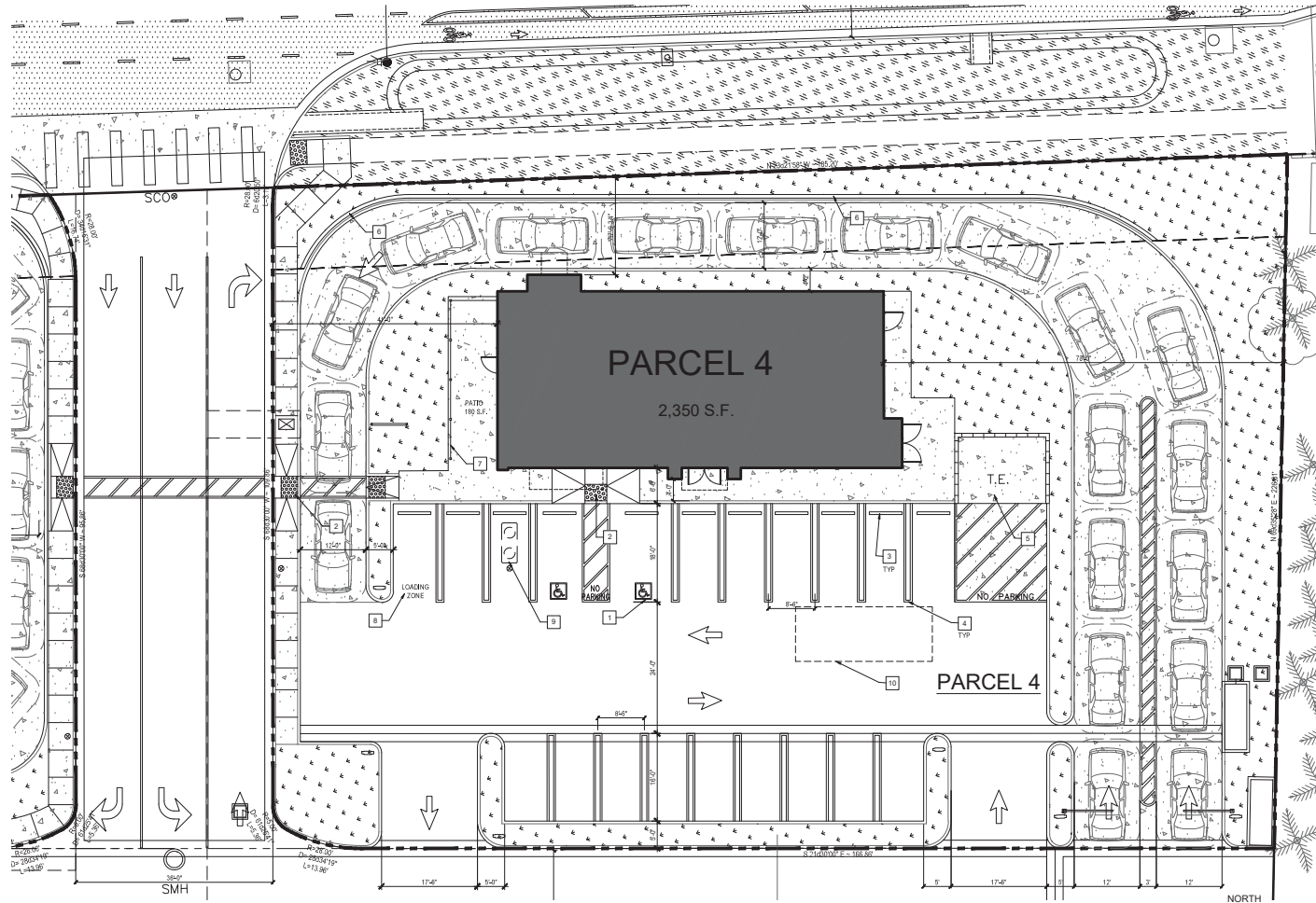
CLIENT:
501 WEST MISSION, LLC
 2400 ENTERLECK COX
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

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DATE: MAY 7, 2024
 PROJECT NO.: WM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
ENLARGED SITE PLAN PARCEL 3

SHEET #
AS301



PARCEL 4 INFORMATION

PARCEL 4 AREA - 22,750 S.F.
 PROPOSED BUILDING AREA - 2,350 S.F. COVERAGE 10.26%
 OCCUPANCY: A2 DRIVE THRU RESTAURANT
 CONSTRUCTION TYPE: VB - NO SPRINKLERS
 PARKING:
 REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
 PROVIDED: 20 SPACES
 SIZE: 8'-6" X 18'-0" STANDARD
 9'-0" X 18'-0" ACCESSIBLE

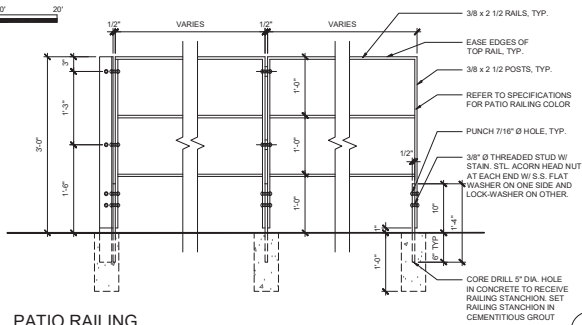
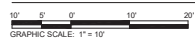
SITE PLAN KEY NOTES:

1. ACCESSIBLE PARKING STALL
2. CURB RAMP WITH TRUNCATED DOMES
3. WHEEL STOP
4. PARKING STRIPING
5. TRASH ENCLOSURE, WITH 6'-0" CMU WALLS, METAL GATES AND ROOF.
6. 3 FOOT HIGH CMU SCREEN WALL. SEE DETAIL BELOW.
7. PATIO RAILING. SEE DETAIL BELOW.
8. LOADING ZONE
9. GREASE INTERCEPTOR
10. 10'-0" X 25'-0" X 14" H LOADING AREA

SITE PLAN LEGEND

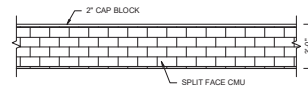
- INDICATES LANDSCAPING. SEE LANDSCAPE PLANS
- INDICATES CONCRETE PAVING
- INDICATES ACCESSIBLE PATH OF TRAVEL

SITE PLAN PARCEL 4



PATIO RAILING

SCALE: 1"=1'-0"



TYPICAL SCREEN WALL

SCALE: 1/4"=1'-0"

Revisions:



CONDITIONAL USE PERMIT
PARCEL 4
 CENTRE CITY PARKWAY AND MISSION AVENUE
 ESCONDIDO, CA 92025

CLIENT:
 501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
 ENLARGED
 SITE PLAN
 PARCEL 4

SHEET #
AS401

Draft Planning Commission Resolution No. 2024-17

Planning Commission

Hearing Date: October 08, 2024

Effective Date: October 09, 2024

PLANNING COMMISSION RESOLUTION NO. 2024-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND APPROVAL OF A TENTATIVE PARCEL MAP, CONDITIONAL USE PERMITS, DESIGN REVIEW PERMIT, NON-EMERGENCY DEMOLITION PERMIT REQUEST

APPLICANT: 503 W Mission LLC

CASE NOS: PL22-0396/PL24-0057/PL22-0397/PL22-0398/PL24-0198

WHEREAS, 503 W Mission LLC, (“Applicant”), filed a land use development application, Planning Case Nos. PL22-0396, PL24-0057, PL22-0397, PL22-0398, PL24-0198 (“Application”) constituting a request for a Tentative Parcel Map to subdivide two existing parcels into four parcels, three Conditional Use Permits for drive-through facilities and reduction of required off-street parking spaces, a Design Review Permit for construction of the facilities, and a non-emergency demolition permit for demolition of an existing building (over 50 years old) (“Project”) on a 3.74 gross acre site located at 501 – 503 W Mission Avenue (APNs: 229-171-30-00 and 229-171-29-00), in the General Commercial (C-G) zoning district, and the General Commercial (GC) land use designation of the General Plan; and

WHEREAS, the subject property 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

Draft Planning Commission Resolution No. 2024-17

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, the subdivision of real property is permitted by the State Subdivision Map Act, and Chapter 32 (Subdivisions) of the Escondido Municipal Code; and,

WHEREAS, the Project includes a request for a Tentative Parcel Map for the subdivision of two (2) parcels into four (4) parcels within the C-G zoning district; and,

WHEREAS, the Tentative Parcel Map complies with all requirements for subdivision of properties within the C-G zoning district; and,

WHEREAS, drive-through facilities are conditionally permitted uses within the C-G zoning district, subject to the approval of a Conditional Use Permit, in accordance with Article 16 (Commercial Zones) of the Escondido Zoning Code; and

WHEREAS, a reduction in off-street parking spaces for commercial zones may be permitted through the Conditional Use Permit process as described by Article 39 (Off-street parking spaces) of the Escondido Zoning Code; and

WHEREAS, Parcel 4 seeks a forty-five percent (45%) reduction in the required off-street parking spaces to lower the amount of required standard parking spaces to 11 and would provide nine compact spaces as a design feature of the parcel due to size constraints for a total of 20 stalls onsite;

WHEREAS, a Design Review Permit is required for the Project as outlined in Article 64 (Design Review) of the Escondido Zoning Code; and,

WHEREAS, the Project includes architecture and site design that meets or exceeds the standards for design of new construction within the City, with approval of the Conditional Use Permit request to reduce parking for Parcel 4; and,

Draft Planning Commission Resolution No. 2024-17

WHEREAS, a Non-Emergency Demolition Permit is required for issuance of a non-emergency demolition of a structure over 50 years of age; and,

WHEREAS, on May 18, 2023, the Non-Emergency Demolition Permit request was brought before the Historic Preservation Commission for their recommendation to the City Council. The Commission voted 4-0 to recommend approval of the Permit to the City Council; 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, a Draft Initial Study and Mitigated Negative Declaration (“IS/MND”) was prepared, circulated, and notice made of its availability for public review and comment during the period from July 25, 2024 to August 26, 2024; and,

WHEREAS, the City received one comment during the public review period from the California Department of Transportation (“CalTrans”); and

WHEREAS, during the 30-day public comment period of the Draft IS/MND, the City consulted with and requested comments from responsible and trustee agencies, other regulatory agencies, and others. The City subsequently analyzed and considered any and all comments received during this public review comment period, responses to comments, corrections/additions to the Draft IS/MND, and revisions in addition to the appendices or other referenced documents; and

WHEREAS, in addition to the Final/ISMND, a Mitigation Monitoring and Reporting Program (“MMRP”) has been prepared for the Project, attached as Exhibit “B” and incorporated herein by this reference, to ensure compliance with the required mitigation measures or project revisions during Project implementation; and,

Draft Planning Commission Resolution No. 2024-17

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 "C," 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 requirements identified in Article 61, Division 6, and State public noticing requirements; and

WHEREAS, on October 8, 2024, 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 October 8, 2024, 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.

Draft Planning Commission Resolution No. 2024-17

2. The Planning Commission, in its independent judgement, has carefully reviewed and considered all environmental documentation comprising the Final IS/MND prepared for the Project and has determined that the City has made a good-faith effort to adequately address all environmental issues associated with the Project. The Final IS/MND, as so amended and evaluated, is adequate and provides good-faith disclosure of available information on the Project to determine whether there is substantial evidence that the Project would result in any significant effects. All of the requirements of CEQA have been met.
3. That the MMRP identifies mitigation measures necessary to reduce all impacts to a less-than-significant level, and assigns on-going responsibility for carrying out mitigation responsibilities which are appropriate to address and mitigate Project-related impacts.
4. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and on its behalf, the Planning Commission makes the following substantive findings and determinations, attached hereto as Exhibit "D," 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.
5. The Planning Commission recommends that the City Council adopt the Final IS/MND, attached as Exhibit "E", which is incorporated herein as though fully set forth herein.
6. The Application to use the Property for the Project, subject to each and all of the conditions hereinafter set forth in Exhibit "F," is hereby **recommended for approval** to the City Council by the Planning Commission. The Planning Commission expressly declares that it would not have recommended approval of this Application except upon

Draft Planning Commission Resolution No. 2024-17

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.

7. 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 recommended for approval** by the City Council, and which shall not be altered without the express authorization by the Planning Division.

BE IT FURTHER RESOLVED that, pursuant to Government Code section 66020(d)(1):

1. NOTICE IS GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution, and any such protest must be in a manner that complies with Government Code section 66020.

Draft Planning Commission Resolution No. 2024-17

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 8th day of October, 2024 by the following vote, to wit:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

STAN WEILER, 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.

Alex Rangel, Minutes Clerk
Escondido Planning Commission

Draft Planning Commission Resolution No. 2024-17

EXHIBIT "A"

PLANNING CASE NOS. PL24-0057/PL22-0397/PL22-0398/PL22-0396/PL24-0198

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcel 1:

Parcel 2 of [Parcel Map No. 295](#), in the City of Escondido, County of San Diego, State of California, filed in the office of the County Recorder of San Diego, County, July 27, 1970 as [File No. 131815 of Official Records](#).

[APN: 229-171-29-00](#)

Parcel 2:

Parcel 3 of [Parcel Map No. 295](#), in the City of Escondido, in the County of San Diego, State of California, according to Map thereof filed in the office of the County Recorder of San Diego County, July 27, 1970.

Parcel 2A:

An easement and right of way to lay, construct, maintain, operate and repair a 6 inch sewer line for sewer disposal over the Southeasterly 1 % feet of Lot 16, Block 148 of Escondido, in the City of Escondido, in the County of San Diego, State of California, according to Map No. 349, filed in the office of the County Recorder of San Diego County, July 10, 1886.

Parcel 2B:

A non-exclusive easement for ingress and egress over the Easterly 25 feet of Parcel 1 of [Parcel Map No. 295](#), in the City of Escondido, in the County of San Diego, State of California, a copy which was recorded July 27, 1970 as [Instrument No. 131815](#) in the office of the County Recorder of San Diego County, being a division of a portion of Lots 15 and 16 in Block 148 of the Rancho Rincon Del Diablo, according to Map No. 349, by O.N. Sanford filed in the office of the County Recorder of San Diego County.

[APN: 229-171-30-00](#)

[APN: 229-171-30, 229-171-29](#)

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
Biological Resources					
<p>BIO-1. If project construction cannot be avoided during the nesting season (February 1 through September 15), a preconstruction nesting bird survey shall be conducted by a qualified biologist hired by the applicant prior to the initiation of work to identify any active nests that may be impacted by construction activities. Surveys shall be conducted at the appropriate time of day, no more than three days prior to vegetation removal and/or disturbance. If no nesting birds are observed, no further action would be necessary. If an active bird nest is observed, the nest site shall be fenced a minimum of 200 feet in all directions, and this area shall not be disturbed until the nest is inactive.</p>	<p>Prior to construction activities</p>	<p>Qualified Biological Resources Monitor</p>	<p>Submittal of pre-activity field survey results report</p>		
Cultural Resources					
<p>CUL-1: Prior to issuance of a demolition permit, the project applicant shall ensure a Historic American Buildings Survey documentation (or equivalent) of the structure be conducted by a qualified professional in order to achieve mitigation by exhausting the research potential of the resource. Compliance with this measure and the following items shall be documented to the</p>	<p>In the event of discovery of resources during ground-disturbing activities</p>	<p>Qualified Archaeological Resources Monitor</p>	<p>Review report documenting findings and recommendation for treatment of cultural resources discovered</p>		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
<p>satisfaction of the City of Escondido Director of Development Services prior to demolition.</p> <ul style="list-style-type: none"> Documentation shall include digital photographic recordation, a historic native report, and compilation of historic research. Documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualifications Standards for History and/or Architectural History (36 CFR Part 61). The original archival-quality documentation shall be offered as donated material to organizations and repositories that will make it available for local researchers. Prior to issuance of building permits for demolition, the Applicant shall provide documentation that the materials have been offered and submitted or declined. 					
Tribal Cultural Resources					
TCR-1: Prior to the issuance of a grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and	Prior to construction activities	Qualified Archaeologist and a Native American Monitor	Contact a TCA Tribe and enter into a Tribal Cultural Resource Treatment and		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”). The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures MM-CR-2 through MM-CR-10, and the following information.			Monitoring Agreement		

-
- Parties entering into the agreement and contact information.
 - Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.
 - Project grading and development scheduling, including determination of authority to adjust in the event of unexpected discovery, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.
 - Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.
 - Treatment of identified Native American cultural materials.
 - Treatment of Native American human remains and associated grave goods.
 - Confidentiality of cultural information including location and data.
 - Negotiation of disagreements should they arise.
-

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
<ul style="list-style-type: none"> Regulations that apply to cultural resources that have been identified or may be identified during project construction 					
<p>TCR-2: Prior to issuance of a grading permit, the Applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the Project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.</p>	Prior to construction activities	Qualified Archaeologist and a Native American Monitor	Provide Written Verification to City		
<p>TCR-3: The qualified archaeologist and a Native American monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to explain and coordinate the requirements of the monitoring program.</p>	Prior to construction activities	Qualified Archaeologist and a Native American Monitor	Pre-construction meeting attendance		
<p>TCR-4: During the initial grubbing, site grading, excavation or disturbance of the</p>	During the initial grubbing, site	Qualified archaeologist and a Native American	Adjust monitoring based on findings		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the topsoil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e.,	grading, excavation, or disturbance of the ground surface	monitor			

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
<p>soil conditions are comprised solely of fill or granitic bedrock).</p> <p>TCR-5: In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected and monitored grading can immediately proceed. All unearthed archaeological resources or tribal cultural</p>		<p>In the event of discovery of resources during ground-disturbing activities</p>	<p>Qualified archaeologist and a Native American monitor</p>	<p>Halt work and evaluate discoveries</p>	

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
resources shall be collected, temporarily stored in a secure location, and repatriated for later reburial on the project site, pursuant to the terms of the Pre-Excavation Agreement.					
<p>TCR-6: If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the consulting TCA Tribe(s), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource’s treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe(s) and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c), appropriate treatment measures will be implemented. Work may not</p>	In the event of discovery of resources during ground-disturbing activities	Qualified archaeologist and a Native American monitor	The qualified archaeologist, the consulting TCA Tribe(s), and the Native American monitor shall determine the significance		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
<p>resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.</p> <p>TCR-7: All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated in consultation with the TCA Tribe(s) as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City’s Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA</p>	<p>In the event of discovery of resources during ground-disturbing activities</p>	<p>City’s Director of Community Development (after a recommendation is provided by a qualified archaeologist, in the consultation with the TCA Tribe(s)</p>	<p>Avoidance, Consultation and Treatment of Resources</p>		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
<p>Tribe(s), making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. No artifact sampling for analysis is allowed, unless requested and approved by the consulting TCA Tribe(s). Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.</p>					
<p>TCR-8: As specified by California Health and Safety Code section 7050.5, if human remains are found on the Project site during construction or during</p>	<p>In the event of discovery of resources during ground-disturbing</p>	<p>Qualified archaeologist and a Native American monitor</p>	<p>Notify the San Diego County Coroner’s office</p>		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner’s office. Determination of whether the remains are human shall be conducted on site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to a temporary off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance	activities				

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of the MLD, unless the forensic anthropologist and the MLD agree to remove the remains to an off-site location for examination.					
TCR-9: If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources	In the event of discovery of resources during ground-disturbing activities	Qualified archaeologist and a Native American monitor	The Native American monitor must be present during any cataloging of those resources		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources for later reburial on the Project site. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe for reburial on the Project site. Should the consulting TCA Tribe(s) decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.					
TCR-10: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and	Prior to the release of the grading bond	Qualified archaeologist and a Native American monitor	A monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the project site shall be submitted		

TABLE .0-1: SUMMARY OF MITIGATION MEASURES AND IMPLEMENTATION RESPONSIBILITY

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
Archaeological Site Forms for any newly discovered resources. A copy of the final report will be submitted to the South Coastal Information Center after approval by the City.					

Exhibit C

TENTATIVE PARCEL MAP MISSION AVE. CITY OF ESCONDIDO, CALIFORNIA

ENGINEER

HOWES WELER LANDY - PLANNING & ENGINEERING
2888 LOWER AVENUE EAST,
SUITE 217 CARLSBAD, CA 92010
PHONE: (760) 929-2288
FAX: (760) 929-2287

CIVIL ENGINEER OF RECORD: MEL LANDY P.E. 81085 DATE _____

PROJECT INFORMATION

OWNERS/DEVELOPERS
EX. PARCEL 2 PER MAP 295:
503 WEST MISSION LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

EX. PARCEL 3 PER MAP 295:
JIM AMBE PARENIA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

GRADING QUANTITIES (TYP)

AREA GRADED	1.88 AC
PERCENTAGE OF TOTAL	27.9 %
EXCAVATION	399 CY CUT
EMBANKMENT	2,501 CY FILL
IMPORT	4,2102 CY
MAX DEPTH OF CUT	4'
MAX DEPTH OF FILL	2'-6"
MAX HT OF CUT SLOPE (2:1)	N/A
MAX HT OF CUT SLOPE (2:1)	N/A
LENGTH OF RETAINING WALL	N/A
MAX HEIGHT OF RET WALL	N/A

IMPERVIOUS AREAS

EXISTING	41,206 SF
PERCENTAGE OF TOTAL AREA	59.12%
PROPOSED	57,050 SF
PERCENTAGE OF TOTAL AREA	81.85 %

GENERAL INFORMATION

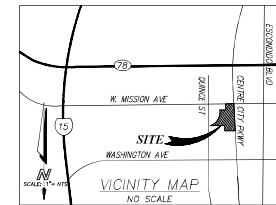
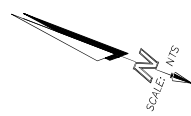
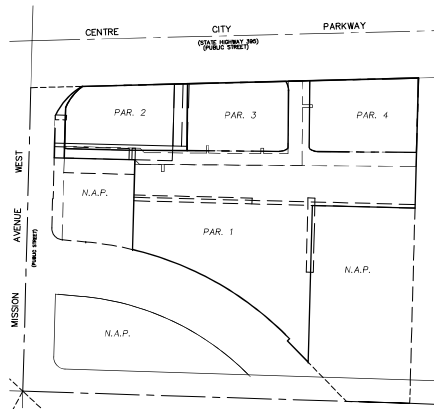
ADDRESS: 503 W. MISSION AVENUE
ESCONDIDO, CA 92025
ASSESSOR'S PARCEL NO.: 299-171-29 & 329-171-30
SITE AREA: 3.70 ± AC(GROSS) ____ AC(NET)
EXISTING PARCELS: 2
PROPOSED PARCELS: 4
EXISTING ZONING: C-0 (GENERAL COMMERCIAL)
PROPOSED ZONING: C-0 (GENERAL COMMERCIAL)
GENERAL PLAN DESIGNATION: 00 (GENERAL COMMERCIAL)
MINIMUM LOT AREA: NONE
PARCEL 1 AREA: 2.198 AC ±
PARCEL 2 AREA: 0.516 AC ±
PARCEL 3 AREA: 0.460 AC ±
PARCEL 4 AREA: 0.522 AC ±
REQUIRED MIN. SETBACKS:
FRONT YARD: 15' *
REAR YARD: 0'
SIDE YARD: 0'
EASEMENTS:
ON-SITE: 9
OFF-SITE: 2
FEMA FIRM PANEL NO.: 06073C0814G
FLOOD ZONE: X

* FACING CENTRE CITY PKWY

PARKING TABLE		
PARCEL 1	TOTAL PARKING:	93
PARCEL 2	TOTAL PARKING:	20
PARCEL 3	TOTAL PARKING:	20
PARCEL 4	TOTAL PARKING:	20

FIRE NOTE:

FIRE UNDERGROUND LINES, FIRE SPRINKLERS,
FIRE ALARM PLANS WILL BE DEFERRED SUBMITTALS.



LEGEND:

- | DESCRIPTION | SYMBOL |
|--------------------------------------|--------------------|
| BOUNDARY DATA | N42°18'59"W 40.00' |
| PROJECT BOUNDARY | --- |
| PROPOSED PARCEL | --- |
| PROPOSED EASEMENT | --- |
| CENTERLINE | --- |
| EX. ACCESS RELINQUISHMENT | --- |
| CONTOURS | --- |
| RECORD LOT LINE | --- |
| BUILDING | --- |
| FENCE | --- |
| CURB | --- |
| ROOF OVER HANG | --- |
| CONCRETE | --- |
| EX SURVEY MONUMENT (AS NOTED HEREON) | ● |
| SPOT ELEVATIONS | XX.XX |
| TRAFFIC ARROW | → |
| DRAINAGE DIRECTION | → |
| EXISTING POWER POLE | ○ PP |

BENCHMARK:

CITY OF ESCONDIDO BENCHMARK NO. 603-4
CHISELED SQUARE ON TOP OF CURB, AT THE SOUTH CURB RETURN, ON THE SOUTHWEST CORNER OF MISSION AVENUE AND ESCONDIDO BOULEVARD.
ELEVATION= 651.39 FEET
NGVD 29

SOURCE OF TOPOGRAPHY

TOPOGRAPHIC MAPPING SHOWN HEREON WAS PROVIDED BY MSL ENGINEERING INC. MARCH 9, 2022

BASIS OF BEARINGS:

THE BEARING OF N23°21'58"W OF THE WEST RIGHT OF WAY LINE OF CENTRE CITY PARKWAY BETWEEN THE FOUND MONUMENTS AT THE SOUTHWEST CORNER OF PARCEL 2 AND THE SOUTHWEST CORNER OF PARCEL 3 OF PARCEL MAP NO. 295 AS SHOWN ON RECORD OF SURVEY MAP NO. 18541 FILED DECEMBER 17, 2004 AS FILE NO. 04-11880H, RECORDS OF SAN DIEGO COUNTY, WAS USED AS THE BASIS OF BEARINGS OF THIS MAP.

EXISTING LEGAL DESCRIPTION:

PARCEL 2 OF PARCEL MAP NO. 295, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, COUNTY, JULY 27, 1970 AS FILE NO. 13181S OF OFFICIAL RECORDS APN: 229-171-29-00

PARCEL 3 OF PARCEL MAP NO. 295, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 27, 1970.

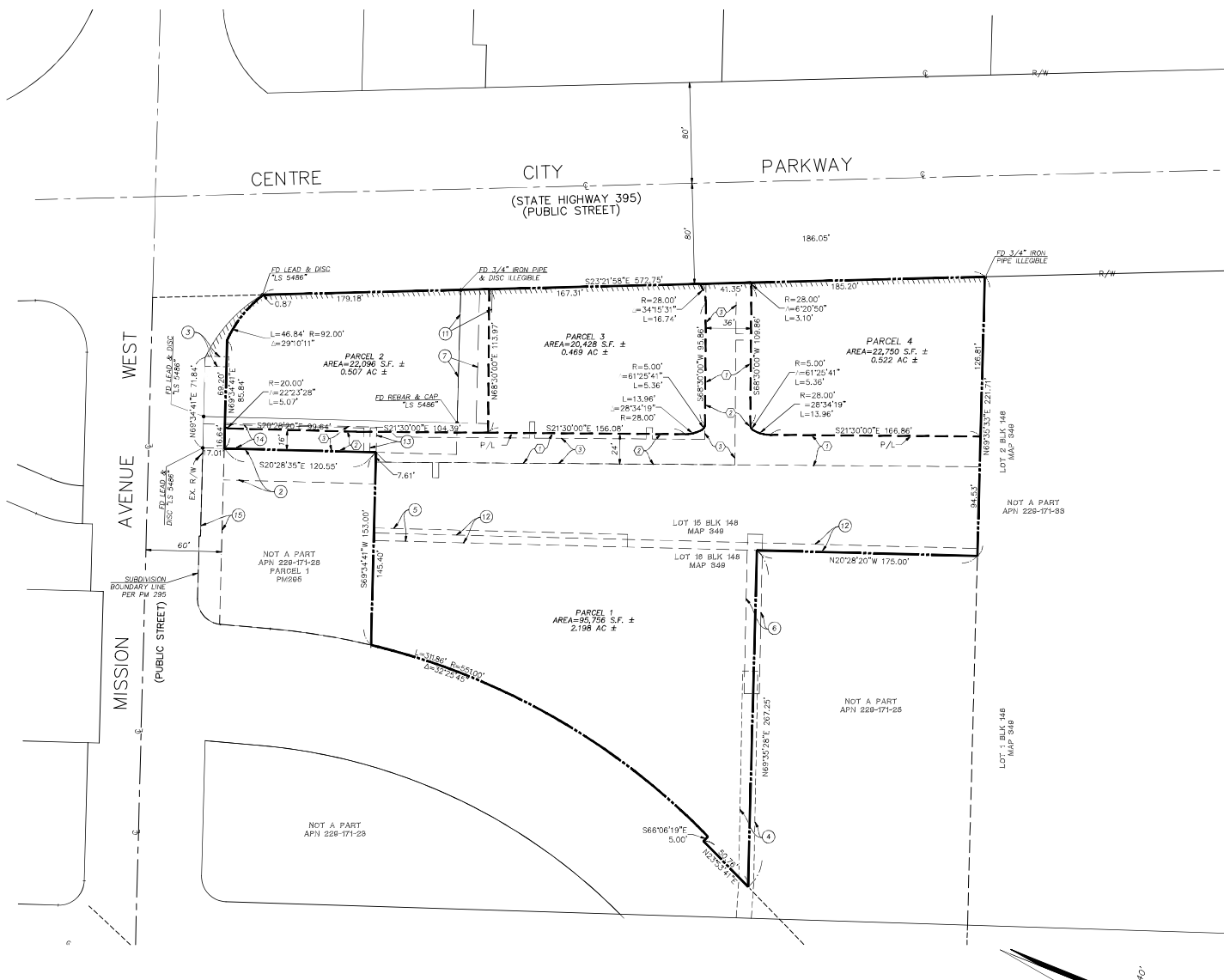


PREPARED BY:
HWL
HOWES WELER LANDY
PLANNING & ENGINEERING
Tel: 760.929.2288
Fax: 760.929.2287
2888 LOWER AVENUE EAST STE. 217
CARLSBAD, CA 92010

TENTATIVE PARCEL MAP
MISSION AVE.
TITLE SHEET
CITY OF ESCONDIDO, CALIFORNIA

REVISION 5	#####
REVISION 4	#####
REVISION 3	#####
REVISION 2	#####
REVISION 1	#####
ORIGINAL SUBMITTAL	#####

SUBMITTAL



EXISTING EASEMENTS

- 2 A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE EASTERLY 25 FEET OF PARCEL 1 OF PARCEL MAP NO. 295, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, A COPY WHICH WAS RECORDED JULY 27, 1970 AS INSTRUMENT NO. 131815 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.
- 3 EASEMENT FOR UNDERGROUND FACILITIES, CONDUITS, WIRES & STRUCTURES, GRANTED TO SAN DIEGO GAS & ELECTRIC COMPANY, RECORDED JUNE 12, 1970, AS DOC. 1970-102472 O.R.
- 4 EASEMENT FOR PUBLIC UTILITIES, INGRESS & EGRESS, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED APRIL 23, 1963, AS DOC. NO. 69801 O.R.
- 5 EASEMENT FOR PUBLIC UTILITIES, INGRESS & EGRESS, GRANTED TO PACIFIC TELEPHONE AND TELEGRAPH COMPANY, RECORDED OCT. 6, 1967, AS DOC. NO. 166921 O.R.
- 6 EASEMENT FOR PUBLIC UTILITIES, INGRESS & EGRESS, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED FEB. 2, 1968, AS DOC. NO. 19550 O.R.
- 7 EASEMENT FOR INGRESS, EGRESS & VEHICULAR PARKING, GRANTED TO JAY W. SMALLEY AND BARBARA J. SMALLEY, SOLOMON GORDON AND LOIS RUTH GORDON, CARL HODOUS AND ETHEL J. HODOUS, AND LESTER S. BLUMENFELD AND MARION BLUMENFELD, RECORDED DEC. 28, 1973, AS DOC. NO. 73-356460 O.R. (TO BE OUTCLAIMED)
- 8 EASEMENT FOR VEHICLE INGRESS & EGRESS, GRANTED TO NORTH COUNTY BANK, RECORDED MARCH 31, 1986, AS DOC. NO. 86-97667 O.R. (UNPLOTTABLE)
- 9 EASEMENT FOR AUTOMOBILE PARKING SPACES, GRANTED TO NORTH COUNTY BANK, RECORDED MARCH 31, 1986, AS DOC. NO. 86-97667 O.R. (UNPLOTTABLE)
- 10 EASEMENT FOR TWELVE (12) PARKING SPACES, GRANTED TO NORTH COUNTY BANK, A CALIFORNIA BANKING CORPORATION, RECORDED SEPT. 4, 1990, AS DOC. NO. 90-482469 O.R. (UNPLOTTABLE)
- 11 EASEMENT FOR INGRESS, EGRESS & VEHICULAR PARKING, GRANTED TO AMCORP. INC. A CONNECTICUT CORPORATION, RECORDED JUNE 18, 1991, AS DOC. NO. 1991-290651 O.R. (TO BE OUTCLAIMED)
- 12 A 6' WIDE EASEMENT AND RIGHT-OF-WAY FOR PUBLIC UTILITIES, INGRESS AND EGRESS AND INCIDENTAL PURPOSES IN FAVOR OF THE SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED MAY 22, 1961 AS INSTRUMENT NO. 69234 OF OFFICIAL RECORDS.
- 13 A 5' WIDE EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS AND INCIDENTAL PURPOSES IN FAVOR OF THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, RECORDED NOVEMBER 12, 1968 AS INSTRUMENT NO. 197832 OF OFFICIAL RECORDS.
- 14 A 19' WIDE NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AND INCIDENTAL PURPOSES IN FAVOR OF STANDARD OIL COMPANY OF CALIFORNIA RECORDED APRIL 27, 1970 AS INSTRUMENT NO. 71329 OF OFFICIAL RECORD.
- 15 A PUBLIC STREET AND UTILITY EASEMENT PER DOC. NO. 1991-0217183 RECORDED MAY 9, 1991.

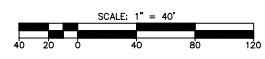
PROPOSED EASEMENTS

- 1 PROPOSED EASEMENT FOR EMERGENCY ACCESS EASEMENT TO BE GRANTED TO THE CITY OF ESCONDIDO. (WIDTH VARIES 24' TO 36')
- 2 PROPOSED PRIVATE EASEMENT FOR INGRESS & EGRESS TO BE GRANTED TO PARCELS 2, 3 & 4
- 3 PROPOSED EASEMENT FOR PUBLIC UTILITIES AND ACCESS TO BE GRANTED TO THE CITY OF ESCONDIDO

ABBREVIATIONS

AC	ASPHALT CONCRETE	R/W	RIGHT-OF-WAY
ASPH	ASPHALT	ROH	ROOF OVERHANG
APN	ASSESSOR'S PARCEL NUMBER	SDGE	SAN DIEGO GAS & ELECTRIC
BFP	BACK-FLOW PREVENTER	SD	STORM DRAIN
C	CONCRETE	SOFT	SQUARE FEET
CB	CATCH BASIN	SL	STREET LIGHT
CL	CENTER LINE	SLPB	STREET LIGHT PULL BOX
CLF	CHAIN-LINK FENCE	SMH	SEWER MANHOLE
CONC	CONCRETE	S/W	SIDEWALK
E	ELECTRIC	TC	TOP OF CURB
EG	EXISTING GRADE	TE	TRASH ENCLOSURE
EP	EDGE OF PAVEMENT	TEL	TELEPHONE
FL	FLOW LINE	TSPB	TRAFFIC SIGNAL PULL BOX
FD	FOUND	TO	TOP OF GRATE
FDC	FIRE DEPARTMENT CONNECTION	TYP	TYPICAL
FF	FINISHED FLOOR	U/C	UNDER CONSTRUCTION
FS	FINISHED SURFACE	WL	WATER LEVEL
FG	FINISHED GRADE	WDF	WOOD FENCE
GFF	GARAGE FINISHED FLOOR	WF	WROUGHT IRON FENCE
GV	GATE VALVE	WM	WATER METER
HT	HEIGHT		
LD	LEAD & DISK		
L/S	LANDSCAPED AREA		
OH	OVERHANG		
O-U	OVERHEAD UTILITY		
OBS	OBSOURED AREA		
PL	PROPERTY LINE		

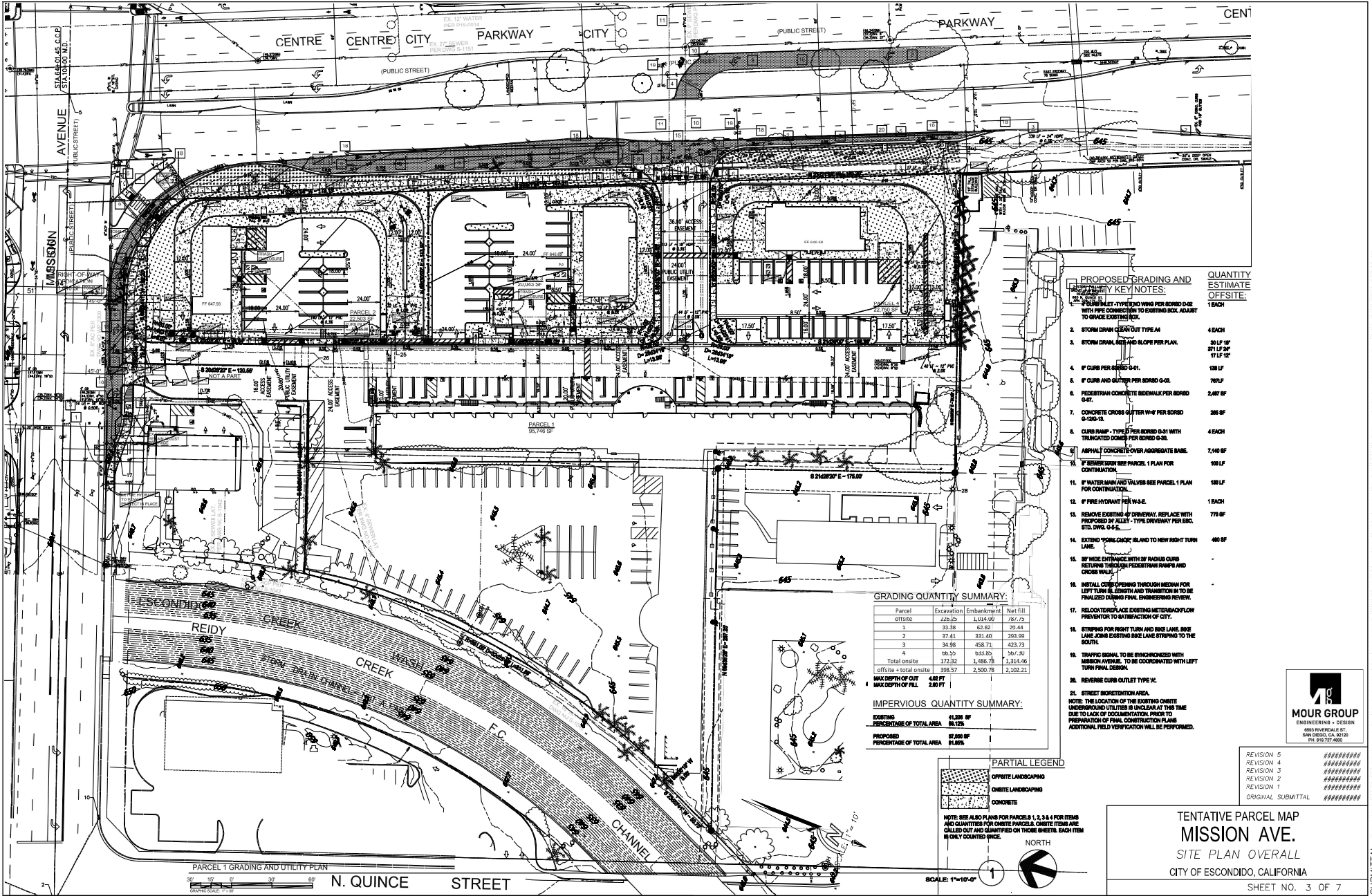
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REVISION 1	#####
ORIGINAL SUBMITTAL	#####



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 CARLSBAD, CA 92010

TENTATIVE PARCEL MAP
MISSION AVE.
 BOUNDARY & EASEMENTS
 CITY OF ESCONDIDO, CALIFORNIA
 SHEET NO. 2 OF 7

SUBMITTAL



- PROPOSED GRADING AND UTILITY KEYNOTES:**
1. REVERSE SLOPE TYPE 10 WING PER BORND 0-02 WITH PIPE CONNECTION TO EXISTING BOX, ADJUST TO GRADE EXISTING BOX.
 2. STORM DRAIN CLEAN OUT TYPE A# 4 EACH
 3. STORM DRAIN SIZE AND SLOPE PER PLAN. 30 LF 18" 27 LF 18" 17 LF 18"
 4. 8" CURB PER BORND 0-01. 138 LF
 5. 8" CURB AND GUTTER PER BORND 0-02. 707 LF
 6. PAVEDSIDE CONCRETE SIDEWALK PER BORND 0-07. 2,487 SF
 7. CONCRETE CROSS GUTTER W-4# PER BORND 0-100-15. 285 SF
 8. CURB RAMP - TYPE 1# PER BORND 0-31 WITH TRIMMED DOWN PER BORND 0-30. 4 EACH
 9. ASPHALT CONCRETE OVER AGGREGATE BASE. 7,140 SF
 10. 12" BESSEMER BRICK PER PARCEL 1 PLAN FOR CONTINUATION. 100 LF
 11. 12" WATER MAIN AND VALVES SEE PARCEL 1 PLAN FOR CONTINUATION. 138 LF
 12. 8" FIRE HYDRANT PER W-0-E. 1 EACH
 13. REMOVE EXISTING 48" DRIVEWAY, REPLACE WITH PROPOSED 36" JOLLY - TYPE DRIVEWAY PER SEC. STD. DRWG. 0-5-E. 775 SF
 14. EXISTING "POB" ISLAND TO NEW RIGHT TURN LANE. 400 SF
 15. 36" WIDE ENTRANCE WITH 3" RADIIUS CURB RETURN THROUGH PEDESTRIAN RAMPS AND CROSS WALK.
 16. INSTALL CURB OPENING THROUGH MEDIAN FOR LEFT TURN (L. SOUTH) AND THROUGH TO BE FINALIZED DURING FINAL ENGINEERING REVIEW.
 17. RELOCATE/REPLACE EXISTING METERBACKFLOW PREVENTOR TO SATISFACTION OF CITY.
 18. SETTING FOR RIGHT TURN AND BIKE LANE. BIKE LANE ADJ. EXISTING BIKE LANE STRIPS TO THE SOUTH.
 19. TRAFFIC SIGNAL TO BE SYNCHRONIZED WITH MEDISON AVENUE. TO BE COORDINATED WITH LEFT TURN FINAL DESIGN.
 20. REVERSE CURB OUTLET TYPE X#.
 21. STREET ORIENTATION AREA.
- NOTE: THE LOCATION OF THE EXISTING ONSITE UNDERGROUND UTILITIES IS UNCLEAN AT THIS TIME DUE TO LACK OF DOCUMENTATION. PRIOR TO PREPARATION OF FINAL CONSTRUCTION PLANS ADDITIONAL FIELD VERIFICATION WILL BE PERFORMED.

GRADING QUANTITY SUMMARY:

Parcel	Excavation	Embankment	Net fill
Offsite	246.25	1,014.00	767.75
1	33.38	62.82	29.44
2	37.41	331.40	293.99
3	34.98	458.71	423.73
4	66.30	655.85	589.55
Total onsite	172.32	1,486.78	1,314.46
Offsite + total onsite	398.57	2,500.78	2,102.21

MIN. DEPTH OF CUT: 4.00 FT
MAX. DEPTH OF FILL: 2.00 FT

IMPERVIOUS QUANTITY SUMMARY:

EXISTING	41,280 SF
PERCENTAGE OF TOTAL AREA	61.02%
PROPOSED	82,000 SF
PERCENTAGE OF TOTAL AREA	81.85%

- PARTIAL LEGEND**
- OFFSITE LANDSCAPING
 - ONSITE LANDSCAPING
 - CONCRETE
- NOTE: SEE ALSO PLANS FOR PARCELS 1, 2, 3 & 4 FOR ITEMS AND QUANTITIES FOR ONSITE PARCELS. ONSITE ITEMS ARE CALLED OUT AND QUANTIFIED ON THOSE SHEETS. EACH ITEM IS ONLY COUNTED ONCE.

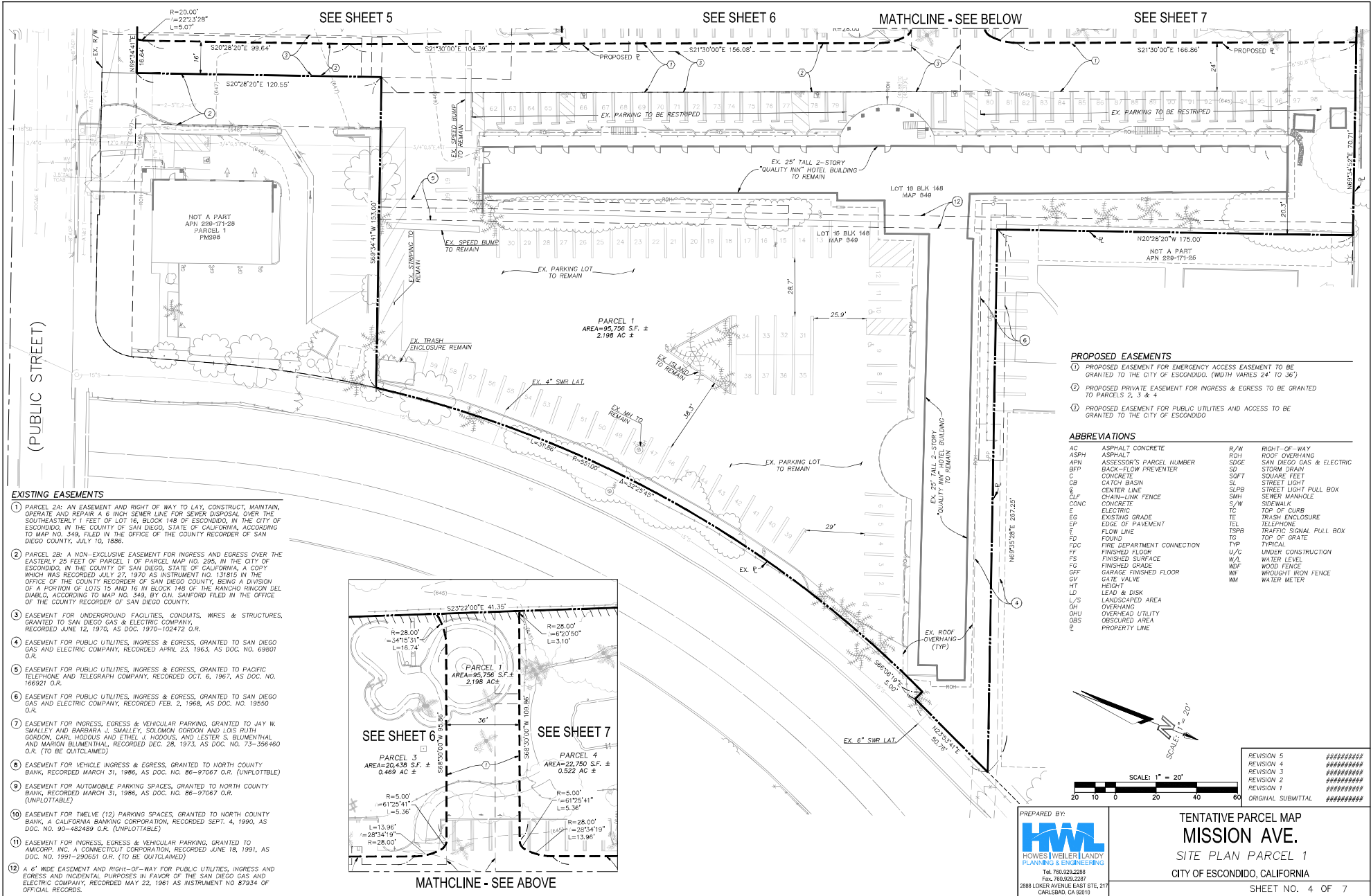
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REVISION 2	*****
REVISION 1	*****
ORIGINAL SUBMITTAL	*****



TENTATIVE PARCEL MAP
MISSION AVE.
SITE PLAN OVERALL
CITY OF ESCONDIDO, CALIFORNIA

SHEET NO. 3 OF 7

SUBMITTAL



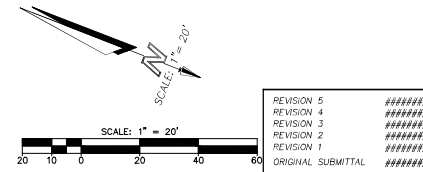
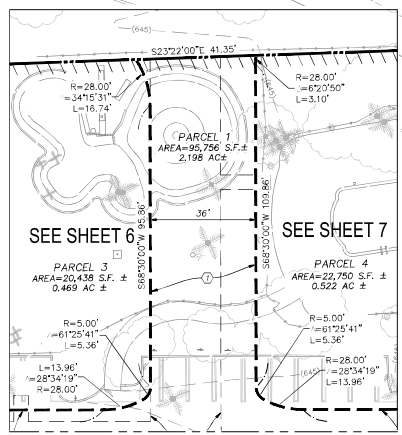
EXISTING EASEMENTS

- 1 PARCEL 2A: AN EASEMENT AND RIGHT OF WAY TO LAY, CONSTRUCT, MAINTAIN, OPERATE AND REPAIR A 6 INCH SEWER LINE FOR SEWER DISPOSAL OVER THE SOUTHEASTERLY 1 FEET OF LOT 16, BLOCK 148 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 348, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.
- 2 PARCEL 2B: A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE EASTERLY 25 FEET OF PARCEL 1 OF PARCEL MAP NO. 235, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, A COPY WHICH WAS RECORDED JULY 27, 1970 AS INSTRUMENT NO. 131815 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, BEING A DIVISION OF A PORTION OF LOTS 15 AND 16 IN BLOCK 148 OF THE RANCHO RINCON DEL DIABLO, ACCORDING TO MAP NO. 349, BY O.I.N. SANFORD FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.
- 3 EASEMENT FOR UNDERGROUND FACILITIES, CONDUITS, WIRES & STRUCTURES, GRANTED TO SAN DIEGO GAS & ELECTRIC COMPANY, RECORDED JUNE 12, 1970, AS DOC. 1970-102472 O.R.
- 4 EASEMENT FOR PUBLIC UTILITIES, INGRESS & EGRESS, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED APRIL 23, 1963, AS DOC. NO. 69807 O.R.
- 5 EASEMENT FOR PUBLIC UTILITIES, INGRESS & EGRESS, GRANTED TO PACIFIC TELEPHONE AND TELEGRAPH COMPANY, RECORDED OCT. 6, 1967, AS DOC. NO. 166921 O.R.
- 6 EASEMENT FOR PUBLIC UTILITIES, INGRESS & EGRESS, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED FEB. 2, 1968, AS DOC. NO. 19559 O.R.
- 7 EASEMENT FOR INGRESS, EGRESS & VEHICULAR PARKING, GRANTED TO JAY W. SMALLEY AND BARBARA J. SMALLEY, SOLOMON GORDON AND LOS RUTH GORDON, CARL HODOUS AND STEVE J. HODOUS, AND LESTER S. BLUMENTHAL AND MARION BLUMENTHAL, RECORDED DEC. 28, 1973, AS DOC. NO. 73-356460 O.R. (TO BE QUITCLAIMED)
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- 11 EASEMENT FOR INGRESS, EGRESS & VEHICULAR PARKING, GRANTED TO AMCORP, INC., A CONNECTICUT CORPORATION, RECORDED JUNE 18, 1991, AS DOC. NO. 1991-290951 O.R. (TO BE QUITCLAIMED)
- 12 A 6' WIDE EASEMENT AND RIGHT-OF-WAY FOR PUBLIC UTILITIES, INGRESS AND EGRESS AND INCIDENTAL PURPOSES IN FAVOR OF THE SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED MAY 22, 1961 AS INSTRUMENT NO. 87934 OF OFFICIAL RECORDS.

- PROPOSED EASEMENTS**
- 1 PROPOSED EASEMENT FOR EMERGENCY ACCESS EASEMENT TO BE GRANTED TO THE CITY OF ESCONDIDO. (WIDTH VARIES 24' TO 36')
 - 2 PROPOSED PRIVATE EASEMENT FOR INGRESS & EGRESS TO BE GRANTED TO PARCELS 2, 3 & 4
 - 3 PROPOSED EASEMENT FOR PUBLIC UTILITIES AND ACCESS TO BE GRANTED TO THE CITY OF ESCONDIDO

ABBREVIATIONS

AC	ASPHALT CONCRETE	R/W	RIGHT-OF-WAY
ASPH	ASPHALT	ROH	ROOF OVERHANG
APN	ASSESSOR'S PARCEL NUMBER	SDGE	SAN DIEGO GAS & ELECTRIC
BFP	BACK-FLOW PREVENTER	SD	STORM DRAIN
C	CONCRETE	SQFT	SQUARE FEET
CB	CATCH BASIN	SL	STREET LIGHT
CL	CENTER LINE	SLPB	STREET LIGHT PULL BOX
CLF	CHAIN-LINK FENCE	SMH	SEWER MANHOLE
CONC	CONCRETE	S/W	SIDEWALK
E	ELECTRIC	TC	TOP OF CURB
EG	EXISTING GRADE	TE	TRASH ENCLOSURE
EP	EDGE OF PAVEMENT	TEL	TELEPHONE
F	FLOW LINE	TSPB	TRAFFIC SIGNAL PULL BOX
FD	FOUND	TG	TOP OF GRATE
FDC	FIRE DEPARTMENT CONNECTION	TYP	TYPICAL
FF	FINISHED FLOOR	U/C	UNDER CONSTRUCTION
FG	FINISHED SURFACE	W/L	WATER LEVEL
FGF	FINISHED GRADE	W/F	WOOD FENCE
GF	GARAGE FINISHED FLOOR	W/F	WROUGHT IRON FENCE
GV	GATE VALVE	WM	WATER METER
HT	HEIGHT		
LD	LEAD & DISK		
L/S	LANDSCAPED AREA		
OH	OVERHANG		
OHU	OVERHEAD UTILITY		
OBS	OBSOBELED AREA		
PS	PROPERTY LINE		

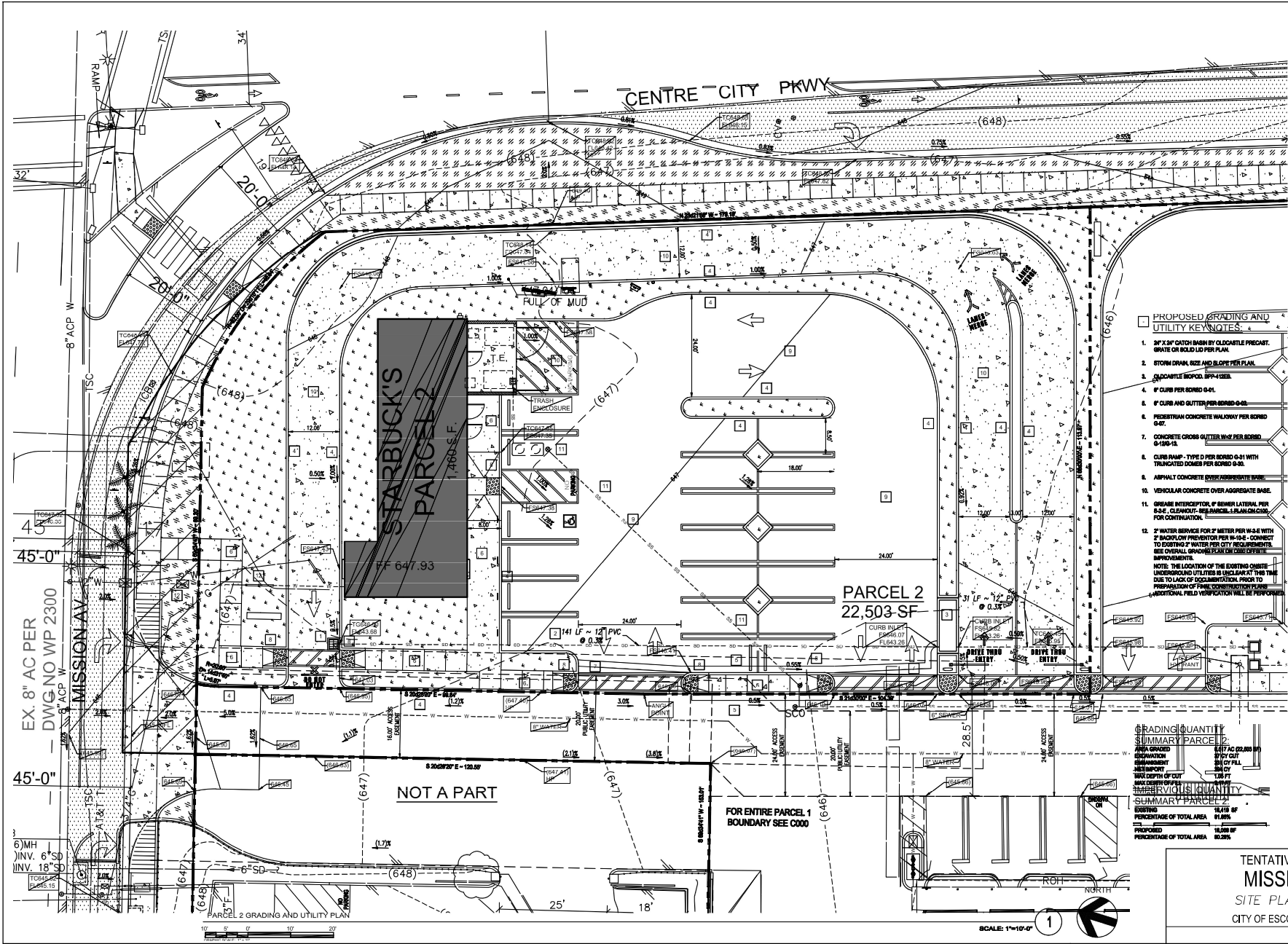


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TENTATIVE PARCEL MAP
MISSION AVE.
SITE PLAN PARCEL 1
 CITY OF ESCONDIDO, CALIFORNIA

REVISION 5 *****
 REVISION 4 *****
 REVISION 3 *****
 REVISION 2 *****
 REVISION 1 *****
 ORIGINAL SUBMITTAL *****

SHEET NO. 4 OF 7



PROPOSED GRADING AND UTILITY KEYNOTES - PARCEL 2:

NO.	DESCRIPTION	QUANTITY ESTIMATE
1.	36" x 24" CATCH BASIN BY CIRCULATE PRECAST. GRATE OR BOLD LID PER PLAN.	1 GRATE LID
2.	STORM DRAIN, SIZE AND SLOPE PER PLAN.	172 LF 12" PVC
3.	CIRCULATE BODILY, 8" x 12" x 24".	1 EACH 4' x 2'
4.	6" CURB PER BORDD 0-41.	1,200 LF
5.	6" CURB AND GUTTER PER BORDD 0-42.	48 LF
6.	PEDESTRIAN CONCRETE WALKWAY PER BORDD 0-47.	200 SF
7.	CONCRETE CROSS GUTTER W-1/2 PER BORDD 0-130-13.	327 SF
8.	CURB RAMP - TYPE D PER BORDD 0-81 WITH TRUNCATED DOMES PER BORDD 0-80.	8 EACH
9.	ASPHALT CONCRETE PAVED SUBGRADE BASE.	6,200 SF
10.	VEHICULAR CONCRETE OVER AGGREGATE BASE.	6,207 SF
11.	GREASE INTERCEPTOR, 6" REMVER LATERAL PER 6-24. CLEANOUT-REINFORCED PLANK CONCRETE FOR CONTINUATION.	81 LF
12.	3" WATER SERVICE FOR 3' METER PER W-46 WITH 2" BACKFLOW PREVENTER PER W-106 - CONNECT TO EXISTING 2" WATER PER CITY REQUIREMENTS. SEE OVERALL BIDDING PLAN FOR UTILITY IMPROVEMENTS.	34 LF

NOTE: THE LOCATION OF THE EXISTING ABOVE-GROUND UTILITIES IS UNCLEAR AT THIS TIME DUE TO LACK OF DOCUMENTATION. PRIOR TO PREPARATION OF FINAL CONSTRUCTION ISSUE, ADDITIONAL FIELD VERIFICATION WILL BE PERFORMED.

GRADING QUANTITY SUMMARY PARCEL 2:

AREA GRADED	10,177 AC (2,200,000 SF)
ELEVATION CHANGEMENT	21' TO CUT
NEE IMPORT	24' TO FILL
NEE EXPORT	24' TO CUT
MAX. DEPTH OF CUT	7.58 FT
MAX. DEPTH OF FILL	0.00 FT

IRREGULAR QUANTITY SUMMARY PARCEL 2:

EXISTING	14,418 SF
PERCENTAGE OF TOTAL AREA	61.88%
PROPOSED	10,089 SF
PERCENTAGE OF TOTAL AREA	60.29%

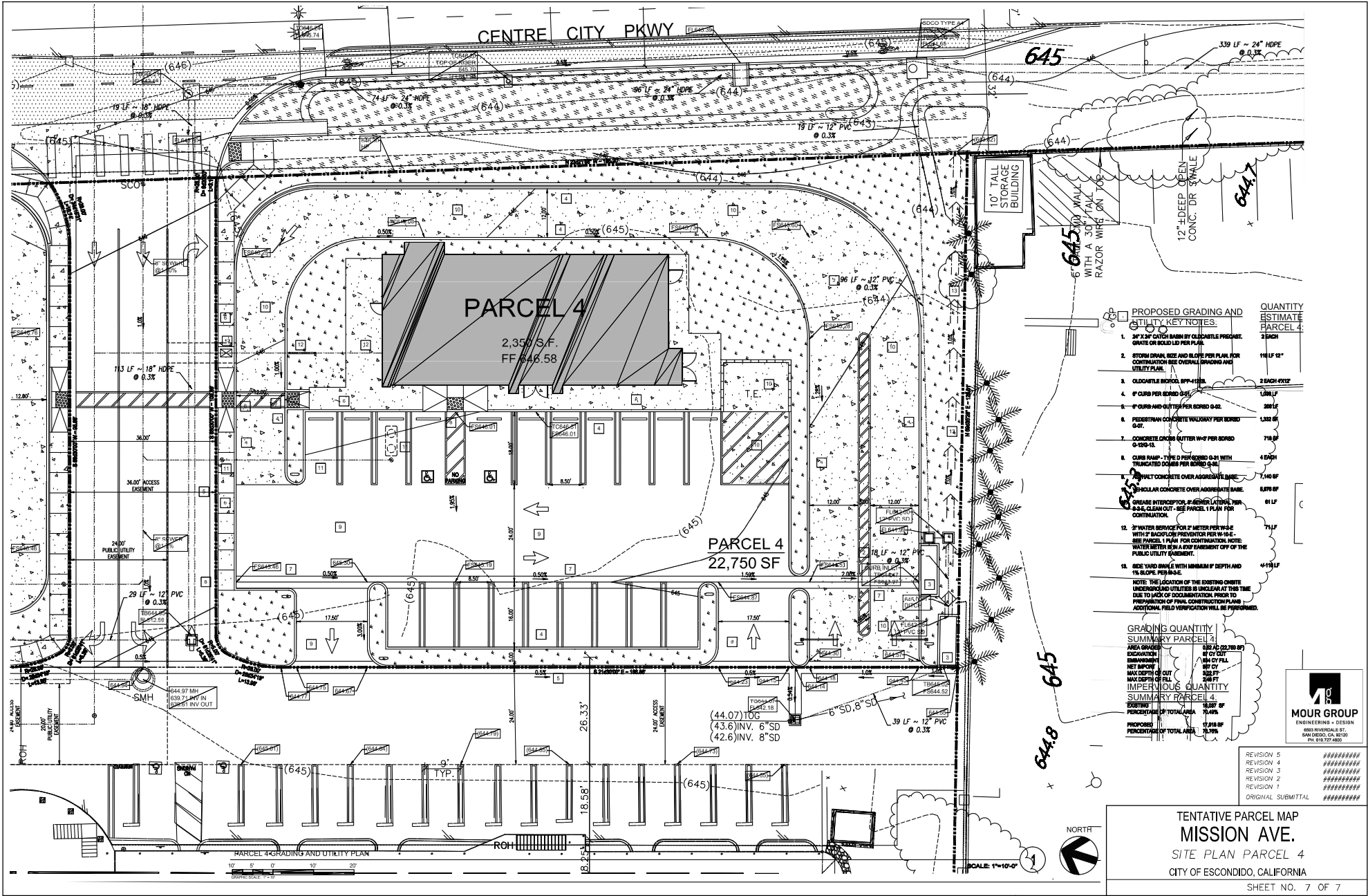


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ORIGINAL SUBMITTAL	*****

TENTATIVE PARCEL MAP
MISSION AVE.
SITE PLAN PARCEL 2
CITY OF ESCONDIDO, CALIFORNIA

SHEET NO. 5 OF 7

SUBMITTAL



- PROPOSED GRADING AND UTILITY KEY NOTES:**
- 2" X 2" CRIB BURN BY OLD/RETILE PAVEMENT GRATE OR SOLID LID PER PLAN.
 - STORM DRAIN SIZE AND SLOPE PER PLAN FOR CONTINUATION SEE OVERALL GRADING AND UTILITY PLAN.
 - CURB/TILE INCHES 8"X4"X4"
 - 4" CURB PER BORD CUT
 - 4" CURB AND GUTTER PER BORD 0.02
 - PEDESTRIAN CONCRETE WALKWAY PER BORD 0.02
 - CONCRETE CONCRETE GUTTER 18" W-9 PER BORD 0.02-0.3
 - CURB RAMP - TYPE D PER BORD 0.31 WITH TRUNCATED DOWNS PER BORD 0.31
 - SHOULDER CONCRETE OVER AGGREGATE BASE
 - ANGULAR CONCRETE OVER AGGREGATE BASE
 - CREAKS INTERCEPTOR, 36" X 60" LATERAL, PER 0.31, CLEAN OUT - SEE PARCEL 1 PLAN FOR CONTINUATION.
 - 3" WATER SERVICE FOR 1/2" METERS PER BORD WITH 4" BACK OR PREVENTOR PER 16" DE - SEE PARCEL 1 PLAN FOR CONTINUATION NOTE: WATER METERS IS A 400' SEPARATION OFF OF THE PUBLIC UTILITY EASEMENT.
 - SIDE YARD SWALE WITH MINIMUM 4" DEPTH AND 1% SLOPE PER BORD.
- NOTE: THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES IS UNCLEAR AT THIS TIME DUE TO LACK OF DOCUMENTATION PRIOR TO PREPARATION OF FINAL CONSTRUCTION PLANS. ADDITIONAL FIELD VERIFICATION WILL BE PERFORMED.

GRAVING QUANTITY SUMMARY PARCEL 4

AREA GRADES	637.70 (25,720 SF)
EXCAVATION	81 CY CUT
EMBANKMENT	189 CY FILL
NET IMPORT	108 CY
MAX DEPTH @ CUT	3.02 FT
MAX DEPTH @ FILL	2.64 FT

IMPERVIOUS QUANTITY SUMMARY PARCEL 4

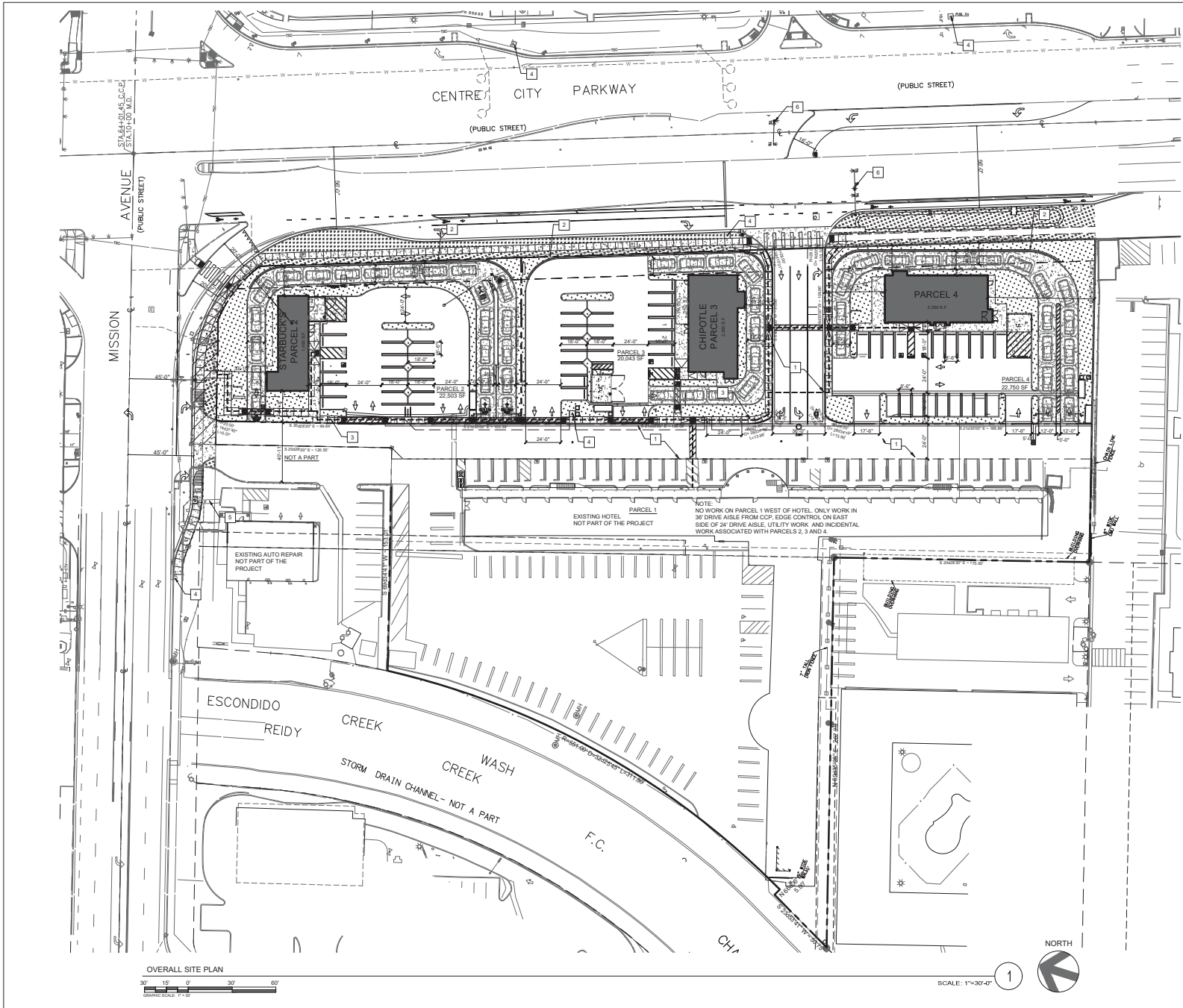
EXISTING	18,007 SF
PERCENTAGE OF TOTAL AREA	19.0%
PROPOSED	12,816 SF
PERCENTAGE OF TOTAL AREA	28.1%

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 REVISION 1 *****
 ORIGINAL SUBMITTAL *****



TENTATIVE PARCEL MAP
MISSION AVE.
 SITE PLAN PARCEL 4
 CITY OF ESCONDIDO, CALIFORNIA

SCALE: 1"=10'-0"
 NORTH



VICINITY MAP



PROJECT DESCRIPTION

THE PROJECT PROPOSES TO CONSTRUCT THREE DRIVE-THRU RESTAURANTS ON AN EXISTING DEVELOPED SITE. THE SITE WILL BE DIVIDE INTO FOUR PARCELS: 2-4 WILL FOR THE DRIVE-THRU RESTAURANTS. PARCEL 1 IS FOR THE EXISTING HOTEL. THE PROJECT PROPOSED OF SITE IMPROVEMENT INCLUDING THE RIGHT TURN LANE FROM MISSION TO CENTER CITY PARKWAY AND LEFT TURN POCKET INTO THE SITE INCLUDING TRAFFIC SIGNALING.

PROJECT NOTES

CONDITIONAL USE PERMIT
CASE NUMBER: PL24-0057, PL24-0198, PL22-0398, PL22-0397, PL22-0398
ADDRESS: SOUTH EAST CORNER OF MISSION AVE AND CENTER CITY PARKWAY
APN: 229-171-29 AND 229-171-30
ZONING: C-G (GENERAL COMMERCIAL)
PROPOSED LAND USE:
FOR PARCEL 2,3 AND 4: DRIVE-THRU RESTAURANTS.
PARCEL 1: EXISTING HOTEL

SITE AREA: 3.70 ACRES ±
PARCEL 1 - 95,746 S.F. , 2.198 AC
PARCEL 2 - 22,503 S.F. , 0.516 AC
PARCEL 3 - 20,043 S.F. , 0.460 AC
PARCEL 4 - 22,750 S.F. , 0.522 AC

REQUIRED SET BACKS:
FRONT: 15' FACING CENTER CITY PARKWAY
SIDE: NONE
STREET SIDE: NONE
REAR: NONE

PROPOSED BUILDING AREA COVERAGE
PARCEL 2: 1,460 S.F. 6.60%
PARCEL 3: 2,300 S.F. 11.25%
PARCEL 4: 2,350 S.F. 10.62%

PARKING:
REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
PROVIDED: 20 SPACES AT PARCELS 2, 3, 4.
PARCEL 1 EXISTING.
SIZE: 8'-6"x18'-0" STANDARD
9'-0" x 180'-0" ACCESSIBLE

PROJECT DIRECTORY

OWNER 501 WEST MISSION, LLC 14483 OLD CREEK ROAD SAN DIEGO, CA 92131	LANDSCAPE ARCHITECT MSLA 300 CANYON FALLS DRIVE FOLSOM, CA 95630	ARCHITECTURE/STRUCTURAL ENGINEERING MOUR GROUP ENGINEERING + DESIGN 6595 RIVERDALE STREET SAN DIEGO, CA 92120 (619) 727-4800 ATTN: GLENN MOURTIZEN JOSEPH SKIMMING
PLANNING AND MAPPING HWL 2988 LOCKER AVE E., STE 217 CARLSBAD, CA 92010 760-629-2280 ATTN: STAN WEILER	CIVIL ENGINEER MOUR GROUP ENGINEERING + DESIGN 6595 RIVERDALE STREET SAN DIEGO, CA 92120 (619) 727-4800 ATTN: GLENN MOURTIZEN JOSEPH SKIMMING	

GENERAL NOTES

A. SEE CIVIL AND LANDSCAPE DRAWING FOR OFF-SITE WORK.

SITE PLAN KEY NOTES:

1. EASEMENT
2. 3' CMU SCREEN WALL
3. ACCESSIBLE PATH OF TRAVEL
4. FIRE HYDRANT
5. EXISTING POLE SIGN
6. PROPOSED TRAFFIC SIGNAL

Revisions:



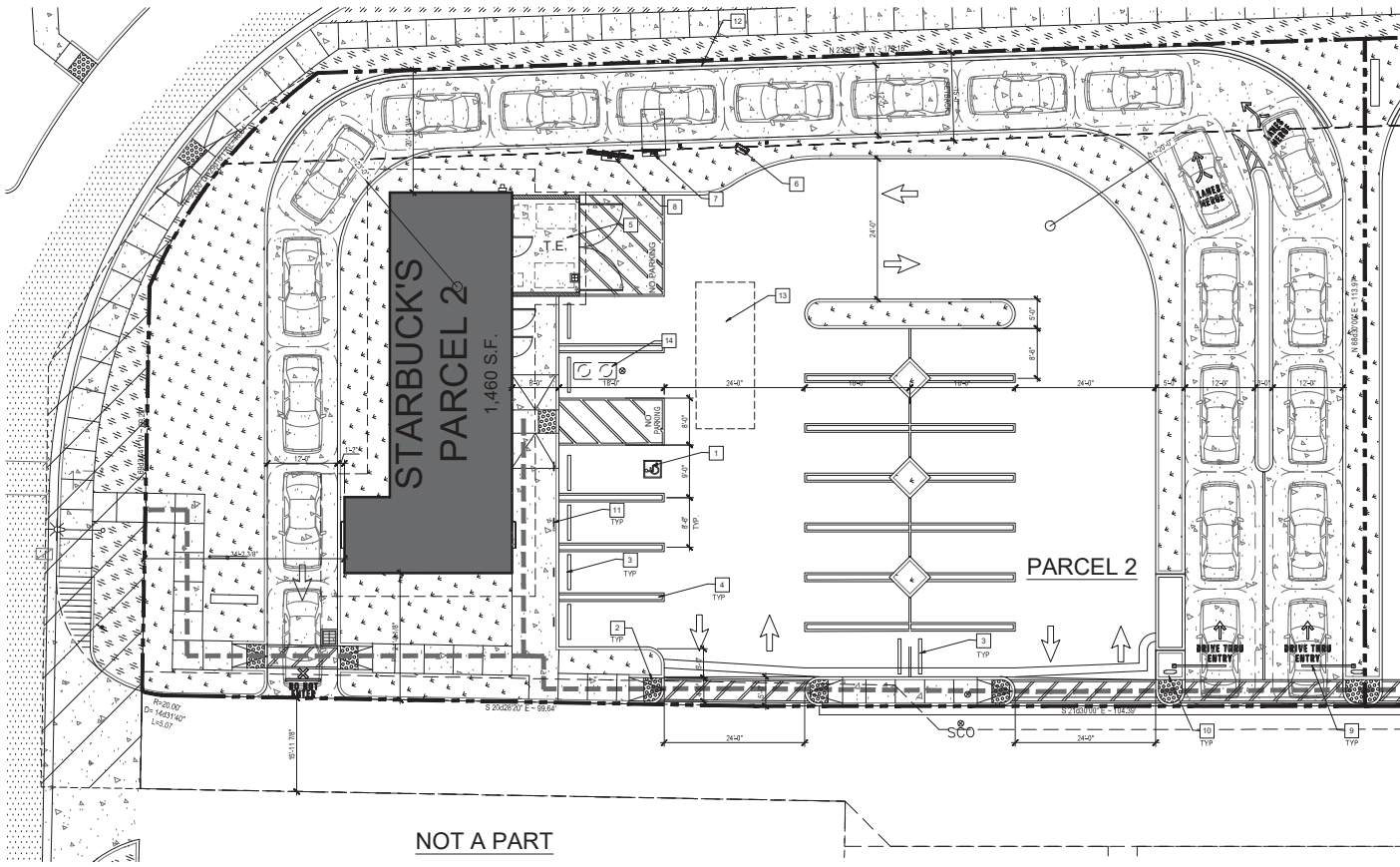
PROPOSED DEVELOPMENT
PARCEL 2
CENTRE CITY PARKWAY AND MISSION AVENUE
ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

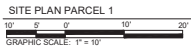
CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN
SHEET TITLE:
OVERALL SITE PLAN

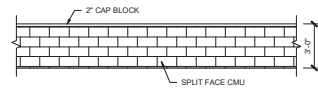
SHEET #
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NOT A PART



SCALE: 1"=10'-0" 1



TYPICAL SCREEN WALL SCALE: 1/4"=1'-0" 2

PARCEL 2 INFORMATION

PARCEL 2 AREA - 22,096 S.F.
 PROPOSED BUILDING AREA 1,460 S.F. COVERAGE 6.59% PROPOSED
 OCCUPANCY: A2B DRIVE THRU RESTAURANT
 NOTE: PROPOSED BUILDING WILL A DRIVE-THRU ONLY, NO CUSTOMER SEATING
 CONSTRUCTION TYPE: V6 - NO SPRINKLERS
 PARKING:
 REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
 PROVIDED: 20 SPACES AT PARCELS 2, 3, 4.
 SIZE: 8'-0" X 18'-0" STANDARD
 9'-0" X 180'-0" ACCESSIBLE

SITE PLAN KEY NOTES:

1. ACCESSIBLE PARKING STALL
2. CURB RAMP WITH TRUNCATED DOMES
3. WHEEL STOP
4. PARKING STRIPING
5. TRASH ENCLOSURE, WITH 6'-0" CMU WALLS, METAL GATES AND ROOF.
6. PRE-ORDER BOARD, BY TENANT UNDER SEPARATE PERMIT
7. ORDER SCREEN, BY TENANT UNDER SEPARATE PERMIT
8. MENU BOARD, BY TENANT UNDER SEPARATE PERMIT
9. HEIGHT RESTRICTION BAR, BY TENANT UNDER SEPARATE PERMIT
10. DRIVE-THRU SIGN, BY TENANT UNDER SEPARATE PERMIT
11. MOBILE ORDER PICK-UP SIGN BY TENANT
12. 3 FOOT HIGH CMU SCREEN WALL. SEE DETAIL 2 BELOW.
13. 10'-0" X 25'-0" X 14 HIGH LOADING AREA
14. GREASE INTERCEPTOR

SITE PLAN LEGEND

- INDICATES LANDSCAPING, SEE LANDSCAPE PLANS
- INDICATES CONCRETE PAVING
- INDICATES PATH ACCESSIBLE OF TRAVEL

Revisions:



PROJECT: PROPOSED DEVELOPMENT PARCEL 2
 CENTRE CITY PARKWAY AND MISSION AVENUE
 ESCONDIDDO, CA 92025

CLIENT: 501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
 PROJECT NO.: WM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
 ENLARGED SITE PLAN PARCEL 2

SHEET #
 AS201

PARCEL 2 DEVELOPMENT

501/503 MISSION AVE, ESCONDIDO
 PL24-0057, PL22-0396, PL22-0397, PL22-0398, PL24-0198

CENTRE CITY PARKWAY

LANDSCAPE DESIGN STATEMENT

THE PROPOSED LANDSCAPE HAS BEEN DESIGNED TO MEET THE REQUIREMENTS OF THE APPLICABLE SECTIONS OF THE CITY OF ESCONDIDO ZONING CODE.

THE PROJECT PROPOSES FRONTAGE, PERIMETER AND PARKING LOT PLANTER DESIGN TO SATISFY ZONING CODE SECTIONS 33-760, BORDER-BARRICADES, SCREENING AND LANDSCAPING AND SECTION 33-1339, STANDARDS FOR LANDSCAPING.

WATER CONSERVATION GOALS SHALL BE MET THROUGH THE USE OF LOW WATER USE PLANT SELECTIONS GROUPED TOGETHER IN IRRIGATION HYDROZONES OF SIMILAR WATER USE PLANTS. A WEATHER-BASED IRRIGATION CONTROLLER SHALL BE USED TO OPERATE THE IRRIGATION SYSTEM TO ACHIEVE AUTOMATIC SEASONAL WATER REQUIREMENT ADJUSTMENTS.

PER CITY ZONING CODE, THE LANDSCAPE DESIGN SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO THE FOLLOWING REQUIREMENTS:

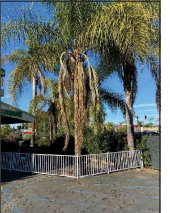
- PROPOSED LANDSCAPING SHOULD USE WATER CONSERVING PLANT MATERIALS THAT ARE NATIVE TO THE SAN DIEGO REGION OR ARE ADAPTED TO A HOT DRY SUMMER/COOL WINTER CLIMATE.
- EXISTING VEGETATION SHALL BE INCORPORATED INTO THE LANDSCAPE DESIGN WHERE POSSIBLE.
- APPLICABLE REQUIREMENTS OF OFF-STREET PARKING STANDARDS, SECTIONS 33-760 THROUGH 33-769.
- TREES SHALL CONTAIN A MIX OF EVERGREEN AND DECIDUOUS VARIETIES AND SHALL BE A MINIMUM 15-GALLON CONTAINER AT THE TIME OF PLANTING.

A FINAL IRRIGATION DESIGN PLAN SHALL BE INCLUDED WITH THE PERMIT DRAWINGS COMPLETED FOR THE SITE DURING IMPROVEMENT PLAN PREPARATION.

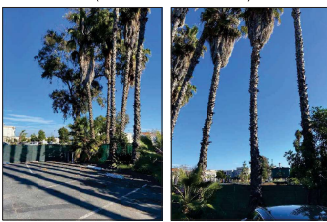
BARK MULCH (LOCALLY SOURCED IN AN EARTH TONE COLOR) TO BE INSTALLED WITHIN PLANTER AREAS.

CANDIDATE PLANT LIST

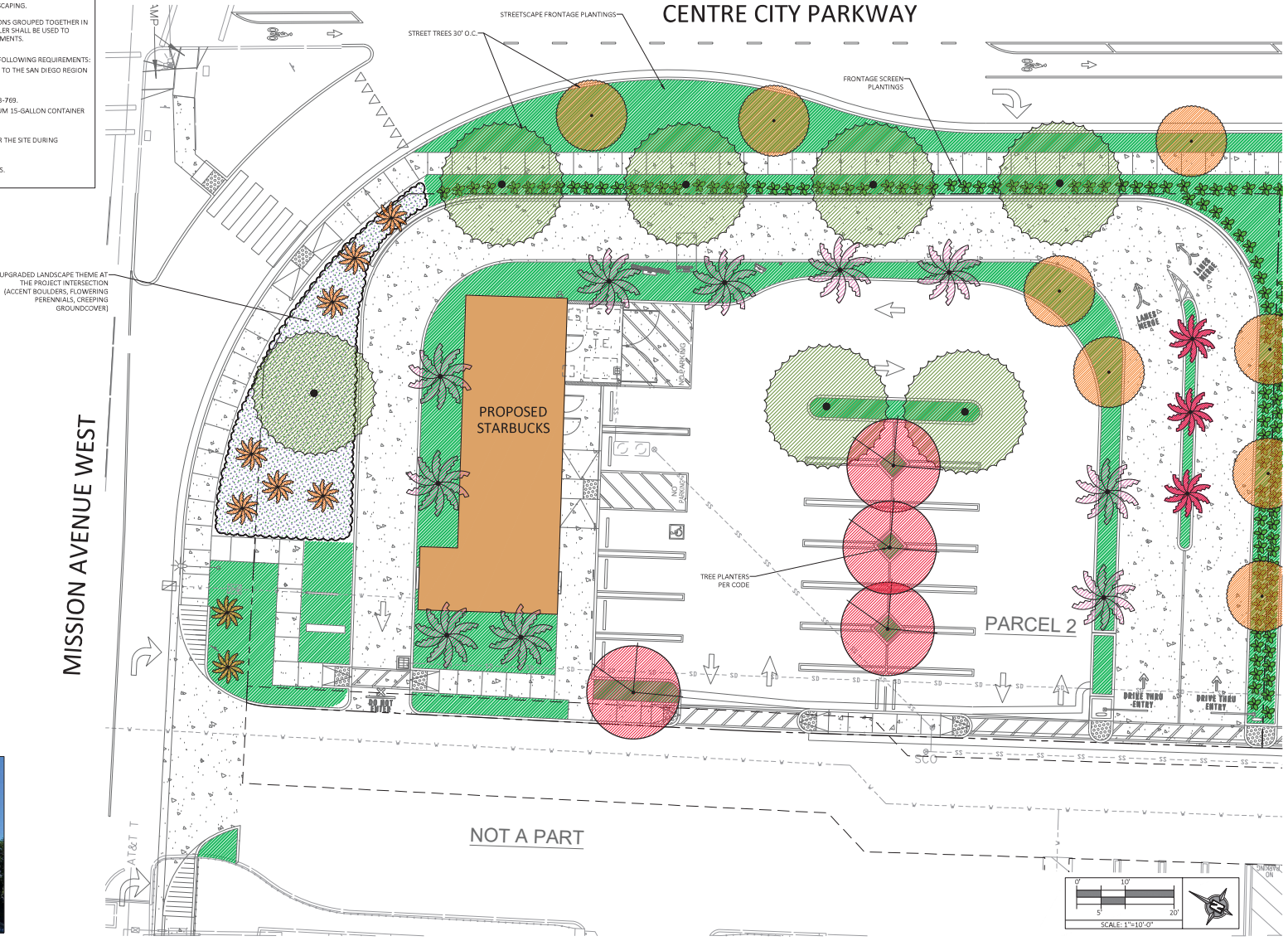
SYM	BOTANICAL/COMMON NAME
	TREES ACACIA STENOPHYLLA ARBUTUS X 'MARINA' CERCIS CANADENSIS 'FOREST PANSY' PISTACIA X 'RED PUSH'
	RELOCATED PALM TREES SEVERAL EXISTING PALM TREES TO BE RELOCATED: STAGNARUM ROMANOFFIANUM QUEEN PALM WASHINGTONIA ROBUSTA/ MEXICAN FAN PALM
	SHRUBS AZALEA INDICA HAPPY DAYS BUXUS MICROPHYLLA JAPONICA 'WINTER GEM' BULBINE FRUTESCENS 'HALLMARK' BOUGAINVILLEA 'TORCH GLOW' CALAMAGROSTIS X ACUTIFLORA KARL FOKERSTER DIANELLA REVOLUTA EUDORPIS JAPONICUS SILVER KING KNIPHOFIA 'ORANGE BLAZE' LANTANA X 'NEW GOLD' PENNISTEMUM SETACEUM 'FIREWORKS' PELARGONIUM 'AMERICAN RED' LOMANDRA LONGIFOLIA 'BREEZE' LIGUSTRUM SINENSIS 'SUNSHINE' NANDINA DOMESTICA OBSESSION
	HEDGE SHRUBS



PINK TAGGED QUEEN PALMS
 (APPROX. 15-20' FEET TALL)



RED TAGGED FAN PALMS (30+ tall)

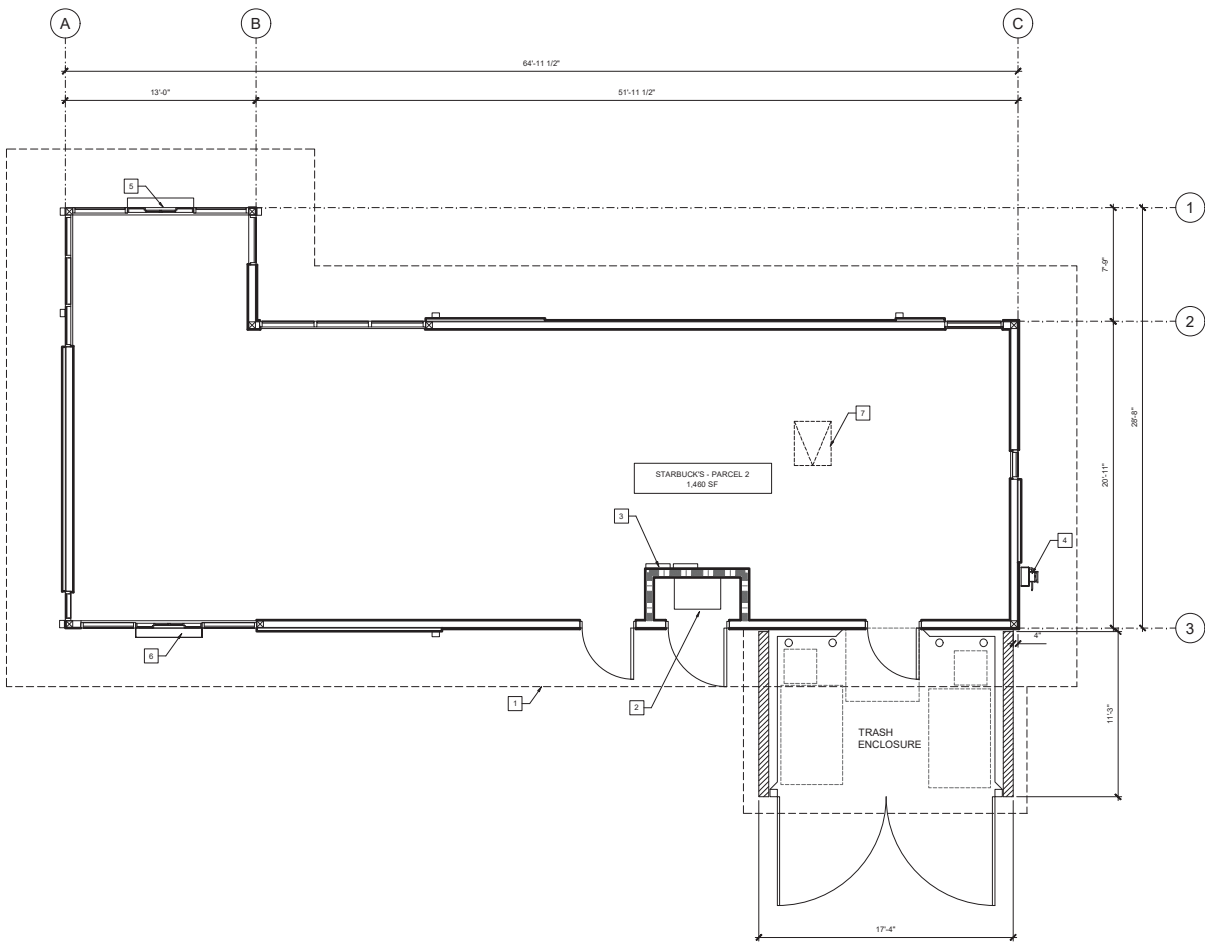


PRELIMINARY LANDSCAPE PLAN

AUGUST 27, 2024



SHEET
P1
 OF TOTAL
 1



FLOOR PLAN
SCALE: 1/4"=1'-0"
1
NORTH

GENERAL NOTES:

KEYNOTES: [X]

1. LINE OF ROOF ABOVE
2. ELECTRICAL SERVICE PANEL
3. ELECTRICAL PANELS
4. GAS METER
5. DRIVE-THRU WINDOW.
6. WALK-UP WINDOW.
7. ROOF ACCESS HATCH.

LEGEND

Revisions:

1	
2	
3	
4	
5	



PROJECT
**PROPOSED DEVELOPMENT
PARCEL 2**
ARAWAKO, SAN MATEO MISSION AVENUE
CENTRE CITY, SAN DIEGO, CA 92105

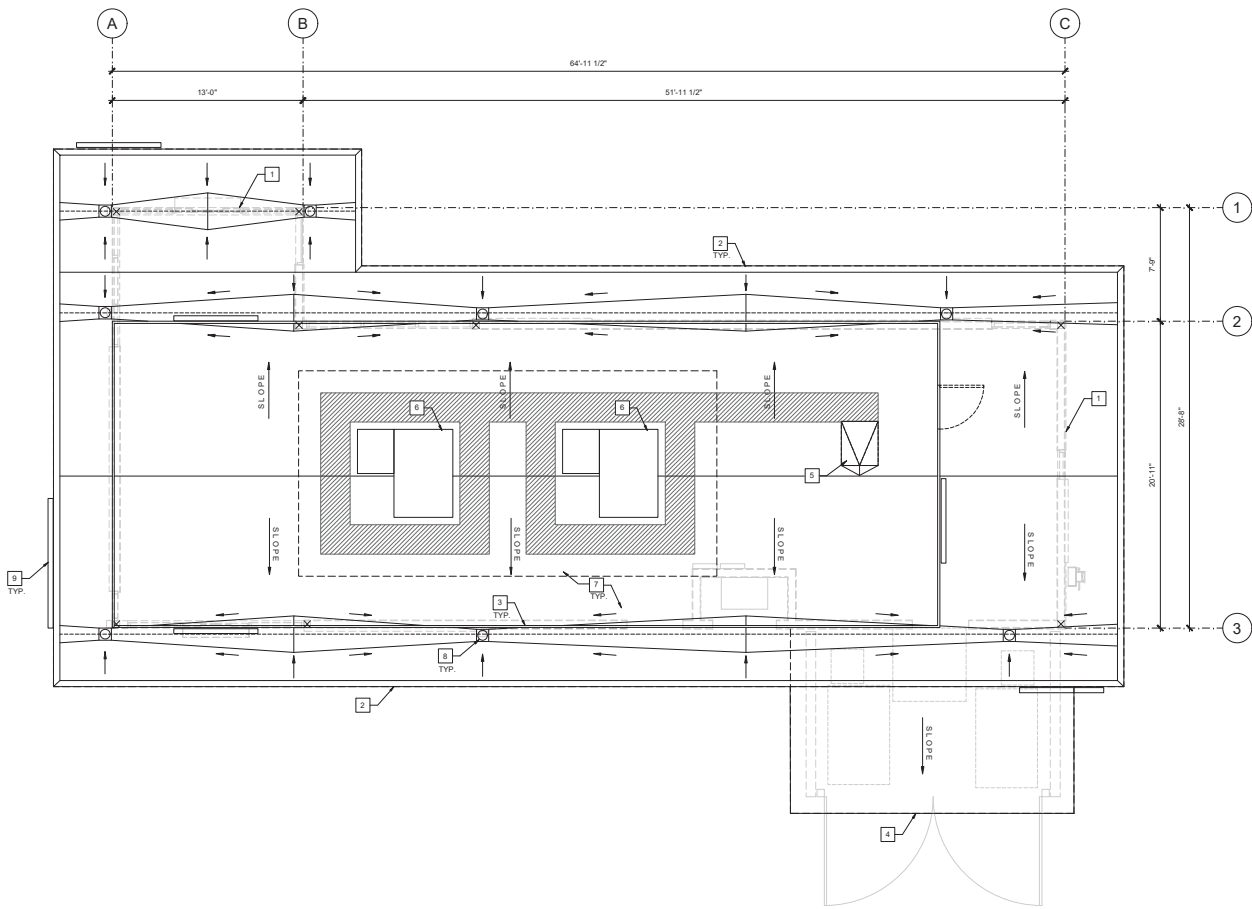
CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
**FLOOR PLAN
PARCEL 2**

SHEET #
A200

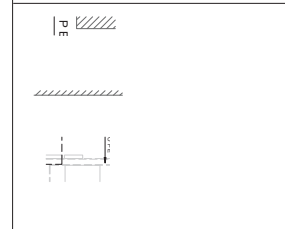


ROOF PLAN
SCALE: 1/4"=1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"
NORTH

GENERAL NOTES:

- KEYNOTES:** [X]
1. LINE OF WALL BELOW.
 2. EDGE OF ROOF
 3. SCREEN WALL.
 4. METAL TRASH ENCLOSURE ROOF.
 5. ROOF HATCH.
 6. MECHANICAL EQUIPMENT.
 7. TPO ROOFING OVER TAPERED INSULATION
 8. ROOF DRAIN
 9. BUILDING SIGNAGE.

LEGEND



Revisions:



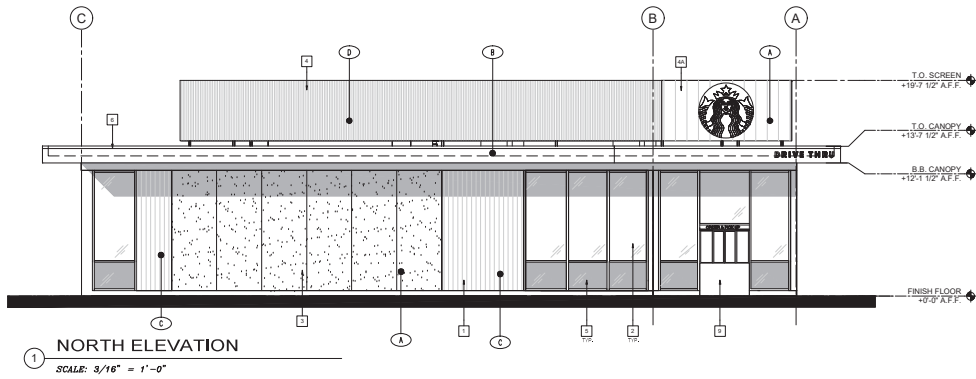
PROJECT
PROPOSED DEVELOPMENT
PARCEL 2
CENTRE CITY PARKWAY, MISSION AVENUE
ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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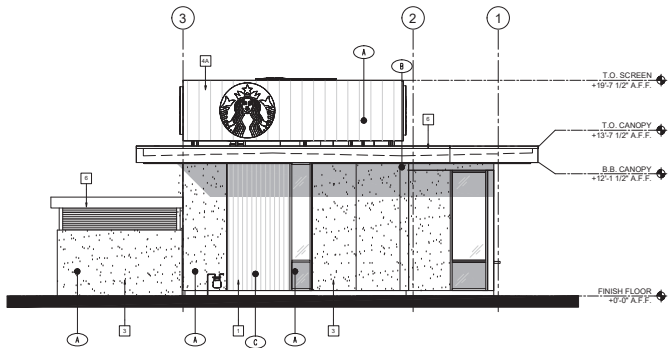
DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN
SHEET TITLE:
ROOF PLAN

SHEET #
A201



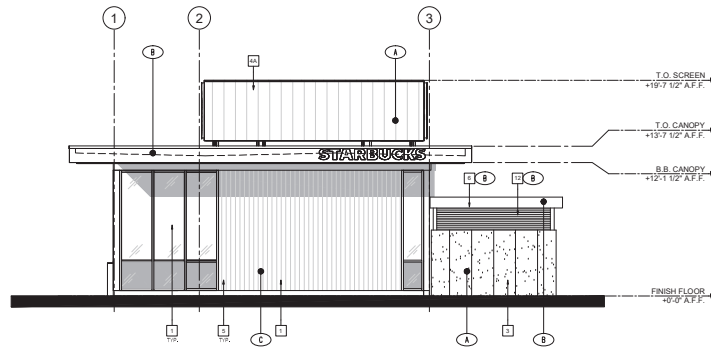
NORTH ELEVATION

SCALE: 3/16" = 1'-0"



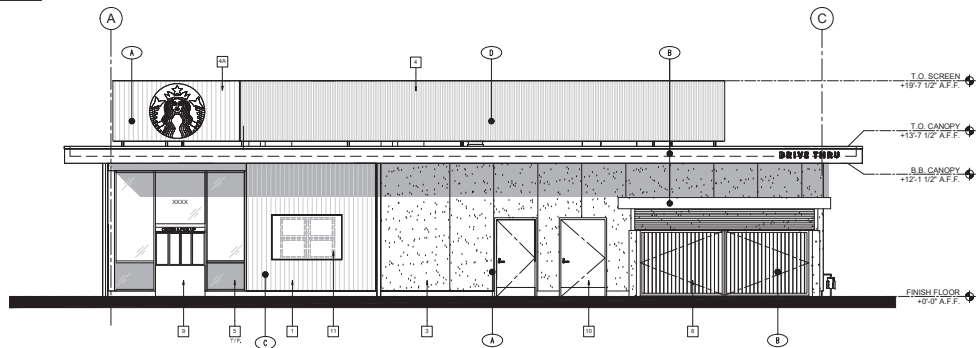
EAST ELEVATION

SCALE: 3/16" = 1'-0"



WEST ELEVATION

SCALE: 3/16" = 1'-0"



SOUTH ELEVATION

SCALE: 3/16" = 1'-0"

ELEVATION GENERAL NOTES

- A. COMPOSITE WOOD SIDING: TREX CLADDING - TIKI TORCH
- B. STUCCO TO BE 3 COAT CEMENT PLASTER AND LATH OVER WATER RESISTIVE BARRIER, WITH INTEGRAL COLOR.

ELEVATIONS KEY NOTES:

- 1. VERTICAL COMPOSITE WOOD SIDING
- 2. ALUMINUM STOREFRONT.
- 3. STUCCO FINISH
- 4. EQUIPMENT SCREEN - WIDE RIBBED PANEL, VERTICAL.
- 4A. EQUIPMENT SCREEN - NARROW RIBBED PANEL, VERTICAL.
- 5. METAL PANEL TO MATCH STOREFRONT FRAME
- 6. METAL PANEL FASCIA.
- 7. PAINTED HORIZONTAL METAL LOUVER.
- 8. METAL TRASH ENCLOSURE DOORS PAINTED.
- 9. SOLID SURFACE PANELS AT PICK-UP WINDOW
- 10. ELECTRICAL SERVICE PANEL
- 11. SIGNAGE PANELS BY TENANT UNDER SEPARATE PERMIT
- 12. METAL LOUVERS.

EXTERIOR COLOR SCHEDULE

- A. SHERWIN WILLIAMS SW 7042 SHOJI WHITE
- B. SHERWIN WILLIAMS SW 7074 PEPPERCORN
- C. TREX CLADDING - TIKI TORCH
- D. SHERWIN WILLIAMS SW 7045 INTELLECTUAL GRAY

Revisions:

MOUR GROUP
ENGINEERING + DESIGN
6593 RIVERDALE ST.
SAN DIEGO, CA 92120
PH. 619.727.4800

PROJECT
**PROPOSED DEVELOPMENT
PARCEL 2**
CENTRE CITY PARKWAY AND MISSION AVENUE
ESCONDIDO, CA 92025

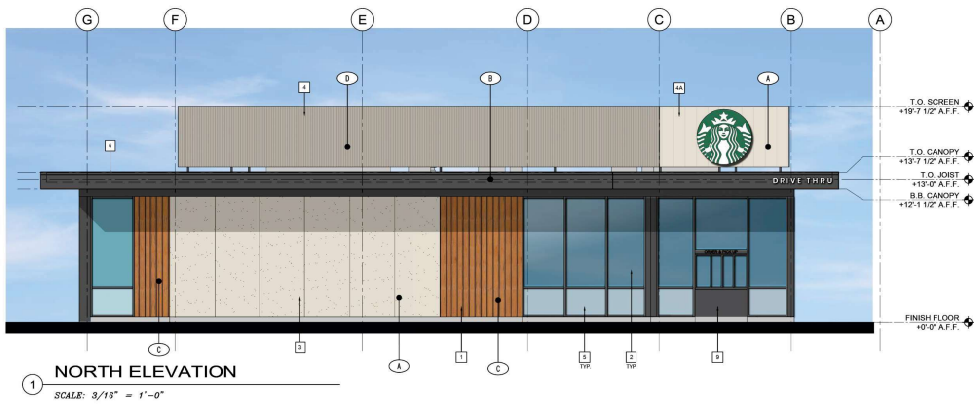
CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
**EXTERIOR
ELEVATIONS**

SHEET #
A202



1 NORTH ELEVATION
SCALE: 3/16" = 1'-0"



2 EAST ELEVATION
SCALE: 3/16" = 1'-0"



3 WEST ELEVATION
SCALE: 3/16" = 1'-0"



4 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

ELEVATION GENERAL NOTES

- A. COMPOSITE WOOD SIDING: TREX CLADDING - TIKI TORCH
- B. STUCCO TO BE 3 COAT CEMENT PLASTER AND LATH OVER WATER RESISTIVE BARRIER, WITH INTEGRAL COLOR.

ELEVATIONS KEY NOTES:

- 1. VERTICAL COMPOSITE WOOD SIDING
- 2. ALUMINUM STOREFRONT
- 3. STUCCO FINISH
- 4. EQUIPMENT SCREEN - WIDE RIBBED PANEL, VERTICAL
- 4A. EQUIPMENT SCREEN - NARROW RIBBED PANEL, VERTICAL
- 5. METAL PANEL TO MATCH STOREFRONT FRAME
- 6. METAL PANEL FASCIA
- 7. PAINTED HORIZONTAL METAL LOUVER
- 8. METAL TRASH ENCLOSURE DOORS PAINTED
- 9. SOLID SURFACE PANELS AT PICK-UP WINDOW
- 10. ELECTRICAL SERVICE PANEL
- 11. SIGNAGE PANELS BY TENANT UNDER SEPARATE PERMIT
- 12. METAL LOUVERS

EXTERIOR COLOR SCHEDULE

- A. SHERWIN WILLIAMS SW 7042 SHOJ WHITE
- B. SHERWIN WILLIAMS SW 7074 PEPPERCORN
- C. TREX CLADDING - TIKI TORCH
- D. SHERWIN WILLIAMS SW 7045 INTELLECTUAL 3RAY

Revisions:

1	
2	
3	
4	
5	
6	



PROJECT
PROPOSED DEVELOPMENT
PARCEL 2
 CENTRE CITY, SAN DIEGO AVENUE
 ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

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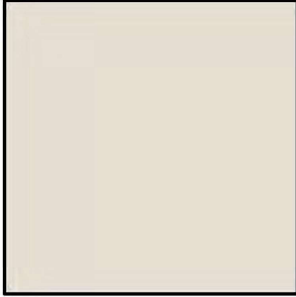
DATE: MAY 7, 2024
 PROJECT NO.: WM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
EXTERIOR ELEVATIONS

SHEET #
A203

Revisions:

EXTERIOR COLOR SCHEDULE (X)



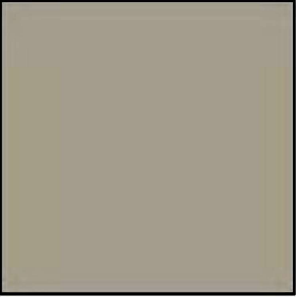
STUCCO OR WIDE RIBBED PANEL
PAINT TO MATCH
SHERWIN WILLIAMS
SW 7042 S-OJI WHITE



STUCCO OR METAL/STOREFRONT
PAINT TO MATCH
SHERWIN WILLIAMS
SW 7674 PEPPERCORN



COMPOSITE VERTICAL SIDING
TREX CLADDING
TIKI TORCH



NARROW RIBBED PANEL
PAINT TO MATCH
SHERWIN WILLIAMS
SW 7045 INTELLECTUAL GRAY



PROJECT
**PROPOSED DEVELOPMENT
PARCEL 2**
CENTRE CITY, SAN
ESCONDIDO, CA 92025

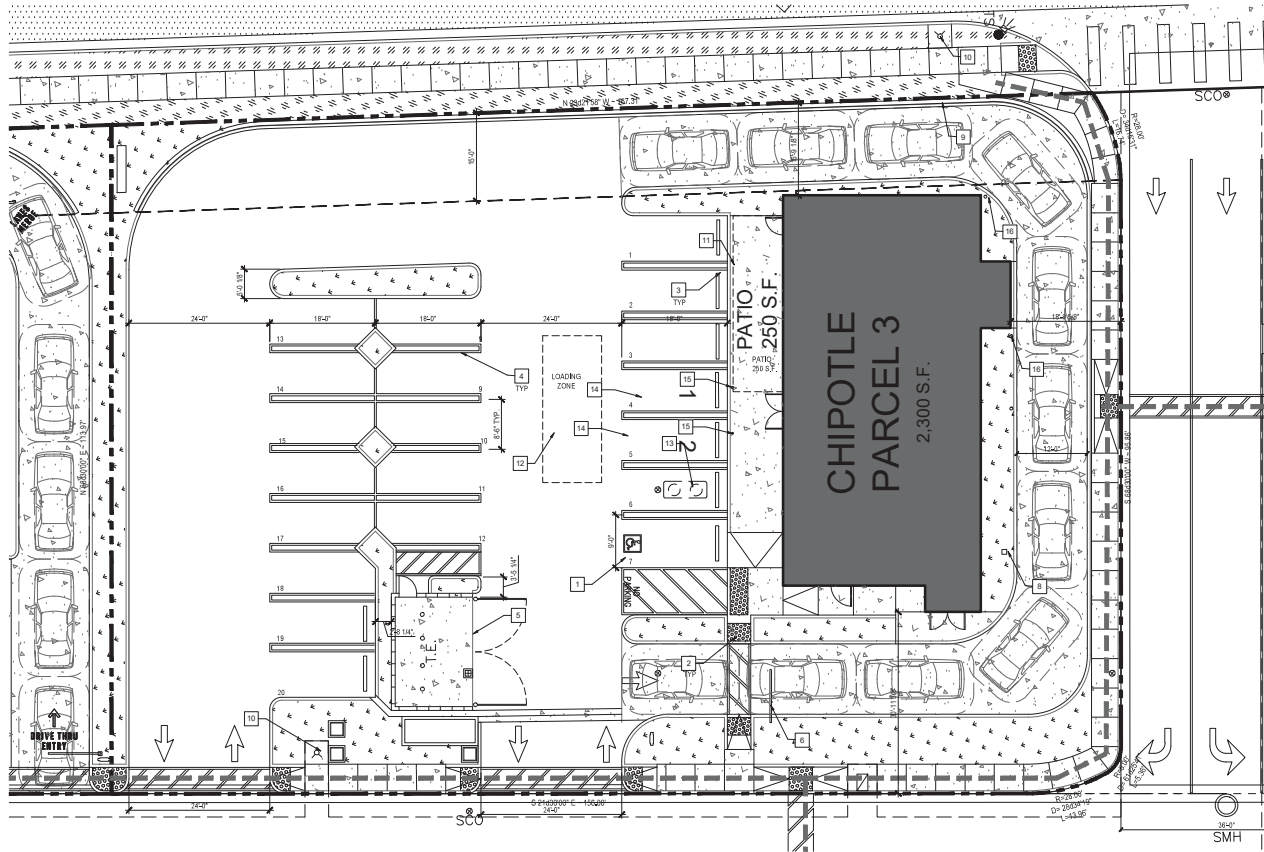
CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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EXCEPTION TO THIS PROJECT WITHOUT WRITTEN
AUTHORIZATION AND APPROPRIATE COMPENSATION
TO MOUR GROUP ENGINEERING + DESIGN.

DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
**COLOR AND
MATERIAL BOARD**

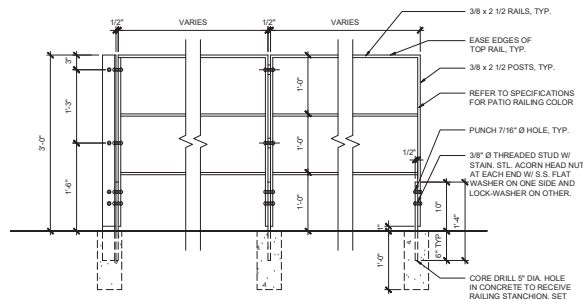
SHEET #
A204



SITE PLAN PARCEL 3



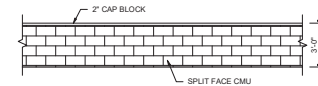
SCALE: 1"=10'-0"



PATIO RAILING

SCALE: 1/4"=1'-0"

3



TYPICAL SCREEN WALL

SCALE: 1/4"=1'-0"

2

PARCEL 3 INFORMATION

PARCEL 3 AREA - 20,428 S.F.
 PROPOSED BUILDING AREA COVERAGE 11.06%
 PARCEL 3 2,300 S.F.
 OCCUPANCY: A2 DRIVE THRU RESTAURANT
 CONSTRUCTION TYPE: VB - NO SPRINKLERS
 PARKING:
 REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
 PROVIDED: 20 SPACES
 SIZE: 8'-6" X 18'-0" STANDARD
 9'-0" X 18'-0" ACCESSIBLE

SITE PLAN KEY NOTES:

1. ACCESSIBLE PARKING STALL
2. CURB RAMP WITH TRUNCATED DOMES
3. WHEEL STOP
4. PARKING STRIPING
5. TRASH ENCLOSURE, WITH 6'-0" CMU WALLS, METAL GATES, ROOF AND BOLLARDS
6. HEIGHT RESTRICTION BAR, BY TENANT UNDER SEPARATE PERMIT
7. DRIVE-THRU SIGN, BY TENANT UNDER SEPARATE PERMIT
8. ANNOUNCE SIGN BY TENANT UNDER SEPARATE PERMIT
9. 3 FOOT HIGH CMU SCREEN WALL. SEE DETAIL BELOW.
10. PROPOSED FIRE HYDRANT
11. PATIO RAILING, SEE DETAIL BELOW
12. 10'-0" X 25'-0" X 14' HIGH LOADING AREA
13. GREASE INTERCEPTOR
14. PULL-IN SPACES
15. PICK-UP PARKING SIGN
16. BOLLARD

SITE PLAN LEGEND

- INDICATES LANDSCAPING, SEE LANDSCAPE PLANS
- INDICATES CONCRETE PAVING
- INDICATES ACCESSIBLE PATH OF TRAVEL

Revisions:

1	
2	
3	
4	
5	



PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
 CENTRE CITY PARKWAY, SAN MATEO AVENUE
 ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
 240 EAST TELUCK COX
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

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DATE: MAY 7, 2024
 PROJECT NO.: WM2301
 DRAWN BY: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
ENLARGED SITE PLAN PARCEL 3

SHEET #
AS301

PARCEL 3 DEVELOPMENT

501/503 MISSION AVE, ESCONDIDO
 PL24-0057, PL22-0396, PL22-0397, PL22-0398, PL24-0198

LANDSCAPE DESIGN STATEMENT

THE PROPOSED LANDSCAPE HAS BEEN DESIGNED TO MEET THE REQUIREMENTS OF THE APPLICABLE SECTIONS OF THE CITY OF ESCONDIDO ZONING CODE.

THE PROJECT PROPOSES FRONTAGE, PERIMETER AND PARKING LOT PLANTER DESIGN TO SATISFY ZONING CODE SECTIONS 33-780, BORDER-BARRICADES, SCREENING AND LANDSCAPING AND SECTION 33-1339, STANDARDS FOR LANDSCAPING.

WATER CONSERVATION GOALS SHALL BE MET THROUGH THE USE OF LOW WATER USE PLANT SELECTIONS GROUPED TOGETHER IN IRRIGATION HYDROZONES OF SIMILAR WATER USE PLANTS. A WEATHER-BASED IRRIGATION CONTROLLER SHALL BE USED TO OPERATE THE IRRIGATION SYSTEM TO ACHIEVE AUTOMATIC SEASONAL WATER REQUIREMENT ADJUSTMENTS.

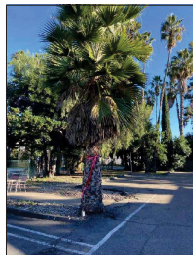
- PER CITY ZONING CODE, THE LANDSCAPE DESIGN SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO THE FOLLOWING REQUIREMENTS:
- PROPOSED LANDSCAPING SHOULD USE WATER CONSERVING PLANT MATERIALS THAT ARE NATIVE TO THE SAN DIEGO REGION OR ARE ADAPTED TO A HOT DRY SUMMER/COOL WINTER CLIMATE.
 - EXISTING VEGETATION SHALL BE INCORPORATED INTO THE LANDSCAPE DESIGN WHERE POSSIBLE.
 - APPLICABLE REQUIREMENTS OF OFF-STREET PARKING STANDARDS, SECTIONS 33-760 THROUGH 33-769.
 - TREES SHALL CONTAIN A MIX OF EVERGREEN AND DECIDUOUS VARIETIES AND SHALL BE A MINIMUM 15-GALLON CONTAINER AT THE TIME OF PLANTING.

A FINAL IRRIGATION DESIGN PLAN SHALL BE INCLUDED WITH THE PERMIT DRAWINGS COMPLETED FOR THE SITE DURING IMPROVEMENT PLAN PREPARATION.

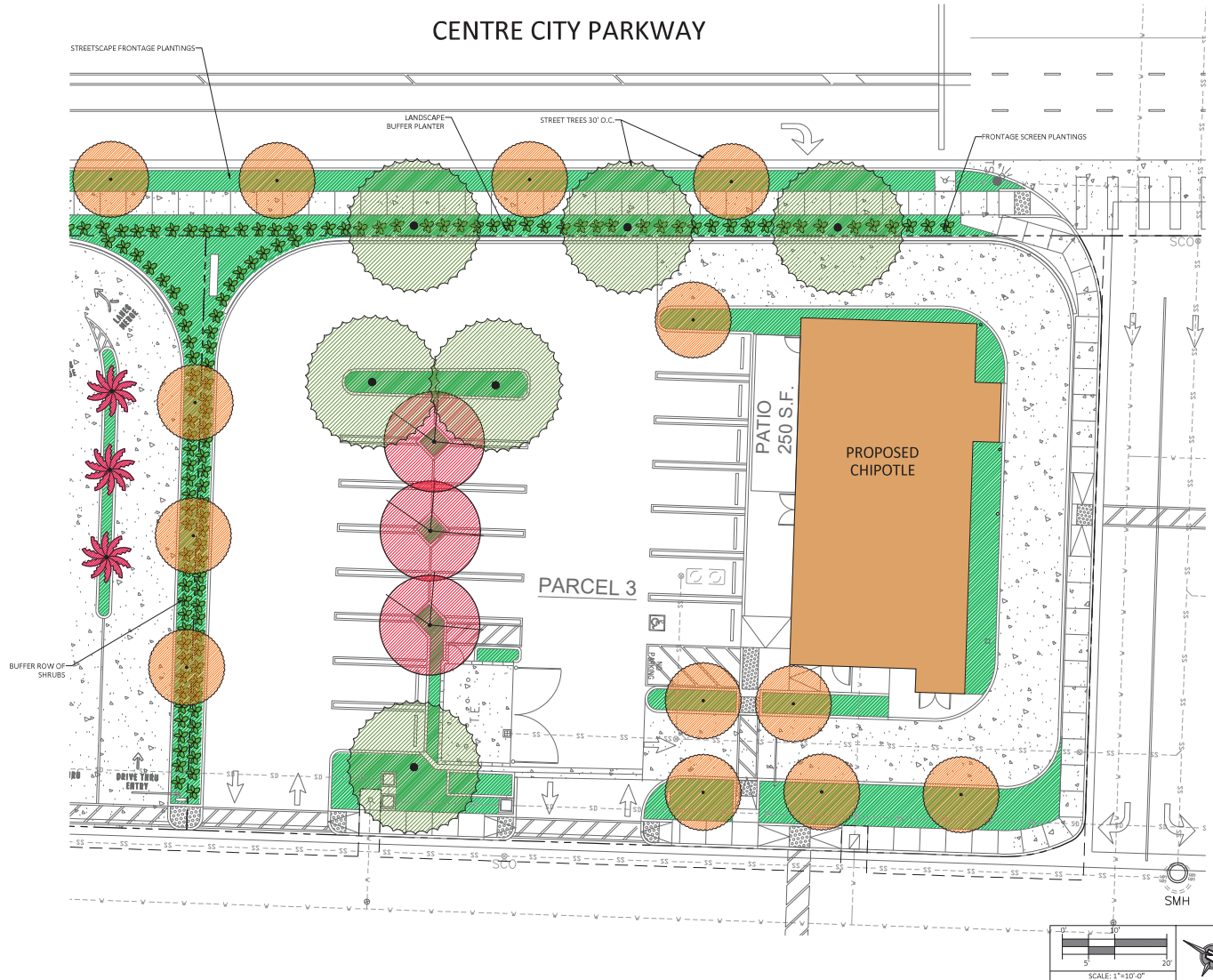
BARK MULCH (LOCALLY SOURCED IN AN EARTH TONE COLOR) TO BE INSTALLED WITHIN PLANTER AREAS.

CANDIDATE PLANT LIST

SYM	BOTANICAL/COMMON NAME
TREES	
	ACACIA STENOPHYLLA
	ARBUTUS X MARINA
	CERCIS CANADENSIS 'FOREST PANSY'
	PISTACIA X 'RED PUSH'
RELOCATED PALM TREES	
	SEVERAL EXISTING PALM TREES TO BE RELOCATED:
	SYAGRUS ROMANZOFFIANA/ QUEEN PALM
	WASHINGTONIA ROBUSTA/ MEXICAN FAN PALM
SHRUBS	
	AZALEA INDICA HAPPY DAYS
	BUXUS MICROPHYLLA JAPONICA 'WINTER GEM'
	BUISSONE FRUTESCENS 'HALLMARK'
	BOUSAINVILLEA TORCH GLOW
	CALAMAGROSTIS X ACUTIFLORA 'KARL FORSTER'
	DIANELLA REVOLUTA
	EUONYMUS JAPONICUS SILVER KING
	KNIPHOFIA 'ORANGE BLAZE'
	LANTANA X 'NEW GOLD'
	PENNISETUM SETACEUM 'FIREWORKS'
	RELBUNIONUM 'AMERICAN RED'
	LOMANDRA LONGIFOLIA 'BREEZE'
	LIGUSTRUM SINENSIS 'SUNSHINE'
	NANDINA DOMESTICA OBSESSION
	HEDGE SHRUBS



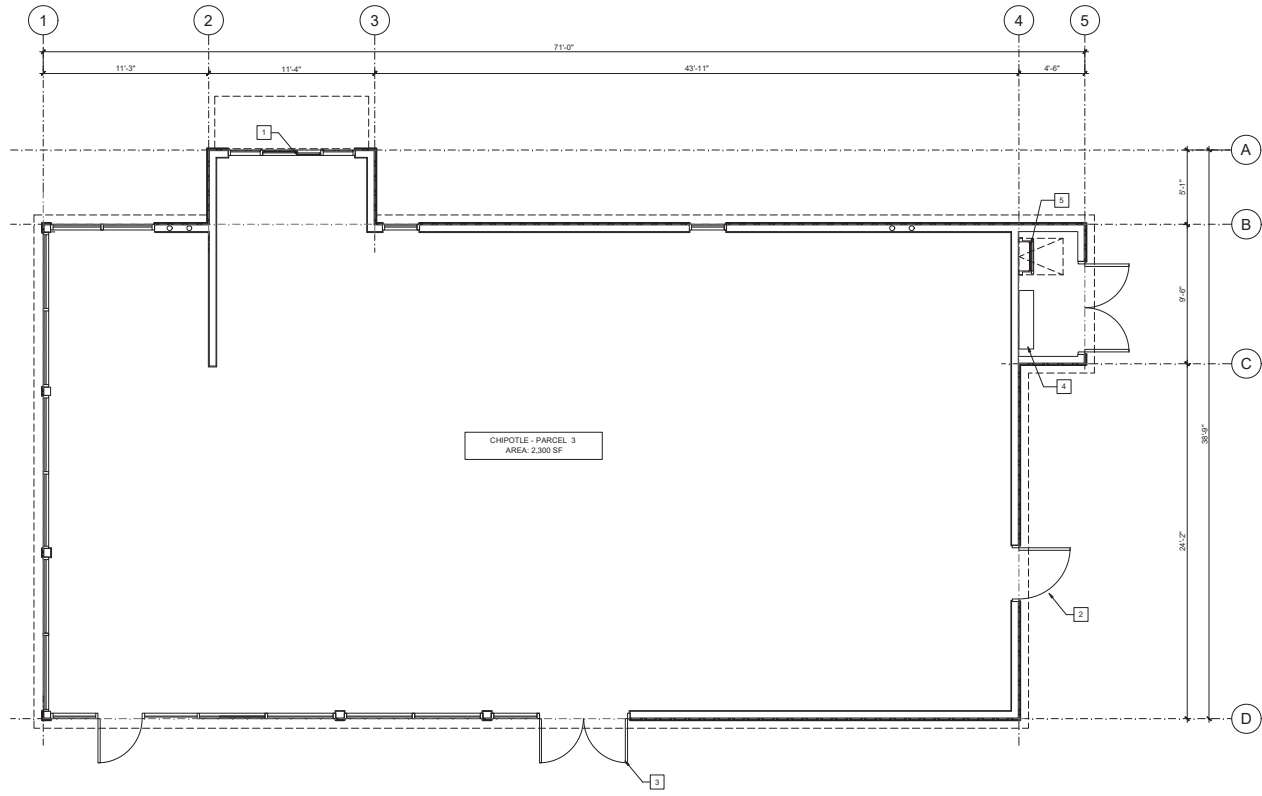
RED AND PINK TAGGED PALM
 (APPROX. 15+ FEET TALL)



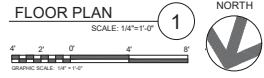
PRELIMINARY LANDSCAPE PLAN
 AUGUST 27, 2024



SHEET
P1
 OF
 TOTAL
1



CHIPOTLE - PARCEL 3
AREA: 2,300 SF



GENERAL NOTES:

KEYNOTES: [X]

1. DRIVE-THRU WINDOW.
2. SERVICE DOOR.
3. ENTRY STOREFRONT.
4. ELECTRICAL EQUIPMENT.
5. ROOF LADDER.

LEGEND

Revisions:



PROJECT
**CONDITIONAL USE PERMIT
PARCEL 3**
CENTRE CITY PARKWAY, ESCONCADO AVENUE
ESCONDIDO, CA 92025

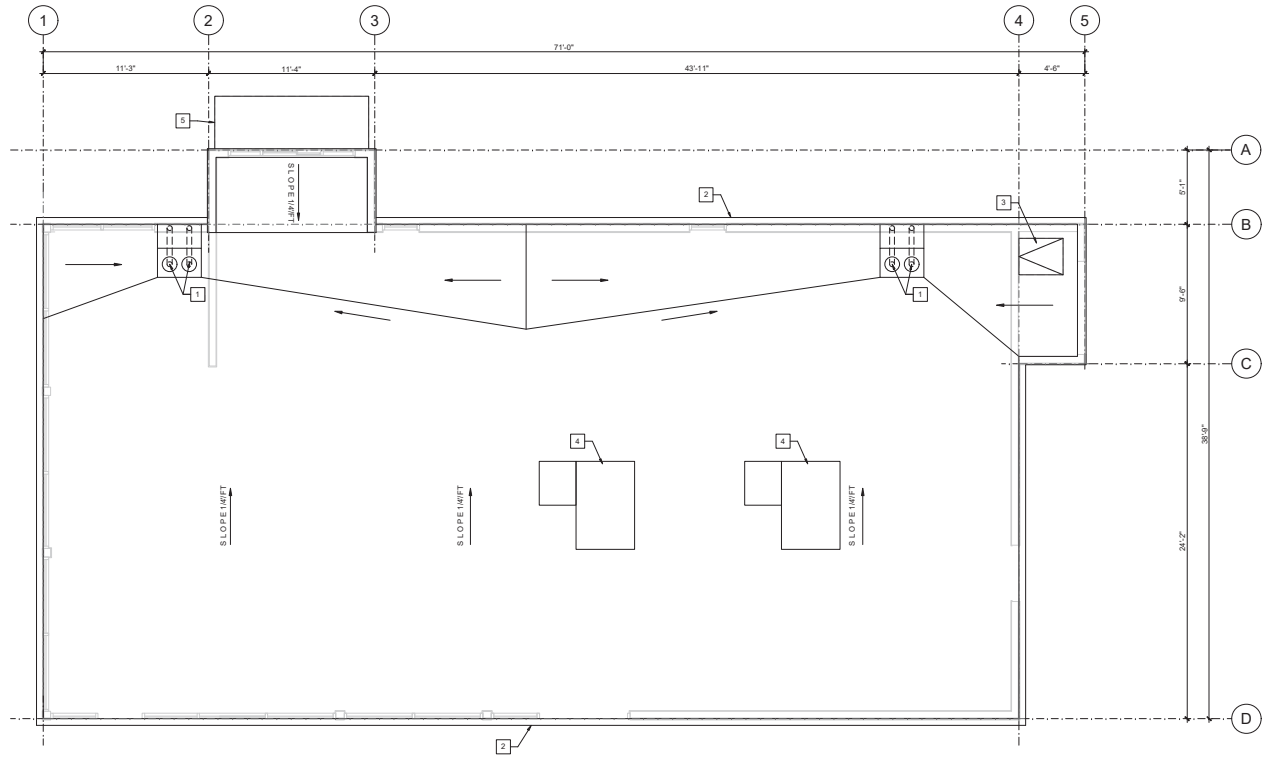
CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
**FLOOR PLAN
PARCEL 3**

SHEET #
A300



ROOF PLAN
 SCALE: 1/4" = 1'-0"
 1 NORTH

GENERAL NOTES:

- KEYNOTES:**
1. ROOF DRAIN AND OVERFLOW.
 2. PARAPET OUTLINE.
 3. ROOF HATCH.
 4. MECHANICAL EQUIPMENT.
 5. FABRIC AWNING.

LEGEND

Revisions:



PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
 CENTRE CITY, SAN DIEGO, CALIFORNIA
 ESCONDIDO, CA 92025

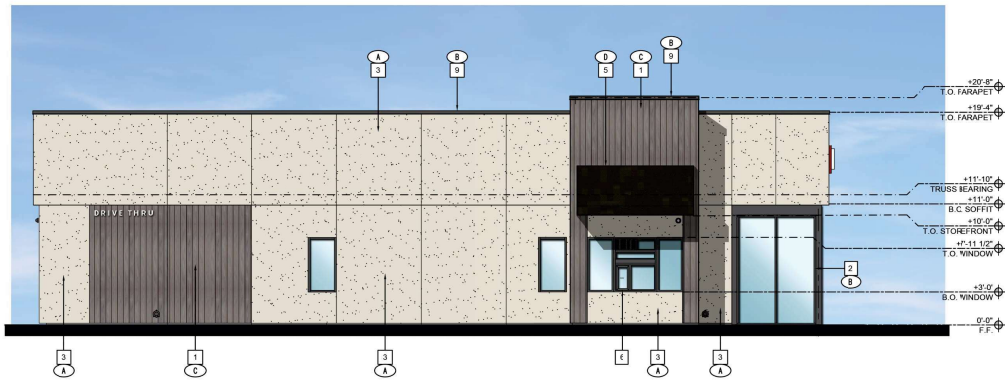
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DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
ROOF PLAN
PARCEL 3

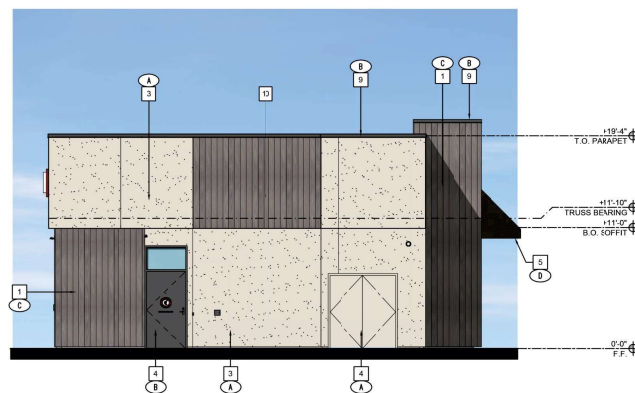
SHEET #
A301



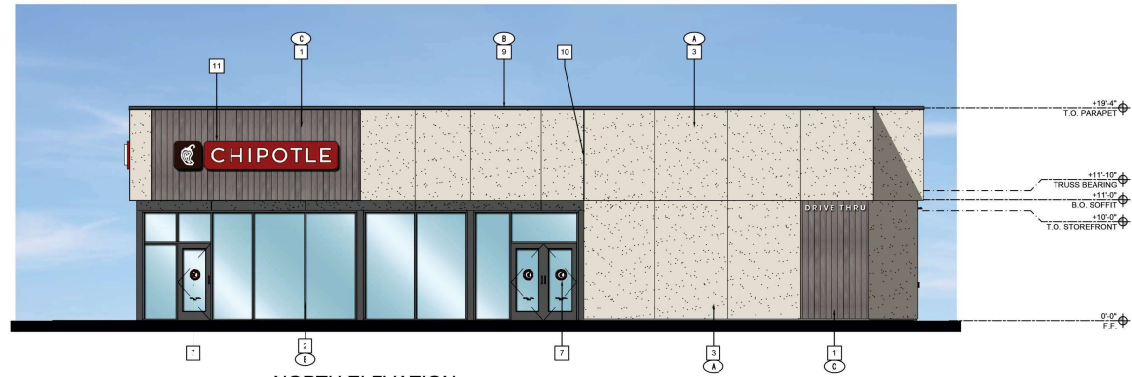
1 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



4 EAST ELEVATION
SCALE: 3/16" = 1'-0"



2 WEST ELEVATION
SCALE: 3/16" = 1'-0"



3 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

ELEVATION GENERAL NOTES

ELEVATIONS KEY NOTES: X

1. VERTICAL COMPOSITE WOOD CLADDING.
2. ALUMINUM STOREFRONT.
3. EXTERIOR STUCCO.
4. HM DOOR.
5. FABRIC AWNING.
6. ALUMINUM FRAMED WINDOW.
7. VINYL DECAL.
8. STANDING SEAM METAL ROOF.
9. MTL COPING CAP.
10. 1" REVEAL TYP.
11. SIGNAGE UNDER SEPARATE PERMIT

EXTERIOR COLOR SCHEDULE X

- A. SHERWIN WILLIAMS SW 7042 SICLI WHITE
- B. SHERWIN WILLIAMS SW 7674 PEPPERCON
- C. TREX CLADDING - ISLAND MIST
- D. BLACK SUNBRELLA FABRIC

Revisions:

MOUR GROUP
ENGINEERING + DESIGN
6039 RIVERDALE ST.
SAN DIEGO, CA 92120
PH. 619.727.4800

PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
CENTRE CITY AND MOUNTAIN AVENUE
ESCONDIDO, CA 92025

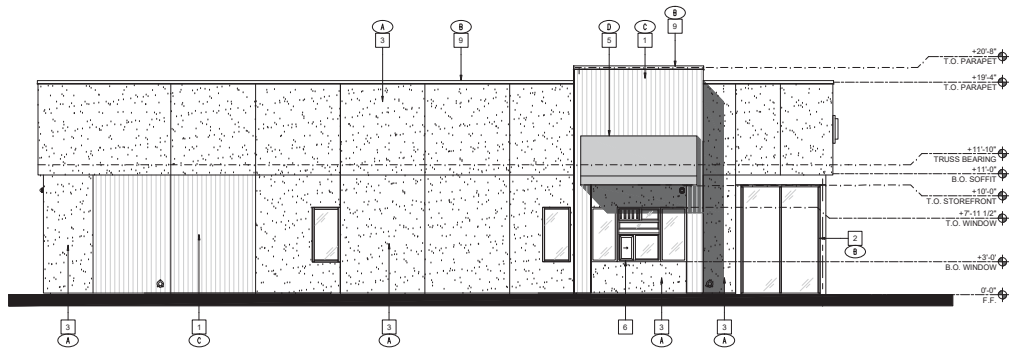
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SAN DIEGO, CA 92131

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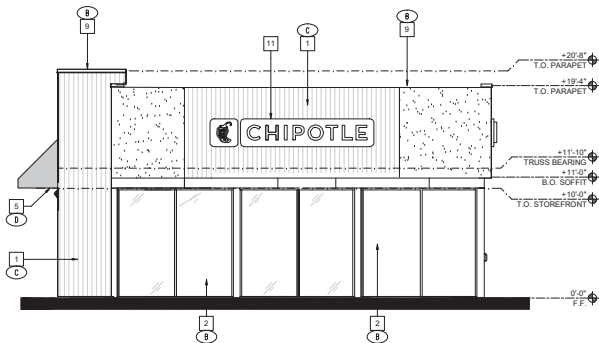
DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
EXTERIOR ELEVATIONS
PARCEL 3

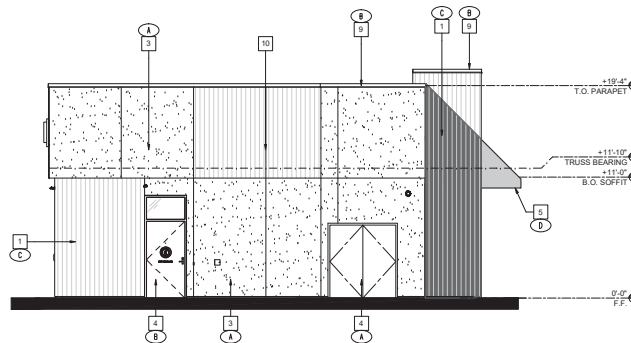
SHEET #
A303



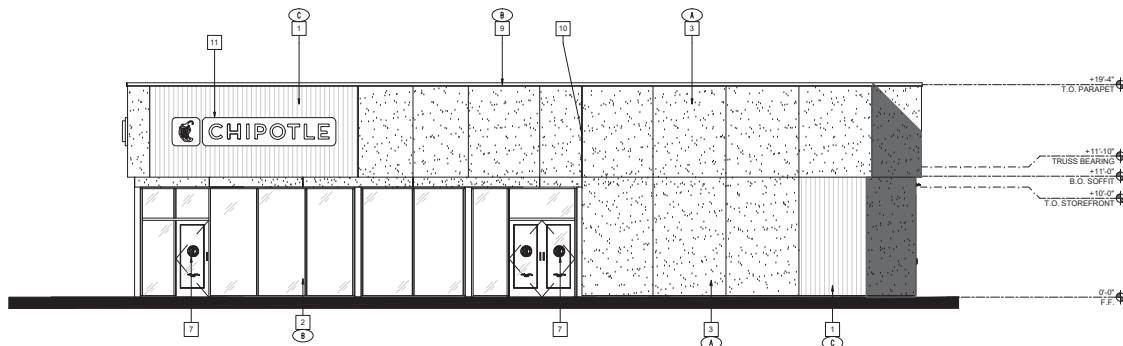
1 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



4 EAST ELEVATION
SCALE: 3/16" = 1'-0"



2 WEST ELEVATION
SCALE: 3/16" = 1'-0"



3 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

ELEVATION GENERAL NOTES

ELEVATIONS KEY NOTES: X

1. VERTICAL COMPOSITE WOOD CLADDING.
2. ALUMINUM STOREFRONT.
3. EXTERIOR STUCCO.
4. HM DOOR.
5. FABRIC AWNING.
6. ALUMINUM FRAMED WINDOW.
7. VINYL DECAL.
8. STANDING SEAM METAL ROOF.
9. MTL COPING CAP.
10. 1" REVEAL TYP.
11. SIGNAGE UNDER SEPARATE PERMIT

EXTERIOR COLOR SCHEDULE X

- A. SHERWIN WILLIAMS SW 7142 SHUJI WHITE
- B. SHERWIN WILLIAMS SW 7674 PEPPERCORN
- C. TREX CLADDING - ISLAND MIST
- D. BLACK SUNBRELLA FABRIC

Revisions:



PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
CENTRE CITY PARKWAY, SAN JOSE AVENUE
ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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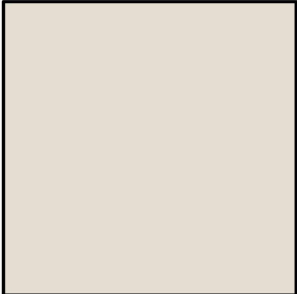
DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
EXTERIOR ELEVATIONS
PARCEL 3

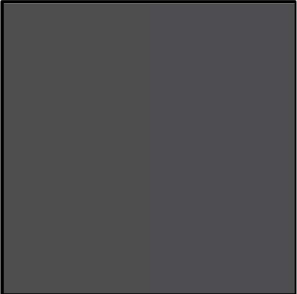
SHEET #
A302

Revisions:	
△	
△	
△	
△	
△	

EXTERIOR COLOR SCHEDULE (X)



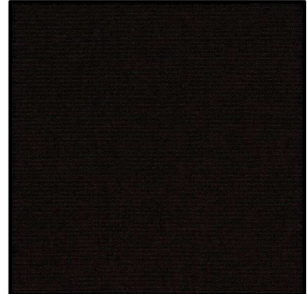
STUCCO
 PAINT TO MATCH
 SHERWIN WILLIAMS
 SW 7042 SHOJI WHITE



STUCCO OR METAL/STOREFRONT
 PAINT TO MATCH
 SHERWIN WILLIAMS
 SW 7674 PEPPERCORN



COMPOSITE VERTICAL SIDING
 TREX CLADDING
 ISLAND MIST



SUBRELLA AWNING FABRIC
 SUNBRELLA SHADE
 BLACK
 SKU 4608-0000



PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
 CENTRE CITY, SAN
 ESCONDIDO, CA 92025

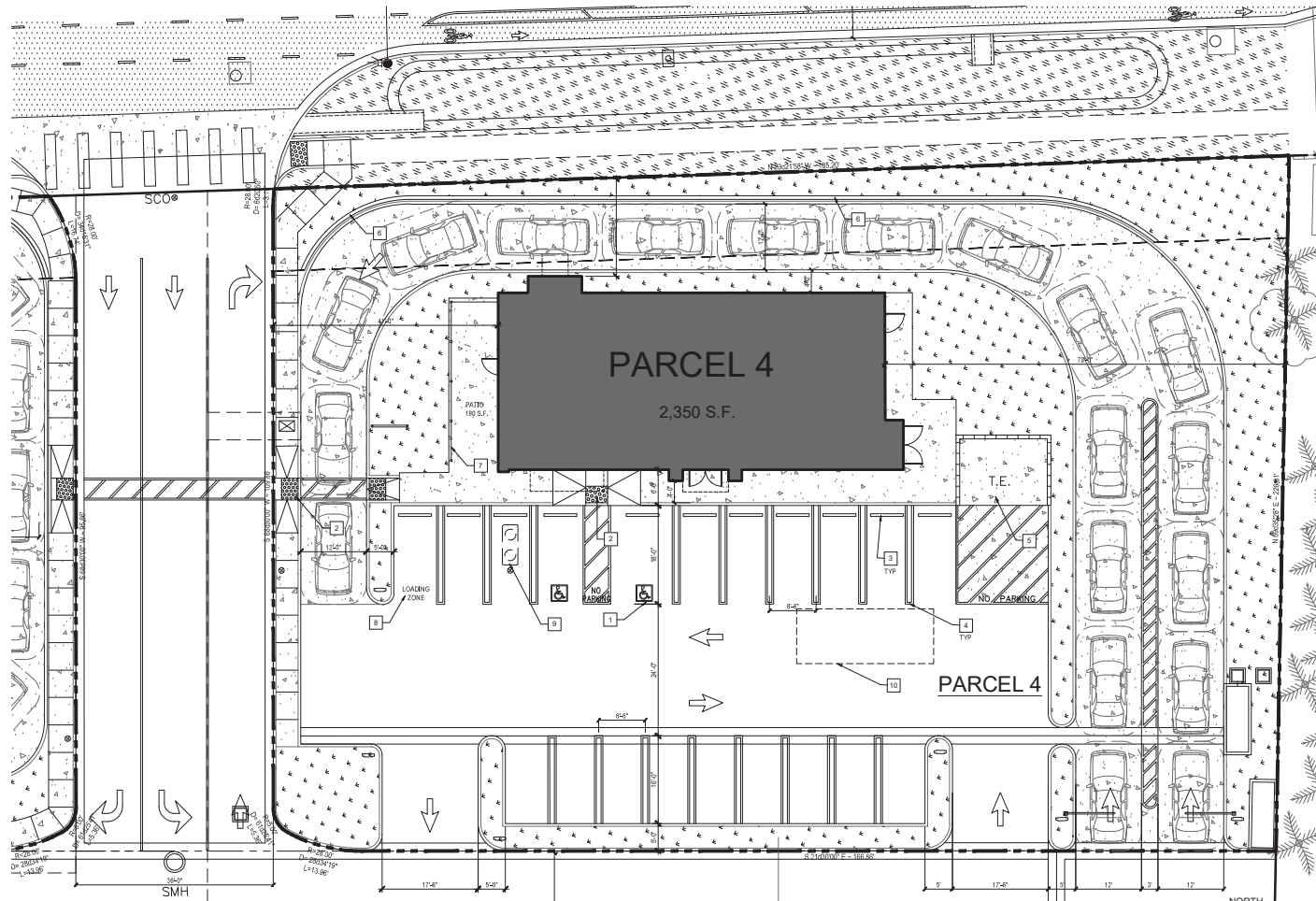
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DATE: MAY 7, 2024
 PROJECT NO.: WM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
**COLOR & MATERIAL
 BOARD
 CHIPOTLE - PARCEL 3**

SHEET #
A304



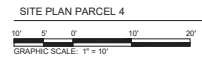
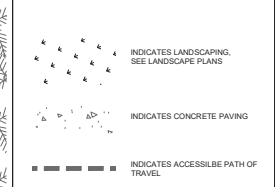
PARCEL 4 INFORMATION

PARCEL 4 AREA - 22,750 S.F.
 PROPOSED BUILDING AREA - 2,350 S.F. COVERAGE 10.26%
 OCCUPANCY: A2 DRIVE THRU RESTAURANT
 CONSTRUCTION TYPE: VB - NO SPRINKLERS
 PARKING:
 REQUIRED: 20 SPACES FOR A DRIVE THRU RESTAURANT
 PROVIDED: 20 SPACES
 SIZE: 8'-0" X 18'-0" STANDARD
 9'-0" X 18'-0" ACCESSIBLE

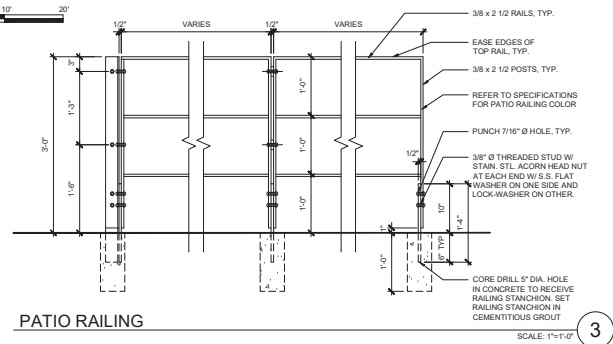
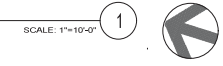
SITE PLAN KEY NOTES:

1. ACCESSIBLE PARKING STALL
2. CURB RAMP WITH TRUNCATED DOMES
3. WHEEL STOP
4. PARKING STRIPING
5. TRASH ENCLOSURE, WITH 6'-0" CMU WALLS, METAL GATES AND ROOF.
6. 3 FOOT HIGH CMU SCREEN WALL. SEE DETAIL BELOW.
7. PATIO RAILING. SEE DETAIL BELOW.
8. LOADING ZONE
9. GREASE INTERCEPTOR
10. 10'-0" X 25'-0" X 14" H LOADING AREA

SITE PLAN LEGEND

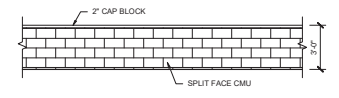


SITE PLAN PARCEL 4



PATIO RAILING

SCALE: 1" = 1'-0"



TYPICAL SCREEN WALL

SCALE: 1/4" = 1'-0"

Revisions:

1	
2	
3	
4	



CONDITIONAL USE PERMIT
PARCEL 4
 501 WEST MISSION, LLC
 CENTRE CITY PARKWAY AND MISSION AVENUE
 ESCONDIDO, CA 92025

CLIENT:
 501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN BY: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
 ENLARGED
 SITE PLAN
 PARCEL 4

SHEET #
AS401

PARCEL 4 DEVELOPMENT

501/503 MISSION AVE, ESCONDIDO
 PL24-0057, PL22-0396, PL22-0397, PL22-0398, PL24-0198

CENTRE CITY PARKWAY

LANDSCAPE DESIGN STATEMENT

THE PROPOSED LANDSCAPE HAS BEEN DESIGNED TO MEET THE REQUIREMENTS OF THE APPLICABLE SECTIONS OF THE CITY OF ESCONDIDO ZONING CODE.

THE PROJECT PROPOSES FRONTAGE, PERIMETER AND PARKING LOT PLANTER DESIGN TO SATISFY ZONING CODE SECTIONS 33-780, BORDER-BARRICADES, SCREENING AND LANDSCAPING AND SECTION 33-1339, STANDARDS FOR LANDSCAPING.

WATER CONSERVATION GOALS SHALL BE MET THROUGH THE USE OF LOW WATER USE PLANT SELECTIONS GROUPED TOGETHER IN IRRIGATION HYDROZONES OF SIMILAR WATER USE PLANTS. A WEATHER-BASED IRRIGATION CONTROLLER SHALL BE USED TO OPERATE THE IRRIGATION SYSTEM TO ACHIEVE AUTOMATIC SEASONAL WATER REQUIREMENT ADJUSTMENTS.

- PER CITY ZONING CODE, THE LANDSCAPE DESIGN SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO THE FOLLOWING REQUIREMENTS:
- PROPOSED LANDSCAPING SHOULD USE WATER CONSERVING PLANT MATERIALS THAT ARE NATIVE TO THE SAN DIEGO REGION OR ARE ADAPTED TO A HOT DRY SUMMER/COOL WINTER CLIMATE.
 - EXISTING VEGETATION SHALL BE INCORPORATED INTO THE LANDSCAPE DESIGN WHERE POSSIBLE.
 - APPLICABLE REQUIREMENTS OF OFF-STREET PARKING STANDARDS, SECTIONS 33-760 THROUGH 33-769.
 - TREES SHALL CONTAIN A MIX OF EVERGREEN AND DECIDUOUS VARIETIES AND SHALL BE A MINIMUM 15-GALLON CONTAINER AT THE TIME OF PLANTING.

A FINAL IRRIGATION DESIGN PLAN SHALL BE INCLUDED WITH THE PERMIT DRAWINGS COMPLETED FOR THE SITE DURING IMPROVEMENT PLAN PREPARATION.

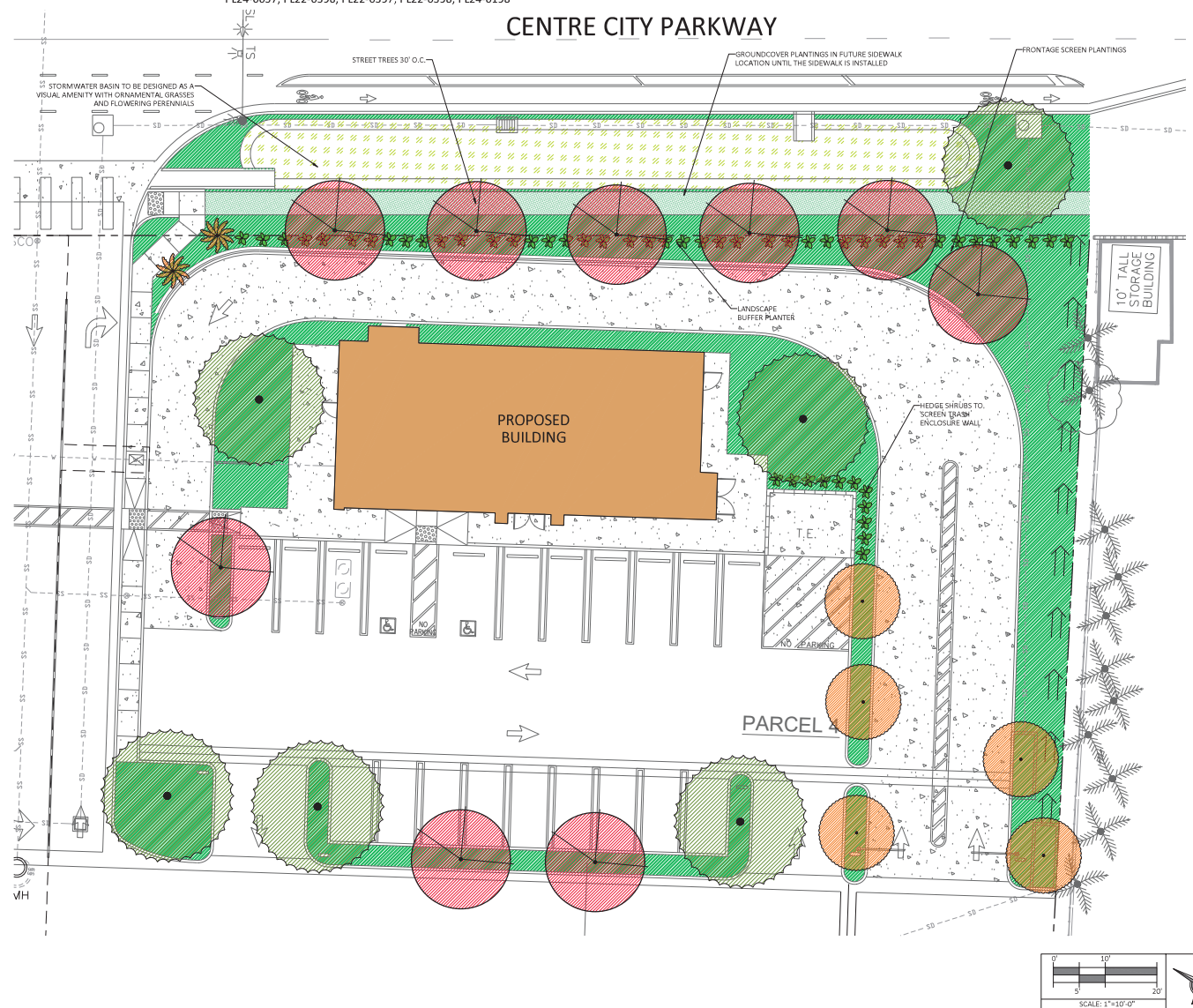
BARK MULCH (LOCALLY SOURCED IN AN EARTH TONE COLOR) TO BE INSTALLED WITHIN PLANTER AREAS.

CANDIDATE PLANT LIST

SYM	BOTANICAL/COMMON NAME
	TREES ACACIA STENOPHYLLA ARBUTUS X 'MIRINA' CERIS CANADENSIS 'FOREST PANSY' PISTACIA X 'RED PUSH'
	RELOCATED PALM TREES SEVERAL EXISTING PALM TREES TO BE RELOCATED: STAGNARUM ROMANOFFIANUM/ QUEEN PALM WASHINGTONIA ROBUSTA/ MEXICAN FAN PALM
	SHRUBS AZALEA INDICA HAPPY DAYS BUXUS MICROPHYLLA JAPONICA 'WINTER GEM' BULBINE FRUTESCENS 'HALLMARK' BOUGAINVILLEA 'TORCH GLOW' CALAMAGROSTIS X ACUTIFLORA KARL FOERSTER DIANELLA REVOLUTA EUONYMUS JAPONICUS SILVER KING KNIPHOFIA 'ORANGE BLAZE' LANTANA X 'NEW GOLD' PENNINGTON STYACIUM 'FIREWORKS' PELARGONIUM 'AMERICAN RED' LOMANDRA LONGIFOLIA 'BREEZE' LIGUSTRUM SINESIS 'SUNSHINE' NANDINA DOMESTICA OBSESSION
	HEDGE SHRUBS
	BASIN GRASSES/PERENNIALS ACHILLEA MILLEFOLIUM/ YARROW CALAMAGROSTIS X ACUTIFLORA KARL FOERSTER ECHINACEA PURPUREA/ PURPLE CONEFLOWER LOMANDRA LONGIFOLIA 'BREEZE'



RED AND PINK TAGGED PALM
 (APPROX. 15+ FEET TALL)

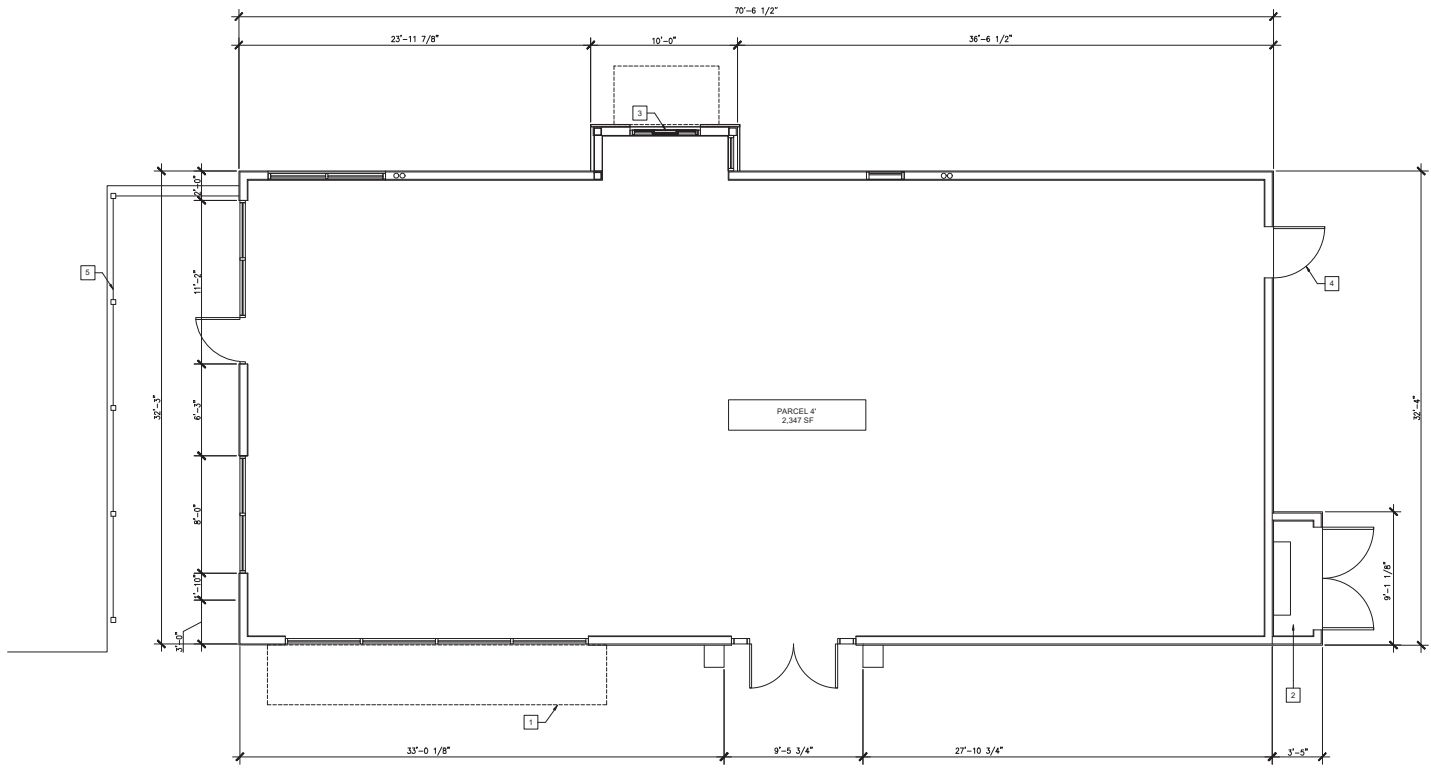


PRELIMINARY LANDSCAPE PLAN

AUGUST 27, 2024



SHEET
P1
 OF
 TOTAL
1



FLOOR PLAN
SCALE: 1/4" = 1'-0"
1
NORTH

GENERAL NOTES:

KEYNOTES: [X]

1. LINE OF CANOPY ABOVE
2. ELECTRICAL SERVICE PANEL
3. DRIVE-THRU WINDOW
4. SERVICE DOOR
5. PATIO RAILING

LEGEND

Revisions:

MOUR GROUP
ENGINEERING + DESIGN
6593 RIVERDALE ST.
SAN DIEGO, CA 92120
PH: 619.727.4800

PROJECT
**CONDITIONAL USE PERMIT
PARCEL 4**
PARADISE AND MISSION AVENUE
ESCONDIDO, CA 92025

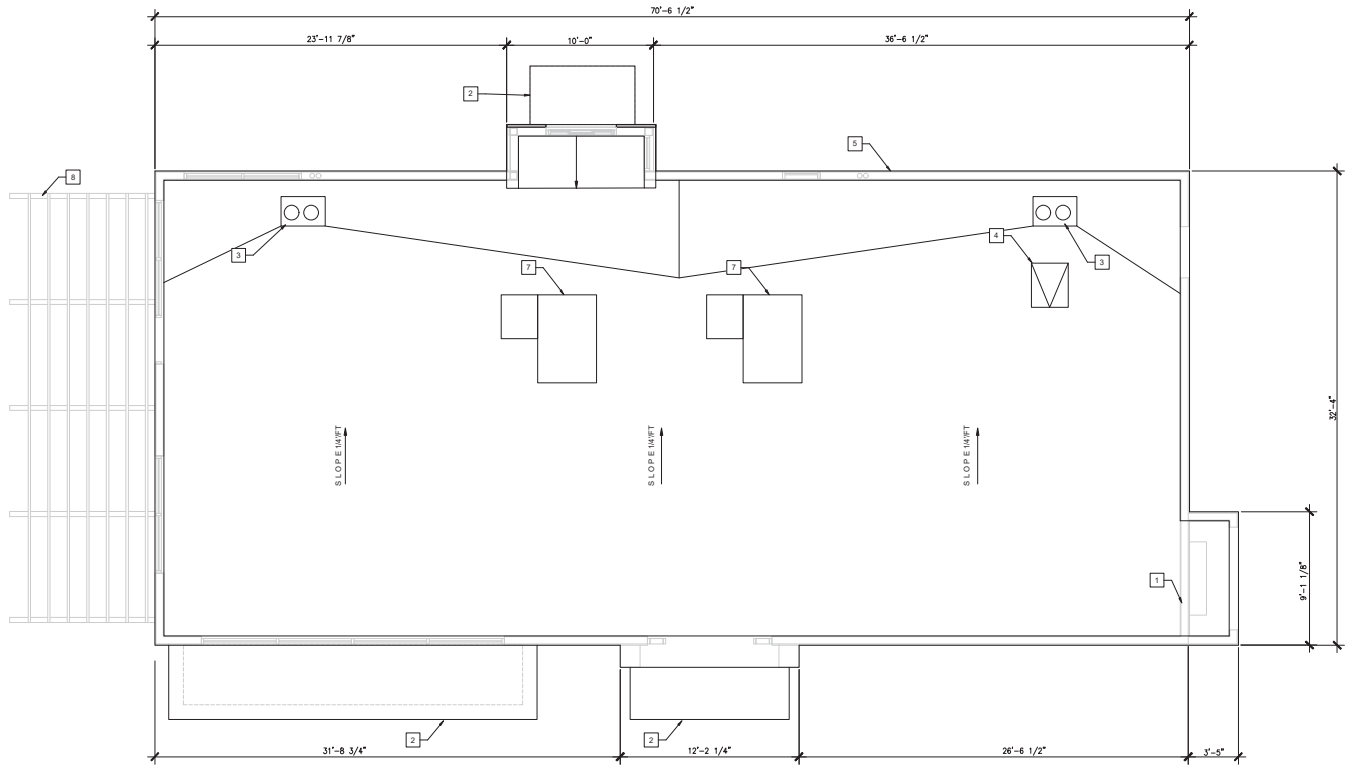
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14483 OLD CREEK ROAD
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TO MOUR GROUP ENGINEERING + DESIGN.

DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
**FLOOR PLAN
PARCEL 4**

SHEET #
A400



ROOF PLAN
SCALE: 1/4"=1'-0"
1
NORTH

GENERAL NOTES:

KEYNOTES: [X]

1. LINE OF WALLS BELOW.
2. FABRIC AWNING.
3. ROOF AND OVERFLOW DRAIN
4. ROOF HATCH, VERIFY LOCATION WITH TENANT
5. PARAPET TO SCREEN MECHANICAL EQUIPMENT
6. TPO MEMBRANE ROOFING OVER R30 INSULATION
7. MECHANICAL EQUIPMENT.
8. DECORATIVE TRELLIS WITH LIGHTING.

LEGEND

Revisions:



PROJECT
**CONDITIONAL USE PERMIT
PARCEL 4**
CENTRE CITY PARKWAY AND MISSION AVENUE
ESCONDIDO, CA 92025

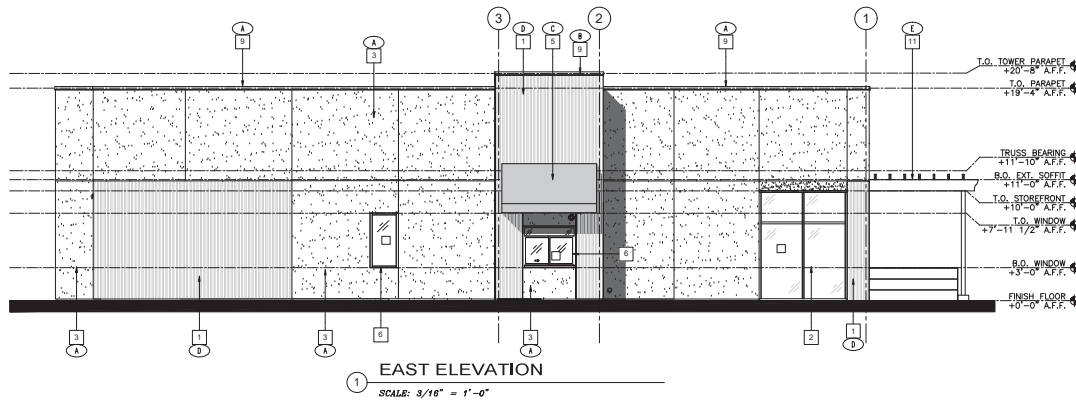
CLIENT:
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SAN DIEGO, CA 92131

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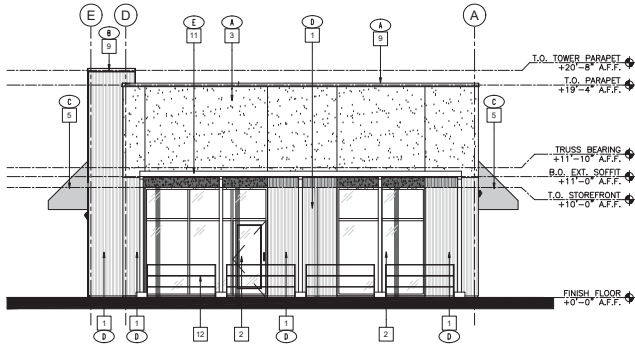
DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
**ROOF PLAN
PARCEL 4**

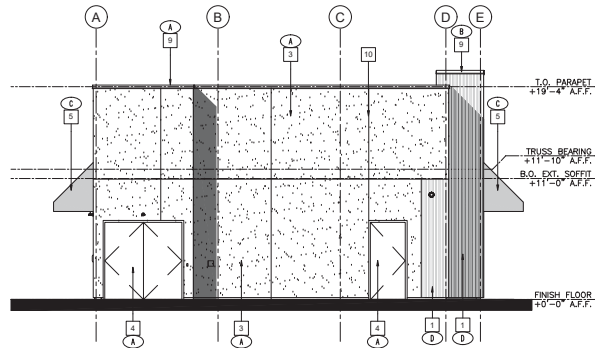
SHEET #
A401



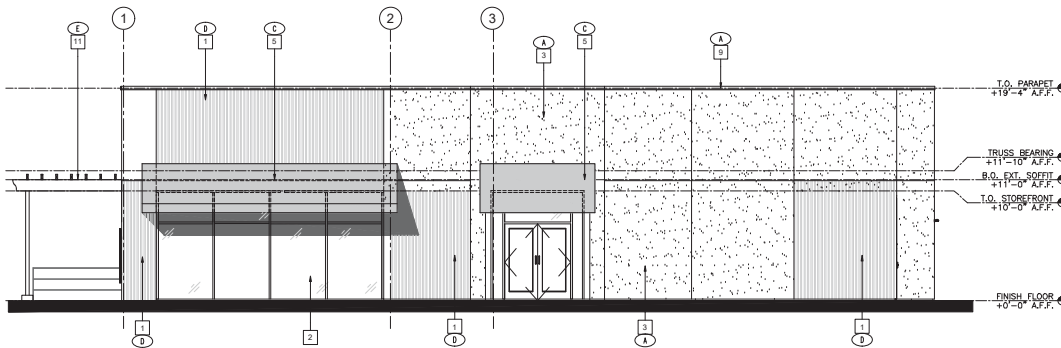
1 EAST ELEVATION
SCALE: 3/16" = 1'-0"



4 NORTH ELEVATION
SCALE: 3/16" = 1'-0"



2 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



3 WEST ELEVATION
SCALE: 3/16" = 1'-0"

ELEVATION GENERAL NOTES

ELEVATIONS KEY NOTES: X

1. VERTICAL COMPOSITE WOOD CLADDING.
2. ALUMINUM STOREFRONT.
3. EXTERIOR STUCCO.
4. HM DOOR.
5. FABRIC AWNING.
6. ALUMINUM FRAMED WINDOW.
7. WOOD ROOF FASCIA.
8. STANDING SEAM METAL ROOF.
9. MTL COPING CAP.
10. 1" REVEAL TYP.
11. TRELIS.
12. PATIO RAILING.

EXTERIOR COLOR SCHEDULE X

- A. SHERWIN WILLIAMS SW 7042 SHOUL WHITE
- B. SHERWIN WILLIAMS SW 7674 PEPPERCORN
- C. CHARCOAL GREY SUNBRELLA FABRIC
- D. TRICK CLADDING - TRU TORCH
- E. SHERWIN WILLIAMS SW 6362 TIGER EYE

Revisions:



PROJECT
CONDITIONAL USE PERMIT
PARCEL 4
CENTRE CITY PARKWAY AND MISSION AVENUE
ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
640 EAST TELICOR COX
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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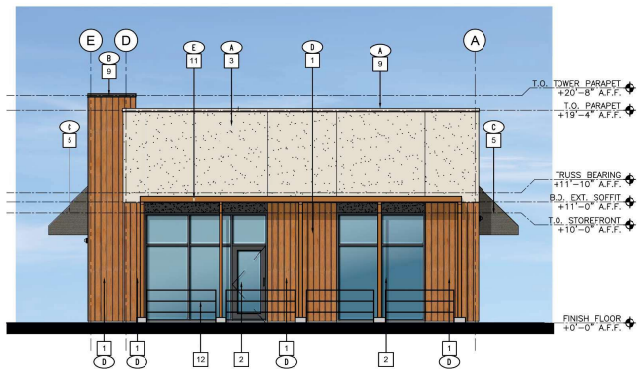
DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
EXTERIOR
ELEVATIONS
PARCEL 4

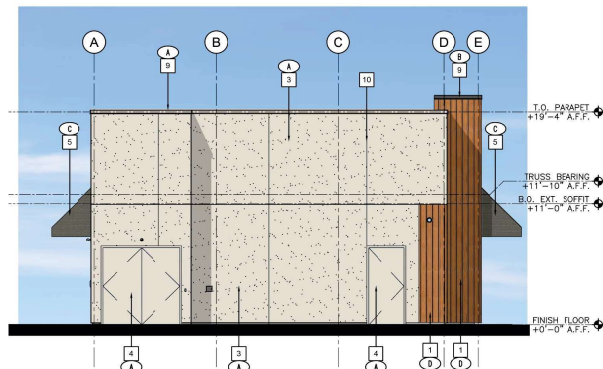
SHEET #
A402



1 EAST ELEVATION
SCALE: 3/16" = 1'-0"



4 NORTH ELEVATION
SCALE: 3/16" = 1'-0"



2 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



3 WEST ELEVATION
SCALE: 3/16" = 1'-0"

ELEVATION GENERAL NOTES

ELEVATIONS KEY NOTES: X

1. VERTICAL COMPOSITE WOOD CLADDING
2. ALUMINUM STOREFRONT
3. EXTERIOR STUCCO
4. HM DOOR
5. FABRIC AWNING
6. ALUMINUM FRAMED WINDOW
7. WOOD ROOF FASCIA
8. STANDING SEAM METAL ROOF
9. MTL COPING CAP
10. 1" REVEAL TYP
11. TRELLIS
12. PATIO RAILING

EXTERIOR COLOR SCHEDULE X

- A. SHERWIN WILLIAMS SW 702 SHOU WHITE
- B. SHERWIN WILLIAMS SW 704 PEPPERCORN
- C. CHARCOAL GREY SUNBRELLA FABRIC
- D. TREX CLADDING - TWI TORCH
- E. SHERWIN WILLIAMS SW 602 TIGEREYE

Revisions:

NO.	DESCRIPTION	DATE



PROJECT
CONDITIONAL USE PERMIT
PARCEL 4
 CENTRE CITY, SAN DIEGO, CALIFORNIA
 ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

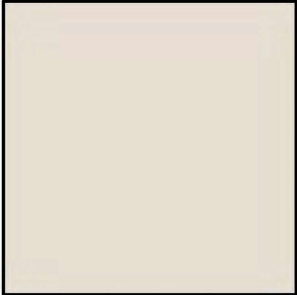
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DATE: MAY 7, 2024
 PROJECT NO.: VM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

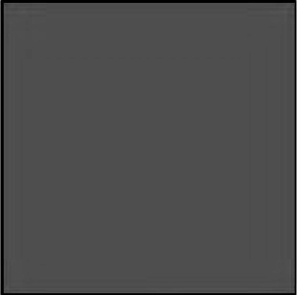
SHEET TITLE:
EXTERIOR ELEVATIONS
PARCEL 4

SHEET #
A403

EXTERIOR COLOR SCHEDULE (X)



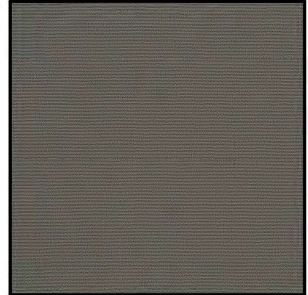
STUCCO
PAINT TO MATCH
SHERWIN WILLIAMS
SW 7042 SHOJI WHITE



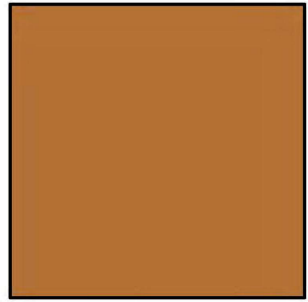
STUCCO OR METAL/STOREFRONT
PAINT TO MATCH
SHERWIN WILLIAMS
SW 7674 PEPPERCORN



COMPOSITE VERTICAL SIDING
TREX CLADDING
TIKI TORCH



SUBRELLA AWNING FABRIC
CHARCOAL GREY
SKU 4644-0000



WOOD TRELLIS
PAINT TO MATCH
SHERWIN WILLIAMS
SW 6362 TIGEREYE

Revisions:



PROJECT
**CONDITIONAL USE PERMIT
PARCEL 4**
CENTRE CITY, SAN DIEGO, CALIFORNIA
ESCONDIDO, CA 92025

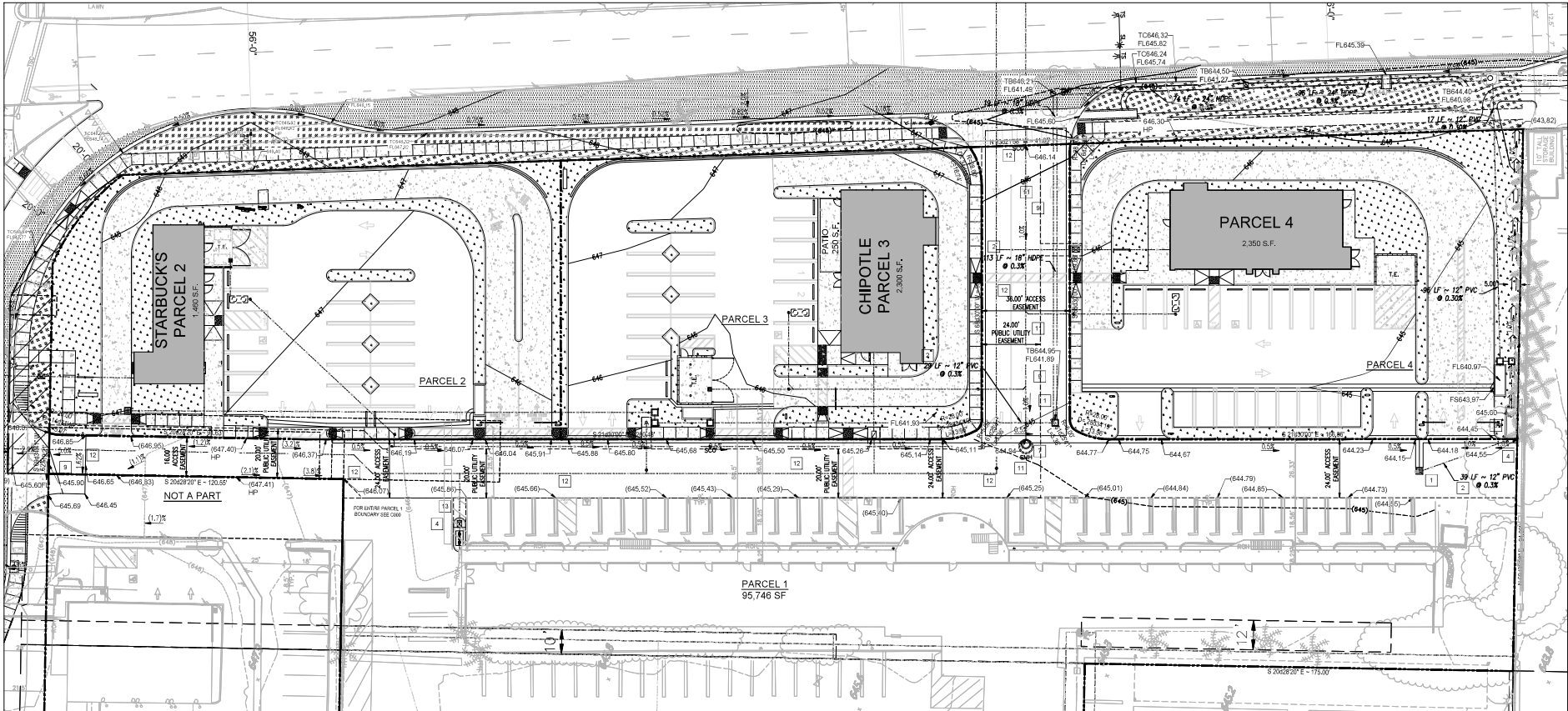
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SAN DIEGO, CA 92131

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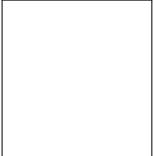
DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
**COLOR &
MATERIAL BOARD
PARCEL 4**

SHEET #
A404



Revisions:



PROPOSED DEVELOPMENT
PARCEL 1
 CENTRE CITY PARKWAY AND HARRISON AVENUE
 ESCONDIDO, CA 92025

CLIENT:
 501 WEST MISSION, LLC
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DATE:	AUGUST 23, 2024
PROJECT NO.:	WM2301
DRAWN:	AS SHOWN
SCALE:	AS SHOWN
SHEET TITLE:	GRADING AND UTILITY PLAN
PARCEL 1	
SHEET #	C100

PROPOSED GRADING AND UTILITY KEY NOTES:

- NOTE: SEE ALSO PLANS FOR PARCELS 2, 3 & 4 FOR ITEMS ON ADJACENT PARCEL LINES. THEY ARE CALLED OUT AND QUANTIFIED THERE, EACH ITEM IS ONLY COUNTED ONCE.
- 24" x 24" CATCH BASIN BY OLDCASTLE PRECAST, GRATE OR SOLID UB PER PLAN. 26ACH
 - STORM DRAIN, SIZE AND SLOPE PER PLAN. 66 LF of 12" / 113 LF of 18"
 - NOT USED. -
 - 4" CURB PER SORSO G-01. 30 LF
 - NOT USED. -
 - NOT USED. -
 - CONCRETE CROSS GUTTER W-3 PER SORSO C-1205-13. 100 SF
 - NOT USED. -
 - ASPHALT CONCRETE OVER AGGREGATE BASE. 4,277 SF
 - NOT USED. -
 - 8" SEWER MAIN AND SEWER MANHOLE IN PUBLIC UTILITY EASEMENT, SEE OFFSITE GRADING AND UTILITY PLAN FOR CONTINUATION. 120 LF
 - 8" WATER MAIN IN PUBLIC UTILITY EASEMENT, SEE OVERALL GRADING AND UTILITY PLAN FOR CONTINUATION. 524 LF
 - 3" WATER METER IN EASEMENT AND BACKFLOW PREVENTER. 42 LF

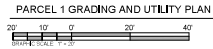
QUANTITY ESTIMATE PARCEL 1:

GRADING QUANTITY
SUMMARY PARCEL 1:
 AREA GROUND 617 AC (4,888 SF)
 EXCAVATION 33 CY CUT
 EMBANKMENT 63 CY FILL
 NET IMPORT 30 CY FILL
 MAX DEPTH OF CUT 2.2 FT
 MAX DEPTH OF FILL 1.3 FT

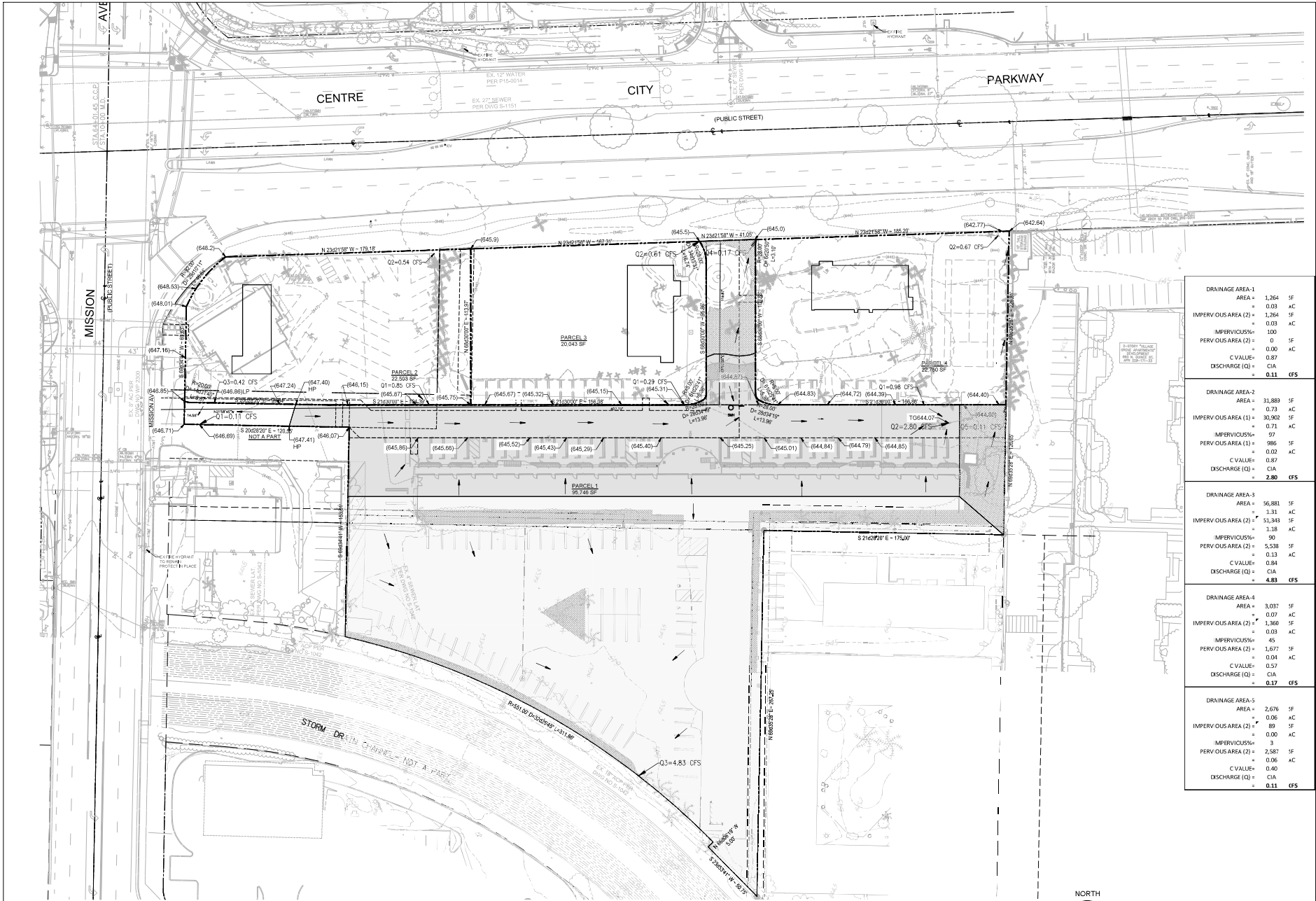
IMPERVIOUS QUANTITY
SUMMARY PARCEL 1:
 EXISTING 2,387 SF
 PERCENTAGE OF TOTAL AREA 47.38
 PROPOSED 4,808 SF
 PERCENTAGE OF TOTAL AREA 90.6%



SCALE: 1"=20'-0"



PARCEL 1 GRADING AND UTILITY PLAN



PARCEL 1 DRAINAGE PLAN
GRAPHIC SCALE 1"=30'

<p>DRAINAGE AREA-1</p> <p>AREA = 1,264 SF</p> <p>IMPERVIOUS AREA (2) = 0.03 AC</p> <p>IMPERVIOUS% = 100</p> <p>PERVIOUS AREA (2) = 0 SF</p> <p>C VALUE = 0.87</p> <p>DISCHARGE (Q) = 0.11 CFS</p>
<p>DRAINAGE AREA-2</p> <p>AREA = 31,889 SF</p> <p>IMPERVIOUS AREA (1) = 0.73 AC</p> <p>IMPERVIOUS% = 97</p> <p>PERVIOUS AREA (1) = 986 SF</p> <p>C VALUE = 0.02</p> <p>DISCHARGE (Q) = 2.80 CFS</p>
<p>DRAINAGE AREA-3</p> <p>AREA = 56,881 SF</p> <p>IMPERVIOUS AREA (2) = 1.31 AC</p> <p>IMPERVIOUS% = 90</p> <p>PERVIOUS AREA (2) = 5,538 SF</p> <p>C VALUE = 0.13</p> <p>DISCHARGE (Q) = 4.83 CFS</p>
<p>DRAINAGE AREA-4</p> <p>AREA = 3,093 SF</p> <p>IMPERVIOUS AREA (2) = 0.07 AC</p> <p>IMPERVIOUS% = 45</p> <p>PERVIOUS AREA (2) = 1,677 SF</p> <p>C VALUE = 0.57</p> <p>DISCHARGE (Q) = 0.17 CFS</p>
<p>DRAINAGE AREA-5</p> <p>AREA = 2,676 SF</p> <p>IMPERVIOUS AREA (2) = 0.06 AC</p> <p>IMPERVIOUS% = 89</p> <p>PERVIOUS AREA (2) = 2,587 SF</p> <p>C VALUE = 0.40</p> <p>DISCHARGE (Q) = 0.11 CFS</p>

Revisions:

MOUR GROUP
ENGINEERING + DESIGN
6593 RIVERDALE ST.
SAN DIEGO, CA, 92120
PH. 619.727.4800

PROJECT
PROPOSED DEVELOPMENT
PARCEL 1
CENTRE CITY PARKWAY AND MISSION AVENUE
ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024

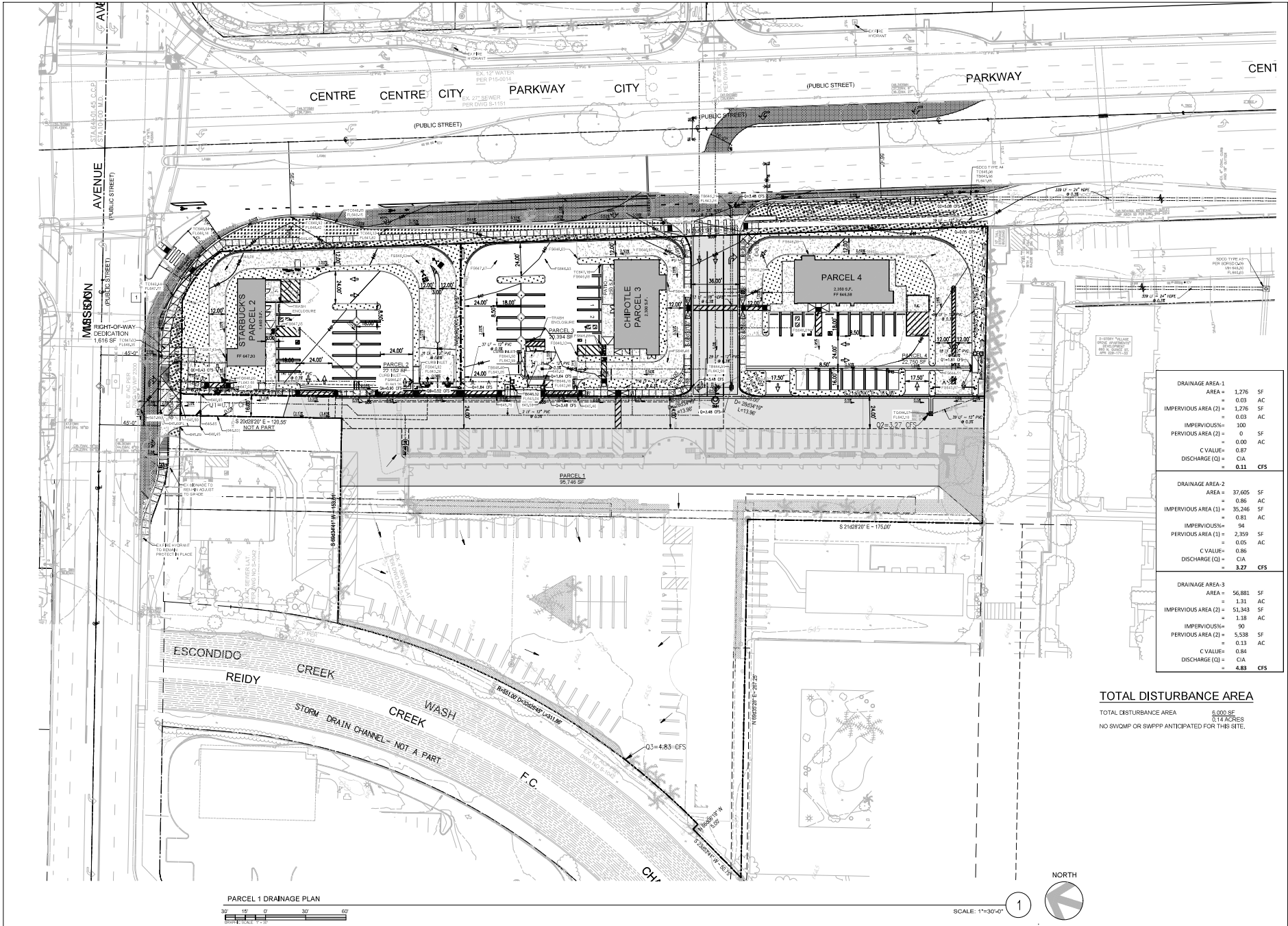
PROJECT NO.: WM2301

DRAWN:

SCALE: AS SHOWN

SHEET TITLE:
DRAINAGE PLAN
EXISTING
PARCEL 1

SHEET #
C101



PARCEL 1 DRAINAGE PLAN
GRAPHIC SCALE 1"=30'

DRAINAGE AREA-1 AREA = 1,276 SF = 0.03 AC IMPERVIOUS AREA (2) = 1,276 SF = 0.03 AC IMPERVIOUS% = 100 PERVIOUS AREA (2) = 0 SF = 0.00 AC C VALUE = 0.57 DISCHARGE (Q) = CIA = 0.11 CFS	DRAINAGE AREA-2 AREA = 37,605 SF = 0.86 AC IMPERVIOUS AREA (1) = 35,246 SF = 0.81 AC IMPERVIOUS% = 94 PERVIOUS AREA (1) = 2,359 SF = 0.05 AC C VALUE = 0.56 DISCHARGE (Q) = CIA = 3.27 CFS	DRAINAGE AREA-3 AREA = 56,881 SF = 1.31 AC IMPERVIOUS AREA (2) = 51,343 SF = 1.18 AC IMPERVIOUS% = 90 PERVIOUS AREA (2) = 5,538 SF = 0.13 AC C VALUE = 0.84 DISCHARGE (Q) = CIA = 4.83 CFS
---	--	--

TOTAL DISTURBANCE AREA
 TOTAL DISTURBANCE AREA 6,000 SF
 0.14 ACRES
 NO SWQMP OR SWPPP ANTICIPATED FOR THIS SITE.

Revisions:

MOUR GROUP
 ENGINEERING + DESIGN
 6550 RIVERDALE ST.
 SAN DIEGO, CA, 92120
 PH. 619.727.4800

PROJECT: **PROPOSED DEVELOPMENT**
PARCEL 1
 CENTRE CITY PARKWAY AND MISSION AVENUE
 ESCONDIDO, CA 92025

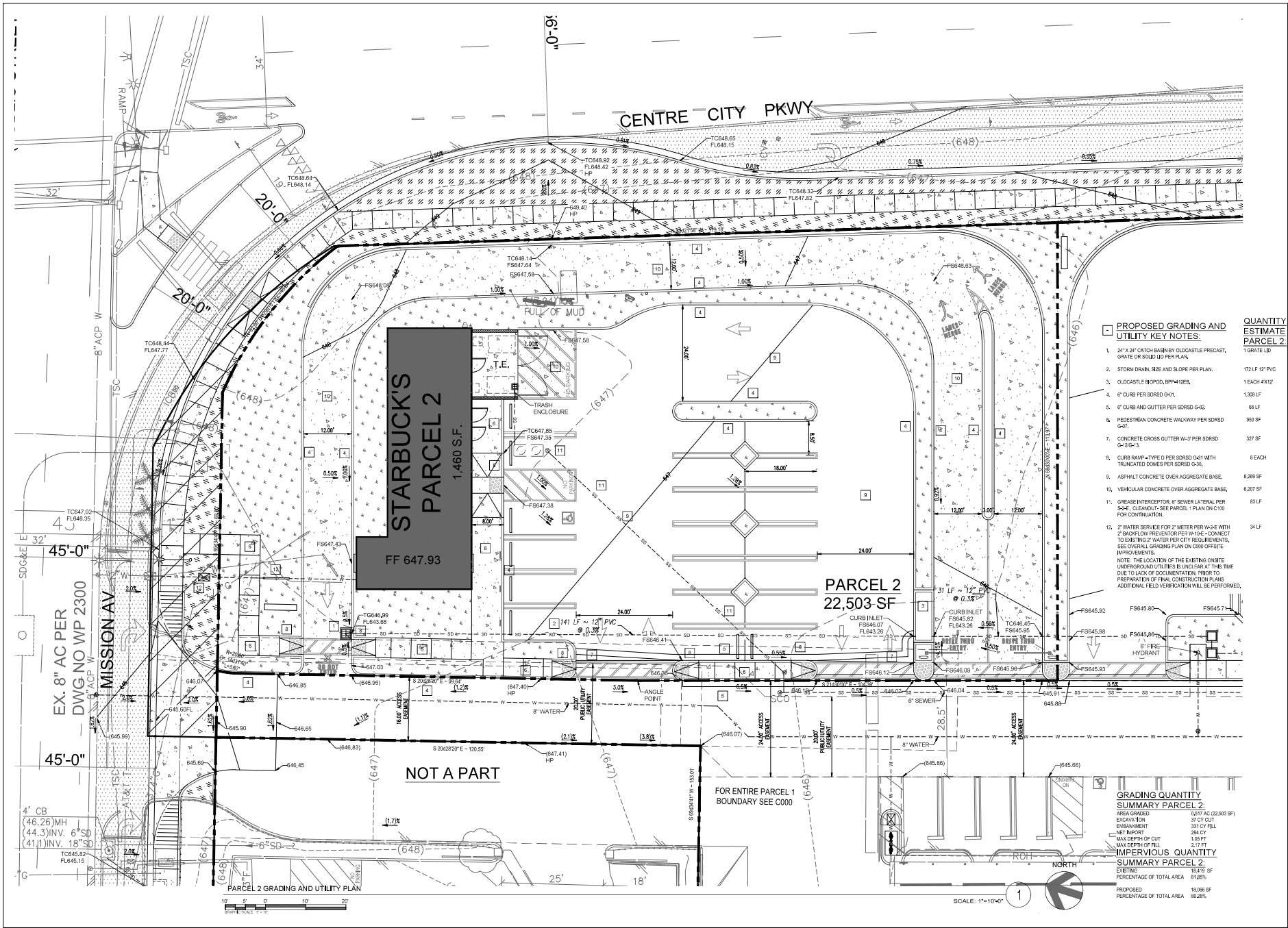
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DATE: AUGUST 23, 2024
 PROJECT NO.: WM2301
 DRAWN:
 SCALE: AS SHOWN

SHEET TITLE:
DRAINAGE PLAN
PROPOSED
PARCEL 1

SHEET #
C102



- PROPOSED GRADING AND UTILITY KEY NOTES:**
- 24" X 24" CATCH BASIN BY OLDCASTLE PRECAST, GRATE OR SOLID LID PER PLAN.
 - STORM DRAIN: SIZE AND SLOPE PER PLAN.
 - OLDCASTLE BIOPOD, BPF4128B.
 - 6" CURB PER SDRSD G-01.
 - 6" CURB AND GUTTER PER SDRSD G-02.
 - PEDESTRIAN CONCRETE HALLOWAY PER SDRSD G-07.
 - CONCRETE CROSS GUTTER W-2 PER SDRSD G-20-1.
 - CURB RAMP - TYPE D PER SDRSD G-01 WITH TRUNCATED DOMES PER SDRSD G-03.
 - ASPHALT CONCRETE OVER AGGREGATE BASE.
 - VEHICULAR CONCRETE OVER AGGREGATE BASE.
 - GREASE INTERCEPTOR, 6" SEWER LATERAL PER SDRSD G-20-1 FOR CONTINUATION.
 - 2" WATER SERVICE FOR 2" METER PER W-02 WITH 2" BACKFLOW PREVENTOR PER W-10E - CONNECT TO EXISTING 2" WATER PER CITY REQUIREMENTS. SEE OVERALL GRADING PLAN ON C000 FOR CONTINUATION.
- NOTE: THE LOCATION OF THE EXISTING ON-SITE UNDERGROUND UTILITIES IS UNCLAR AT THIS TIME DUE TO LACK OF DOCUMENTATION. PRIOR TO PREPARATION OF FINAL CONSTRUCTION PLANS ADDITIONAL FIELD VERIFICATION WILL BE PERFORMED.

QUANTITY ESTIMATE PARCEL 2:

ITEM	QUANTITY	UNIT
1. GRATE LID	172 LF	12" PVC
2. EACH	4X12	
3. EACH	4X12	
4. CURB	1,309 LF	
5. PER	900 SF	
6. PER	327 SF	
7. EACH	6	
8. PER	6,289 SF	
9. PER	6,207 SF	
10. PER	83 LF	
11. PER	34 LF	

GRADING QUANTITY SUMMARY PARCEL 2:

AREA GRADE	1,037 AC (22,503 SF)
EXCAVATION	37 CY CUT
EMBANKMENT	231 CY FILL
NET IMPORT	294 CY
MAX DEPTH OF CUT	1.05 FT
MAX DEPTH OF FILL	2.71 FT

IMPERVIOUS QUANTITY SUMMARY PARCEL 2:

EXISTING	18,418 SF
PROPOSED	18,066 SF
PERCENTAGE OF TOTAL AREA	80.28%

Revisions:

MOUR GROUP
ENGINEERING - DESIGN
6093 RIVERDALE ST.
SAN DIEGO, CA, 92120
PH: 619.727.4890

PROPOSED DEVELOPMENT
PARCEL 2
CENTRE CITY PARKWAY AND MISSION AVENUE
ESCONDIDO, CA 92025

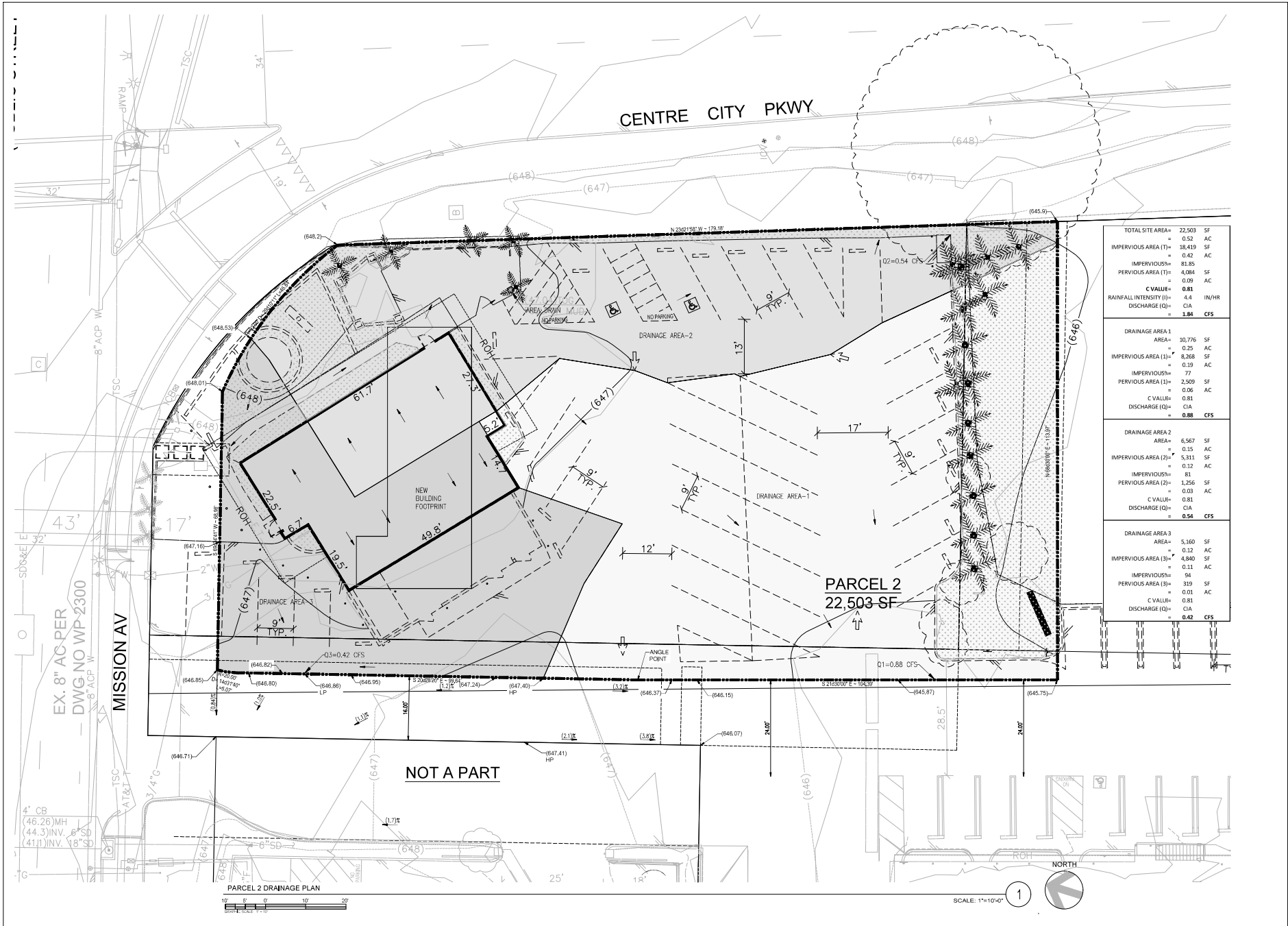
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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: AS SHOWN

SHEET TITLE:
GRADING AND UTILITY PLAN
PARCEL 2

SHEET #
C200



TOTAL SITE AREA=	22,503 SF
IMPERVIOUS AREA (T)=	18,419 SF
PERVIOUS AREA (T)=	4,084 SF
C VALUE=	0.81
RAINFALL INTENSITY (I)=	4.4 IN/HR
DISCHARGE (Q)=	1.84 CFS
DRAINAGE AREA 1	
AREA=	10,776 SF
IMPERVIOUS AREA (1)=	8,268 SF
PERVIOUS AREA (1)=	2,509 SF
C VALUE=	0.81
DISCHARGE (Q)=	0.88 CFS
DRAINAGE AREA 2	
AREA=	6,567 SF
IMPERVIOUS AREA (2)=	5,311 SF
PERVIOUS AREA (2)=	1,256 SF
C VALUE=	0.81
DISCHARGE (Q)=	0.54 CFS
DRAINAGE AREA 3	
AREA=	5,160 SF
IMPERVIOUS AREA (3)=	4,840 SF
PERVIOUS AREA (3)=	319 SF
C VALUE=	0.81
DISCHARGE (Q)=	0.42 CFS

Revisions:

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ENGINEERING + DESIGN
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SAN DIEGO, CA, 92120
PH. 619.727.4800

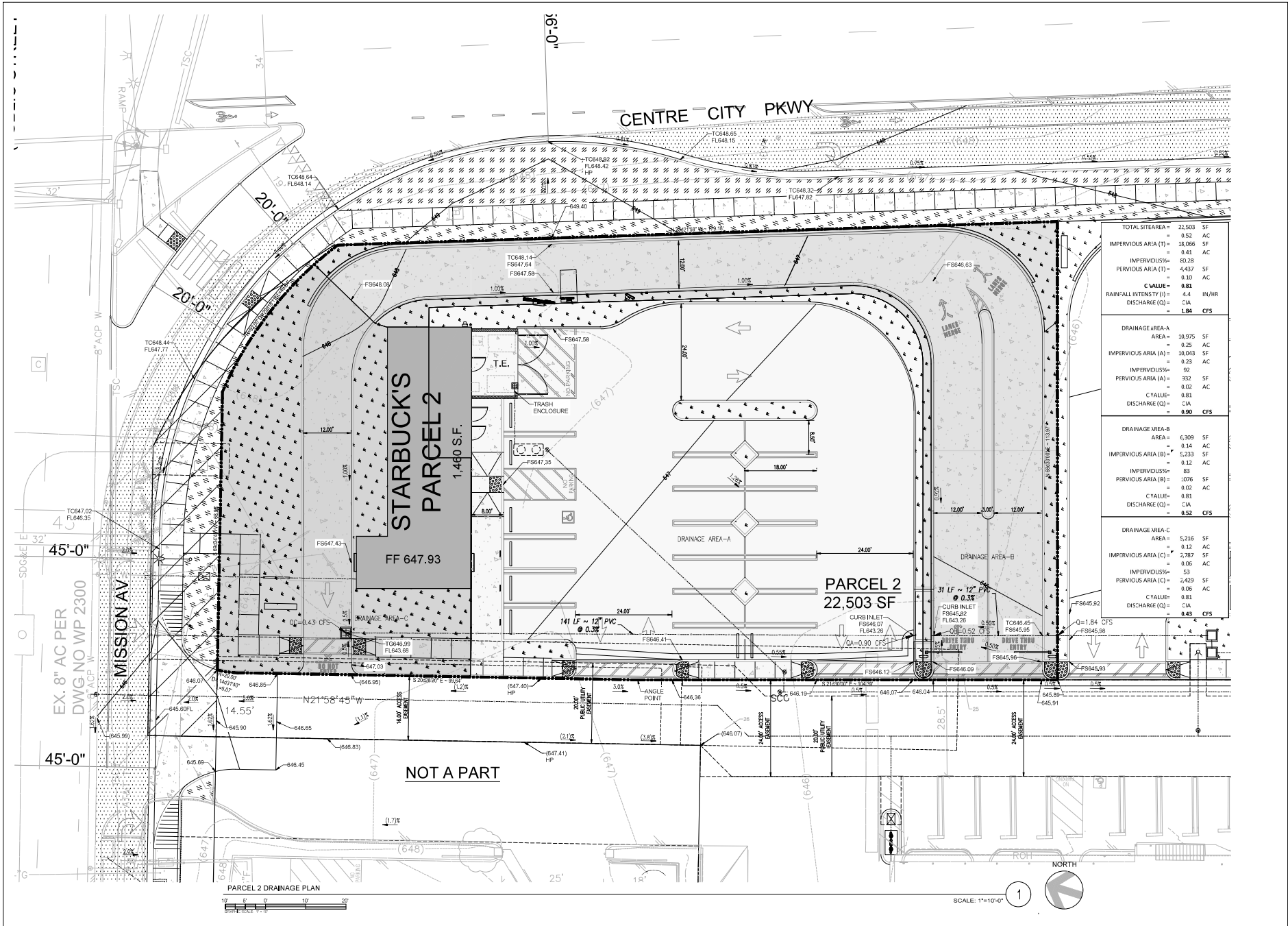
PROPOSED DEVELOPMENT
PARCEL 2
CENTRE CITY PARKWAY & MISSISSIPPI AVENUE
ESCONDIDO, CA 92025

CLIENT:
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DATE:	AUGUST 23, 2024
PROJECT NO.:	WM2301
DRAWN:	
SCALE:	AS SHOWN
SHEET TITLE:	DRAINAGE PLAN EXISTING PARCEL 2

SHEET #
C201



TOTAL SITE AREA =	22,503 SF
IMPERVIOUS AREA (I) =	0.52 AC
PERVIOUS AREA (I) =	18,066 SF
IMPERVIOUS% =	0.45 AC
PERVIOUS AREA (I) =	4,437 SF
C VALUE =	0.10 AC
RAINFALL INTENSITY (I) =	4.4 IN/HR
DISCHARGE (Q) =	CIA
	1.84 CFS
DRAINAGE AREA-A	
AREA =	10,975 SF
IMPERVIOUS AREA (A) =	0.25 AC
PERVIOUS AREA (A) =	10,043 SF
IMPERVIOUS% =	0.23 AC
PERVIOUS AREA (A) =	92 SF
C VALUE =	0.02 AC
DISCHARGE (Q) =	CIA
	0.90 CFS
DRAINAGE AREA-B	
AREA =	6,309 SF
IMPERVIOUS AREA (B) =	0.14 AC
PERVIOUS AREA (B) =	5,233 SF
IMPERVIOUS% =	0.12 AC
PERVIOUS AREA (B) =	332 SF
C VALUE =	0.02 AC
DISCHARGE (Q) =	CIA
	0.52 CFS
DRAINAGE AREA-C	
AREA =	5,216 SF
IMPERVIOUS AREA (C) =	0.12 AC
PERVIOUS AREA (C) =	2,787 SF
IMPERVIOUS% =	0.06 AC
PERVIOUS AREA (C) =	53 SF
C VALUE =	0.06 AC
DISCHARGE (Q) =	CIA
	0.48 CFS

Revisions:

MOUR GROUP
ENGINEERING + DESIGN
6593 RIVERDALE ST.
SAN DIEGO, CA, 92120
PH. 619.727.4800

PROJECT: **PROPOSED DEVELOPMENT**
PARCEL 2
CENTRE CITY PARKWAY & MISSION AVENUE
ESCONDIDO, CA 92025

CLIENT: **501 WEST MISSION, LLC**
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE: **DRAINAGE PLAN**
PROPOSED
PARCEL 2

SHEET # **C202**

SOURCE CONTROL(SC)/SITE DESIGN(SD):

ITEMS	FACT SHEET/DESIGN REQMT
PREVENT ILLICIT DISCHARGE INTO MEA	6.2.1
STORM DRAIN STENCILING OR SIGNAGE	6.2.2
PROTECT TRASH STORAGE AREAS	6.2.5
MINIMIZE IMPERVIOUS AREA	6.3.3
LANDSCAPING WITH NATIVE OR DROUGHT TOLERANT SPECIES	6.3.7
ONSITE STORM DRAIN INLET LABELING	6.5.4
REFUSE AREAS EXPOSURE REDUCTION	6.5.5

DMA SITE MAP NOTES

- BMP -1 - OLDCASTLE BIOPOD WITH PLANTER BPS/TP-412 PLANTED WITH (DIETES PRINCEPS) (FORTNIGHT) (LJL).
- HYDROLOGIC SOIL GROUP TYPE D PER USGS WEBSOILS SURVEY MAP.
- APPROXIMATE DEPTH TO GROUNDWATER: +10 FEET
- EXISTING HYDRAULIC FEATURES: NONE.
- CCSYA NONE NEARBY, NONE.
- SEE ATTACHMENT 4 FOR BMP DETAILS.

LEGEND:

	PROJECT BOUNDARY
	DRAINAGE BASINS (DMA)
	BMP STRUCTURES
	SELF MITIGATING
	DIMINUAS
	NEW LANDSCAPE

TOTAL DISTURBANCE AREA

TOTAL DISTURBANCE AREA 22,503 SF
0.52 ACRES
NO SWPPP ANTICIPATED FOR THIS SITE.

Revisions:

1	
2	
3	
4	

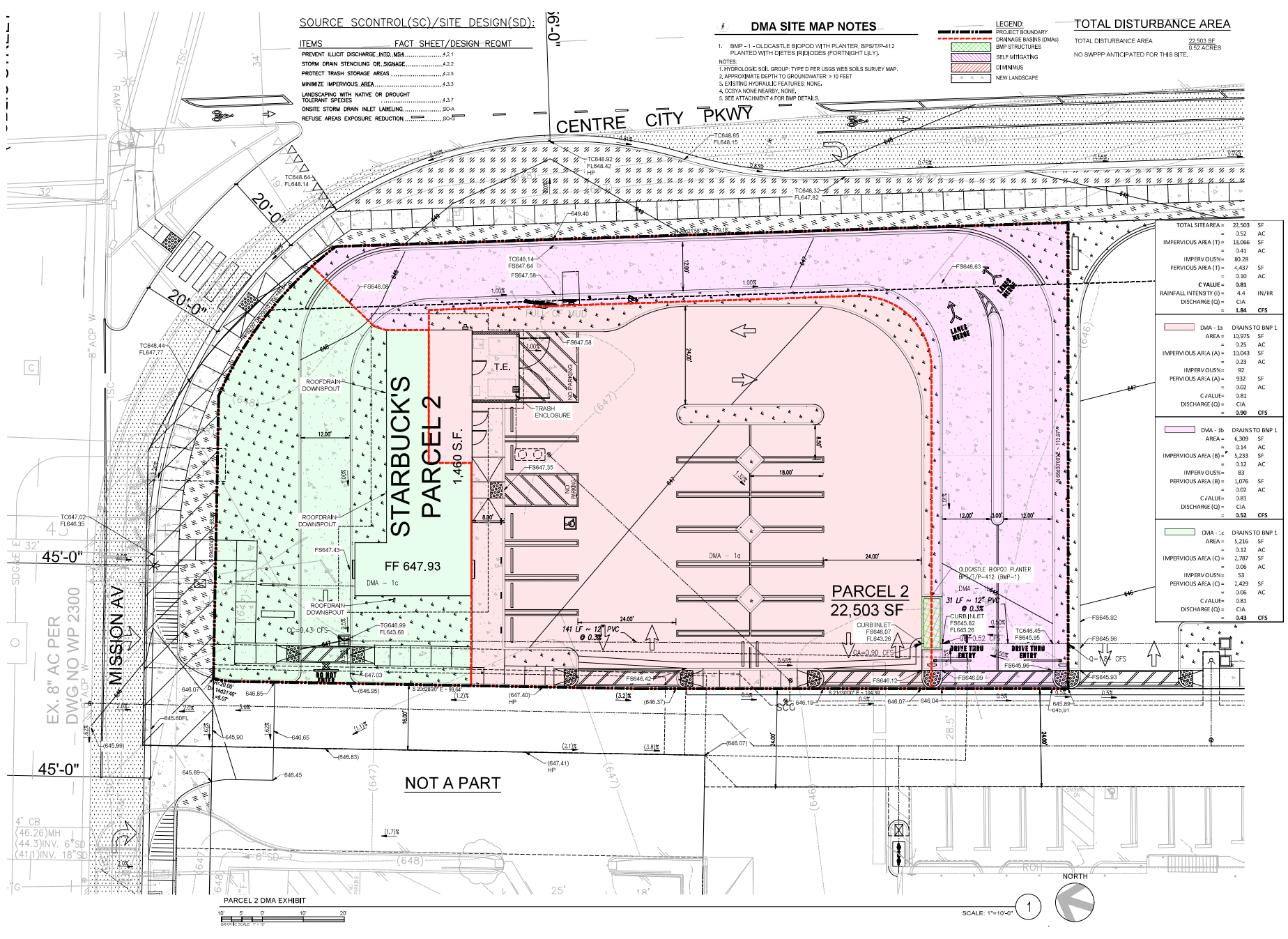


PROPOSED DEVELOPMENT
PARCEL 2
CENTRE CITY PARKWAY & MISSION AVENUE
ESCONDIDO, CA 92025

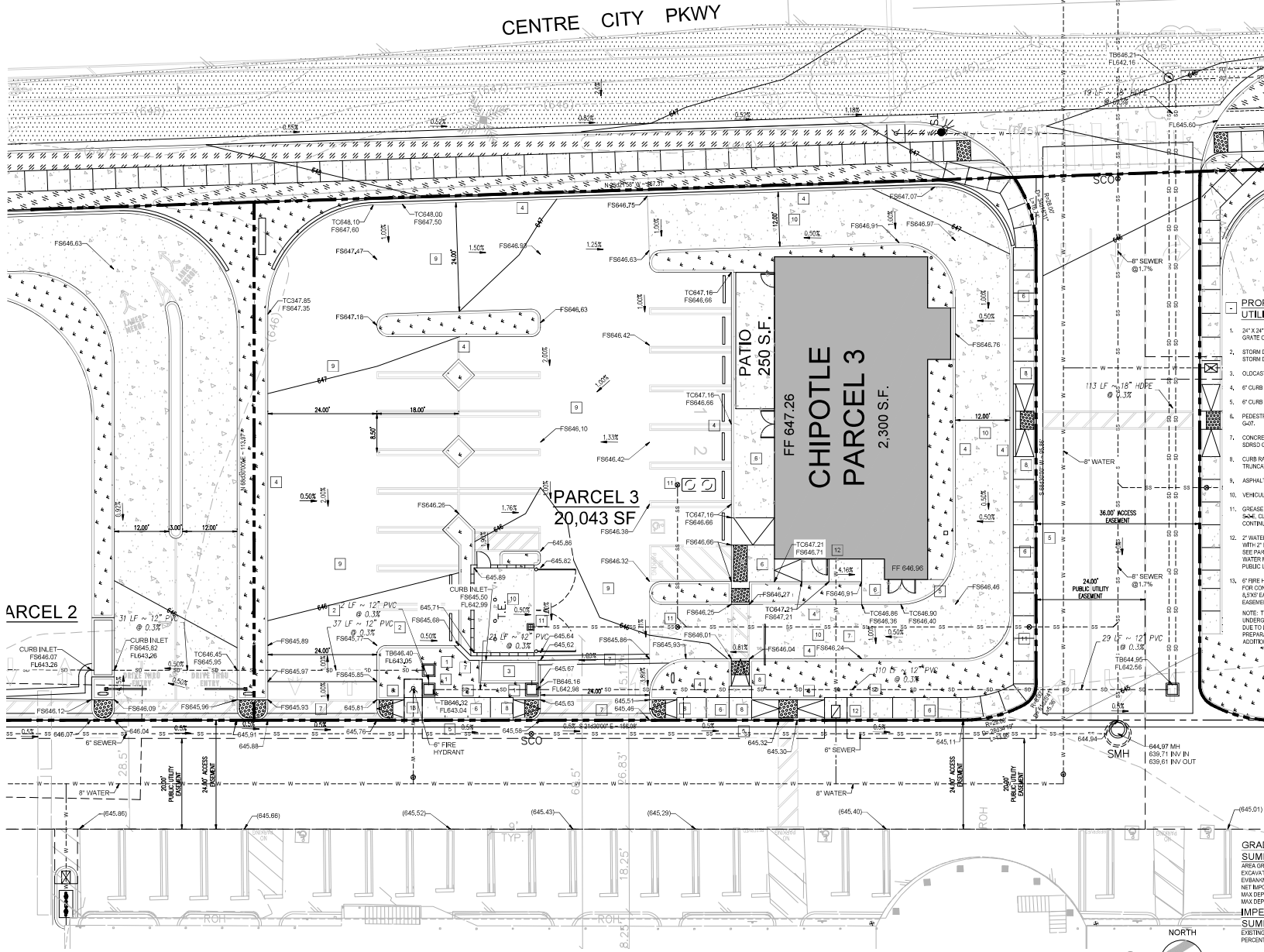
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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN
SHEET TITLE: DMA EXHIBIT
PARCEL 2
SHEET # C203



DMA	DRAINS TO BMP 1	AREA	IMPERVIOUS	PERVIOUS	C VALUE	RAINFALL INTENSITY (I)	DISCHARGE (Q)
DMA - 1a	DRAINS TO BMP 1	13,975 SF	13,066 SF	80.28 SF	0.81	4.4 IN/HR	1.84 CFS
DMA - 1b	DRAINS TO BMP 1	6,309 SF	5,233 SF	92 SF	0.81	0.92 CFS	
DMA - 1c	DRAINS TO BMP 1	5,216 SF	3,14 SF	83 SF	0.81	0.52 CFS	
DMA - 1a	DRAINS TO BMP 1	2,787 SF	0 SF	53 SF	0.81	0.06 CFS	
DMA - 1b	DRAINS TO BMP 1	2,429 SF	0 SF	53 SF	0.81	0.06 CFS	
DMA - 1c	DRAINS TO BMP 1	2,429 SF	0 SF	53 SF	0.81	0.06 CFS	



- PROPOSED GRADING AND UTILITY KEY NOTES:**
- 24" X 24" CATCH BASIN BY OLDCASTLE PRECAST. GRATE OR SOUD UP PER PLAN.
 - STORM DRAIN: SIZE AND SLOPE PER PLAN, NOTE: STORM DRAIN IN BASEMENT.
 - OLDCASTLE BPOPO, BPP412EEL.
 - 6" CURB PER SDRS G-01.
 - 6" CURB AND GUTTER PER SDRS G-02.
 - PEDESTRIAN CONCRETE WALKWAY PER SDRS G-01.
 - CONCRETE CROSS GUTTER W/PER PLAN PER SDRS G-03.
 - CURB RAMP - TYPE D PER SDRS G-01 WITH TRUNCATED DOMES PER SDRS G-30.
 - ASPHALT CONCRETE OVER AGGREGATE BASE.
 - VEHICULAR CONCRETE OVER AGGREGATE BASE.
 - SEWAGE INTERCEPTOR, 6" SEWER LATERAL PER SAME CLEANOUT - SEE PARCEL 1 PLAN FOR CONTINUATION.
 - 2" WATER SERVICE FOR 2" METER PER W-02 WITH 1" BODYSLOW PREVENTOR PER W-04 - SEE PARCEL 1 PLAN FOR CONTINUATION, NOTE: WATER METER IS IN A 6'X6' BASEMENT OFF OF THE PUBLIC UTILITY EASEMENT.
 - 6" FIRE HYDRANT PER W-04 SEE PARCEL 1 PLAN FOR CONTINUATION, NOTE: FIRE HYDRANT IS IN AN 8'X8' BASEMENT OFF OF THE PUBLIC UTILITY EASEMENT.
- NOTE: THE LOCATION OF THE EXISTING ONSITE UNDERGROUND UTILITIES IS INDICATED AT THIS TIME DUE TO LACK OF DOCUMENTATION. PRIOR TO PREPARATION OF FINAL CONSTRUCTION PLANS ADDITIONAL FIELD VERIFICATION WILL BE PERFORMED.

GRADING QUANTITY SUMMARY PARCEL 3:

AREA GRADED	146.40 (20,043 SF)
EXCAVATION	35.00 CY
EASEMENT	48.00 CY
NET IMPORT	424.00 CY
MAX DEPTH OF CUT	4.02 FT
MAX DEPTH OF FILL	1.91 FT

IMPERVIOUS QUANTITY SUMMARY PARCEL 3:

EXISTING	3,218 SF
PROPOSED	17,863 SF
PERCENTAGE OF TOTAL AREA	89.12%

QUANTITY ESTIMATE PARCEL 3:

3 EACH	
170 LF	
1 EACH 4X12	
903 LF	
230 LF	
1,574 SF	
242 SF	
10 EACH	
9,370 SF	
3,177 SF	
141 LF	
54 LF	
1 EACH	

Revisions:

MOUR GROUP
ENGINEERING - DESIGN
6593 RIVERDALE ST.
SAN DIEGO, CA. 92120
PH. 619.727.4899

CONDITIONAL USE PERMIT
PARCEL 3
CENTRE CITY PARKWAY AND MERRISON AVENUE
ESCONDIDO, CA 92025

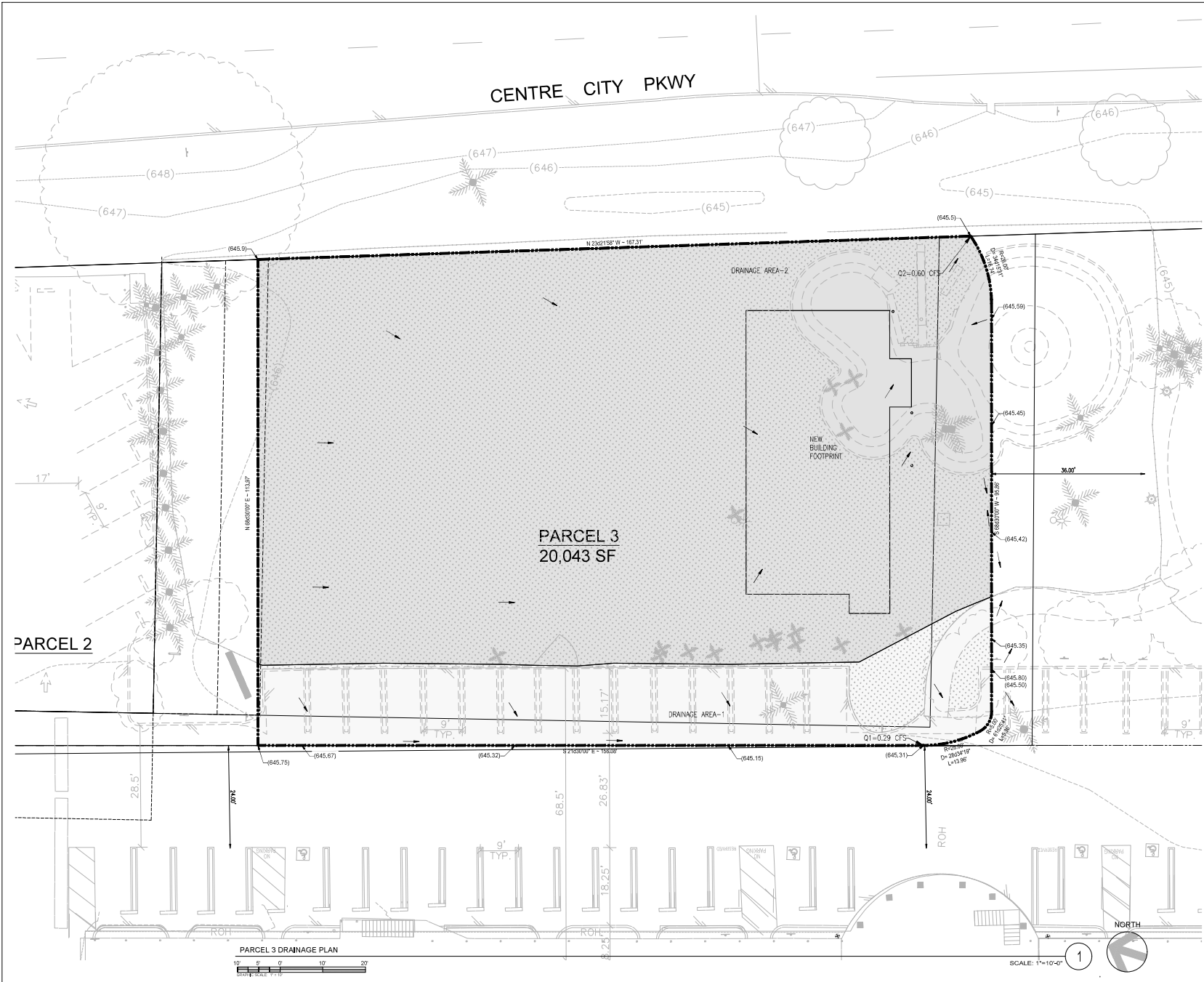
CLIENT:
501 WEST MISSION, LLC
14489 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOJ/ES
SCALE: AS SHOWN

SHEET TITLE:
GRADING AND UTILITY PLAN
PARCEL 3

SHEET #
C300

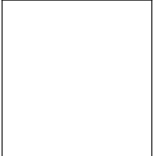


TOTAL SITE AREA =	20,043 SF
IMPERVIOUS AREA (T) =	0.46 AC
IMPERVIOUS AREA (1) =	3,878 SF
IMPERVIOUS AREA (2) =	0.09 AC
PERVIOUS AREA (T) =	16,165 SF
PERVIOUS AREA (1) =	0.37 AC
C VALUE =	0.44
RAINFALL INTENSITY (I) =	4.4 IN/HR
DISCHARGE (Q) =	CIA
	0.88 CFS

DRAINAGE AREA-1	AREA =	3,323 SF
	AREA =	0.08 AC
IMPERVIOUS AREA (1) =	2,517 SF	
IMPERVIOUS AREA (2) =	0.07 AC	
PERVIOUS AREA (1) =	606 SF	
PERVIOUS AREA (2) =	0.01 AC	
C VALUE =	0.81	
DISCHARGE (Q) =	CIA	
	0.29 CFS	

DRAINAGE AREA-2	AREA =	16,519 SF
	AREA =	0.38 AC
IMPERVIOUS AREA (2) =	960 SF	
IMPERVIOUS AREA (1) =	0.02 AC	
PERVIOUS AREA (2) =	15,559 SF	
PERVIOUS AREA (1) =	0.36 AC	
C VALUE =	0.36	
DISCHARGE (Q) =	CIA	
	0.60 CFS	

Revisions:



MOUR GROUP
ENGINEERING + DESIGN
6593 RIVERDALE ST.
SAN DIEGO, CA 92120
PH. 619.727.4800

PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
PARALLEL DRAGON AVENUE
CENTRE CITY, SAN DIEGO, CALIFORNIA 92105

CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: MAY 7, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
DRAINAGE PLAN
EXISTING
PARCEL 3

SHEET #
C301

Revisions:

TOTAL SITE AREA	=	20,043	SF
IMPERVIOUS AREA (I)	=	0.46	AC
IMPERVIOUS% (I)	=	17,862	SF
IMPERVIOUS% (I)	=	0.41	AC
PERVIOUS AREA (P)	=	89.12	SF
PERVIOUS% (P)	=	0.05	AC
C VALUE	=	0.81	
RAINFALL INTENSITY (I)	=	4.4	IN/HR
DISCHARGE (Q)	=	CIA	
	=	1.64	CFS



PROJECT
CONDITIONAL USE PERMIT
PARCEL 3
 501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 ESCONDIDO, CA 92025

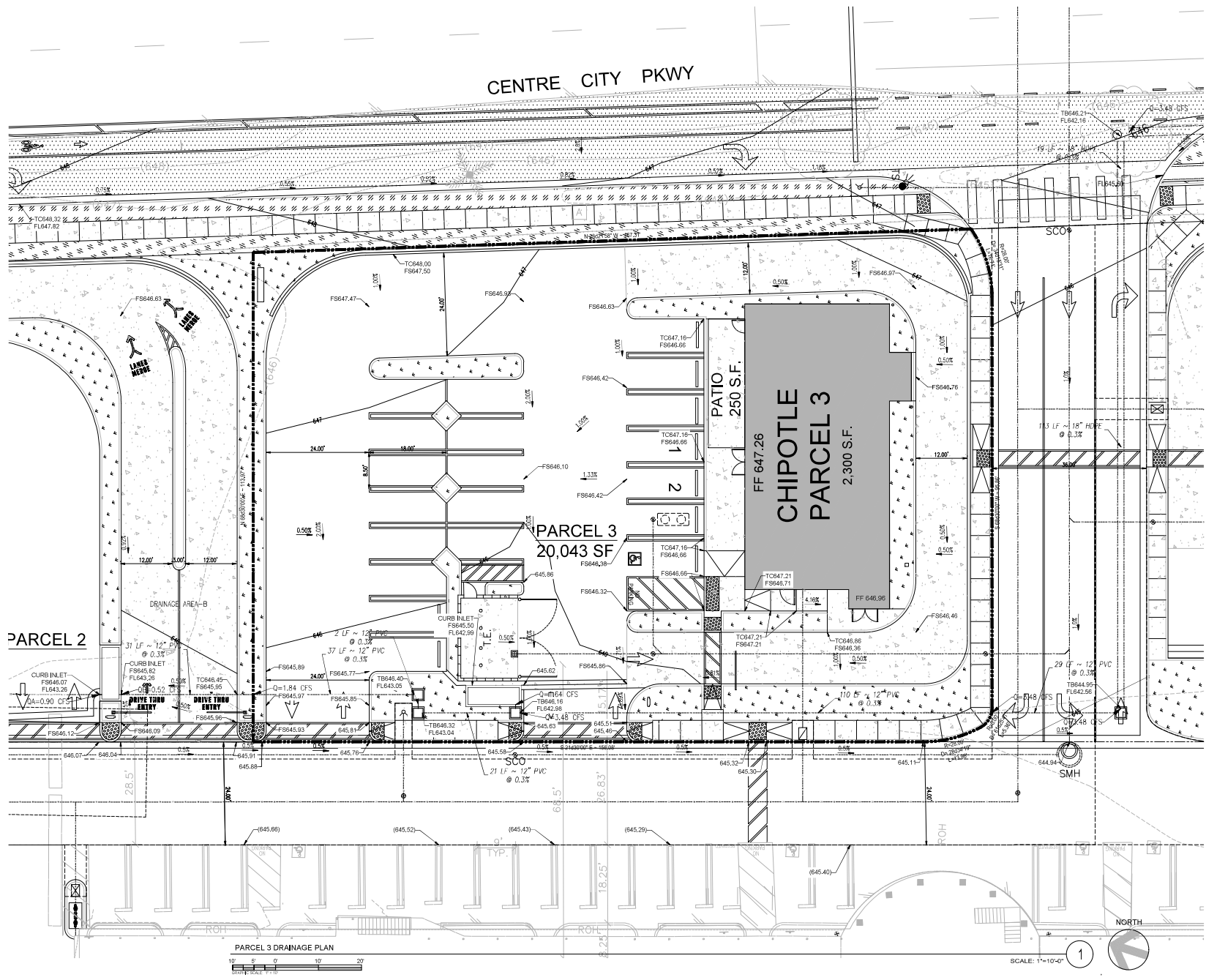
CLIENT:
501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

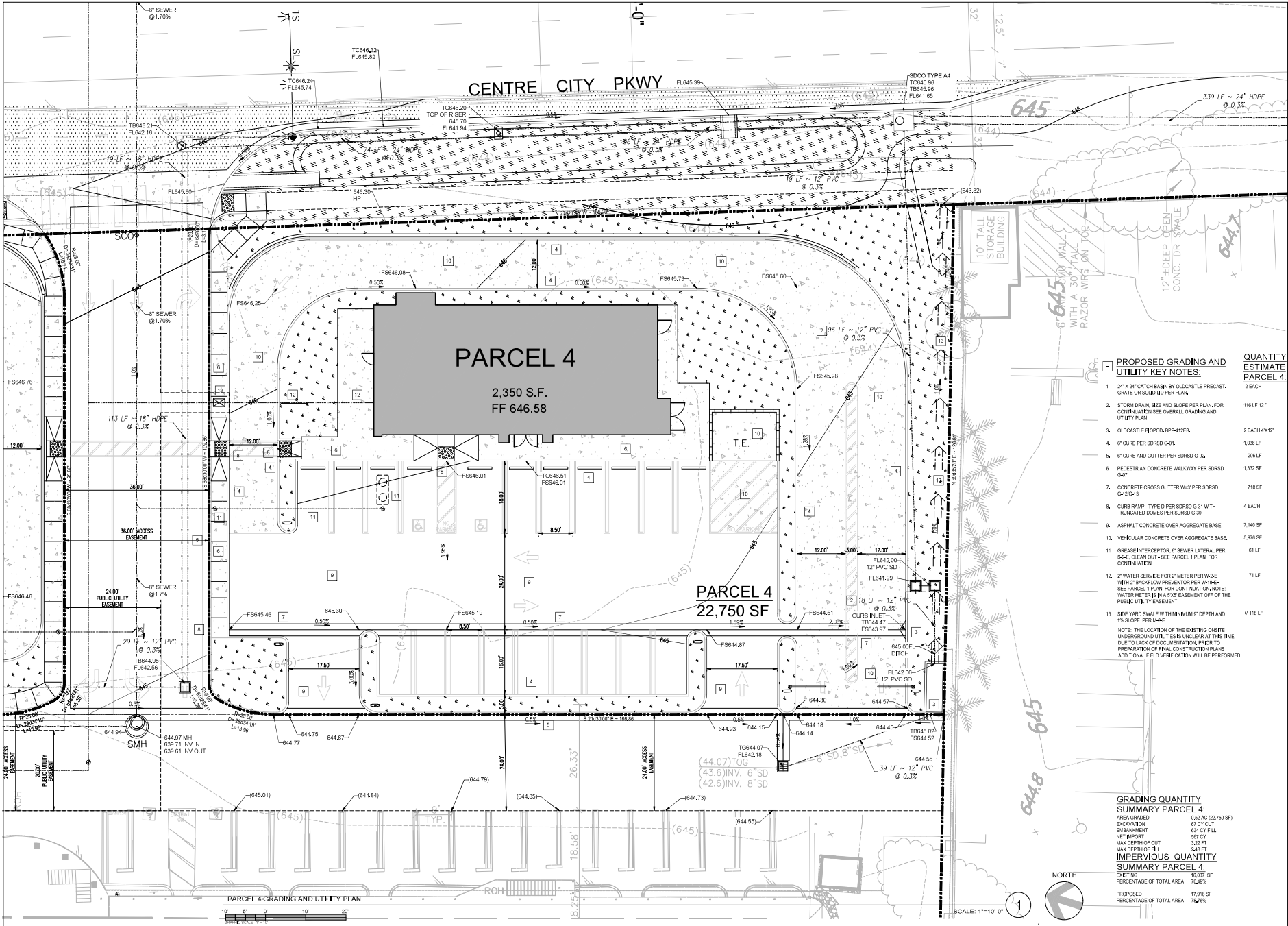
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DATE: MAY 7, 2024
 PROJECT NO.: WM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
DRAINAGE PLAN
PROPOSED
PARCEL 3

SHEET #
C302





Revisions:

MOUR GROUP
ENGINEERING + DESIGN
6555 RIVERDALE ST.
SAN DIEGO, CA, 92120
PH. 619.727.4800

CONDITIONAL USE PERMIT
PARCEL 4
PARWAY BLVD, MISSION AVENUE
ESCONDIDO, CA 92025

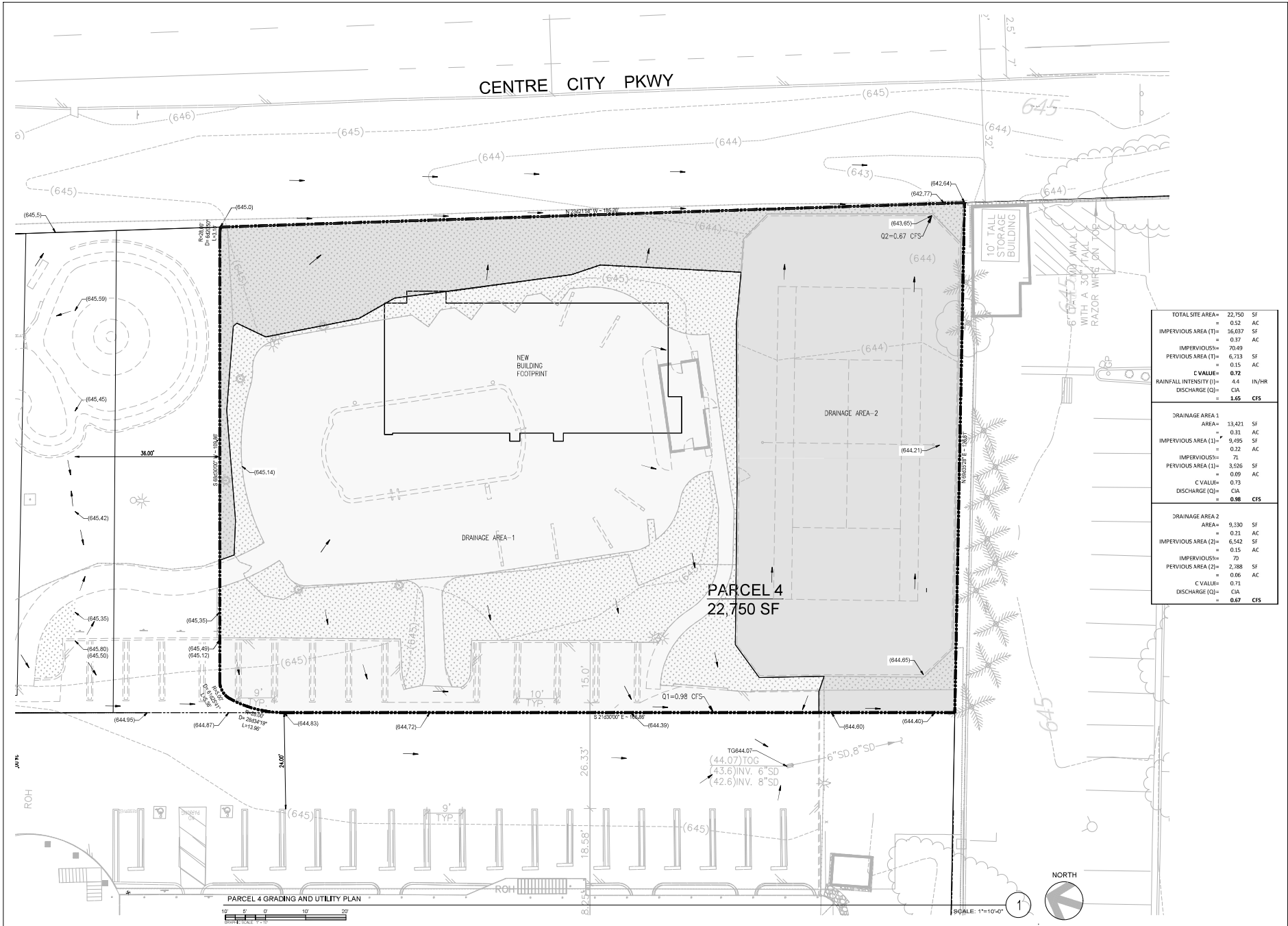
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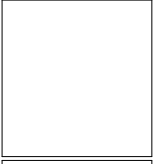
DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOJ/ES
SCALE: AS SHOWN

SHEET TITLE:
GRADING AND UTILITY PLAN
PARCEL 4

SHEET #
C400



Revisions:



PROJECT
CONDITIONAL USE PERMIT
PARCEL 4
 501 WEST MISSION, LLC
 CENTRE CITY PARKWAY AND MISSION AVENUE
 ESCONCADO, CA 92525

CLIENT:
501 WEST MISSION, LLC
 14483 OLD CREEK ROAD
 SAN DIEGO, CA 92131

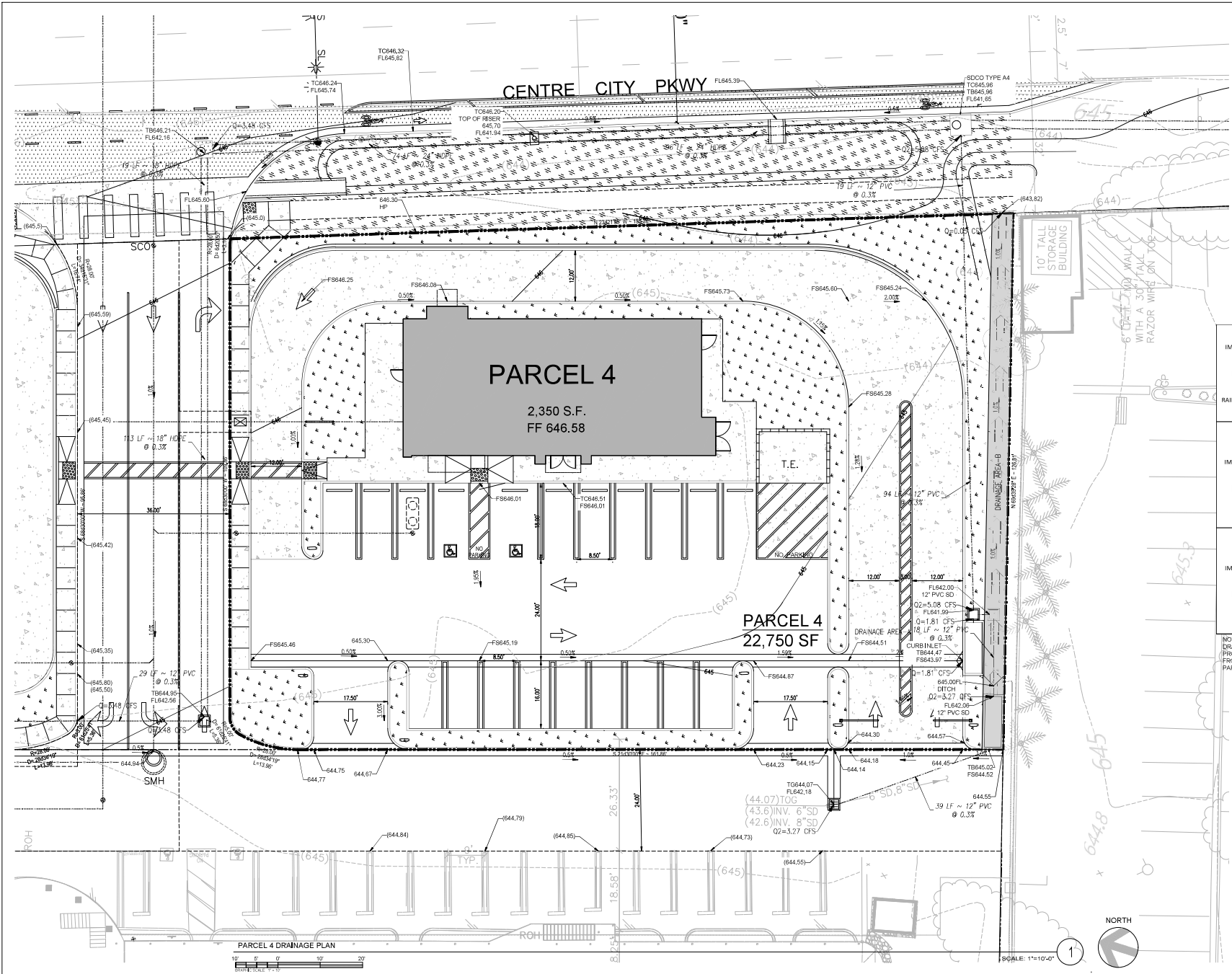
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DATE: AUGUST 23, 2024
 PROJECT NO.: WM2301
 DRAWN: MOUR GROUP
 SCALE: AS SHOWN

SHEET TITLE:
DRAINAGE PLAN
EXISTING
PARCEL 4

SHEET #
C401

TOTAL SITE AREA=	22,750 SF
IMPERVIOUS AREA (1)=	0.52 AC
PERVIOUS AREA (1)=	16,697 SF
IMPERVIOUS=	0.37 AC
PERVIOUS AREA (T)=	70,49 SF
PERVIOUS AREA (T)=	6,713 SF
C VALUE=	0.72
RAINFALL INTENSITY (I)=	4.4 IN/HR
DISCHARGE (Q)=	4.4 C/A
DISCHARGE (Q)=	1.65 CFS
DRAINAGE AREA 1	
AREA=	13,421 SF
IMPERVIOUS AREA (1)=	0.31 AC
PERVIOUS AREA (1)=	9,995 SF
IMPERVIOUS=	0.22 AC
PERVIOUS AREA (T)=	71 SF
PERVIOUS AREA (T)=	3,926 SF
C VALUE=	0.73
DISCHARGE (Q)=	4.4 C/A
DISCHARGE (Q)=	0.98 CFS
DRAINAGE AREA 2	
AREA=	9,330 SF
IMPERVIOUS AREA (2)=	0.21 AC
PERVIOUS AREA (2)=	6,542 SF
IMPERVIOUS=	0.15 AC
PERVIOUS AREA (T)=	70 SF
PERVIOUS AREA (T)=	2,788 SF
C VALUE=	0.71
DISCHARGE (Q)=	4.4 C/A
DISCHARGE (Q)=	0.67 CFS



Revisions:



PROJECT
CONDITIONAL USE PERMIT
PARCEL 4
PARWAY BLVD, MISSION AVENUE
ESCONDIDO, CA 92025

CLIENT:
501 WEST MISSION, LLC
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN BY: MOUR GROUP
SCALE: AS SHOWN

SHEET TITLE:
DRAINAGE PLAN
PROPOSED
PARCEL 4

SHEET #
C402

TOTAL SITE AREA =	22,750	SF
IMPERVIOUS AREA (I) =	0.32	AC
PERVIOUS AREA (A) =	12,218	SF
IMPERVIOUS% =	0.41	AC
PERVIOUS% =	78.76	SF
PERVIOUS AREA (T) =	4,832	SF
IMPERVIOUS% =	0.11	AC
PERVIOUS% =	0.11	AC
C VALUE =	0.81	
RAINFALL INTENSITY (I) =	4.4	IN/HR
DISCHARGE (Q) =	CIA	
DISCHARGE (Q) =	1.86	CFS

DRAINAGE AREA A	AREA =	22,117	SF
IMPERVIOUS AREA (A) =	0.31	AC	
PERVIOUS AREA (A) =	12,218	SF	
IMPERVIOUS% =	0.41	AC	
PERVIOUS% =	81	SF	
PERVIOUS AREA (A) =	4,199	SF	
IMPERVIOUS% =	0.10	AC	
PERVIOUS% =	0.10	AC	
C VALUE =	0.81		
DISCHARGE (Q) =	CIA		
DISCHARGE (Q) =	1.81	CFS	

DRAINAGE AREA B	AREA =	684	SF
IMPERVIOUS AREA (B) =	0.01	AC	
PERVIOUS AREA (B) =	0	SF	
IMPERVIOUS% =	0.00	AC	
PERVIOUS% =	0	SF	
PERVIOUS AREA (B) =	684	SF	
IMPERVIOUS% =	0.01	AC	
PERVIOUS% =	0.01	AC	
C VALUE =	0.81		
DISCHARGE (Q) =	CIA		
DISCHARGE (Q) =	0.26	CFS	

NOTE: DRAINAGE AREA B IS A 5' WIDE DRAINAGE BARMENT ALONG THE SOUTH PROPERTY LINE TO CONVEY DRAINAGE FROM PARCEL 1 TO CENTRE CITY PARKWAY.

SOURCE CONTROL(SC)/SITE DESIGN(SD):

FACT SHEET/DESIGN REQMT

PREVENT ILLUOT DISCHARGE INTO USA	A.2.1
STORM DRAIN STENCILING OR SIGNAGE	A.2.2
PROTECT TRASH STORAGE AREAS	A.2.3
MINIMIZE IMPERVIOUS AREA	A.2.3
LANDSCAPING WITH NATIVE OR DROUGHT TOLERANT SPECIES	A.2.4
CHISEL STORM DRAIN INLET MARKING	A.2.5
REFUSE AREAS EXPOSURE REDUCTION	A.2.6

- NOTES:
1. HYDROLOGIC SOIL GROUP TYPE D PER USGS WEB SOILS SURVEY MAP.
 2. APPROXIMATE DEPTH TO GROUNDWATER > 10 FEET
 3. EXISTING HYDRAULIC FEATURES: NONE.
 4. OVERLY NONE NEARBY: NONE.
 5. SEE ATTACHMENT 4 FOR BMP DETAILS.

DMA SITE MAP NOTES

1. BMP -3 - OLDCASTLE BIPOOD WITH PLANTER, BPS/TP-412 PLANTED WITH DIETES RIDGES (FORTNIGHT LVL.)
2. BMP -4 - OLDCASTLE BIPOOD WITH PLANTER, BPS/TP-412 PLANTED WITH DIETES RIDGES (FORTNIGHT LVL.)

LEGEND:

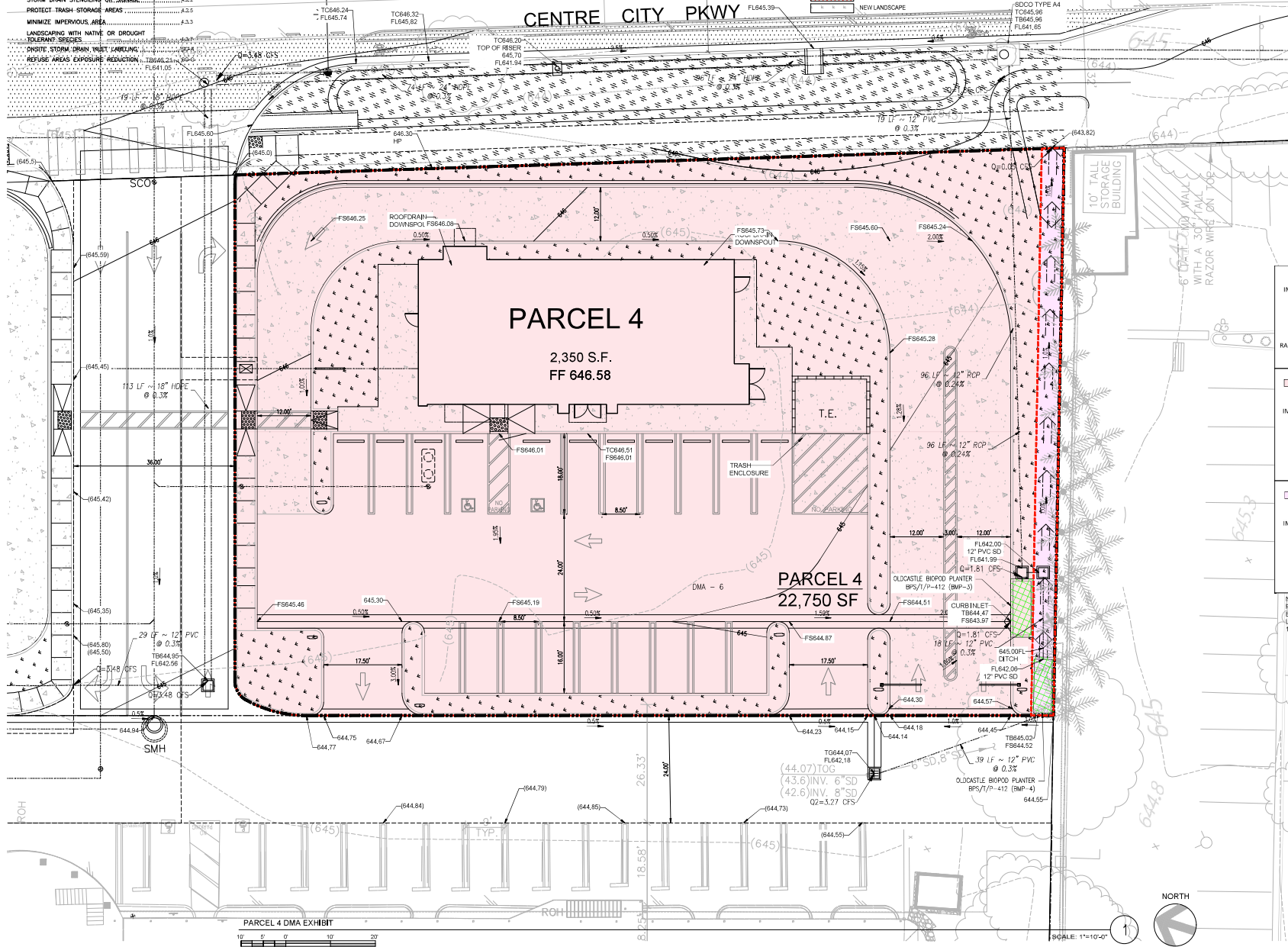
- PROJECT BOUNDARY
- DRAINAGE BASINS (DMA)
- BMP STRUCTURES
- SELF-IRRIGATING
- MINI-BASIN
- NEW LANDSCAPE

TOTAL DISTURBANCE AREA

TOTAL DISTURBANCE AREA: 22,750 SF
0.52 ACRES

NO SWPPP ANTICIPATED FOR THIS SITE.

SDDO TYPE A4
TC645.96
TR646.96
FL641.65



TOTAL SITE AREA =	22,750 SF
IMPERVIOUS AREA (T) =	0.12 AC
PERVIOUS AREA (T) =	37,519 SF
IMPERVIOUS/A =	0.41 AC
PERVIOUS/A =	78.76
PERVIOUS AREA (A) =	4,632 SF
IMPERVIOUS/A =	0.1 AC
C VALUE =	0.11
RAINFALL INTENSITY (I) =	44 IN/HR
DISCHARGE (Q) =	CA
	1.46 CFS

DMA - 3 DRAINS TO BMP 3	
AREA =	22.17 SF
IMPERVIOUS/A =	0.11 AC
PERVIOUS AREA (A) =	37,519 SF
IMPERVIOUS/A =	0.41 AC
PERVIOUS/A =	78.76
PERVIOUS AREA (A) =	4,399 SF
IMPERVIOUS/A =	0.9 AC
C VALUE =	0.11
DISCHARGE (Q) =	CA
	1.41 CFS

DMA - 4 DRAINS TO BMP 4	
AREA =	624 SF
IMPERVIOUS/A =	0.41 AC
PERVIOUS AREA (B) =	0 AC
IMPERVIOUS/A =	0.90 AC
PERVIOUS AREA (B) =	624 SF
IMPERVIOUS/A =	0.41 AC
C VALUE =	0.11
DISCHARGE (Q) =	CA
	0.05 CFS

NOTE: BMP 4 TREATS RUNOFF FROM PARCEL 1. THERE IS A 5' WIDE DRAINAGE EASEMENT ALONG THIS SOUTH PROPERTY LINE TO CONVEY DRAINAGE FROM PARCEL 1 TO CENTER CITY PARKWAY.

Revisions:

MOUR GROUP
ENGINEERING + DESIGN
8550 RIVERDALE ST.
SAN DIEGO, CA 92120
PH. 619.727.4800

PROJECT: **CONDITIONAL USE PERMIT**
PARCEL 4
PARWAY BLVD, MISSION AVENUE
ESCONDIDO, CA 92025

CLIENT: **501 WEST MISSION, LLC**
14483 OLD CREEK ROAD
SAN DIEGO, CA 92131

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DATE: AUGUST 23, 2024
PROJECT NO.: WM2301
DRAWN: MOUR GROUP
SCALE: AS SHOWN
SHEET TITLE: DMA EXHIBIT
PARCEL 4
SHEET # C403

Draft Planning Commission Resolution No. 2024-17

EXHIBIT "D"

PLANNING CASE NOS. PL24-0057/PL22-0397/PL22-0398/PL22-0396/PL24-0198

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

1. Environmental Determinations:

- a. 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.
- b. An Initial Study/Mitigated Negative Declaration ("IS/MND") for the Project was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the CEQA Guidelines, and the local environmental procedures. The decision-making body of the Lead Agency shall adopt the proposed IS/MND only if:
 - It finds on the basis of the whole record before it that there is no substantial evidence the project will have a significant effect on the environment, and
 - The IS/MND reflects the Lead Agency's independent judgment and analysis.
- c. The IS/MND was circulated for a 30-day public review period beginning July 25, 2024 through August 26, 2024.
- d. The Final IS/MND and Mitigation Monitoring and Reporting Plan ("MMRP"), collectively constitute the environmental documentation under and pursuant to CEQA, the CEQA Guidelines, and local environmental procedures relating to the project, and shall be referred to herein collectively as "CEQA Documents"
- e. The Planning Commission has received the material record supporting all of the CEQA documents for the Project. The Planning Commission, finds the following:
 - The Final IS/MND reflects the City's independent judgment and analysis.
 - That there is no substantial evidence that the Project or any of its aspects could result in significant adverse impacts, or that cannot be fully mitigated. All previously identified impacts have been mitigated to less than a significant level.
 - The Planning Commission also finds that the mitigation measures listed in the MMRP will not cause any potentially significant effects.
 - The Final IS/MND has been completed in compliance with CEQA and it constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA

Draft Planning Commission Resolution No. 2024-17

- f. Mitigation measures are recommended to be incorporated as part of the adoption of the Mitigated Negative Declaration. The recommended approval of the Project also includes the adoption of the MMRP, attached hereto this Resolution.
- g. Pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines section 15091(e), all documents and other materials which constitute the record of proceedings are located at the City of Escondido, City Hall. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the Planning Commission’s decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

Draft Planning Commission Resolution No. 2024-17

2. Tentative Parcel Map Determinations (PL22-0396) (Subdivision Map Act and Chapter 32 of the Escondido Municipal Code)

With respect to Planning Case No. PL22-0396, the Planning Commission makes the finding that none of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a Tentative Subdivision Map apply to this Project for the reasons stated as follows:

- a. That the proposed map is consistent with the applicable general and specific plans as specified in Section 65451 of the Subdivision Map Act.*

The proposed Project has been reviewed in accordance with the City's 2012 General Plan, and is not located within a specific plan area. The proposed subdivision is consistent with the General Commercial (GC) General Plan land use designation which allows for commercial uses on the Project site. The GC land use designation allows a maximum intensity of 0.5 Floor Area Ratio. As detailed in the Planning Commission staff report, dated October 8, 2024, the proposed map meets the requirements for parcels in General Commercial (C-G) zoning district.

- b. That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans.*

The Project includes the subdivision of two (2) parcels into four (4) parcels for commercial uses. The Project is required to improve the frontage along Centre City Parkway and Mission Avenue as required by the General Plan and the Escondido Municipal Code. Further, the Project as proposed meets the minimum lot sizes and dimensions, as well as access for egress and ingress, required by the Municipal Code for the purposes of land subdivision.

- c. The Project site is physically suitable for the proposed type of Project.*

The Project site is suitable for the commercial type of development proposed as it is consistent with the permitted and conditionally permitted uses identified within Article 16 of the Escondido Zoning Ordinance. The Project is located on property that is adjacent to existing commercial development at relatively similar size and scale and on similar lot sizes and patterns of development. The location, access, density, size, and type of use proposed as a part of the Tentative Parcel Map are compatible with the existing and future land uses in the surrounding neighborhood as a large portion of the surrounding area share the same zoning designation (properties to the north, east, and west are all zoned and designated by the General Plan as General Commercial). The Project site is approximately 3.74 acres, is relatively flat, and can accommodate the amount of lots proposed for the site.

- d. That the site is physically suitable for the proposed density of development.*

The granting of the Tentative Parcel Map would not violate the requirements, goals, policies, or intent of the 2012 General Plan. The Project is consistent with the intensity as outlined in the General Plan, and with the underlying zoning district which regulates required setbacks, landscaping, building height, and other regulatory requirements such as lot size in the Escondido Zoning Code. Granting of the Conditional

Draft Planning Commission Resolution No. 2024-17

Use Permit for Parcel 4 would entail conformance of the Project design with off-street parking as it would allow for a reduction in required standard parking spaces on Parcel 4.

- e. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.*

The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development (State Clearinghouse #2024071028). No special status plant or animal species were discovered on the Project site during the preparation of the Project's biological technical report. Impacts to vegetation communities, and nesting birds, and mitigation measures have been proposed in the Final IS/MND to reduce these impacts to a less than significant level. Further, the Project site is a previously disturbed and developed parcel wholly surrounded by developed commercial and residential sites.

- f. *That the design of the subdivision or the type of improvements is not likely to cause serious public health concerns.*

The design of the map and the type of improvements are not likely to cause serious public health problems in that all necessary public facilities and services are in place or can be extended to serve the Project, which comes with support from providers of fire, sewer, water, and school services, indicating that existing facilities are available to service the Project. The Project's proposed street alignment, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; traffic and emergency access; and grading were all reviewed for compliance with relevant City policies and codes and determined they meet or exceed such standards as designed.

- g. *That the design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

The map design and type of improvements would not conflict with easements of record, or easements established through court judgement or acquired by the population at large, for access through, or use of property within the proposed map. All easements identified in the preliminary title report for the subject property are shown on the proposed Tentative Parcel Map. No conflicts with easement of record have been identified.

- h. *All permits and approvals applicable to the proposed Tentative Map pursuant to Chapter 33 of this code have been obtained.*

All permits and approvals applicable to the proposed Tentative Map pursuant to Chapter 33 of the Municipal Code will be obtained with concurrent approval of this Tentative Map, or conditions of approval have been proposed to ensure they will be obtained. The Project has been conditioned to require several permits necessary to construct the Project as proposed, including grading, landscape, building, and encroachment permits from the City of Escondido.

Draft Planning Commission Resolution No. 2024-17

- i. All applicable requirements of the Map Act and any ordinance of the City of Escondido regulating or otherwise relating to the conversion of existing buildings into condominiums or stock cooperatives have been satisfied.*

The proposed Project is a Tentative Parcel Map for the subdivision of real property for commercial uses. The Project does not include conversion of existing buildings into condominiums or stock cooperative. All applicable requirements of the Map Act and any ordinance of the City of Escondido have been satisfied.

The Project's proposed street alignment, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; traffic and emergency access; and grading were all reviewed for compliance with relevant City policies and codes and determined they meet or exceed such standards as designed.

The Project site is currently zoned General Commercial (C-G) and the proposed Project design was reviewed by the City's Staff Development Committee ("SDC") for compliance with City standards, development regulations, and policies, including the Escondido Zoning Ordinance. The Project as proposed and depicted on Exhibit "C" of Resolution No. 2024-17 was determined to be in accordance with the requirements of Chapter 33 by the SDC which includes, but is not limited to, requirements surrounding land use, building setbacks, height, lot coverage, floor area ratio, landscaping, parking required, parking stall design and standards, noise, circulation dimensions, access, etc.

- j. The proposed Tentative Map shall be in conformity with the zone in which it is located. To the extent that the property, which is subject of the proposed Tentative Map, is an existing legal nonconforming multi-family residential use, this requirement shall not apply, in accordance with Chapter 33 of this code.*

The Project site is currently zoned General Commercial (C-G) and the proposed Project design was reviewed by the City's Staff Development Committee ("SDC") for compliance with City standards, development regulations, and policies, including the Escondido Zoning Ordinance. The Project as proposed and depicted on Exhibit "C" of Resolution No. 2024-17 was determined to be in accordance with the requirements of Chapter 33 by the SDC which includes, but is not limited to, requirements surrounding land use, building setbacks, height, lot coverage, floor area ratio, landscaping, parking required, parking stall design and standards, noise, circulation dimensions, access, etc.

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3. Non-Emergency Demolition Findings**(Section 33-803 (c) of Article 40 – Historical Resources of the Escondido Zoning Code)**

With respect to the Non-Emergency Demolition Permit, the Planning Commission finds and recommends that that City Council make the following findings for approval:

- a. That the City of Escondido's inventory of significant historical resources is not diminished by the demolition of the subject resource, and that there remains in the community a like resource, i.e., use, site, architectural style, or example of an architect's work.*

The 503 West Mission Avenue building possesses characteristics of the Googie-style and is eligible for designation under CRHR Criterion 3 and City of Escondido Criterion 2, as it possesses such distinguishing characteristics of the Googie-style. While the Escondido Historic Context Statement does not mention whether Googie-style buildings are common in Escondido, field research identified several examples of Googie-style architecture close to the 503 West Mission Avenue building. The document titled "Escondido's Marvelous Mid-Centuries: 1945-1969" prepared by the City of Escondido in 2016 mentions that the existing Denny's building addressed at 510 Mission Avenue and located across the street from 503 West Mission Avenue, was constructed between 1953 and 1964 and is an excellent example of a Mid-Century, Googie-style commercial building. Additional examples include two other Googie-style buildings and one sign (located at 810 North Broadway, constructed between 1953 and 1964; 2680 South Escondido Boulevard, constructed in 1969; and the northwest corner of West Mission Avenue and North Escondido Boulevard, erected between 1967 and 1978, respectively). Because the 503 West Mission Avenue building is among several examples of the Googie-style in the City possessing distinguishing features of the architectural style, its demolition will not diminish the City of Escondido inventory of significant historical resources.

- b. That all feasible economic and physical alternatives to demolition have been evaluated, and that the applicant has shown that there is no alternative left to pursue, other than demolition.*

The proposed Project includes the subdivision of a 3.74-acre property into four parcels, and the development of three drive-through restaurants. To develop the fast-food restaurant and drive-through component on the northeast portion of the site (Parcel 2; proposed Starbucks), the existing 2,400 square foot vacant restaurant building would need to be demolished. The structure has retained its integrity of location, design, materials, and workmanship. It is important to note that integrity is not the same as condition. Integrity directly relates to the presence or absence of historic materials and character-defining features, while condition relates to the relative state of physical deterioration of the resource. Based on an evaluation of the building by Brian F. Smit Associates, the condition of the original materials used to construct the building is generally poor to average. Observations made as part of the historic assessment process detail missing windowpanes which have been replaced with compressed wood boards. The paint is peeling off the walls at some places. Much of the exterior wood trim used at the fascia of the roof has been damaged by weather. The condition of the dining areas within the restaurant is average; however, some of the roof boards are missing. The back area of the building, where service areas and the kitchen

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are located, is in poor condition, mostly due to the damage caused by heat released from cooking and frying. Due to the building's angled location and proximity to the corner of the lot and public right-of-way, incorporating the existing structure into the design of the project is unworkable and would result in a significant reduction in developable area for the proposed drive-through building. Attempting to move or re-use the structure is impractical and would make the overall project infeasible. Therefore, in compliance with the Historical Structure Assessment prepared (dated July 7, 2022), the Project includes HABS documentation of the building prior to any demolition.

- c. That the continued existence of the historical resource is detrimental to the public health, safety and welfare.*

The continued existing of the building would continue to result in negative impacts to public health, safety and welfare in that the site has faced a constant breach of the security fencing surrounding the property despite continued efforts to secure the property and repair vandalism, since the restaurant's closure. The building and grounds have been minimally maintained since the restaurant was closed and have fallen into disrepair, with some of the building and landscape elements removed and/or damaged. Therefore, until this site can be cleared of the structures and despite the ongoing attempts to adequately secure the site, it will continue to serve as an attractive nuisance for trespassers and remain a threat to the public health, safety, and welfare.

- d. If the property is approved for demolition, the Historical Society and/or other appropriate historic agency has access to the building to retrieve any historic material, and to provide photo documentation of the resources conducted according to Historic American Building Survey (HABS) specifications.*

The assessment of the 503 West Mission Avenue building has concluded that the building is eligible for designation on the City of Escondido Register under eligibility Criteria 2 and 5 and the CRHR under eligibility Criterion 3. However, due to its angled location at the corner of the lot, incorporating the existing structure into the design of the project is unworkable and would result in a significant reduction in developable area for the proposed Starbucks building, and would not be consistent with the company's business model. Attempting to move or re-use the structure is impractical and would make the overall project infeasible due to financial constraints. Because the building cannot be incorporated into the design of the project and there are no redesign or relocation alternatives available based upon financial constraints and the requirements necessary to achieve project feasibility, it is recommended that Level I or II HABS documentation (or equivalent) of the building be conducted in order to achieve mitigation by exhausting the research potential of the resource, after which the building could be demolished. The Project also would include a condition to identify, and if feasible, salvage distinctive architectural features for potential reuse and/or donation to various historical entities.

The following mitigation measure is recommended to reduce impacts to less than a significant level.

- MM-CUL-1:** Prior to issuance of a demolition permit, the project applicant shall ensure a Historic American Buildings Survey documentation (or equivalent) of the structure be conducted by a qualified

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professional in order to achieve mitigation by exhausting the research potential of the resource. Compliance with this measure and the following items shall be documented to the satisfaction of the City of Escondido Director of Development Services prior to demolition:

- Documentation shall include digital photographic recordation, a historic native report, and compilation of historic research.
- Documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards for History and/or Architectural History (36 CFR Part 61).
- The original archival-quality documentation shall be offered as donated material to organizations and repositories that will make it available for local researchers.

Prior to issuance of building permits for demolition, the Applicant shall provide documentation that the materials have been offered and submitted or declined.

Therefore, with implementation of mitigation measure MM-CUL-1 and with the substantial evidence presented as part of the IS/MND, access to the building to retrieve any historic material, provisions to provide photo documentation of the resources conducted according to Historic American Building Survey (HABS) specifications would occur.

e. The applicant shall have, or will have a plot plan or development plan approved by the city prior issuance of a demolition permit.

The applicant will have an approved development plan consisting of a Tentative Parcel Map, three Conditional Use Permits and Design Review Permit, (City File Nos. PL24-0057, PL22-0396, PL22-0397, PL22-0398, and PL24-0198) considered and approved by the City Council at a noticed public hearing with the approval of the Non-Emergency Demolition Permit prior issuance of a demolition permit for the building. Appropriate CEQA review and public notice have also been conducted.

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4. Conditional Use Permit Findings (PL24-0057)**(Section 33-1203 of Article 61 – Administration and Enforcement of the Escondido Zoning Code)**

With respect to Planning Case No. PL24-0057 (Parcel 2), the Planning Commission finds and recommends that that City Council make the following findings for approval:

- a. A conditional use permit should be granted upon sound principles of land use and in response to services required by the community.*

The Project includes construction of a new drive-through facility and associated on-site and off-site improvements. The new drive-through facility conforms to the requirements of the underlying zoning district, and furthermore, the Project meets the requirements for new drive-through facilities as outlined in Article 16, as described in the Staff Report dated October 8, 2024. The existing building will be demolished, and revitalize the Centre City Parkway corridor with an auto-oriented use that complements the surrounding commercial developments. The Project site is a previously disturbed and developed parcel wholly surrounded by developed commercial and residential sites.

The Project's proposed street alignment, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; traffic and emergency access; and grading were all reviewed for compliance with relevant City policies and codes and determined they meet or exceed such standards as designed.

The Project site is currently zoned General Commercial (C-G) and the proposed Project design was reviewed by the City's Staff Development Committee ("SDC") for compliance with City standards, development regulations, and policies, including the Escondido Zoning Ordinance. The Project as proposed and depicted on Exhibit "C" of Resolution No. 2024-17 was determined to be in accordance with the requirements of Chapter 33 by the SDC which includes, but is not limited to, requirements surrounding land use, building setbacks, height, lot coverage, floor area ratio, landscaping, parking required, parking stall design and standards, noise, circulation dimensions, access, etc.

- b. A conditional use permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.*

The Project was analyzed for its potential impacts to the environment as required by the California Environmental Quality Act. Based on the analysis contained within the Initial Study/Mitigated Negative Declaration (IS/MND), the Project with mitigation measures incorporated will not have a significant effect on the environment. The Project complies with the development standards related to commercial drive-through facilities as outlined Article 16 of the Escondido Zoning Code, as described in the Staff Report dated October 8, 2024. The Project will demolish an existing vacant building that has been subject to vandalism, and neglect. A Noise Study (dated February 22, 2024, revised June 17, 2024) conducted for the IS/MND found that the Project would not be detrimental towards surrounding properties, including the multi-family uses to the south (approximately 175 feet and 62 feet to the project's southern property line).

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- c. A conditional use permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located.*

The Project site is located at the intersection of W Mission Avenue and Centre City Parkway (“CCP”). W Mission Avenue and CCP are two large commercial arterials that run east/west and north/south, respectively. There is no adopted area plan for the area; however, properties south on Centre City Parkway are within the Downtown Specific Plan. The properties along Centre City Parkway tend to be auto-oriented uses due to the historical use of CCP as the former 395 highway that was constructed and maintained by CalTrans. The granting of the Conditional Use Permit is consistent with the historical use of CCP as an auto-oriented thoroughfare and would be consistent with surrounding patterns of development within the area. The most recent includes an auto-oriented set of commercial uses directly across CCP to the east of the Project site.

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5. Conditional Use Permit Findings (PL22-0397)**(Section 33-1203 of Article 61 – Administration and Enforcement of the Escondido Zoning Code)**

With respect to Planning Case No. PL22-0397 (Parcel 3), the Planning Commission finds and recommends that that City Council make the following findings for approval:

- a) *A conditional use permit should be granted upon sound principles of land use and in response to services required by the community.*

The Project includes construction of a new drive-through facility and associated on-site and off-site improvements. The new drive-through facility conforms to the requirements of the underlying zoning district, and furthermore, the Project meets the requirements for new drive-through facilities as outlined in Article 16, as described in the Staff Report dated October 8, 2024. The existing building will be demolished, and revitalize the Centre City Parkway corridor with an auto-oriented use that complements the surrounding commercial developments. The Project site is a previously disturbed and developed parcel wholly surrounded by developed commercial and residential sites.

The Project's proposed street alignment, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; traffic and emergency access; and grading were all reviewed for compliance with relevant City policies and codes and determined they meet or exceed such standards as designed.

The Project site is currently zoned General Commercial (C-G) and the proposed Project design was reviewed by the City's Staff Development Committee ("SDC") for compliance with City standards, development regulations, and policies, including the Escondido Zoning Ordinance. The Project as proposed and depicted on Exhibit "C" of Resolution No. 2024-17 was determined to be in accordance with the requirements of Chapter 33 by the SDC which includes, but is not limited to, requirements surrounding land use, building setbacks, height, lot coverage, floor area ratio, landscaping, parking required, parking stall design and standards, noise, circulation dimensions, access, etc.

- b) *A conditional use permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.*

The Project was analyzed for its potential impacts to the environment as required by the California Environmental Quality Act. Based on the analysis contained within the Initial Study/Mitigated Negative Declaration (IS/MND), the Project with mitigation measures incorporated will not have a significant effect on the environment. The Project complies with the development standards related to commercial drive-through facilities as outlined Article 16 of the Escondido Zoning Code, as described in the Staff Report dated October 8, 2024. The Project will demolish an existing vacant building that has been subject to vandalism, and neglect. A Noise Study (dated February 22, 2024, revised June 17, 2024) conducted for the IS/MND found that the Project would not be detrimental towards surrounding properties, including the multi-family uses to the south (approximately 175 feet and 62 feet to the project's southern property line).

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- c) A conditional use permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located.*

The Project site is located at the intersection of W Mission Avenue and Centre City Parkway (“CCP”). W Mission Avenue and CCP are two large commercial arterials that run east/west and north/south, respectively. There is no adopted area plan for the area; however, properties south on Centre City Parkway are within the Downtown Specific Plan. The properties along Centre City Parkway tend to be auto-oriented uses due to the historical use of CCP as the former 395 highway that was constructed and maintained by CalTrans. The granting of the Conditional Use Permit is consistent with the historical use of CCP as an auto-oriented thoroughfare and would be consistent with surrounding patterns of development within the area. The most recent includes an auto-oriented set of commercial uses directly across CCP to the east of the Project site.

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6. Conditional Use Permit Findings (PL22-0398)**(Section 33-1203 of Article 61 – Administration and Enforcement of the Escondido Zoning Code)**

With respect to Planning Case No. PL22-0398 (Parcel 4), the Planning Commission finds and recommends that that City Council make the following findings for approval:

- a) *A conditional use permit should be granted upon sound principles of land use and in response to services required by the community.*

The Project includes construction of a new drive-through facility and associated on-site and off-site improvements, and a forty-five (45%) reduction in the amount of required off-street parking. The reduction in the required off-street parking will allow the applicant to make efficient use of the site through the utilization of compact spaces while continuing to provide 20 off-street parking spaces. Reduction in such spaces is suitable for the use proposed on site as it is a free-standing drive-through commercial use that includes nine additional compact spaces in addition to the 11 standard stalls. The new drive-through facility conforms to the requirements of the underlying zoning district, and furthermore, the Project meets the requirements for new drive-through facilities as outlined in Article 16 with exception of required parking. However, granting of this Conditional Use Permit would include permitting a reduction in the required on-site standard parking stalls for Parcel 4. The proposed design would include nine additional compact stalls to offset impacts to the loss of nine standard stalls. The existing building will be demolished, and revitalize the Centre City Parkway corridor with an auto-oriented use that complements the surrounding commercial developments.

The Project's proposed street alignment, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; traffic and emergency access; and grading were all reviewed for compliance with relevant City policies and codes and determined they meet or exceed such standards as designed.

The Project site is currently zoned General Commercial (C-G) and the proposed Project design was reviewed by the City's Staff Development Committee ("SDC") for compliance with City standards, development regulations, and policies, including the Escondido Zoning Ordinance. The Project as proposed and depicted on Exhibit "C" of Resolution No. 2024-17 was determined to be in accordance with the requirements of Chapter 33 by the SDC which includes, but is not limited to, requirements surrounding land use, building setbacks, height, lot coverage, floor area ratio, landscaping, parking required, parking stall design and standards, noise, circulation dimensions, access, etc.

- b) *A conditional use permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.*

The Project was analyzed for its potential impacts to the environment as required by the California Environmental Quality Act. Based on the analysis contained within the Initial Study/Mitigated Negative Declaration (IS/MND), the Project with mitigation measures incorporated will not have a significant effect on the environment. The Project complies with the development standards related to commercial drive-through facilities as outlined Article 16 of the Escondido Zoning Code, as described in the Staff Report

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dated September 24, 2024. The Project will demolish an existing vacant building that has been subject to vandalism, and neglect. A Noise Study (dated February 22, 2024, revised June 17, 2024) conducted for the IS/MND found that the Project would not be detrimental towards surrounding properties, including the multi-family uses to the south (approximately 175 feet and 62 feet to the project's southern property line).

Reduction of the required standard-sized on-site parking spaces from 20 to 11 would not cause a deterioration of land uses or create special problems in that the Parcel 4 design includes nine compact stalls onsite to alleviate parking impacts. The nature of the drive-through use would facilitate ephemeral use by patrons and further reduce the need for 20 standard stalls on-site.

- c) A conditional use permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located.*

The Project site is located at the intersection of W Mission Avenue and Centre City Parkway ("CCP"). W Mission Avenue and CCP are two large commercial arterials that run east/west and north/south, respectively. There is no adopted area plan for the area; however, properties south on Centre City Parkway are within the Downtown Specific Plan. The properties along Centre City Parkway tend to be auto-oriented uses due to the historical use of CCP as the former 395 highway that was constructed and maintained by CalTrans. The granting of the Conditional Use Permit is consistent with the historical use of CCP as an auto-oriented thoroughfare and would be consistent with surrounding patterns of development within the area. The most recent includes an auto-oriented set of commercial uses directly across CCP to the east of the Project site.

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7. Design Review Permit Findings (PL24-0198)**(Section 33-1359 of Article 64 – Design Review of the Escondido Zoning Code)**

With respect to Planning Case No. PL24-0198, the Planning Commission finds and recommends that that City Council make the following findings for approval:

- a) *The proposed site plan has been designed in a manner which is compatible with the natural and urban characteristics of the site and the surrounding neighborhood.*

The site plan design ensures the drive-through aisles for the new drive-through facilities will not spillover into surrounding parcels, and ensures unimpeded circulation for the individual parcels. Parcels 2 and 4 each contain dual-lane drive-throughs designed to accommodate up to 22 and 19 vehicles in the queuing lane, respectively. The Project does not include extensive grading and will remain relatively flat.

- b) *The bulk, scale, and architectural design of the proposed structure are compatible with the character of the surrounding neighborhood.*

The Project site is located in a commercial corridor of the City, specifically at the intersection of W Mission Avenue and Centre City Parkway. This area of the City is primarily comprised of commercial uses, and industrial uses further west down W Mission Avenue. The proposed buildings range between 19'-0" and 21'-0" in height, and from 1,460 square-feet to 2,350 square-feet in size. The bulk and scale of the proposed buildings is consistent with the surrounding neighborhood which is comprised of mainly commercial uses and one-story buildings, with exception of the existing hotel located on site which is a two-story structure. The proposed buildings' contemporary architectural designs are consistent with the development located across Centre City Parkway which is comprised of contemporary designed multi-tenant buildings including a drive-through use.

- c) *The project incorporates landscaping, irrigation and screening which is drought tolerant, appropriate for the site, and in compliance with the landscape standards established by the city.*

The Project includes approximately 50 trees as shown on the preliminary landscape plans, and includes a number of street trees. The Project retains existing mature palm trees by relocating them elsewhere on-site. The drive-through aisles are screened through a combination of heavy landscaping, and 3'-0" decorative screen walls. Adequate landscape buffering is provided at all frontage areas and include required planters to Zoning Code specific dimensions. Conceptual landscape plans included under Exhibit B show preliminary compliance with Article 62 (Water Efficient Landscape Regulations) which will be verified during the landscape plan check permitting process subsequent to entitlement approval.

- d) *All grading related to the project is in conformance to design standards set by Article 55, Grading and Erosion Control.*

The Project does not require significant on-site grading as the site is a previously disturbed and developed site. The proposed grading is in conformance with the design standards outlined in Article 55, Grading and Erosion Control.

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- e) *The project has incorporated the applicable design review standards contained in the ordinance codified in this section and other applicable ordinances into the site layout and building design.*

The project site is not located within any specific planning area or overlay zone. The City does not have specific design standards for commercial developments when located outside of a specific plan or overlay zone; however, the Project was reviewed by the City Staff Design Review for conformance with Section 33-1357 (Design Review Standards) of Article 64 (Design Review). As discussed in the Planning Commission staff report, dated October 08, 2024, the cohesive architecture of the proposed buildings complements one another in shape, size, and bulk, and includes a mix of limited materials ranging from stucco to composite vertical siding in subtle earth-tone color varieties. The use of similar materials, along with similar massing and scale, across the three proposed buildings achieves a harmonious relationship between the three sites.

- f) *The project is consistent with the goals and objectives on the city general plan.*

The Project is consistent with several goals and policies outlined in the City's 2012 General Plan. The Project is consistent with the CG land use designation, and the underlying zoning of G-C. The Project complies with the following General Plan Policies:

Commercial Land Use Policy 8.11: Allow drive through facilities subject to the mitigation of identified air quality, traffic safety, and visual impacts based on appropriate studies submitted to the satisfaction of the city prior to approval.

The Project is required to construct frontage improvements along Mission Avenue and Centre City Parkway, in addition to a signalized left turn pocket within the existing landscaped median per City Engineering Design Standards. These frontage and signalization improvements would ensure conformance with City requirements adopted for the purposes of compliance with the General Plan's Mobility and Infrastructure chapter.

Furthermore, the proposed Project's visual changes would be minimal due to consistency in design, height, and architecture of surrounding developments. The Project site is currently developed with a two-story hotel that spans the majority of the site's width; an existing single-story commercial building at the northeastern corner of the site; a pool, tennis court, and ancillary fencing for the recreation uses at the southeastern corner of the site; and paved circulation areas throughout the site designed for parking and egress/ingress. The proposed Project entails retention of the existing hotel and construction of three new buildings similar in height to the existing commercial building and smaller in scale and massing than the existing hotel. Improvements to pedestrian features, landscaping on- and off-site, as well as intervening block walls to shield vehicles in queue would all ensure no adverse visual impacts occur.

Employment Acreage Policy 1.4: Promote quality economic development that fosters job availability, economic revitalization, and tax revenues.

The Project would redevelop an existing vacant building, and revitalize an existing parcel that is underutilized. The size of the parcel accommodates the proposed development, and will would revitalize

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the corner of Mission Avenue and Centre City Parkway with improved landscaping, new buildings, and uses compatible with the surrounding area. Patrons of the existing hotel would now have immediate access to dining facilities via the accessible access across the internal drive aisle that runs parallel to Parcel 1.

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Exhibit "E"

FINAL IS/MND

PLANNING CASE NOS.

PL22-0396/PL24-0057/PL22-0397/PL22-0398/PL24-0198

Due to the number of pages of Exhibit "E", links have been provided for review of the following items:

[Response to Comments](#)

Appendices to the Response to Comments:

[Appendix A – Notice of Intent](#)

[Appendix B - Notice of Completion](#)

[Appendix C – Modifications Memorandum \(Transportation, Noise, and Air Quality/Greenhouse Gas/ Energy Impacts\)](#)

[Appendix D – Final Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration](#)

The technical appendices may be reviewed at the following links:

[Appendix A – Air Quality, Global Climate Change, and Energy Impact Analysis](#)

Appendix B – Historic Resources:

[B.1 Historic Structure Assessment](#)

[B.2 Historic American Building Survey](#)

[Appendix C – Geotechnical Engineering Investigation](#)

Appendix D – Stormwater Quality Management Plan

[D.1 – Parcel 2 \(Starbucks\)](#)

[D.2 – Parcel 3 \(Chipotle\)](#)

[D.3 – Parcel 4](#)

[Appendix E – Noise Impact Analysis](#)

[Appendix F – Traffic Impact Analysis](#)

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EXHIBIT "F"

CONDITIONS OF APPROVAL

**PLANNING CASE NOS. PL22-0396/PL24-0198
(Tentative Parcel Map, Design Review Permit, Non-Emergency Demolition Permit)**

This Project is recommended for approval as set forth on the application received by the City of Escondido on **March 05, 2024**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as recommended for approval on **October 08, 2024**, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term "Applicant" shall also include the Project proponent, owner, permittee, and the Applicant's successors in interest, as may be applicable.

A. General:

1. **Acceptance of Permit.** If the Applicant fails 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.** If the Permit was filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. If not filed as concurrent with a Tentative Map or Planned Development application, the Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there

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has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 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. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. 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 use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
 - 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. Such "minor" modifications shall be processed through a substantial conformance process identified by the Planning Division. 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.

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- 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 building permit issuance, 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

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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.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

11. 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.

12. 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 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.

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- 13. 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.
- 14. 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.
- 15. Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Development Services for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

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,

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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).

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- 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.

16. Phasing. A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

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 Development Services, 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.

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 property. In addition to compliance with such basic standards, the

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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. 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.

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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.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering 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

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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 Development Services 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.

- 16. Phasing.** A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

C. Parking and Loading/Unloading.

1. Parking for disabled persons shall be provided (including “Van Accessible” spaces) in full compliance with the State Building Code.
2. In accordance with the California Green Building Standard Code, at least eight percent of the total number of required spaces shall be designated for clean air vehicles (CAV), and shall be shown on the revised site plan to the satisfaction of the Planning and Building divisions.
3. 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.

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D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls 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 final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Engineering Services Department for review and approval, 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 if 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 Department 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

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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.
- c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she 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. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Development Services shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

- 1. The applicant shall be responsible for ensuring that all mitigation measures identified in the Mitigation Monitoring and Reporting Program, included as Exhibit "B" to this resolution, are implemented.

F. Specific Fire Department Conditions:

- 1. All fire protection plans (if applicable) shall be deferred submittals to Escondido Fire.
- 2. All approved pave access and an approved adequate water supply shall be provided on-site prior to the start of construction.

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G. Specific Engineering Division Conditions:**I. GENERAL**

1. The applicant shall provide the City Engineer with a current Subdivision Guarantee and Title Report covering all subject properties.
2. The location of all existing on-site and adjacent utilities and drainage 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 Grading and Improvement plans, and Parcel Map. This utility/facility relocation work shall be completed prior to issuance of Building Permits for structures on any pad areas affected.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to either the approval of the Overall Site Grading Plan or recording of the Parcel Map.
4. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Grading and Improvements Cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up deposit for all grading, landscaping, private improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. This Cash Clean Up Deposit amount shall be 10% of the total cost of the project private improvements, drainage and landscaping. 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 Warrantee (10 % of total public improvement cost estimate) bonds for all public improvements prior to recording the Parcel Map and/or approval of the Grading and Improvement Plans and issuance of Building Permits. All improvements shall be completed prior to issuance of a Certificate of Occupancy for any of the 3 drive through restaurants.
5. Improvement plans prepared by a Civil Engineer, required for all public street, utility, and storm drain improvements, and Grading/Private Improvement plans prepared by Civil Engineer, required for all grading, drainage and private onsite improvement design, shall be submitted for review through the virtual plan review portal as a single package containing all items on the Engineering Initial Submittal Checklists. Landscaping Plans shall be prepared by a Landscape Architect.
6. The Developer shall submit to the Planning Department a copy of the tentative parcel map and entitlement plan set as presented to the Planning Commission and/or the City Council. The tentative parcel map and entitlement plan sets will be certified by the Planning Department that they are an accurate reproduction of the approved tentative parcel map and entitlements and these together

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with the complete conditions of approval must be uploaded with the first final engineering submittal to the Engineering Department.

- 7. No Building Permits shall be issued for any construction within this Project until the Parcel Map is recorded and either:
 - a) All conditions of the Tentative Parcel Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits have been secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
- 8. 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.
- 9. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

II. **STREET IMPROVEMENTS and TRAFFIC**

- 1. Public street and drainage improvements shall be constructed to City Standards as required by the Subdivision Ordinance to the satisfaction of the City Engineer prior to first occupancy. Final Engineering design shall substantially conform to the Approved Entitlement Plan set while providing construction detail and the profiles for all street improvements concrete curb and gutters, public utilities, and drainage to the satisfaction of the City Engineer.
- 2. Improvement plans prepared by a Civil Engineer are required for all public street, traffic, drainage, and utility improvements.
- 3. Prior to first occupancy, the Developer shall construct street improvements and widening, including but not limited to, concrete curb, gutter, street lights, street trees, paving and base on the following streets adjoining the project boundary:

<u>STREET</u>	<u>CLASSIFICATION</u>
Centre City Pkwy.	Modified* Super Major (56' CL to curb face**)
Mission Avenue	Super Major (45' CL to curb face)

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See appropriate typical sections in the current Escondido Design Standards for additional details. (* Centre City Pkwy. has an extra wide planted median and 6 thru travel lanes) (**This 56' does not include the project's 12' wide right turn pocket and deceleration lane across Parcels 2 and 3).

4. The Developer shall reconstruct the sweeping right turn pocket at the project corner of Centre City Parkway and Mission Avenue at a minimum of 20' width curb to curb and with an inside radius of 100 feet and be tangent to a line 56' west of and parallel with Centre City Parkway and the new Mission Avenue curb line. The existing pedestrian ramps for crossing this right turn pocket shall be reconstructed in their new locations to current standards.
5. The Developer shall design and construct the project's new ingress and egress access off of Centre City Parkway located between Parcel 3 and Parcel 4 at a minimum of 36 feet wide with concrete curb and gutter (2 in-bound lanes and 1 out-bound lane) and with 28-foot minimum radius curb returns and concrete cross gutters and spandrels at each end of this shared access drive. This new Centre City Parkway ingress and egress access shall be designed to accommodate right and left turns into the project and designed to only allow right turns back out onto southbound Centre City Parkway.
6. The Developer shall design and construct a minimum 12-foot-wide paved north bound left turn pocket into the Centre City Parkway landscaped median with a minimum 16-foot width and minimum inside radius of 30 feet in the turn area and in a configuration that prevents any left turns back out onto north bound Centre City Parkway. Additional signage shall be added on the project frontage at this new egress and opposite in the Centre City Parkway median that clearly advises drivers that all traffic lanes available to them are southbound and no outbound left turns are allowed.
7. The Developer shall design and construct a minimum 12-foot-wide deceleration and dedicated right turn lane across the frontage of Parcels 2 and 3 for right turns into the project's new ingress access off of Centre City Parkway.
8. Prior to any use of the above new ingress and egress access off of Centre City Parkway and issuance of occupancy for any of the 3 new restaurants within the project, the Developer shall construct and have in operation a new traffic signal at this new ingress and egress access to Centre City Parkway. This new traffic signal shall be connected to and fully coordinated with the existing traffic signal at the intersection of Centre City Parkway and Mission Avenue.
9. The Developer shall submit a separate traffic signal and striping and signage improvement plans prepared by a Traffic Engineer for this new access to Centre City Parkway including interconnecting conduits to and any necessary modifications of the existing traffic signal at the Centre City Parkway and Mission Avenue intersection needed for coordination, all for review and approval by the City Engineer. This traffic signal shall be designed and constructed/installed per current City, Caltrans, and CaMUTCD Standards and shall include APS and video detection equipment. The Developer's

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Traffic Engineer will also be responsible for all new timing plans and coordinating traffic signal work with the Developer's Contractor(s) and Equipment Suppliers and City staff.

10. The Mission Avenue widening shall transition to the existing curb line to the west beginning at or west of the new project entrance alley-type driveway apron curb return. This Mission Ave. new curb transition design shall substantially conform to the Approved Entitlement Plan set
11. The project's new entrance off of Mission Avenue shall be improved with an alley-type driveway apron in accordance with Escondido Standard Drawing No. G-5-E with a minimum throat width of 24 feet.
12. Sidewalk construction along Mission Avenue and into the sweeping right turn lane at Centre City Pkwy shall be contiguous to the curb in accordance with current Escondido Design Standards, but the sidewalk along Centre City Parkway across the frontage of Parcels 2 and 3 will be allowed to be noncontiguous and may be constructed as "Green Street" storm water treatment areas subject to the approval of the City Engineer. The Developer shall grade for a future 5' wide non-contiguous sidewalk across Parcel 4 in the Centre City Parkway right-of-way.
13. The Developer's engineer shall prepare and submit for approval by the City Engineer a complete final Signing and Striping plan for all improved roadways. The Developer will be responsible for removal of all existing and construction of all new signing and striping in compliance with current CaMUTCD Standards and to the satisfaction of the City Engineer.
14. The address of each business shall be 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 and Fire Marshal.
15. The Developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for any construction or potholing within the public right-of-way.
16. Adequate horizontal sight distance shall be provided at all project entrances. Increased parkway widths, open space easements, and restrictions on landscaping shall be provided for adequate sight distance and subject to approval of the City Engineer.
17. The Developer is required to design, furnish and install LED street lighting per Escondido Standard Drawing E-1-E at the project entrances and in accordance with the City Design Standards and the requirements of the City Engineer.

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18. Private street lighting is required on all on-site shared private drives. It shall be the responsibility of Property Owners to adequately maintain the street lighting system and such maintenance responsibility shall be clearly stated in an Agreement of Covenants, Conditions, Restrictions, and Grant of Easements.
19. The Developer shall design and construct pedestrian access routes meeting current ADA requirements into and connecting through the project to the satisfaction of the City Engineer and City Building Official.
20. All private onsite access roads, drive aisles, and parking areas shall be paved with a minimum of 3" asphalt concrete over 6" of aggregate base or a minimum of 5.5" Portland cement concrete over 6" aggregate base. All drive through lanes shall be paved with Portland cement concrete. The maintenance responsibility of all shared/joint use private access roads, drive aisles, and parking areas shall be clearly stated in an Agreement of Covenants, Conditions, Restrictions and Grant of Easements.
21. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.

III. GRADING

1. An Overall Site Grading and Erosion Control plan prepared by a registered Civil Engineer shall be approved or ready for approval by the Engineering Department prior to recording the parcel map. This overall site grading plan shall include all shared onsite private access and drainage improvements serving the project and the existing the motel parcel behind. The first submittal of the Overall Site Grading plan shall be accompanied by a copy of the preliminary soils and geotechnical report. The Soils Engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Precise Grading plans covering a particular parcel/pad shall be approved prior to issuance of any building permits for that parcel/pad. Precise Grading plans covering all parcels/pads or an individual parcel/pad may be submitted for approval.
3. Any proposed retaining walls not a part of the building foundations or stem walls shall be shown on and permitted as part of the Overall Site Grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. The Developer will be required to pay for all required third party structural engineering review of these structural calculations and details. Stem walls, foundation structures, or deepened footings that are to be constructed as part

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of a building structure will be permitted as part of the Building Department plan review and Building Permit process.

4. 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.
5. The Developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
6. A Construction General Permit is required from the State Water Resources Control Board for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of one or more acres.
7. The Developer will be required to obtain permission from adjoining property owners for any off-site grading and slopes necessary to construct the project and/or the required improvements.

IV. DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a Drainage Study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The Developer shall extend a 24" public storm drain pipe north along the side of Centre City Parkway approximately 340 feet from an existing offsite public storm drain facility and into the project site so that the project is exempt from hydromodification requirements by continuous hardened connection to the "Exempt" Escondido Creek channel.
3. The project shall limit peak drainage flows to their pre-construction rates. Details and calculations for this retention and attenuation shall be submitted and approved as part of the Drainage Study submittal and review.
4. A Final Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include calculations for treatment, and storage volumes. The SWQMP shall include detailed maintenance requirements and responsibilities for all onsite conveyance, diversion, treatment, and bio-retention facilities. The SWQMP shall demonstrate how any proposed proprietary best management practices

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meet bio-filtration treatment requirements in accordance with the City's Storm Water Design Manual.

5. All site drainage with emphasis on the roadway, parking and driveway areas shall be treated to remove expected contaminants. The City highly encourages the use of bio-retention basins where possible as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
6. Trash enclosures shall be covered and be constructed to comply with storm water quality management requirements to the satisfaction of the City Engineer.
7. The Developer will be required to have the current owner(s) of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement. A copy of this recorded Agreement will need to be included in the Agreement of Covenants, Conditions, Restrictions and Grant of Easements.
8. All on-site storm drains and stormwater treatment facilities are considered private. The responsibility for maintenance of these storm drains, storm water treatment facilities and any "Green Street" facilities constructed in the right-of-way to treat the street improvements required of project shall be that of the Property Owner(s). Provisions clearly dictating this responsibility shall be included in the approved Storm Water Quality Management Plan and ultimately be contained within a recorded Agreement of Covenants, Conditions, Restrictions and Grant of Easements.
9. The Developer's engineer shall design and the Developer shall construct any permeable surfaces proposed for the project to the specifications of the County of San Diego Green Streets manual in effect at the time the grading permits are issued. All permeable surfaces within the project footprint that are subject to vehicular traffic shall be designed for H20 loading.
10. The Property Owner(s) shall perpetually maintain all permeable surfaces in accordance to the standards established by the County of San Diego Green Streets manual in effect at the time the grading permits are issued. City shall have the right to inspect all permeable surfaces as needed to ensure they function as designed. City shall have the right to require qualified third-party testing at the property owner's expense when surface failure is suspected. Contractor qualifications are outlined in the County of SD Green Streets manual. The Property Owner(s) will be required to repair or reinstall the permeable surface for all failing surfaces to County of SD Green Streets manual standards in place at the time of the grading permit. In the event of failure to maintain the permeable pavers system that result in not functioning as designed, the project owner will be responsible to replace the pervious pavers system with an alternate method of storm water treatment system or will be required to transition the project to a priority storm water development project by complying with the applicable requirements, including development of a Storm Water Quality Management Plan and the installation of structural best management practices.

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V. WATER SUPPLY

1. The Developer is required at their sole expense to design and construct a looped 8-inch public water main within the project. This 8-inch diameter water main shall connect to the existing 12-inch main in Centre City Parkway and shall extend west into the project within the proposed new access off Centre City Parkway and with a 90-degree bend shall then extend north within the shared private access drive within Parcel 1 and complete the loop by connecting to the existing 8-inch water main in Mission Avenue. Any Fire hydrants, RPDA(s), and FDC(s), if required by Fire or Building Code, together with an adequate water supply shall be installed off this required looped water main at locations approved by the Fire Marshall. Fire hydrants and fire service lines shall connect to a minimum 8-inch diameter 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 Fire Marshal.
3. Any Fire suppression and sprinkler systems (if required by Fire or Building Code) 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 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 a DDCA shall be considered a private water system. The Property Owner(s) shall be responsible for all maintenance of these private 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 for each legal parcel. Water meters and backflow prevention devices shall not be installed within a driveway apron or within paved private drive areas.
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. All public water mains shall be located under asphalt or concrete pavement and not under curbs, gutters, medians or sidewalks.

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9. Improvement plans and associated design calculations for all proposed water mains and appurtenances shall be prepared by a Civil Engineer and shall be submitted for review through the virtual plan review portal together with the rest of the final engineering submittals.
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 Director of Utilities and the 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 Director of Utilities and the Water Distribution Department.
12. The Developer shall disconnect at the public main, all water services and fire hydrants laterals to be abandoned, to the satisfaction of the Director of Utilities and the Water Distribution Department.

VI. SEWER

1. The Developer is required at their sole expense to design and construct an 8-inch PVC sewer main into the project. This sewer main shall connect with a manhole to the existing 27-inch trunk sewer main located in Centre City Parkway and shall extend westerly within and the length of the project's proposed new access road off Centre City Parkway and shall terminate with a manhole.
2. A private 6-inch minimum PVC sewer lateral with a standard clean-out within 18-inches of the Public Utility Easement or public right-of-way shall be designed and constructed for each legal lot on the Improvement plans and shall be shown on the Grading plans. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings and per the current Uniform Plumbing Code for the portion outside of the public right-of-way or Public Utility Easement.
3. 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.
4. All sewer laterals shall be considered a private sewer system. The Property Owner(s) shall be responsible for all maintenance of sewer laterals to the public sewer main.
5. All 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 Director of Utilities.
6. The project design shall be such that all existing or new sewer manholes are accessible at all times by City's Vactor trucks for maintenance.

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- 7. The Developer shall cap and plug at the public sewer main all sewer lines and laterals to be abandoned, to the satisfaction of the Director of Utilities Engineer and the City Inspector.

VII. LANDSCAPE

- 1. Project Landscaping and Irrigation plan(s) shall be submitted to the Engineering Department with the second submittal of the overall site grading plans for approval by the Planning, Engineering, and Fire Departments. The initial submittal of the landscape plans shall include the required Planning Department Review fees in effect at the time of the submittal.
- 2. The Developer shall install permanent landscaping and irrigation both onsite as well as along the project’s Centre City Parkway and Mission Avenue right-of-way frontages to the satisfaction of the Director of Development Services. The maintenance responsibility of all landscaping and irrigation within the project and within the public right-of-way along the project frontages shall be clearly stated in a recorded Agreement of Covenants, Conditions, Restrictions and Grant of Easements.

VIII. PARCEL MAP - EASEMENTS AND DEDICATIONS

- 1. All easements, both private and public, existing and proposed, affecting subject property shall be shown and delineated on the Parcel Map and all project final engineering plans.
- 2. The Developer shall dedicate on the Parcel Map additional public right-of-way on the following street adjacent to the project to bring it to the indicated classification.

STREET	CLASSIFICATION
Mission Avenue	Super Major (55’ – CL to new R/W line)

- 3. The Developer shall also dedicate on the Parcel Map additional public right-of-way along the reconstructed sweeping right turn pocket at the project corner of Centre City Parkway and Mission Avenue as needed to maintain adequate right-of-way behind the new sidewalk location.
- 4. Public Utility Easements shall be granted to the City of Escondido on the Parcel Map for the proposed extension of public water and sewer mains into and through the project. The minimum public utility easement width shall be 20’-0” for a single utility and 24’ for areas with public sewer and water mains. In addition, Public Utility Easement pop-outs not less than 5’ x 5’ shall be granted to the City for all fire hydrants, water meters and other public water appurtenance locations off to the side.
- 5. In conjunction with the Project’s proposed new ingress and egress access road off of Centre City Parkway, the Developer will need the City Council to authorize and grant the abutter’s access rights to Centre City Parkway that were previously acquired by the State of California in 1948. These were previously purchased by the State and subsequently relinquished to the City in the late 1970s. In 2017, in conjunction with a similar project across Centre City Parkway, these abutter’s access rights

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were determined to be worth \$43,500. A City Council Resolution authorizing the payment of this same **\$43,500** for grant of abutter's access rights to Centre City Parkway for this project shall be processed and paid before recordation of the Parcel Map and approval of plans for this new access to Centre City Parkway. The location of this grant of access shall be plotted on the Parcel Map and shall be limited to the width of the project's new ingress and egress access location. All other abutter's access rights shall remain relinquished to the City and so noted on the Parcel Map.

6. The Developer shall either grant easements or otherwise provide rights for private access and private utilities to the benefit of Parcels 2, 3, 4 (a minimum of 24' width) across Parcel 1. If these private easement areas are to be granted and plottable they shall be plotted and identified on the Parcel Map and noted to be granted upon subsequent transfer of title. These private access and private utility rights together with any shared parking arrangements may instead be included in the Agreement of Covenants, Conditions, Restrictions and Grant of Easements which shall be then referenced on the Parcel Map.
7. The Developer shall grant private drainage easements and rights benefiting the individual parcels as needed for all proposed private drainage and stormwater pipes, ditches, and facilities that provide drainage connection to the public storm drain within the recorded Agreement of Covenants, Conditions, Restrictions and Grant of Easements document. .
8. The Developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed project prior to issuance of Building Permits. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Grading plans. Building permits will not be issued for structures in which construction will conflict with existing easements or utilities, nor will any securities be released until the existing easements are quitclaimed.

IX. FEES and CASH CLEAN-UP DEPOSITS

1. A cash security deposit satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of **\$40,000**, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds or such other security as may be approved by the City Engineer and City Attorney.
2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

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X. AGREEMENT OF COVENANTS, CONDITIONS, RESTRICTIONS, AND GRANT OF EASEMENTS

1. Copies of a Agreement of Covenants, Conditions, Restrictions and Grant of Easements with all Exhibits shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Parcel Map. This City approved Agreement of Covenants, Conditions, Restrictions and Grant of Easements with all Exhibits shall be executed and recorded prior to the Parcel Map so its recording information can be referenced on the Parcel Map.
2. The Developer shall include provisions in the Agreement of Covenants, Conditions, Restrictions and Grant of Easements designating maintenance responsibilities to the Property Owner(s) for all private roadways, driveways, parking areas, private utilities (including sewer and water), utility and basin access, all storm water treatment facilities and basins, drainage swales, private street lighting, private storm drains, any common open spaces, and all the landscaping, irrigation, walls, and fences identified in the Landscape Section of these Engineering Conditions of Approval. These provisions must be included, reviewed and approved by the Engineering and Planning Departments prior to approval of the Parcel Map.
3. The Agreement of Covenants, Conditions, Restrictions, and Grant of Easements must state that the Property Owner(s) assumes liability for damage and repair of City utilities in the event that damage is caused by an individual owner when repair or replacement of private utilities is done.
4. The Agreement of Covenants, Conditions, Restrictions and Grant of Easements must state that (if stamped concrete or pavers are used in the private street) the Property Owner(s) is responsible for replacing the stamped concrete or pavers in-kind if the City has to trench the private roadway for repair or replacement of a public utility.
5. The Agreement of Covenants, Conditions, Restrictions and Grant of Easements shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan (SWQMP) for the project.
6. The Agreement of Covenants, Conditions, Restrictions and Grant of Easements, must contain provisions for any proposed share parking or parking restrictions and who will be responsible to manage and enforce any parking restrictions in these areas.

XI. UTILITY UNDERGROUNDING AND RELOCATION

1. The Developer shall sign a written agreement stating that he/she has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

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CONDITIONS OF APPROVAL

**PLANNING CASE NOS. PL24-0057
(Conditional Use Permit)
Parcel 2 of Tentative Parcel Map)**

This Project is recommended for approval as set forth on the application received by the City of Escondido on **March 05, 2024**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as recommended for approval on **October 08, 2024**, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term "Applicant" shall also include the Project proponent, owner, permittee, and the Applicant's successors in interest, as may be applicable.

A. General:

- 1. Acceptance of Permit.** If the Applicant fails 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.** If the Permit was filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. If not filed as concurrent with a Tentative Map or Planned Development application, the Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there

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has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 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. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. 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 use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
 - 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. Such "minor" modifications shall be processed through a substantial conformance process identified by the Planning Division. 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.**

 - c.** 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.

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- d. 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 Certificate of Occupancy issuance, 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.

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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.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

11. 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.

12. 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 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 increase 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.

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- 13. 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.
- 14. 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.
- 15. Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Development Services for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- d. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- e. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- f. The use as presently conducted creates or constitutes a nuisance.

Indemnification, Hold Harmless, Duty to Defend.

- d. 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,

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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).

- e. 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).

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- f. 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.

16. Phasing. A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

B. Construction, Maintenance, and Operation Obligations:

17. 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 Development Services, 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.

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 property. In addition to compliance with such basic standards, the

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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.

- 18. 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.

- 19. Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
- 20. Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. 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.
- 21. Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
- 22. Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
- 23. 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.

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- 24. 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.
- 25. 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.
- 26. 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.
- 27. Trash Enclosures.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering 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.
- 28. 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.
- 29. 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.
- 30. 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.
- 31. 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

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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 Development Services 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.

- 32. Phasing.** A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

C. Parking and Loading/Unloading.

4. A minimum of 20 parking spaces shall be provided at all times. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
5. Parking for disabled persons shall be provided (including “Van Accessible” spaces) in full compliance with the State Building Code.

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6. In accordance with the California Green Building Standard Code, at least eight percent of the total number of required spaces shall be designated for clean air vehicles (CAV), and shall be shown on the revised site plan to the satisfaction of the Planning and Building divisions.
 7. 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.
- D. Landscaping:** The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.
7. 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.
 8. 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.
 9. 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.
 10. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
 11. 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.
 12. **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 final Approved Plan set.
 - f. A final landscape and irrigation plan shall be submitted to the Engineering Services Department for review and approval, 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

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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 Department 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.

- g.** Screening walls, retaining walls, storm improvements, and landscaping (i.e., planting and irrigation) is to be provided prior to final occupancy.
- h.** The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she 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.
- i.** 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.
- j.** New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Development Services shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

- 1.** The applicant shall be responsible for ensuring that all mitigation measures identified in the Mitigation Monitoring and Reporting Program, included as Exhibit "C" to this resolution, are implemented.
- 2.** The applicant shall ensure that the loading zones for the parcel are only utilized during off-peak hours, or during non-operation times for the use. The applicant shall accomplish this through a provision in the CC&Rs, or other method, as determined by the Director of Development Services.

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F. Specific Fire Department Conditions:

1. All fire protection plans (if applicable) shall be deferred submittals to Escondido Fire.
2. All approved pave access and an approved adequate water supply shall be provided on-site prior to the start of construction.

G. Specific Engineering Division Conditions: Refer to the Engineering Conditions of Approval detailed under Planning Case No. PL22-0396 for this Conditional Use Permit.

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CONDITIONS OF APPROVAL

**PLANNING CASE NOS. PL22-0397
(Conditional Use Permit)
(Parcel 3 of Tentative Parcel Map)**

This Project is recommended for approval as set forth on the application received by the City of Escondido on **March 05, 2024**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as recommended for approval on **October 08, 2024**, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, and the Applicant’s successors in interest, as may be applicable.

A. General:

1. **Acceptance of Permit.** If the Applicant fails 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.** If the Permit was filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. If not filed as concurrent with a Tentative Map or Planned Development application, the Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there

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has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 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. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. 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 use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
 - 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. Such "minor" modifications shall be processed through a substantial conformance process identified by the Planning Division. 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.**

 - e.** 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.

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- f. 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 Certificate of Occupancy issuance, 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.

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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.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

11. 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.

12. 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 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.

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- 13. 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.
- 14. 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.
- 15. Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Development Services for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

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,

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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).

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- 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.

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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 property. In addition to compliance with such basic standards, the

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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.
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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.

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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.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering 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

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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 Development Services 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.

- 16. Phasing.** A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

C. Parking and Loading/Unloading.

1. A minimum of 20 parking spaces shall be provided at all times. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including “Van Accessible” spaces) in full compliance with the State Building Code.

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3. In accordance with the California Green Building Standard Code, at least eight percent of the total number of required spaces shall be designated for clean air vehicles (CAV), and shall be shown on the revised site plan to the satisfaction of the Planning and Building divisions.
 4. 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.
- D. Landscaping:** The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls 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 final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Engineering Services Department for review and approval, 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

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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 Department 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.
- c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she 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. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Development Services shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

1. The applicant shall be responsible for ensuring that all mitigation measures identified in the Mitigation Monitoring and Reporting Program, included as Exhibit "C" to this resolution, are implemented.
2. The applicant shall ensure that the loading zones for the parcel are only utilized during off-peak hours, or during non-operation times for the use. The applicant shall accomplish through a provision in the CC&Rs, or other method, as determined by the Director of Development Services.

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F. Specific Fire Department Conditions:

1. All fire protection plans (if applicable) shall be deferred submittals to Escondido Fire.
2. All approved pave access and an approved adequate water supply shall be provided on-site prior to the start of construction.

G. Specific Engineering Division Conditions: Refer to the Engineering Conditions of Approval detailed under Planning Case No. PL22-0396 for this Conditional Use Permit.

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CONDITIONS OF APPROVAL

**PLANNING CASE NOS. PL22-0398
(Conditional Use Permit)
(Parcel 4 of Tentative Parcel Map)**

This Project is recommended for approval as set forth on the application received by the City of Escondido on **March 05, 2024**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as **recommended for approval** on **October 08, 2024**, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, and the Applicant’s successors in interest, as may be applicable.

A. General:

1. **Acceptance of Permit.** If the Applicant fails 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.** If the Permit was filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. If not filed as concurrent with a Tentative Map or Planned Development application, the Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there

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has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 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. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. 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 use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
 - 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. Such "minor" modifications shall be processed through a substantial conformance process identified by the Planning Division. 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.

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- 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 Certificate of Occupancy issuance 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.

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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.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

11. 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.

12. 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 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.

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- 13. 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.
- 14. 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.
- 15. Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Development Services for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

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,

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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).

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- 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.

16. Phasing. A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

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 Development Services, 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.

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 property. In addition to compliance with such basic standards, the

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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. 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.

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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.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering 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

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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 Development Services 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.

- 16. Phasing.** A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

C. Parking and Loading/Unloading.

1. A minimum of 11 parking spaces shall be provided at all times. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including “Van Accessible” spaces) in full compliance with the State Building Code.
3. In accordance with the California Green Building Standard Code, at least eight percent of the total number of required spaces shall be designated for clean air vehicles (CAV), and shall be shown on the revised site plan to the satisfaction of the Planning and Building divisions.

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4. 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.
- D. Landscaping:** The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.
7. 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.
 8. 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.
 9. 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.
 10. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
 11. 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.
 12. **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 final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Engineering Services Department for review and approval, 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 If 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 Department prior

Draft Planning Commission Resolution No. 2024-17

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.
- c.** The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she 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.** New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Development Services shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

- 1.** The applicant shall be responsible for ensuring that all mitigation measures identified in the Mitigation Monitoring and Reporting Program, included as Exhibit "C" to this resolution, are implemented.
- 2.** The applicant shall ensure that the loading zones for the parcel are only utilized during off-peak hours, or during non-operation times for the use. The applicant shall accomplish this through a provision in the CC&Rs, or other method, as determined by the Director of Development Services.
- 3.** The applicant shall be responsible for installing and maintaining wheel stops for the compact spaces. Wheel stops shall be shown on subsequent plans for purposes of engineering and/or building permits to the satisfaction of the City Planner or their designee.

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F. Specific Fire Department Conditions:

1. All fire protection plans (if applicable) shall be deferred submittals to Escondido Fire.
2. All approved pave access and an approved adequate water supply shall be provided on-site prior to the start of construction.

G. Specific Engineering Division Conditions: Refer to the Engineering Conditions of Approval detailed under Planning Case No. PL22-0396 for this Conditional Use Permit.



STAFF REPORT

October 8, 2024

PL23-0296, PL23-0297, and PL24-0217

515 W. 13th Avenue for Chick-Fil-A Restaurant Drive Through Restaurant

PROJECT NUMBER / NAME: PL23-0296, PL23-0297 & PL24-0217 / Chick-Fil-A Restaurant Drive Through Restaurant

REQUEST: Approve Resolution No. 2024-19 recommending approval to City Council of a Specific Plan Amendment to the South Centre City Specific Plan to allow for “auto-oriented eating establishments” as a conditionally permitted use within the 13th Avenue Corners District specifically on the subject site in addition to minor text changes to development standards and definitions; a Conditional Use Permit to permit a proposed drive-through use; and a Design Review Permit for construction of a drive through facility. The project would demolish an existing 9,558 square-foot restaurant building and construct a new 3,124 square-foot drive-through restaurant with a dual lane drive-through and associated menus, surface parking and landscaping improvements, and outdoor dining area. The request also includes adoption of the environmental document prepared for the project.

PROPERTY SIZE AND LOCATION: The 1.4-acre site is located at the southwest corner of W. 13th Avenue and S. Pine Street, addressed as 515 W. 13th Avenue (Assessor’s Parcel Numbers(s): 236-161-07-00 and 236-161-06-00).

APPLICANT: 4G Development & Consulting

GENERAL PLAN / ZONING: South Centre City Specific Plan (SPA 15) / Specific Plan Area (S-P)

PRIMARY REPRESENTATIVE: Ed Hale, Senior Development Director, 4G Dev. & Consulting

DISCRETIONARY ACTIONS REQUESTED: Specific Plan Amendment, Conditional Use Permit, and Design Review Permit

PREVIOUS ACTIONS: N/A

CEQA RECOMMENDATION: Recommend adoption of the Initial Study/Mitigated Negative Declaration

STAFF RECOMMENDATION: Recommend approval to the City Council

REQUESTED ACTION: Approve Planning Commission Resolution No. 2024- 19

CITY COUNCIL HEARING REQUIRED: YES NO

REPORT APPROVALS:
 Dare DeLano, Senior Deputy City Attorney

 Veronica Morones, City Planner



CITY of ESCONDIDO

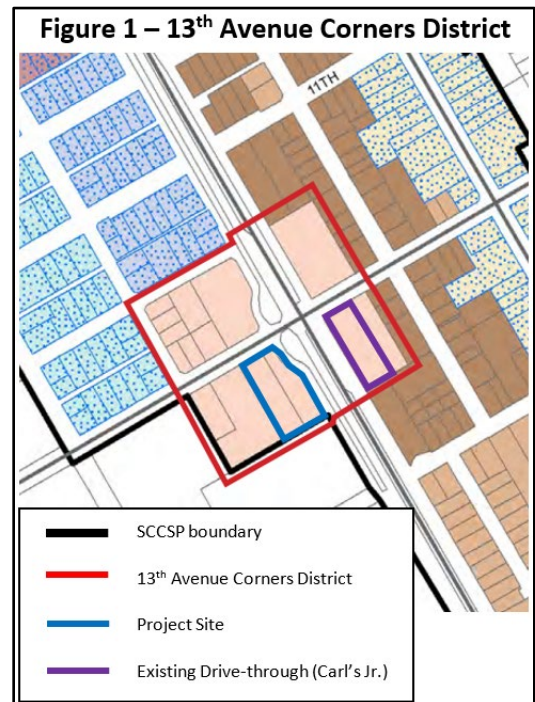
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BACKGROUND

On April 4, 2018, the City Council adopted the South Centre City Specific Plan (“SCCSP”) (PHG15-0003). The SCCSP area is a pedestrian oriented environment meant to attract local and non-local visitors; provide integrated residential development in mixed use zones; and encourage additional residential opportunities throughout the area. Since its adoption, the SCCSP has been amended several times to reflect changes in land use patterns; address economic shifts; and to facilitate orderly development of the SCCSP area.

The project site is located within the 13th Avenue Corners District of the SCCSP, as shown in Figure 1. The project site sits adjacent to the SCCSP area boundary, and is surrounded by commercial development to the north and east, a religious facility to the west, and residential to the south (the residential uses are outside of the specific plan area). Surrounding zoning designations to the project site include Specific Plan (S-P) to the north, west, and east, and Mobile home Residential (R-T) to the south (refer to Attachment 1). The 13th Avenue Corners District vision entails enhancing these corners as a focal point in an effort to make it a destination for pedestrians and bicyclists.

Within the 13th Avenue Corners District there currently is only one existing drive-through business: a Carl’s Jr. located at the southeastern corner of W. 13th Avenue and Centre City Parkway. This business is addressed as 435 W. 13th Avenue and is an existing non-conforming drive-through business that was established prior to the adoption of the SCCSP and its current restriction on drive-through uses for this district. At this time, the SCCSP does not permit drive-through uses within the 13th Avenue Corners District, and any application for a new drive-through use would require an amendment to the SCCSP to authorize this type of land use.



The Planning Division received a request from 4G Development & Consulting representing Chick-Fil-A to process a Specific Plan Amendment and Conditional Use Permit for a drive-through restaurant business at 515 W. 13th Avenue. This proposed project site is located at the southwestern corner of W. 13th Avenue and S. Pine Street/Center City Parkway (as depicted in Figure 1) and would replace the current vacant restaurant use and associated parking/landscaping improvements.

In consideration of potential concerns about the concentration, location, and certain characteristics associated with new drive-through establishments, the proposed Specific Plan Amendment includes language to help control the intensity of this land use category type. These site-specific restrictions are to ensure its compatibility with surrounding uses, maintain it pedestrian connectivity, and limit this type of use.

SUMMARY OF REQUEST

An application for a Specific Plan Amendment, Conditional Use Permit, and Design Review Permit was submitted by 4G Development & Consulting, on behalf of Chick-Fil-A (“Applicant”) for redevelopment of the site (“Project”).



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Additionally, the Project includes an Initial Study/Mitigated Negative Declaration for the proposed project located on a 1.4-acre site within the 13th Avenue Corners District of the South Centre City Specific Plan. Table 1 – Requested Entitlement and Typical Decision Makers outlines the requested entitlements and identifies their purpose.

Table 1: Requested Entitlements and Typical Decision Makers

Permit Name	Purpose	Typical Ultimate Decision Maker	Municipal Code Section
Specific Plan Amendment	Amend an adopted Specific Plan	City Council with recommendation by Planning Commission	Ch. 33 Article 61, Section 33-1265
Conditional Use Permit	Allow for land uses under specific conditions which assure that the use will not be detrimental to the public health, safety and welfare and will not impair the integrity and character of the surrounding areas	Planning Commission	Ch. 33, Article 61, Section 33-1201(a)
Design Review Permit	Regulate exterior appearance of buildings and site development	City Staff or Planning Commission*	Ch. 33 Article 64, Sec. 33-1354 and 33-1355(b)
*Planning Commission decision is required for design review proposals that are a part of an entitlement package requiring Commission review <i>and</i> entail new construction			

The proposed Project consists of four components which are further detailed below. The first component is a Specific Plan Amendment modifying the South Centre City Specific Plan to allow eating establishments with a drive-through via the Conditional Use Permit process within the 13th Avenue Corners District which currently prohibits this type of use. The second component is a Conditional Use Permit (“CUP”) to permit the proposed drive-through use. The third component is a Design Review Permit to allow the construction of the 3, 124 square foot Chick-Fil-A restaurant, 1,026 square foot open-air outdoor dining area and associated site improvements with drive through operations. The fourth component is an Initial Study/Mitigated Negative Declaration (“IS/MND”) checklist to review and analyze Project characteristics with the intent of identifying any potential impacts to the environment.

1. Specific Plan Amendment (PL23-0296)

The Specific Plan Amendment (“SPA”) includes text changes to add a new land use category of “eating establishments with a drive-through” within the 13th Avenue Corners District subject to a Conditional Use Permit. Specifically, the SPA would modify Table 4.2 of the SCCSP to include the drive-through use via a CUP process and include the addition of Footnote #4 which would restrict the drive-through use-type on a site-specific basis for only the southwestern corner (i.e., the Project Site). The Specific Plan Amendment enables the review and consideration of the proposed CUP application.



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The SPA would also revise language within Chapter 3 of the Specific Plan document for consistency purposes which pertains to district specific development standards. The changes would amend Sections 3.7.1 (Setting) to update and clarify the existing conditions; 3.7.4.1 (Design Guidelines) to clarify the pedestrian orientation; 5.3.3.1 (Development Standards) to clarify the new construction's visual presence and activities; and Appendix A - Definitions to specify that the limitations of a drive-through operation to only the southwest corner of the 13th Avenue Corners District (see Exhibit C of Resolution No. 2024-19 for proposed changes). As described above, the SPA would also modify the Table 4-2 matrix by incorporating Footnote #4 qualifying that drive-through operations would be permitted only at the southwest corner. A draft of the proposed text changes is included in strikethrough and underline under Attachment 2.

2. Conditional Use Permit (PL23-0297)

A Conditional Use Permit ("CUP") is required subsequent to the Specific Plan Amendment in order to establish a drive-through restaurant (i.e., Chick-Fil-A) at 515 W. 13th Avenue. The proposed drive-through restaurant consists of a 3,124 square foot building, site amenities, and parking and landscape improvements on a 1.4-acre site. The Project site is currently developed with a sit-down restaurant building that is currently vacant, as well as associated parking and landscaping. Since the proposed restaurant use would replace an existing restaurant, it is not anticipated to generate significant noise, traffic, lighting, or other impacts that would result in detrimental impacts to adjacent properties or uses than what was previously experienced.

3. Design Review Permit (PL24-0217)

As part of the Design Review Permit, decision makers would consider the overall visual neighborhood presence of the proposed development through review of the site elevations, building design, materials and accent colors, landscaping, and lighting scheme.

Planning staff conducted initial design review for the Project and reviewed the proposed design plans, schemes, plant materials and lighting on October 11, 2023, as well as the building and site redesign on April 30, 2024, for general consistency and compatibility with the design intent and standards of the 13th Avenue Corners District. The revised design altered the restaurant operation to an outdoor-only dining model, with both drive-through and walk-up ordering. The redesign resulted in a smaller building and increased outdoor dining area. The smaller building's mass, architectural style, blend of colors and materials, along with native plantings, are designed to be complimentary with the surrounding area. The completion of the Project would result in a redeveloped site consisting of a new building, redesigned pedestrian circulation, enhanced landscaping, redesigned parking areas, and a new restaurant use. The proposed plans for the Project are protected by copyright and are not available for public review digitally. However, the applicant has supplied the Project site plan for context, which can be found under Attachment 3.

4. Initial Study/Mitigated Negative Declaration

An Initial Study Checklist was prepared for the Project and proposed improvements. A Draft Initial Study and Mitigated Negative Declaration ("IS/MND") identified any potentially significant areas of impact, such as Cultural Resources and Tribal Cultural Resources. The Draft IS/MND was circulated for public review for 30 days (August 13, 2024 – September 16, 2024). No comments were received during the public review period. Mitigation measures



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have been identified that would reduce all potential impacts to a less-than-significant level. Therefore, preparation of an Environmental Impact Report is not required.

SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 1.40 gross acres		
	<u>Minimum Required</u>	<u>Provided</u>
2. Building Height	45'-0"	22'-0" (one-story)
3. Building Coverage	None	.05
4. Motor Vehicle Parking:	20 off-street spaces	56 off-street spaces
5. Setbacks:		
a. Front Yard:	10'-0" min. – 20'-0" max.	10'-0" (W. 13th Ave.)
b. Street Side:	10'-0" min. – 20'-0" max.	20'-0" (S. Pine Street)
c. Side Yard:	0'-0"	64'-0" (Church)
d. Rear Yard:	5'-0"	~180'-0" (Residential uses)
6. Trash:	1 covered enclosure	1 covered enclosure

PROJECT ANALYSIS

1. General Plan Conformance:
 - a. Land Use and Community Form:

The Project site is located within the South Centre City Specific Planning Area ("SPA 15") as identified in the City's 2012 General Plan. The SPA 15 area is governed by the adopted South Centre City Specific Plan, which encompasses approximately 420 gross acres. The proposed Project conforms to several policies outlined in the Guiding Principles for the SPA 15 area, which focus on incorporating smart growth developments and walkable connections; preservation of the area's character; and developing an economically vital center to residents and non-residents. The Project would activate the Project site by removing an existing closed restaurant and replace it with a new restaurant designed to accommodate both vehicles and pedestrians. The proposed Project provides dining options to an area of the South Centre City Specific Plan with surrounding residential uses in the vicinity that would be accommodated by the pedestrian scale of the Project design. This pedestrian-oriented design seeks to provide an open-air dining experience with walk-up service. Therefore, the proposed Project is consistent with the vision outlined in the City's 2012 General Plan.

In accordance with CEQA Guidelines, an Initial Study/Mitigated Negative Declaration ("IS/MND") was prepared for the project. The preparation of the environmental review in accordance with CEQA Guidelines and Article 47 of the Escondido Zoning Code ensures the Project's consistency with the General Plan's Environmental Review Goal 18.



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b. Economic Prosperity:

The Project is consistent with policies outlined in the Economic Prosperity chapter of the City's 2012 General Plan:

Employment Acreage Policy 1.4 Promote quality economic development that fosters job availability, economic revitalization, and tax revenues.

The Project would allow for additional employment (short/long term) opportunities within the SCCSP area that are walkable and bikeable to many of the area residents. The proposed restaurant use is replacing an existing vacant restaurant and is not anticipated to generate noise, traffic, lighting, or other impacts that would be detrimental to adjacent properties or uses than what was previously experienced.

2. Zoning or Specific Plan Conformance:

The Project site is governed by the South Centre City Specific Plan ("SCCSP"). Specific Plans are documents designed and written to implement the goals and policies of a general plan. The vision for the SCCSP includes developing the specific plan area with attractive design and economically viable development. Goals of the SCCSP include developing neighborhood-serving specific commercial uses, as well as preserving and enhancing commercial development key nodes. The 13th Avenue Corners District is identified as a key commercial node that seeks to improve this specific intersection (Centre City Parkway and 13th Avenue) for the purposes of enhancing safety and increasing pedestrian and bicycling opportunities and amenities. While the Project would entail permitting of a drive-through use, the Project design integrates key pedestrian-oriented features intended to serve the surrounding neighborhoods and local uses. These include facets of the Project design not typically seen in intensive auto-oriented areas, such as a smaller building design with walk-up ordering only; an enlarged outdoor dining area; identified pedestrian access from both street frontages--including striped pedestrian crosswalks on-site; and enhanced landscaping and buffering of the outdoor dining area from the drive-aisles. Therefore, the proposed Project is consistent with the vision and goals of the SCCSP.

3. Climate Action Plan Consistency:

Projects that are consistent with the CAP, as determined through the use of the CAP Consistency Checklist, may rely on the CAP for the cumulative impact analysis of greenhouse gas ("GHG") emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions, incorporation of the measures in the Consistency Checklist to the extent applicable, and demonstration of consistency with the City's VMT threshold. Cumulative GHG impacts could be significant for any project that is not consistent with the CAP.

The CAP Consistency Checklist identifies project types which are determined to emit fewer than 500 metric tons of Carbon Dioxide equivalent ("MTCO_{2e}"), which is the typical CAP threshold used



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for determining whether a project must prepare a project-specific GHG analysis. While the proposed Project would construct a 3,124 square foot restaurant facility, during the course of the environmental review process, the Project was determined to be over the CAP screening threshold of 500 MTCO_{2e} per year. As such, the Project is required to showcase and explain consistency to the applicable CAP measures, and the Project has demonstrated consistency with all applicable measures from the CAP as detailed in the Initial Study/Mitigated Negative Declaration.

4. Site Design:

a. Grading, topography, walls, and fencing

As proposed, the Project requires re-grading due to the previously disturbed nature of the site. The presence of the existing structure developed on a relatively flat site, with existing landscaping and parking areas, results in the proposed Project not requiring significant grading. The internal walls associated with the proposed Project are along the easterly edge of the outdoor dining area/trash area due to elevation change (this includes a pedestrian/safety fence) and drive-aisle lanes to address visual and lighting concerns. The drive-aisle wall encompasses the operational concern of the drive-through and car lights/glare extending beyond the Project site onto S. Pine Street/City Centre Parkway and W. 13th Avenue. The proposed design includes a three-foot visual wall with cap that extends along the drive-aisle lanes and ties back into the structure at the northern edge. Landscaping enhancements are also incorporated along the proposed wall design and behind sidewalk edge to further block and/or filter car lights. The proposed Project is also constructing a six-foot masonry block wall along the westerly edge of the project site, that will address the visual, noise, and light/glare extending into the religious facility property. No other grading or fencing is proposed for the Project.

b. Project Access and Circulation

The Project site would continue to maintain access from two existing driveways, one on S. Pine Street, and the main entrance on W. 13th Avenue. These points of entry and exit would feed into the internal parking lots, which would then feed into the dual-lane drive-through. The site design provides sufficient stacking area to ensure the drive-through would function without impairing on-site or off-site circulation. Internal circulation is designed to prevent spillover from the drive-through patrons onto the main ingress/egress from W. 13th Avenue. The pedestrian circulation design seeks to minimize conflicts with vehicles using the drive-through lanes, while providing two points of access to the proposed restaurant from the existing sidewalk within the public right-of-way.

c. Building Orientation, Height, and Mass

The proposed Project would replace the existing large scale and bulky restaurant building (31-foot building height and 9,558 square feet) with a restaurant building of reduced profile, massing, and smaller in scale (22-foot building height and 3,124 square feet). The proposed architectural design includes complimentary color schemes with a satisfactory mixture of materials and visibility (into and from the site), and satisfies requirements for screening of rooftop HVAC units. The restaurant's façades along W. 13th Avenue (i.e., the primary street) and S. Pine Street would include large



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windows which would allow clear views of the interior of the restaurant. The Project incorporates the use of lattice screening (low/high height) for the open-air dining area and ordering/pickup areas as a means to screen effectively without creating visual bulk and overt massing. This proposed lattice screening would facilitate visual transparency and interest into the site and the new development.

The Project includes an outdoor ordering system for the drive-through use component of the facility. Part of the building's reorientation to the northeast corner of the site ensures adequate distance between the adjacent residential uses directly to the south and potential noise source. The proposed speaker box and ordering area is approximately 165-feet away from the rear property line. Additionally, an existing masonry block wall exists at the southern property line, further shielding the adjacent uses to the south from potential noise issues associated with the speaker box.

d. Open Space and Landscaping

The proposed landscape plan provides a variety of existing and/or proposed trees, native shrubs and groundcovers that seek to enhance the Project design and meet the City's design applications, while providing adequate screening of the parking lot areas, the drive-through facility, and the new trash enclosure. The conceptual landscape design plans incorporate community design concepts and implement appropriate landscape palettes, color schemes, and consistent public right of way enhancements. The proposed landscape design proposes screening where appropriate, and encourages the use of drought tolerant or native plant materials. The landscape designs include complimentary use of plants, colors, shade trees, and buffer plantings. The proposed Project entails planting 35 shade trees as part of the internal site design, and five additional street trees along S. Pine Street. The irrigation system incorporates water conservative measures and devices, and would install flow and rain sensors to reduce water usage consistent with Article 62 of the Zoning Code.

e. Parking and Bicycle Spaces

The proposed Project would replace the existing 88 parking spaces with 56 parking spaces that consists of 40 standard spaces, three designated EV spaces (including one van space), 10 EV ready spaces and three handicap spaces (including one van space). In addition, the site plan includes eight short-term bicycle spaces and two long-term bicycle storage spaces located within a structure near the outdoor dining area. While the proposed Project would reduce existing parking on-site, the proposed 56 parking spaces exceeds the required parking for the proposed use by 36 spaces.

5. Building Design:

a. Building Design and Materials

In an effort to create a more pedestrian-oriented and engaging site design, the Applicant sited the proposed restaurant closer to the corner of W. 13th Avenue and S. Pine Street. The restaurant design includes various architectural building elements and articulation, including wood siding, dark



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bronze aluminum canopy/awning, varying colors of painted stucco, and illuminated restaurant identification signage (under a separate sign permit) on the building. A covered canopy would be provided over the drive-through ordering area and meal delivery area. A walk-up canopy would be located on the west side of the restaurant which would handle both phone-in, pick-up, and on-site orders. Additionally, lattice screening would be located to the north, south, and southeast of the restaurant to enhance the design while simultaneously providing adequate screening. Specifically, the design includes low lattice screening along the eastern portion of the outdoor dining area, and full height lattice screening along the western portion of the outdoor dining area, meal pick up window, and the drive-through speaker box location. Attachment 4 of this staff report provides colored elevations depicting the proposed design along with day and night renderings for reference.

FISCAL ANALYSIS

The Applicant will be responsible for payment of all applicable development impact fees.

ENVIRONMENTAL ANALYSIS

The California Environmental Quality Act (“CEQA”) applies to proposed projects initiated by, funded by, or requiring discretionary approvals from state or local government agencies. CEQA Guidelines Section 15367 states that a lead agency, in this case the City of Escondido, is the agency that has the principal responsibility for carrying out or approving a project and is responsible for compliance with CEQA. As lead agency, the City must complete an environmental review to determine if implementation of the Project would result in significant adverse environmental impacts. In compliance with CEQA, an Initial Study (“IS”) has been prepared to assist in making that determination. Based on the nature and scope of the Project and the evaluation contained in the IS environmental checklist, the City has concluded that a Mitigated Negative Declaration (“MND”) is the appropriate level of analysis for the Project.

As provided in CEQA Statute Section 21064.5, and stated in CEQA Guidelines section 15070, an MND can be prepared when “(a) the initial study shows that there is not substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or (b) the initial study identifies potentially significant effects, but (1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.” The MND prepared for the Project identified potentially significant impacts in the areas of Cultural Resources, and Tribal Cultural Resources. However, through incorporation of mitigation measures, the impacts can be reduced to a less-than-significant level.

A Draft Initial Study/Mitigated Negative Declaration (“IS/MND”) was prepared for the proposed Project and identified any potentially significant impacts associated with the Project, such as impacts to Cultural Resources and Tribal Cultural Resources. The Draft IS/MND was circulated for public review for 30 days (August 16, 2024 – September 16, 2024), and the City received no comments during the public review period. Mitigation measures have been identified that would reduce all potential impacts to a less-than-significant level. Therefore, preparation of an Environmental Impact Report is not required and an IS/MND is the appropriate level of environmental review.



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PUBLIC INPUT

The Project was noticed consistent with the requirements of both the Escondido Zoning Code (Article 61, Division 6) and the State Law. At the time of writing this staff report, City staff have not received any correspondence from the public regarding the proposed Project.

CONCLUSION AND RECOMMENDATION

The Project includes the redevelopment of a vacant building, and would permit a new land use that is consistent with the goals and policies of the South Centre City Specific Plan, and the City's 2012 General Plan. The Specific Plan Amendment would permit eating establishments with a drive-through via a Conditional Use Permit, allowing for the City to exercise discretionary review of applications for any future proposed uses. Furthermore, the subject site is appropriate for a drive-through use as the site is an existing closed restaurant with existing adequate access, and utility services on-site. The Project complies with the standards as required by the Specific Plan. An environmental review analyzed any potential impacts under the California Environmental Quality Act ("CEQA") guidelines, and any identified impacts may be considered less than significant with mitigation incorporated. The proposed building meets all of the development standards for the subject zone as required by the SCCSP. Based on the Project as proposed, the proposed drive-through use is compatible with the surrounding 13th Avenue Corners District uses and appropriate for the site, and therefore City staff recommend approval of the proposed Project.

Based on the analysis contained in this staff report, Planning staff recommend the Planning Commission adopt Resolution No. 2024-19, recommending the City Council approve the Project as proposed.

ATTACHMENTS

1. Location, General Plan Land Use Designation, and Zoning District Maps
2. Draft Specific Plan Amendment text in strikethrough and underline (excerpted pages only)
3. Site Plan
4. Colored Renderings
5. Draft Planning Commission Resolution No. 2024-19 including Exhibits "A" – "G"



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Attachment 1

PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217

Location, General Plan Land Use Designation, and Zoning District Maps



**PROPOSED PROJECT
PL 23-0296**

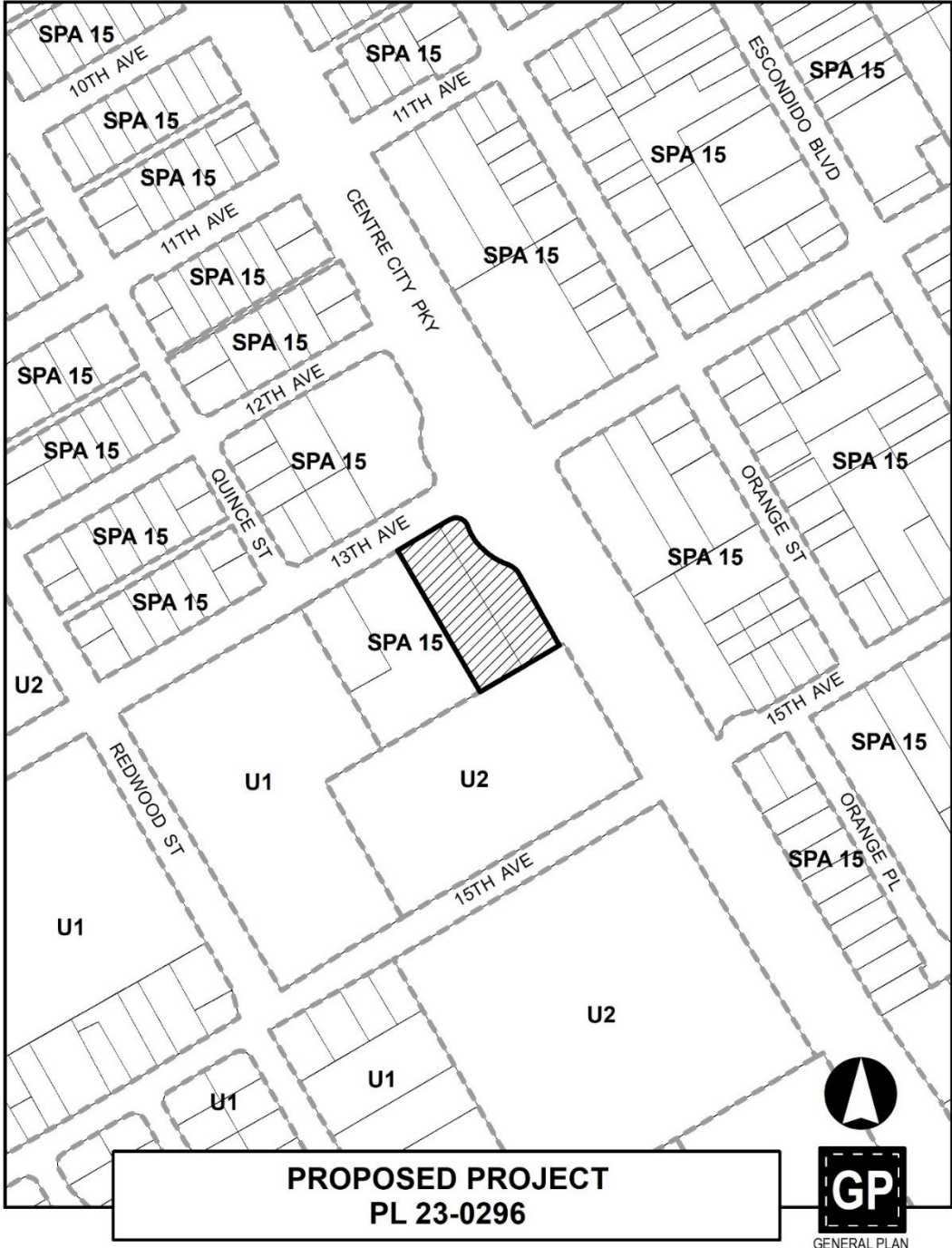




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General Plan Land Use Designation

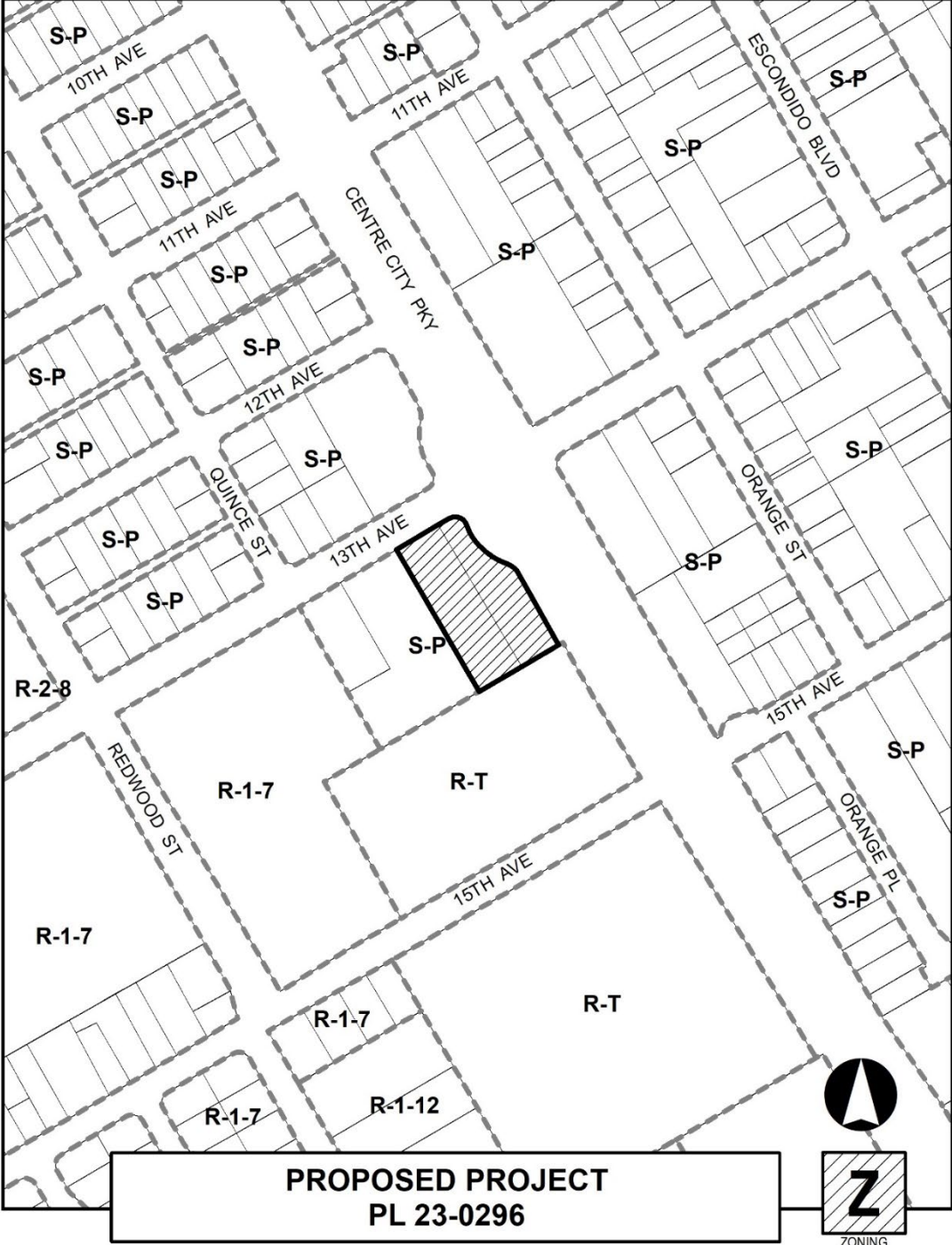




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Zoning Districts



3.7 13TH AVENUE CORNERS DISTRICT

3.7.1 Setting.

Located at the intersection of Centre City Parkway and 13th Avenue, this 9-acre District consists of the parcels that create four commercially designated “corners” of the intersection. ~~Current uses~~ Existing uses at the time of this plan’s adoption on the west side of the intersection include a Sprouts grocery store and a sit-down casual restaurant. On the east side of Centre City Parkway is a strip-commercial center and fast-food outlet on one corner, and on the remaining corner is a building that was previously a single-story motel, ~~now~~ occupied by a camper sales business.

3.7.2 13th Avenue Corners District Vision.

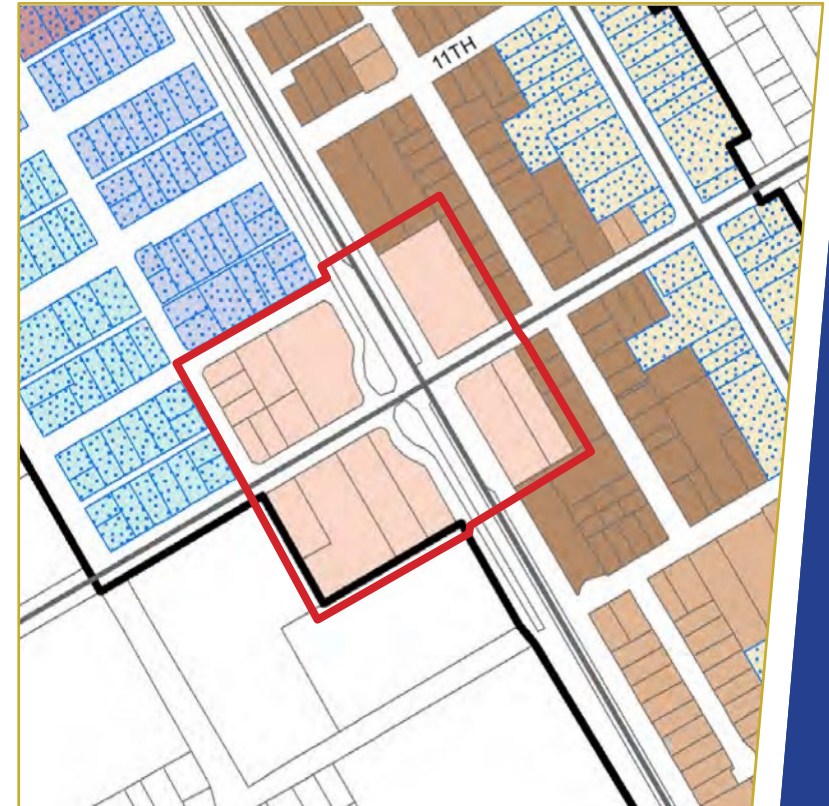
As one of the signalized intersections along South Centre City Parkway, the 13th Avenue Corners District is a focal point along the corridor. The Pine Street Pathway is an important component of the identity of this District, making it a destination for pedestrians and bicyclists. Both public and private right-of-way will be activated along the western side of Centre City Parkway by providing amenities desirable to users of the recreational trail and commercial businesses, such as parcourse exercise equipment, play structures, and benches for enjoying the nearby food offerings, and for social interaction.

Enhanced pedestrian crosswalks are attractive, improve safety, and encourage walking in the area. Bicycle crossings are separated from the pedestrian crossings for safety of both groups of users. A unique landscape theme unifies the four corners of the district, adding to the ambiance and appearance. A public art program at this intersection further enhances the appearance of the 13th Avenue Corners and defines the district as distinct and unique. A robust wayfinding program that incorporates elements of public art further encourages walking, bicycling, and use of the nearby transit stop at the intersection of 13th Avenue and Escondido Boulevard.

3.7.3 13th Avenue Corners District Concepts.

3.7.3.1 Land Use Concepts.

The following land use concepts highlight some of the key ways land use will help achieve the vision for this district. See the Land Use Table in Chapter 4 for permitted uses in the 13th Avenue Corners District.



Encourage underutilized property to redevelop.

The property at the northeast corner of Centre City Parkway and 13th Avenue is likely to redevelop over the life of the Specific Plan. Commercial development at this location is envisioned to be consistent with the other three corners of this intersection. The attractive design, character and setbacks of the existing southwest commercial building will be replicated on this parcel. Redeveloping this property is an ideal opportunity to tie the four corners together with a combination of public and private improvements

3.7.3.4 Parks, Recreation, and Open Space Concepts.

Strategically link the Pine Street Pathway to commercial uses. Integrating picnic tables or benches for resting in the lesser-used eastern part of the grocery store parking lot with the Pine Street Pathway would promote greater use of the nearby recreational amenities.

3.7.4 District Specific Development Standards and Design Guidelines.

3.7.4.1 Development Standards.

1. Landscaping along Centre City Parkway shall be “canopy” restorative to the extent practicable, to the satisfaction of the Director of Community Development. For meeting the intent of the section, a buffer yard shall be provided along the entire frontage and feature a strong collection of industry and canopy trees.
2. Refer to Chapter 5 for Development Standards.

3.7.4.1 Design Guidelines.

1. Infill development at the northeast corner of Centre City Parkway and 13th Avenue is anticipated during the life of the plan. Redevelopment of this corner should be consistent with the setbacks and design character of (existing objective pedestrian-oriented development) southwest corner commercial building.
2. All corners of the intersection of 13th Avenue and Centre City Parkway should have consistent and compatible landscaping to emphasize the intersection as a key commercial destination along 13th Avenue and Centre City Parkway.
3. Provide pedestrian amenities at landscape corners and along the Pine Street Pathway, such as wayfinding signs or information kiosks.
4. Provide interesting outdoor pedestrian destinations such as public art, plazas, food courts, tables, benches, and/or other site amenities.





2. Rooftop deck, patio, or shade structure
 3. Vegetation associated with rooftop deck or garden
 4. Skylights
 5. Solar panel, wind turbine, rainwater collectors
 6. Rooftop screening equipment
5. An attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet, measured from the finished floor to the finished ceiling.
 6. A basement with 50% or more of its perimeter wall area (measured from finished floor elevation) surrounded by finished grade is not considered a story.

5.3.2.2 Design Guidelines.

1. Provide massing breaks along wall expanses. Avoid box-like building mass and form with large expanse of solid unbroken surfaces.
2. “Franchise architecture” is strongly discouraged.
3. Architectural gimmicks, such as distinctive roof shapes, that sacrifice the integrity of a streetscape to promote a single structure or development should be avoided.
4. Larger projects should be designed to emulate the existing rhythm and scale of the South Escondido and 9th Avenue Overlay Districts.

5.3.3 Architecture.

5.3.3.1 Development Standards.

1. For commercial facades, at least 60% of the total area of the first-floor facade facing the primary street shall be window display or otherwise provide for visual transparency into the publicly accessible activities of the building. Projects proposing less than this amount may seek alternative compliance through an Administrative Adjustment provided that the intent of the Specific Plan is met or exceeded in some way, to the satisfaction of the Director of Community Development.
2. Walls exposed to side streets or pedestrian passageways between buildings shall have doors and/or windows, or fixed glazing areas of at least 30% of the total surface area of the wall facing these open spaces.
3. Storefronts shall accentuate the structural bays of the building and allow for clear views of the interior of the commercial business at the ground level.



Building materials, supplies, and hardware.

The retail sales of lumber, heating/air conditioning, plumbing, electrical, floor covering and installations, paint, glass, wallpaper, home improvement items, and other similar merchandise. Does not include outdoor storage.

Build-to-Line (BTL).

A line parallel to the property line where the façade of the building is required to be located. The BTL is measured from the property line unless otherwise specified. Building articulation that does not exceed 12" in depth meets the definition of the BTL.

Build-to-Line Range (BTLR).

A pair of lines parallel to the property line that establishes the range within which a percentage of the façade of the building is required to be located. A Build-to-Line Range (BTLR) may have a minimum BTL (BTL-MIN), which is the line that is closest to the specified property line, and a maximum BTL (BTL-MAX), which is the line that is farthest from the specified property line.

Car wash.

Permanent, self-service and/or attended car washing establishments, including fully mechanized facilities. May be stand-alone or accessory to another auto-related use, such as a gasoline station. May include detailing services. Does not include temporary car washes for fund-raising activities.

Community Garden.

A single piece of land or open space where participants share in the maintenance and products of the garden, utilizing either individual or shared plots on private or public land, while producing fruit, vegetables, and/or plants that are grown for attractive appearances.

Craft brewery, winery, or distillery.

A small-scale facility where beer, malt beverages, wine, or spirits are made on-premises and then sold or distributed, and which produces 15,000 barrels (or equivalent gallons) per year or less. Its products are primarily intended for local and/or regional consumption. The brewer may sell to a retailer or directly to a customer. Retail sales to the public is limited to incidental use as provided for in Sec. 33-567. (Incidental uses) of the Escondido Zoning Code.

Eating establishments, all types.

An establishment providing food service from an on-site operating commercial-grade kitchen, and/or dessert service from an on-site operating commercial-grade freezer/refrigerator with or without incidental sales of alcoholic beverages, including full-service, limited service, take-out, etc., and outdoor dining. Does not include drive-through service (except as allowed on southwest corner within the W. 13th Avenue Corners District, where drive-through service is permitted) and amplified entertainment or dancing.

General retail sales.

Includes new goods and merchandise sold in department stores, drugstores/pharmacies, and retail establishments selling items such as apparel/accessories/shoes (including incidental shoe repair), toys, flowers, gifts, stationery, jewelry, leather, dishware/glassware/kitchenware, handcrafts/arts and crafts, yardage goods, pets/pet supplies, art/hobby supplies, automobile supply (without installation), music (including incidental recording, instruction, and instrument repair), books/magazines/newspapers, video sales/ rental, sporting goods (includes bicycles, golf, camping, hunting/ammunition/firearms, fishing, surfing, etc.), small household appliance sales and incidental service, cameras/photographic supplies, electronics/office business, and other similar retail goods and incidental services NEC. Prohibited uses include uses classified more specifically in this section, retail uses with across-the-board maximum pricing/"everything



LAND USES	WEST MERCADO DISTRICT		9TH AVE OVERLAY	13TH AVE. CORNERS DISTRICT	FELICITA DISTRICT	ESCONDIDO BOULEVARD DISTRICT		SOUTHERN ENTRY DISTRICT	
	WM General	WM Commercial				EB Mixed-Use Overlay	EB Commercial	SE Commercial	SE Mixed-Use Overlay
• Tractor or heavy truck sales, storage, rental <small>(Subject to Article 57 of the EZC)</small>	CUP	---	---	---	---	---	---	---	---
Food and liquor:									
• Food stores (grocery, produce, candy, baked goods, meat, delicatessen, etc.), with general license for off sale of beer and wine	---	P	P	P	P	P	P	P	P
• Liquor store, packaged (off-sale alcoholic beverages)	---	---	---	CUP	CUP	CUP	CUP	CUP	CUP
EATING AND DRINKING ESTABLISHMENTS									
Eating establishments (Includes outdoor dining in conjunction with an approved eating establishment, Subject to Article 57):									
• Without incidental on-sale beer and wine and/or on-sale general licenses.	---	P	P	P	P	P	P	P	P
• With incidental on-sale beer and wine and/or on-sale general licenses, including microbreweries.	---	P	P	P	P	P	P	P	P
• With indoor amplified entertainment or dancing.	---	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
• Auto-oriented (drive-in, drive-through) (Subject to Section 33-341 of the EZC)	---	CUP	---	---	CUP	---	---	---	---
Drinking establishments, wine and beer tasting establishments, bars, taverns, and nightclubs, with or without live entertainment and/or dancing. Includes comedy clubs, magic clubs, etc., with or without alcoholic beverages.	---	CUP	---	CUP	CUP	CUP	CUP	CUP	CUP
Specialized food from pushcarts (Subject Section 33-342 of the EZC)	---	P	P	P	P	P	P	P	P
Specialized open-air food service court or concession food gallery	---	---	CUP#	---	CUP#	---	---	---	---

Notes

P = Permitted
 CUP = Conditional Use Permit Required
 CUP# = (Minor)

PD = Planned Development Permit Required
 --- = Not Permitted

LAND USES	WEST MERCADO DISTRICT		9TH AVE OVERLAY	13TH AVE. CORNERS DISTRICT	FELICITA DISTRICT	ESCONDIDO BOULEVARD DISTRICT		SOUTHERN ENTRY DISTRICT	
	WM General	WM Commercial				EB Mixed-Use Overlay	EB Commercial	SE Commercial	SE Mixed-Use Overlay
• Major	---	---	---	---	---	---	---	---	---
Live entertainment	---	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	---
Public art displays, murals, sculptures, and other visual art	P	P	P	P	P	P	P	P	P
Outdoor display	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)
Outdoor storage:									
• Miscellaneous storage fully screened (NO CARS)	P	P	P	P	P	P	P	P	P
• Vehicles and fleet vehicle storage (overnight or after normal business hours, or for rent) less than or equal to 10% of all parking provided for that use	P	P	P	P	P	P	P	P	P
• Vehicles and fleet vehicle storage (after normal business hours) more than 10% of all parking provided for that use	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#
• Vehicles used for business operations and deliveries during normal business hours	P	P	P	P	P	P	P	P	P
Sustainable accessory uses as described in Chapter 8	P	P	P	P	P	P	P	P	P
Urban agriculture	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#

Notes

- P = Permitted
- CUP = Conditional Use Permit Required
- CUP# = (Minor)
- PD = Planned Development Permit Required
- = Not Permitted

Notes:

Refer to the base zone for primary, accessory, and temporary uses not otherwise specified, unless specifically prohibited.

With the adoption of this Specific Plan, nonconforming uses and structures shall be subject to the provisions of the EZC.

1. Within the Mixed-Use Overlay in the 9th Avenue Overlay District, the South Escondido Boulevard District, and the Southern Entry District, stand-alone, multi-family residential, and mixed-use (commercial with residential) is permitted by approval of a Plot Plan.
2. Mixed-Use development requires a Plot Plan as provided for in (Article 61) of the Zoning Code.
3. Refer to Chapter 4.2 for a discussion on the land use table and methodologies in determining permitted land uses for each district and subarea.
4. Except on the southwest corner (W. 13th Avenue and S. Pine Street) where drive-through service is permitted.

Attachment 3
PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217

Item 3.



Chick-fil-A
 5200 Buffington Road
 Atlanta, Georgia
 30349-2998



1039 E. 17th Street
 3rd Floor - Suite 301
 Santa Ana, CA 92705
 Phone 714.832.1834

CHICK-FIL-A
 STORE # 05524
 SMC of W 13TH & CENTRE CITY
 515 W. 13TH AVENUE
 ESCONDIDO, CA

STORE # 05524

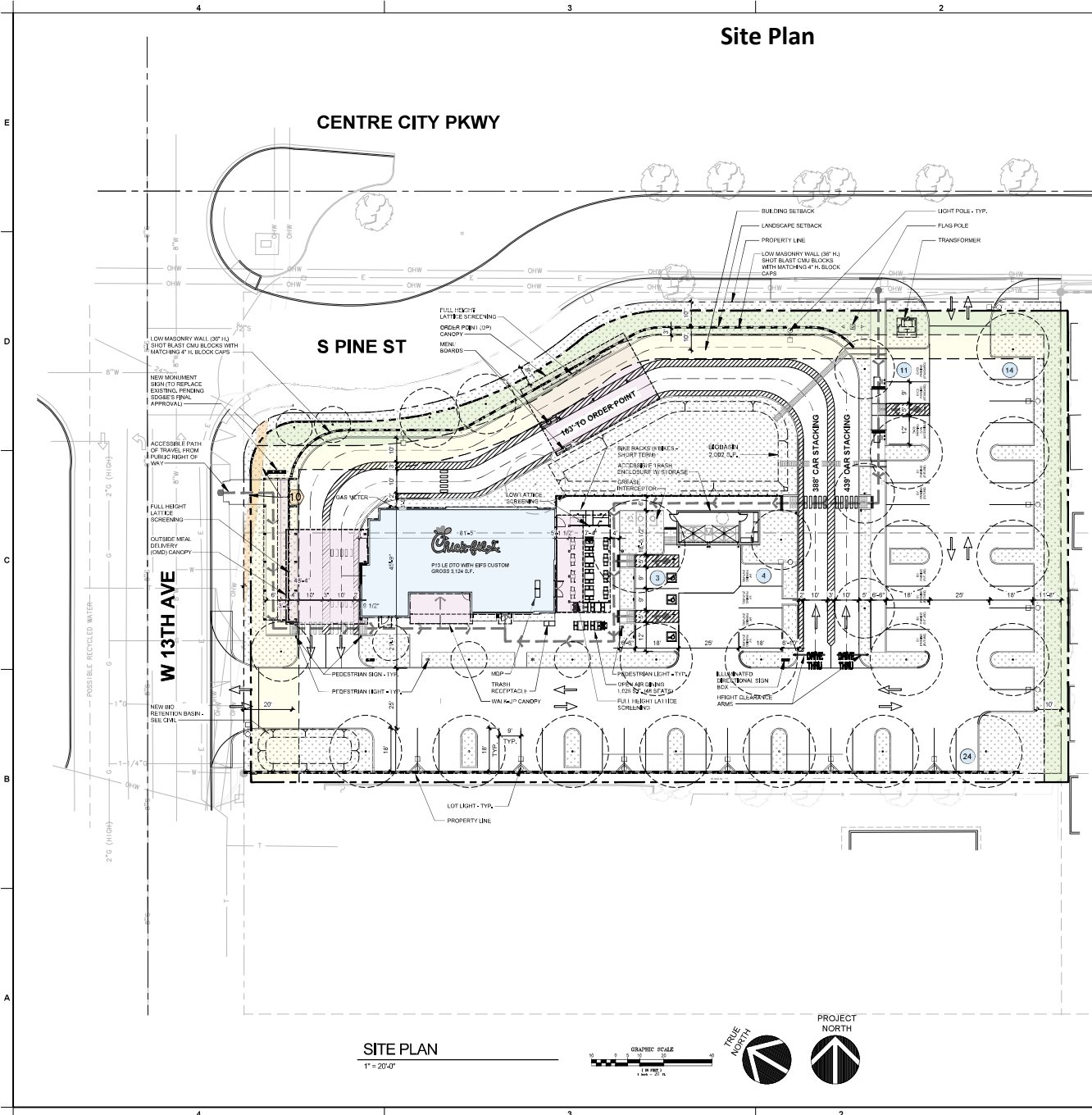
NO.	DATE	DESCRIPTION
07-24-23		CUP Submittal
11-14-23		CUP Resubmittal
05-03-24		CUP Resubmittal
05-03-24		CUP Resubmittal
07-10-24		CUP Resubmittal

ARCHITECT'S PROJECT # 20186
 PRINTED FOR CUP Resubmittal
 DATE 07-10-24
 DRAWN BY FP

Information contained on this sheet is prepared in accordance with the standards and specifications of the International Building Code and the California Building Code. It is the responsibility of the user to verify the accuracy of the information and to obtain all necessary permits and approvals from the appropriate authorities.

CUP RESUBMITTAL SHEET SITE PLAN SHEET NUMBER

SP-1

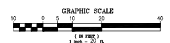


CENTRE CITY PKWY

S PINE ST

W 13TH AVE

SITE PLAN
 1" = 20'-0"



SITE INFORMATION

OCCUPANCY:	A2 (RESTAURANT)
FIRE SPRINKLER:	N/A
CONSTRUCTION TYPE	V-8
SITE AREA:	61,090 SQ. FT. (1.402 ACRES)
BUILDING AREA:	3,124 SQ. FT.
OPEN-AIR DINING AREA:	1,026 SQ. FT.
LANDSCAPE AREA:	18,083 SQ. FT.
FAR:	5.1 %
ZONING:	S-P : SPECIFIC PLAN AREA, SPA 15 : SOUTH CENTRE CITY SPECIFIC PLAN, 13TH AVE, CORNERS DISTRICT
APN:	236-161-07-00 & 236-161-06-00

PARKING CALCULATION

PARKING SPACES REQUIRED:	22
BASIS:	20 SPACES/ 4,000 SF + 1 SPACE/ ADDITIONAL 100 SF
BUILDING AREA :	3,124 SF
OPEN AIR DINING AREA:	1,026 SF
TOTAL AREA :	4,150 SF (> 4,000 SF)
PARKING SPACES NEEDED:	22 SPACES

PARKING SPACES PROVIDED:	56
STANDARD SPACES:	40 (NO COMPACTS)
ACCESSIBLE SPACES:	3 (1 VAN ACCESSIBLE)
EVCS SPACES:	3 (1 VAN ACCESSIBLE)
EV READY:	10 (FUTURE EV)

TOTAL SHORT-TERM BICYCLE SPACE REQUIRED - 5% OF PARKING STALLS :	3 SPACES
TOTAL SHORT-TERM BICYCLE SPACES PROVIDED:	8 SPACES
TOTAL LONG-TERM BICYCLE SPACE REQUIRED - 5% OF 20 STAFF PARKING STALLS :	1 SPACE
TOTAL LONG-TERM BICYCLE SPACES PROVIDED:	2 SPACES (INSIDE BUILDING)
TOTAL CAR STACK SPACES PROVIDED:	41

EASEMENT NOTES

- 10 AN EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, RECORDED MAY 25, 1976 AS INSTRUMENT NO. 1976-157930 OF OFFICIAL RECORDS.

LEGEND

PROPOSED LANDSCAPE AREA:	
NEW CONC. SIDEWALK	
PROPERTY LINE:	
PROPOSED CFA WORK LIMIT :	
PROPOSED CANOPY AREA	
NEW CONC. CURB:	
PATH OF TRAVEL	
NUMBER OF PARKING SPACES:	

SITE STATISTICS

56 PARKING SPACES TOTAL (20 SPACES REQUIRED)
 LOADING ZONE : NOT REQUIRED FOR BUILDING UNDER 10,000 SF
 CAR STACK LENGTH: 827 FT TOTAL (41 CARS)
 ORDER POINT: 163 FT INNER LANE (8 TH CAR)



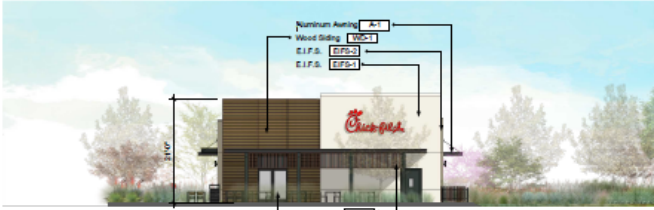
CITY of ESCONDIDO

STAFF REPORT

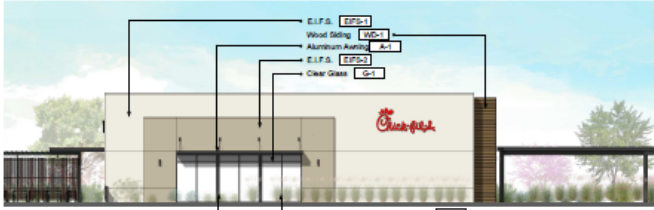
Attachment 4

PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217

Colored Renderings



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH EAST VIEW



CITY of ESCONDIDO

STAFF REPORT

Item 3.



SOUTH EAST VIEW



NORTH EAST BIRD'S EYE VIEW



CITY of ESCONDIDO

STAFF REPORT

Item 3.



OUTDOOR DINING – DAY VIEW





CITY of ESCONDIDO

STAFF REPORT

Item 3.

OUTDOOR DINING – NIGHT VIEW



S PINE STREET FRONT - DAY VIEW



S PINE STREET FRONT - NIGHT VIEW

PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217

Draft Planning Commission Resolution No. 2024-19

Planning Commission

Hearing Date: October 8, 2024

Effective Date: October 9, 2024

PLANNING COMMISSION RESOLUTION NO. 2024-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE DECLARATION, AND APPROVAL OF A SPECIFIC PLAN AMENDMENT, CONDITIONAL USE PERMIT, AND DESIGN REVIEW PERMIT

APPLICANT: 4G Development & Consulting

CASE NOS: PL23-0296/PL23-0297/PL24-0217

WHEREAS, Chick-Fil-A, Inc. (“Applicant”), filed a land use development application, Planning Case Nos. PL23-0296, PL23-0297, and PL24-0217 (“Application”) constituting a request for a Specific Plan Amendment to amend the South Centre City Specific Plan to allow drive-through uses within the 13th Avenue Corners District, specifically on the subject site; a Conditional Use Permit for a drive-through restaurant use; and a Design Review Permit for the construction of a 3,124 square-foot, single-story dual-lane drive through restaurant facility (“Project”) on a 1.4 gross acre site located at 515 West 13th Avenue (APNs 236-161-06 and 236-161-07), within the General Plan land use designation of Specific Planning Area (“SPA 15”) and in the Specific Plan (S-P) zoning district; and

WHEREAS, the subject property 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, a Specific Plan Amendment is permitted by the South Centre City Specific Plan (“SCCSP”) Section 1.4 and Article 61 (Administration and Enforcement) Division 4 (Amendments and Zone Changes) of the Escondido Zoning Code; and

WHEREAS, the Applicant seeks to amend the South Centre City Specific Plan to allow for auto-oriented uses within the 13th Avenue Corners District subject to a Conditional Use Permit (CUP), revise text within Chapters 3 and 5 of the SCCSP, specifically for consistency regarding the Specific Plan’s setting, the District Specific Development Standards, and Design Guidelines (Sections 3.7.1, 5.3.3.1, and 3.7.4.1, respectively), and to revise the definition for “eating establishments, all types” of Appendix A, all as shown in Exhibit “B”; and

WHEREAS, approval of the Specific Plan Amendment would allow for the conditionally permitted use; and,

WHEREAS, the Applicant submitted a Conditional Use Permit application to construct a dual-lane drive-through facility on the subject site; and,

WHEREAS, a Design Review Permit is required for the Project as outlined in Section 9.2 (Administration) of the Specific Plan; 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, a Draft Initial Study and Mitigated Negative Declaration (“IS/MND”) was prepared, circulated, and notice made of its availability for public review and comment during the period of August 16, 2024 to September 16, 2024; and

WHEREAS, the city did not receive comments on the adequacy of the Draft Initial Study and Mitigated Negative Declaration during the public review period; and,

WHEREAS, in addition to the Final IS/MND, a Mitigation Monitoring and Reporting Program (“MMRP”) has been prepared for the Project, attached as Exhibit “C” and incorporated herein by this reference, to ensure compliance with the required mitigation measures or project revisions during Project implementation; 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 Project Plans shown in Exhibit "D," 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 requirements identified in Article 61, Division 6, and State public noticing requirements; and

WHEREAS, on October 8, 2024, 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 October 8, 2024, 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 judgement, has carefully reviewed and considered all environmental documentation comprising the Final IS/MND prepared for the Project and has determined that the City has made a good-faith effort to adequately address all environmental issues associated with the Project. The Final IS/MND, is adequate and provides good-faith disclosure of available information on the Project to determine whether there is substantial evidence that the Project would result in any significant effects. All of the requirements of CEQA have been met.
3. That the MMRP identifies mitigation measures necessary to reduce all impacts to a less-than-significant level, and assigns on-going responsibility for carrying out mitigation responsibilities which are appropriate to address and mitigate Project-related impacts.
4. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and on its behalf, the Planning Commission makes the following substantive findings and determinations, attached hereto as Exhibit "E," 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.
5. The Planning Commission recommends that the City Council adopt the Final IS/MND, attached as Exhibit "F", which is incorporated herein as though fully set forth herein.
6. The Application to use the Property for the Project, subject to each and all of the conditions hereinafter set forth in Exhibit "G," is hereby **recommended for approval** the City Council by

the Planning Commission. The Planning Commission expressly declares that it would not have recommend 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.

7. 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 Planning Commission, and which shall not be altered without the express authorization by the Planning Division.

BE IT FURTHER RESOLVED that, pursuant to Government Code section 66020(d)(1):

NOTICE IS GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution, and any such protest must be in a manner that complies with Government Code section 66020.

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 8th day of October, 2024, by the following vote, to wit:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

STAN WEILER, 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.

Alex Rangel, Minutes Clerk
Escondido Planning Commission

EXHIBIT A**PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217****LEGAL DESCRIPTION**

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

LOTS 9 AND 10 IN BLOCK 220 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886. EXCEPTING FROM SAID LOT 9 THAT PORTION THEREOF GRANTED TO THE STATE OF CALIFORNIA FOR HIGHWAY PURPOSES IN DEED RECORDED MARCH 11, 1948, IN [BOOK 2708, PAGE 47](#) OF OFFICIAL RECORDS.

EXCEPTING ALSO THE INTEREST CONVEYED TO THE CITY OF ESCONDIDO BY DEED RECORDED JANUARY 7, 1976 AS FILE NO. [76-004339](#) OF OFFICIAL RECORDS.

APN: 236-161-07-00 (Affects Lot 9)
236-161-06-00 (Affects Lot 10)

3.7 13TH AVENUE CORNERS DISTRICT

3.7.1 Setting.

Located at the intersection of Centre City Parkway and 13th Avenue, this 9-acre District consists of the parcels that create four commercially designated “corners” of the intersection. Existing uses at the time of this plan’s adoption on the west side of the intersection include a Sprouts grocery store and a sit-down casual restaurant. On the east side of Centre City Parkway a strip-commercial center and fast-food outlet on one corner, and on the remaining corner is a building that was previously a single-story motel, occupied by a camper sales business.

3.7.2 13th Avenue Corners District Vision.

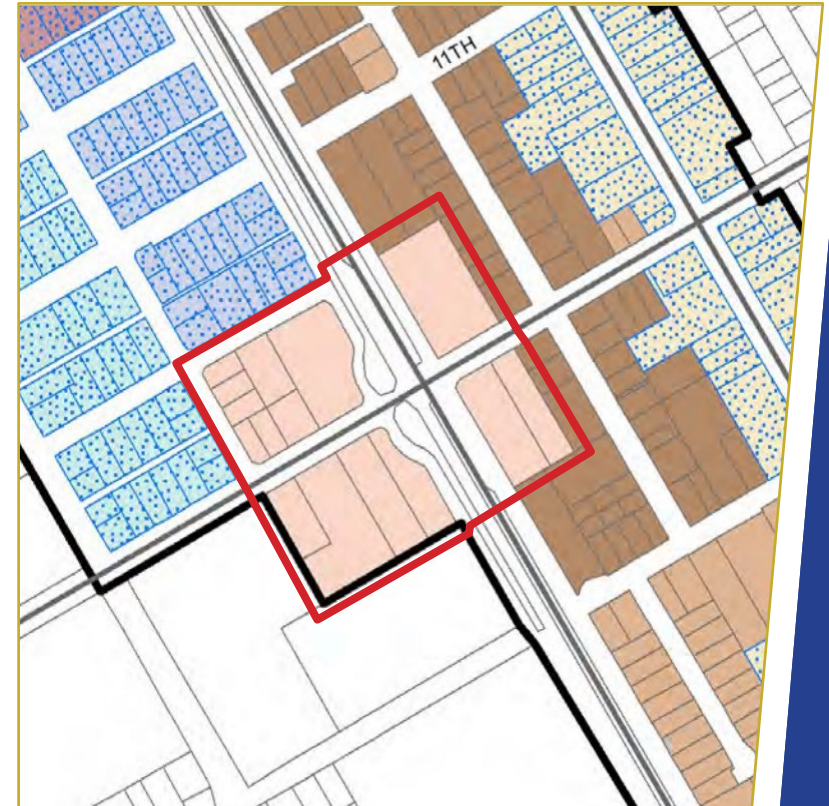
As one of the signalized intersections along South Centre City Parkway, the 13th Avenue Corners District is a focal point along the corridor. The Pine Street Pathway is an important component of the identity of this District, making it a destination for pedestrians and bicyclists. Both public and private right-of-way will be activated along the western side of Centre City Parkway by providing amenities desirable to users of the recreational trail and commercial businesses, such as parcourse exercise equipment, play structures, and benches for enjoying the nearby food offerings, and for social interaction.

Enhanced pedestrian crosswalks are attractive, improve safety, and encourage walking in the area. Bicycle crossings are separated from the pedestrian crossings for safety of both groups of users. A unique landscape theme unifies the four corners of the district, adding to the ambiance and appearance. A public art program at this intersection further enhances the appearance of the 13th Avenue Corners and defines the district as distinct and unique. A robust wayfinding program that incorporates elements of public art further encourages walking, bicycling, and use of the nearby transit stop at the intersection of 13th Avenue and Escondido Boulevard.

3.7.3 13th Avenue Corners District Concepts.

3.7.3.1 Land Use Concepts.

The following land use concepts highlight some of the key ways land use will help achieve the vision for this district. See the Land Use Table in Chapter 4 for permitted uses in the 13th Avenue Corners District.



Encourage underutilized property to redevelop.

The property at the northeast corner of Centre City Parkway and 13th Avenue is likely to redevelop over the life of the Specific Plan. Commercial development at this location is envisioned to be consistent with the other three corners of this intersection. The attractive design, character and setbacks of the existing southwest commercial building will be replicated on this parcel. Redeveloping this property is an ideal opportunity to tie the four corners together with a combination of public and private improvements.

3.7.3.4 Parks, Recreation, and Open Space Concepts.

Strategically link the Pine Street Pathway to commercial uses. Integrating picnic tables or benches for resting in the lesser-used eastern part of the grocery store parking lot with the Pine Street Pathway would promote greater use of the nearby recreational amenities.

3.7.4 District Specific Development Standards and Design Guidelines.

3.7.4.1 Development Standards.

1. Landscaping along Centre City Parkway shall be “canopy” restorative to the extent practicable, to the satisfaction of the Director of Community Development. For meeting the intent of the section, a buffer yard shall be provided along the entire frontage and feature a strong collection of industry and canopy trees.
2. Refer to Chapter 5 for Development Standards.

3.7.4.1 Design Guidelines.

1. Infill development at the northeast corner of Centre City Parkway and 13th Avenue is anticipated during the life of the plan. Redevelopment of this corner should be consistent with the setbacks and design character of (existing objective pedestrian-oriented development) southwest corner commercial building.
2. All corners of the intersection of 13th Avenue and Centre City Parkway should have consistent and compatible landscaping to emphasize the intersection as a key commercial destination along 13th Avenue and Centre City Parkway.
3. Provide pedestrian amenities at landscape corners and along the Pine Street Pathway, such as wayfinding signs or information kiosks.
4. Provide interesting outdoor pedestrian destinations such as public art, plazas, food courts, tables, benches, and/or other site amenities.





2. Rooftop deck, patio, or shade structure
 3. Vegetation associated with rooftop deck or garden
 4. Skylights
 5. Solar panel, wind turbine, rainwater collectors
 6. Rooftop screening equipment
5. An attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet, measured from the finished floor to the finished ceiling.
 6. A basement with 50% or more of its perimeter wall area (measured from finished floor elevation) surrounded by finished grade is not considered a story.

5.3.2.2 Design Guidelines.

1. Provide massing breaks along wall expanses. Avoid box-like building mass and form with large expanse of solid unbroken surfaces.
2. “Franchise architecture” is strongly discouraged.
3. Architectural gimmicks, such as distinctive roof shapes, that sacrifice the integrity of a streetscape to promote a single structure or development should be avoided.
4. Larger projects should be designed to emulate the existing rhythm and scale of the South Escondido and 9th Avenue Overlay Districts.

5.3.3 Architecture.

5.3.3.1 Development Standards.

1. For commercial facades, at least 60% of the total area of the first-floor facade facing the primary street shall be window display or otherwise provide for visual transparency into the publicly accessible activities of the building. Projects proposing less than this amount may seek alternative compliance through an Administrative Adjustment provided that the intent of the Specific Plan is met or exceeded in some way, to the satisfaction of the Director of Community Development.
2. Walls exposed to side streets or pedestrian passageways between buildings shall have doors and/or windows, or fixed glazing areas of at least 30% of the total surface area of the wall facing these open spaces.
3. Storefronts shall accentuate the structural bays of the building and allow for clear views of the interior of the commercial business at the ground level.



Building materials, supplies, and hardware.

The retail sales of lumber, heating/air conditioning, plumbing, electrical, floor covering and installations, paint, glass, wallpaper, home improvement items, and other similar merchandise. Does not include outdoor storage.

Build-to-Line (BTL).

A line parallel to the property line where the façade of the building is required to be located. The BTL is measured from the property line unless otherwise specified. Building articulation that does not exceed 12" in depth meets the definition of the BTL.

Build-to-Line Range (BTLR).

A pair of lines parallel to the property line that establishes the range within which a percentage of the façade of the building is required to be located. A Build-to-Line Range (BTLR) may have a minimum BTL (BTL-MIN), which is the line that is closest to the specified property line, and a maximum BTL (BTL-MAX), which is the line that is farthest from the specified property line.

Car wash.

Permanent, self-service and/or attended car washing establishments, including fully mechanized facilities. May be stand-alone or accessory to another auto-related use, such as a gasoline station. May include detailing services. Does not include temporary car washes for fund-raising activities.

Community Garden.

A single piece of land or open space where participants share in the maintenance and products of the garden, utilizing either individual or shared plots on private or public land, while producing fruit, vegetables, and/or plants that are grown for attractive appearances.

Craft brewery, winery, or distillery.

A small-scale facility where beer, malt beverages, wine, or spirits are made on-premises and then sold or distributed, and which produces 15,000 barrels (or equivalent gallons) per year or less. Its products are primarily intended for local and/or regional consumption. The brewer may sell to a retailer or directly to a customer. Retail sales to the public is limited to incidental use as provided for in Sec. 33-567. (Incidental uses) of the Escondido Zoning Code.

Eating establishments, all types.

An establishment providing food service from an on-site operating commercial-grade kitchen, and/or dessert service from an on-site operating commercial-grade freezer/refrigerator with or without incidental sales of alcoholic beverages, including full-service, limited service, take-out, etc., and outdoor dining. Does not include drive-through service (except as allowed on southwest corner within the W. 13th Avenue Corners District, where drive-through service is permitted) and amplified entertainment or dancing.

General retail sales.

Includes new goods and merchandise sold in department stores, drugstores/pharmacies, and retail establishments selling items such as apparel/accessories/shoes (including incidental shoe repair), toys, flowers, gifts, stationery, jewelry, leather, dishware/glassware/kitchenware, handcrafts/arts and crafts, yardage goods, pets/pet supplies, art/hobby supplies, automobile supply (without installation), music (including incidental recording, instruction, and instrument repair), books/magazines/newspapers, video sales/ rental, sporting goods (includes bicycles, golf, camping, hunting/ammunition/firearms, fishing, surfing, etc.), small household appliance sales and incidental service, cameras/photographic supplies, electronics/office business, and other similar retail goods and incidental services NEC. Prohibited uses include uses classified more specifically in this section, retail uses with across-the-board maximum pricing/ "everything



LAND USES	WEST MERCADO DISTRICT		9TH AVE OVERLAY	13TH AVE. CORNERS DISTRICT	FELICITA DISTRICT	ESCONDIDO BOULEVARD DISTRICT		SOUTHERN ENTRY DISTRICT	
	WM General	WM Commercial				EB Mixed-Use Overlay	EB Commercial	SE Commercial	SE Mixed-Use Overlay
<ul style="list-style-type: none"> Tractor or heavy truck sales, storage, rental <small>(Subject to Article 57 of the EZC)</small> 	CUP	---	---	---	---	---	---	---	---
Food and liquor:									
<ul style="list-style-type: none"> Food stores (grocery, produce, candy, baked goods, meat, delicatessen, etc.), with general license for off sale of beer and wine 	---	P	P	P	P	P	P	P	P
<ul style="list-style-type: none"> Liquor store, packaged (off-sale alcoholic beverages) 	---	---	---	CUP	CUP	CUP	CUP	CUP	CUP
EATING AND DRINKING ESTABLISHMENTS									
Eating establishments (Includes outdoor dining in conjunction with an approved eating establishment, Subject to Article 57):									
<ul style="list-style-type: none"> Without incidental on-sale beer and wine and/or on-sale general licenses. 	---	P	P	P	P	P	P	P	P
<ul style="list-style-type: none"> With incidental on-sale beer and wine and/or on-sale general licenses, including microbreweries. 	---	P	P	P	P	P	P	P	P
<ul style="list-style-type: none"> With indoor amplified entertainment or dancing. 	---	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
<ul style="list-style-type: none"> Auto-oriented (drive-in, drive-through) (Subject to Section 33-341 of the EZC) 	---	CUP	---	---	CUP	---	---	---	---
Drinking establishments, wine and beer tasting establishments, bars, taverns, and nightclubs, with or without live entertainment and/or dancing. Includes comedy clubs, magic clubs, etc., with or without alcoholic beverages.	---	CUP	---	CUP	CUP	CUP	CUP	CUP	CUP
Specialized food from pushcarts (Subject Section 33-342 of the EZC)	---	P	P	P	P	P	P	P	P
Specialized open-air food service court or concession food gallery	---	---	CUP#	---	CUP#	---	---	---	---

Notes

P = Permitted
 CUP = Conditional Use Permit Required
 CUP# = (Minor)

PD = Planned Development Permit Required
 --- = Not Permitted

LAND USES	WEST MERCADO DISTRICT		9TH AVE OVERLAY	13TH AVE. CORNERS DISTRICT	FELICITA DISTRICT	ESCONDIDO BOULEVARD DISTRICT		SOUTHERN ENTRY DISTRICT	
	WM General	WM Commercial				EB Mixed-Use Overlay	EB Commercial	SE Commercial	SE Mixed-Use Overlay
• Major	---	---	---	---	---	---	---	---	---
Live entertainment	---	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	---
Public art displays, murals, sculptures, and other visual art	P	P	P	P	P	P	P	P	P
Outdoor display	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)	(Subject to the EZC)
Outdoor storage:									
• Miscellaneous storage fully screened (NO CARS)	P	P	P	P	P	P	P	P	P
• Vehicles and fleet vehicle storage (overnight or after normal business hours, or for rent) less than or equal to 10% of all parking provided for that use	P	P	P	P	P	P	P	P	P
• Vehicles and fleet vehicle storage (after normal business hours) more than 10% of all parking provided for that use	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#
• Vehicles used for business operations and deliveries during normal business hours	P	P	P	P	P	P	P	P	P
Sustainable accessory uses as described in Chapter 8	P	P	P	P	P	P	P	P	P
Urban agriculture	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#	CUP#

Notes

P = Permitted
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 --- = Not Permitted

Notes:

- Refer to the base zone for primary, accessory, and temporary uses not otherwise specified, unless specifically prohibited.
- With the adoption of this Specific Plan, nonconforming uses and structures shall be subject to the provisions of the EZC.
- 1. Within the Mixed-Use Overlay in the 9th Avenue Overlay District, the South Escondido Boulevard District, and the Southern Entry District, stand-alone, multi-family residential, and mixed-use (commercial with residential) is permitted by approval of a Plot Plan.
- 2. Mixed-Use development requires a Plot Plan as provided for in (Article 61) of the Zoning Code.
- 3. Refer to Chapter 4.2 for a discussion on the land use table and methodologies in determining permitted land uses for each district and subarea.
- 4. Except on the southwest corner (W. 13th Avenue and S. Pine Street) where drive-through service is permitted.

**MITIGATION MONITORING AND REPORTING PROGRAM
ENVIRONMENTAL DOCUMENT REFERENCE NUMBER (SCH 2024080684)**

PROJECT NAME: Chick-fil-A West 13th & Centre City

PROJECT LOCATION: The proposed Chick-fil-A West 13th & Centre City Project (Project) site involves an approximately 1.40-acre parcel located at 515 West 13th Avenue (Assessor’s Parcel Numbers [APNs] 236-161-06-00 and -07-00).

PROJECT DESCRIPTION: The Project proposes to demolish an existing restaurant building and construct a new Chick-fil-A restaurant with a dual lane drive-through, associated surface parking improvements, and landscaping improvements. The new Chick-fil-A restaurant would be a 3,124 square-foot (gross area), one-story building (up to 22 feet in height). The new restaurant would have a 1,026 square foot outdoor dining area (48 outdoor seats [including three Americans with Disabilities Act-compliant seats]), kitchen area, and service area.

LEAD AGENCY: City of Escondido

CONTACT PERSON/TELEPHONE NO.: Greg Mattson, AICP, Contract Planner | (619) 895-7177

APPLICANT: Chick-fil-A, Inc.

CONTACT PERSON/TELEPHONE NO.: Erik Baker, Principal Development Lead | (949) 285-1457

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
Biological Resources						
BIO-1	In the event that construction activities cannot be avoided during the avian nesting season, generally between February 15 and September 15, the project Applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than three days prior to commencement of construction activities. The completed survey shall be provided to the City of Escondido Planning Division prior to site disturbance activities. If no active bird nests are observed on the project site or within the vicinity during the pre-construction nesting bird survey, site disturbance activities may resume. If an active avian nest is discovered during the pre-construction nesting bird survey, construction activities shall stay outside of a 300-foot buffer around the active nest, as defined by the biologist. For listed and raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by construction activity. No work shall be conducted within the established buffers until the biological monitor determines the avian nest is no longer active.	Prior to Ground Disturbance / During Construction as Applicable	City of Escondido Planning Division / Qualified Biologist / Construction Contractor			

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
Cultural Resources						
CUL-1	<p>Prior to the issuance of a grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the project location ("TCA Tribe"). The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in Mitigation Measures CUL-2 through CUL-10, and the following information:</p>	Prior to Grading Permit	Project Applicant / Qualified Archaeologist / Native American Monitor			

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
	<ul style="list-style-type: none"> • Parties entering into the agreement and contact information. • Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors. • Project grading and development scheduling, including determination of authority to adjust in the event of unexpected discovery, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement. • Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials. • Treatment of identified Native American cultural materials. • Treatment of Native American human remains and associated grave goods. 					

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
	<ul style="list-style-type: none"> Confidentiality of cultural information including location and data. Negotiation of disagreements should they arise. Regulations that apply to cultural resources that have been identified or may be identified during project construction. 					
CUL-2	<p>Prior to issuance of a grading permit, the Applicant shall provide written verification to the City of Escondido (City) that a qualified archaeologist and a Native American monitor associated with a tribe that is traditionally and culturally affiliated with the project location (“TCA Tribe”) have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.</p>	Prior to Grading Permit	City of Escondido Planning Division / Project Applicant / Qualified Archaeologist / Native American Monitor			
CUL-3	<p>The qualified archaeologist and a Native American monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to explain and coordinate</p>	Prior to Grading / During Grading	Construction Contractor / Qualified Archaeologist / Native American Monitor			

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
	the requirements of the monitoring program.					
CUL-4	During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring shall be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil	During Grading / Site Disturbance	Qualified Archaeologist / Native American Monitor			

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
	conditions are comprised solely of fill or granitic bedrock).					
CUL-5	In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed. All unearthed archaeological resources or tribal cultural resources shall be collected, temporarily stored in a secure location, and repatriated for later reburial on the project site, pursuant to the terms of the Pre-	During Grading / Site Disturbance	Qualified Archaeologist / Native American Monitor			

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
	Excavation Agreement established in Mitigation Measure CUL-1.					
CUL-6	If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of Escondido (City) of said discovery. The qualified archaeologist, in consultation with the City, the consulting tribe(s) that is/are traditionally and culturally affiliated with the project location ("TCA Tribe[s]"), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe(s) and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c), appropriate treatment measures shall be implemented. Work shall not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal	During Grading / Site Disturbance	City of Escondido Planning Division / Qualified Archaeologist / Native American Monitor			

Mitigation Measure No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
	Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.					
CUL-7	All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated in consultation with the consulting tribe(s) that is/are traditionally and culturally affiliated with the project location ("TCA Tribe[s]") as required by CEQA and in compliance with all relevant mitigation measures for the project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City of Escondido's (City) Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe(s), making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant	During Grading	City of Escondido Planning Division / Qualified Archaeologist / Native American Monitor			

	<p>mitigation measures for the project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. No artifact sampling for analysis is allowed, unless requested and approved by the consulting TCA Tribe(s). Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities shall be concluded to the satisfaction of the City.</p>					
<p>CUL-8</p>	<p>As specified by California Health and Safety Code section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's (Coroner) office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to a temporary off-site location for examination.</p>	<p>During Grading</p>	<p>City of Escondido Planning Division / Qualified Archaeologist / Native American Monitor / County Coroner</p>			

	<p>No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area be protected, and consultation and treatment may occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner shall notify the Native American Heritage Commission (NAHC), which then shall designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD shall have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City of Escondido does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they would not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency,</p>					
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	through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on-site in the presence of the MLD, unless the forensic anthropologist and the MLD agree to remove the remains to an off-site location for examination.					
CUL-9	If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor shall be present during any cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources for later reburial on the project site or storage at a local curation facility. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the tribe that is traditionally and culturally affiliated with the project location ("TCA Tribe") for reburial on the project site. Should the TCA Tribe(s) decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.	During Grading	Qualified Archaeologist / Native American Monitor			
CUL-10	Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results,	Post-Grading	City of Escondido Planning Division / Qualified			

	<p>analysis, and conclusions of the archaeological monitoring program and any data recovery program on the project site, shall be submitted by the qualified archaeologist to the City of Escondido (City). The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report shall include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources. A copy of the final report shall be submitted to the South Coastal Information Center after approval by the City.</p>		<p>Archaeologist / Native American Monitor</p>			
Geology and Soils						
<p>GEO-1</p>	<p>Prior to the commencement of excavation activities, the Applicant shall retain a Society of Vertebrate Paleontology (SVP) qualified paleontologist to conduct full-time paleontological monitoring during excavation activities in areas with the potential to support unknown buried paleontological resources. Monitoring logs shall be submitted to the City of Escondido Director of Community Development. If evidence of subsurface paleontological resources is discovered during excavation activities, Mitigation Measure GEO-2 shall be implemented.</p>	<p>Prior to Excavation Activities / During Grading</p>	<p>City of Escondido Planning Division / Project Applicant / Qualified Paleontologist / Construction Contractor</p>			

	<p>A qualified professional paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year of full-time professional experience or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology as defined by the SVP.</p>					
<p>GEO-2</p>	<p>If evidence of subsurface paleontological resources is found during construction activities, excavations within 50 feet of the find shall cease and the construction contractor shall contact the City of Escondido Director of Community Development. With direction from the City of Escondido Director of Community Development, a qualified paleontologist certified by the County of San Diego shall be retained to evaluate the find prior to resuming construction activities in the immediate vicinity of the find. If the City of Escondido determines the resources is significant and cannot be immediately recovered, then the qualified paleontologist shall prepare and execute a Paleontological Resources Mitigation Program (PRMP) for the salvage and</p>	<p>During Grading</p>	<p>City of Escondido Planning Division / Qualified Paleontologist / Construction Contractor</p>			

	<p>curation of the identified resource(s). The PRMP shall specify the fieldwork and laboratory methods to be undertaken, curation requirements, proposed staff qualifications, and whether the entire resource is to be collected or a specified statistically significant sample.</p>					
Hazards and Hazardous Materials						
HAZ-1	<p>Prior to any work that would disturb asbestos-containing materials (ACMs) or create an airborne asbestos hazard (i.e., demolition of the existing building), the project Applicant shall require that contractors submit a notice to the San Diego County Air Pollution Control District (SDCAPCD) prior to demolition activities, follow proper removal processes for ACMs (e.g., wetting of exposed ACMs to limit dust, utilization of a proper ventilation system co-capture particulate asbestos materials, encasing ACMs in proper wrappings), and follow proper waste handling and disposal practices (e.g., ACMS are placed in proper containers and/or wrappings, adequate wetting of ACMs during transport, proper labeling of containers and/or wrappings of ACMs) in accordance with SDCAPCD Rule 1206, <i>Asbestos removal, renovation, and demolition</i>, and California Code of Regulations (CCR) Title 8, Section 1529, <i>Asbestos</i>. ACMs shall also require disposal at a waste disposal facility operated in accordance with the provisions of 40 Code of Federal Regulations (CFR), Part 61, Section 61.154, <i>Standard for</i></p>	<p>Prior to Demolition Activities / During Demolition Activities</p>	<p>Certified Asbestos Consultant or Site Surveillance Technician / Construction Contractor</p>			

	<p><i>active waste disposal sites, or a U.S. Environmental Protection Agency-approved site that converts regulated-ACMs and asbestos-containing waste materials into non-asbestos (asbestos-free) material in accordance with the provisions of 40 CFR, Part 61, Section 61.155, Standard for operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material. The removal of asbestos shall also require the supervision of a certified asbestos consultant or site surveillance technician, retained by the project Applicant, during the removal process.</i></p>					
Noise						
NOI-1	<p>To reduce noise levels during construction activities, the Applicant must demonstrate, to the satisfaction of the City of Escondido Community Development Department, that the project complies with the following:</p> <ul style="list-style-type: none"> • Construction contracts must specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices. • A sign, legible at a distance of 50 feet, shall be posted at the project construction site providing a contact name and a telephone number where residents can 	<p>Prior to Grading and Construction Activities / During Construction Activities</p>	<p>City of Escondido Planning Division / Project Applicant / Noise Disturbance Coordinator</p>			

	<p>inquire about the construction process and register complaints. This sign shall indicate the dates and duration of construction activities. In conjunction with this required posting, a noise disturbance coordinator shall be identified to address construction noise concerns received. The coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the disturbance coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the City. All signs posted at the construction site shall include the contact name and the telephone number for the noise disturbance coordinator.</p> <ul style="list-style-type: none"> • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. • Per Section 17-234 and Section 17-238 of the Municipal Code, grading activities shall be limited 					
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	<p>to the hours between 7:00 a.m. and 6:00 p.m. Monday through Friday, and construction activities shall be limited to the hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday. All construction activities shall be prohibited on Sundays or holidays.</p> <ul style="list-style-type: none"> • Prior to grading activities, a temporary noise barrier or enclosure shall be used along the southern property line to break the line-of-sight between the construction equipment and the adjacent residences. The temporary noise barrier shall have a sound transmission class (STC) of at least 10 or greater in accordance with American Society for Testing and Materials Test Method E90, or at least 2 pounds per square foot to ensure adequate transmission loss characteristics. In order to achieve this, the barrier may consist of 3-inch steel tubular framing, welded joints, a layer of 18-ounce tarp, a 2-inch-thick fiberglass blanket, a half-inch-thick weatherwood asphalt sheathing, and 7/16-inch sturdy board siding with a heavy duct seal around the perimeter. The length, height, and location of 					
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	<p>noise control barrier walls shall be adequate to assure proper acoustical performance. In addition, to avoid objectionable noise reflections, the source side of the noise barrier shall be lined with an acoustic absorption material meeting a noise reduction coefficient rating of 0.70 or greater in accordance with American Society for Testing and Materials Test Method C423. All noise control barrier walls shall be designed to preclude structural failure due to such factors as winds, shear, shallow soil failure, earthquakes, and erosion. The temporary noise barrier can be removed upon completion of grading activities or paving activities, whichever is later.</p>					
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Transportation					
TRA-1	Prior to the initiation of construction, the project Applicant shall prepare a Traffic Management Plan (TMP) for approval by the City of Escondido Traffic Engineer. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flag person to direct traffic during heavy equipment use. The TMP shall specify that one direction of travel in each direction must always be maintained for the surrounding roadways throughout project construction. The TMP shall be incorporated into project specifications for verification prior to final plan approval.	Prior to Construction Activities	Project Applicant / City of Escondido Traffic Engineer		

EXHIBIT "D"

PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217

PROJECT PLAN SET

These Architectural Drawings are copyright-protected. If you would like to view these drawings, please contact the project planner, Greg Mattson at 760-839-4544, or via email at

greg.mattson@escondido.gov

EXHIBIT "E"
PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217
Final Initial Study/Mitigated Negative Declaration

Due to the number of pages of Exhibit "E," links have been provided for review of the following items:

The Final Initial Study/Mitigated Negative Declaration may be found at the links below:

<https://www.escondido.gov/DocumentCenter/View/6785/Final-ISMND-West-13th-Centre-City-Pkwy-PDF>

<https://www.escondido.gov/DocumentCenter/View/6528/Public-Review-Draft-ISMND---West-13th-Centre-City-PDF>

The Technical Appendices may be reviewed at the following links:

[Appendix A – Air Quality/Greenhouse Gas/Energy Data](https://www.escondido.gov/DocumentCenter/View/6529/Appendix-A---AQGHGEnergy-Data-PDF) (https://www.escondido.gov/DocumentCenter/View/6529/Appendix-A---AQGHGEnergy-Data-PDF)

[Appendix B – Cultural Resources Assessment](https://www.escondido.gov/DocumentCenter/View/6521/Appendix-B---Cultural-Resources-Assessment-PDF) (https://www.escondido.gov/DocumentCenter/View/6521/Appendix-B---Cultural-Resources-Assessment-PDF)

[Appendix C – Geotechnical Analysis](https://www.escondido.gov/DocumentCenter/View/6522/Appendix-C---Geotechnical-Analysis-PDF) (https://www.escondido.gov/DocumentCenter/View/6522/Appendix-C---Geotechnical-Analysis-PDF)

[Appendix D – Phase 1 Environmental Site Assessment/Asbestos Survey](https://www.escondido.gov/DocumentCenter/View/6523/Appendix-D---Phase-1-Environmental-Site-AssessmentAsbestos-Survey-PDF) (https://www.escondido.gov/DocumentCenter/View/6523/Appendix-D---Phase-1-Environmental-Site-AssessmentAsbestos-Survey-PDF)

[Appendix E – Hydrology/Water Quality Documentation](https://www.escondido.gov/DocumentCenter/View/6524/Appendix-E---HydrologyWater-Quality-Documentation-PDF) (https://www.escondido.gov/DocumentCenter/View/6524/Appendix-E---HydrologyWater-Quality-Documentation-PDF)

[Appendix F – Acoustical Analysis Report](https://www.escondido.gov/DocumentCenter/View/6525/Appendix-F---Acoustical-Analysis-Report-PDF) (https://www.escondido.gov/DocumentCenter/View/6525/Appendix-F---Acoustical-Analysis-Report-PDF)

[Appendix G – Vehicle Miles Traveled Analysis](https://www.escondido.gov/DocumentCenter/View/6526/Appendix-G---Vehicle-Miles-Traveled-Analysis-PDF) (https://www.escondido.gov/DocumentCenter/View/6526/Appendix-G---Vehicle-Miles-Traveled-Analysis-PDF)

EXHIBIT "F"**PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217****FACTORS TO BE CONSIDERED/FINDINGS OF FACT****1. Environmental Determinations**

- a) Pursuant to the California Environmental Quality Act, (CEQA, Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), 14 California Code of Regulations Section 15000 et. seq., the City of Escondido is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the proposed Project.
- b) An Initial Study/Mitigated Negative Declaration ("IS/MND") (SCH# SCH 2024080684) for the Project was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines, and the local environmental procedures. The decision-making body of the Lead Agency shall adopt the proposed IS/MND only if:
 - It finds on the basis of the whole record before it that there is no substantial evidence the project will have a significant effect on the environment, and
 - The IS/MND reflects the Lead Agency's independent judgment and analysis.
- c) The IS/MND was circulated for a 30-day public review period beginning August 13, 2024 and ending on September 16, 2024.
- d) The Final IS/MND and Mitigation Monitoring and Reporting Plan ("MMRP"), collectively constitute the environmental documentation under and pursuant to CEQA, the CEQA Guidelines, and local environmental procedures relating to the project, and shall be referred to herein collectively as the "CEQA Documents."
- e) The Planning Commission has received the material record supporting all of the CEQA Documents for the Project. The Planning Commission finds the following:
 - The Final IS/MND reflects the City's independent judgment and analysis.
 - That there is no substantial evidence that the Project or any of its aspects could result in significant adverse impacts, or that cannot be fully mitigated. All previously identified impacts have been mitigated to less than a significant level.
 - The Planning Commission also finds that the mitigation measures listed in the MMRP will not cause any potentially significant effects.
 - The Final IS/MND has been completed in compliance with CEQA and it constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA.

- f) Mitigation measures are recommended to be incorporated as part of the adoption of the Mitigated Negative Declaration. The recommended approval of the Project also includes the adoption of the MMRP, attached hereto this Resolution.
- g) Pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines section 15091(e), all documents and other materials which constitute the record of proceedings are located at the City of Escondido, City Hall. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

2. Specific Plan Amendment (PL23-0296) (Section 33-1263 of Division 4 in Article 61 of the Escondido Zoning Code)

With respect to Planning Case No. PL23-0296, the Planning Commission finds and recommends that the City Council make the following findings for approval:

- a) *That the public health, safety and welfare will not be adversely affected by the proposed change;*

The public health, safety and welfare would not be adversely affected by the proposed Specific Plan Amendment. The proposed amendment would permit for a new use type within a specific district in the Specific Plan area and sets the permitting process for drive-through establishments through a Conditional Use Permit ("CUP") thereby ensuring further development review on a case-by-case basis. The amendment would also revise several sections related to development standards, design review, and definitions within the Specific Plan. The application of a CUP for drive-through restaurant uses within the 13th Avenue Corners District would not be detrimental to surrounding properties because the proposed changes seek to activate an existing vacant restaurant site. The proposed amendment would limit the future potential proliferation of the use type in that it limits the use to one corner of the district where four corners exist.

The proposed amendment would allow for the proposed development project to construct a new drive-through restaurant at the Project site resulting in redevelopment of a previously developed site. This proposed reuse must comply with any applicable laws and standards, including the Building Code, the Fire Code, and any property standards bylaws. Furthermore, requiring a CUP for the proposed change would allow the City to exercise discretionary authority over any future proposed projects, and condition future projects to ensure land use compatibility.

- b) *That the property involved is suitable for the uses permitted by the proposed zone;*

The Specific Plan Amendment would affect the 13th Avenue Corners District in that it would permit for a previously prohibited use of a drive-through eating establishment (i.e., drive-through restaurant). However, the proposed Project limits this allowance to only one of the corners within the

district where four exist and continues to place emphasis and focus on the goals of the district and specific plan. The site subject to this allowance would entail redevelopment as part of this request.

c) That the uses permitted by the proposed zone would not be detrimental to surrounding properties;

The proposed Specific Plan Amendment would not be detrimental to surrounding properties because the limitations set forth as part of the amendment include an identified area where the proposed use would be permitted. The amendment language would ensure proliferation of this use is infeasible as it limits the allowable area for such uses to the subject site. Any future compatibility issues would be analyzed and addressed as part of the CUP process on a case-by-case basis.

The proposed amendment would allow for the proposed development project to construct a new drive-through restaurant at the Project site resulting in redevelopment of a previously developed site. This proposed reuse must comply with any applicable laws and standards, including the Building Code, the Fire Code, and any property standards bylaws. Furthermore, requiring a CUP for the proposed change would allow the City to exercise discretionary authority over any future proposed projects, and condition future projects to ensure land use compatibility.

Further, the City prepared a set of conditions of approval that would be applied through the Conditional Use Permit process which would restrict activities to those resulting in negligible impacts on surrounding properties, as identified within the environmental review and through the Staff Development Review process.

d) That the proposed change is consistent with the adopted general plan;

The proposed Specific Plan Amendment would be consistent with the goals and policies of the General Plan in that specific plans are documents designed and written to implement the goals and policies of a general plan. The vision for the SCCSP includes developing the specific plan area with attractive design and economically viable development. Goals of the SCCSP include developing neighborhood-serving specific commercial uses, as well as preserving and enhancing commercial development key nodes. The 13th Avenue Corners District is identified as a key commercial node that seeks to improve this specific intersection (Centre City Parkway and 13th Avenue) for the purposes of enhancing safety and increasing pedestrian and bicycling opportunities and amenities. While the Project would entail permitting of a drive-through use, the Project design integrates key pedestrian-oriented features intended to serve the surrounding neighborhoods and local uses. These include facets of the Project design not typically seen in intensive auto-oriented areas, such as a smaller building design with walk-up ordering only; an enlarged outdoor dining area; identified pedestrian access from both street frontages--including striped pedestrian crosswalks on-site; and enhanced landscaping and buffering of the outdoor dining area from the drive-aisles. Therefore, the proposed Project is consistent with the vision and goals of the SCCSP.

The Project is also consistent with policies outlined in the Economic Prosperity Element chapter of the City's 2012 General Plan, specifically:

- e) Employment Acreage Policy 1.4 Promote quality economic development that fosters job availability, economic revitalization, and tax revenues.*

The Project would allow for additional employment (short/long term) opportunities within the SCCSP area, that are walkable, and bikeable to many of the area residents. The proposed restaurant use is replacing an existing vacant restaurant and is not anticipated to generate noise, traffic, lighting, or other impacts that would be detrimental to adjacent properties or uses than what was previously experienced.

In accordance with CEQA Guidelines, an Initial Study/Mitigated Negative Declaration ("IS/MND") was prepared for the project. The preparation of the environmental review in accordance with CEQA Guidelines and Article 47 of the Escondido Zoning Code ensures the Project's consistency with the General Plan's Environmental Review Goal 18.

- f) That the proposed change of zone does not establish a residential below 70% of the maximum permitted density of any lot or parcel of land previously zone R-3, R-4, or R-5 unless the exceptions regarding dwelling unit density can be made pursuant to the provisions set forth in Article 6;*

The Project consists of a Specific Plan Amendment to amend the South Centre City Specific Plan ("SCCSP"). As outlined in Table 4.2 (Permitted Land Uses for Specified District/Subareas) of the SCCSP, multi-family residential uses are not permitted within the 13th Avenue Corners District. The proposed Specific Plan Amendment amends the land use matrix in Table 4.2 to allow an auto-oriented restaurant use within the district, subject to a Conditional Use Permit. The proposed change does not establish residential densities in a district which currently does not permit residential development.

- g) That the relationship of the proposed change is applicable to specific plans;*

The proposed change is applicable to the SCCSP, and does not affect the Escondido Zoning Code in that the SCCSP sets the governing standards and allowed uses within it and does not defer to the Zoning Code for allowable uses. The proposed amendment would only impact the 13th Avenue Corners District and more specifically, only one corner of that district where four exist. As indicated in Table 4.2 of the SCCSP, auto-oriented uses continue to be subject to Section 33-341 (Commercial drive-through facilities requirements) of Article 16 (Commercial Zones) of the Escondido Zoning Code.

3. Conditional Use Permit (PL23-0297) (Section 33-1203 of Article 61 – Administration and Enforcement of the Escondido Zoning Code)

With respect to Planning Case No. PL23-0297, the Planning Commission finds and recommends that that City Council make the following findings for approval:

- a) *A conditional use permit should be granted upon sound principles of land use and in response to services required by the community;*

The Project includes construction of a new drive-through facility and associated parking areas and landscape improvements. The new drive-through facility conforms to the requirements of the Specific Plan design guidelines. Furthermore, the Project meets the requirements for new drive-through facilities as outlined in Article 16. The existing vacant restaurant and associated parking areas and landscaping would be demolished, and the Project would revitalize the South Centre City Specific Plan, specifically in the W. 13th Avenue Corners District in a manner that complements the surrounding commercial developments.

Surrounding uses to the Project site include commercial uses to the north and east, a religious facility to the west, and residential uses to the south. The Project entails a design that conforms with development standards for the commercial use, and exemplifies compatibility with all adjacent land uses. The southern property line would continue to have a masonry block wall separating the non-residential site from the residential use. Additionally, the proposed Project has been designed and conditioned to comply with applicable Specific Plan Design Guidelines. The Project is located within an area that currently does not allow drive-through restaurants; however, through the Specific Plan Amendment the Project is required to process a CUP. The site layout, design, landscaping, and circulation is designed to promote pedestrian connectivity and to reduce land use conflicts with surrounding properties by placing the building and more intensive components of the use farthest from the adjacent residential uses to the south and religious facility to the west.

- b) *A conditional use permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located;*

Surrounding uses to the Project site include commercial uses to the north and east, a religious facility to the west, and residential uses to the south. The Project entails a design that conforms with development standards for the commercial use, and exemplifies compatibility with all adjacent land uses. The southern property line would continue to have a masonry block wall separating the non-residential site from the residential use. Additionally, the proposed Project has been designed and conditioned to comply with applicable Specific Plan Design Guidelines. The Project is located within an area that currently does not allow drive-through restaurants; however, through the Specific Plan Amendment the Project is required to process a CUP. The site layout, design, landscaping, and circulation is designed to promote pedestrian connectivity and to reduce land use conflicts with

surrounding properties by placing the building and more intensive components of the use farthest from the adjacent residential uses to the south and religious facility to the west.

The Project was analyzed for its potential impacts to the environment as required by the California Environmental Quality Act (“CEQA”). Based on the analysis contained within the Initial Study/Mitigated Negative Declaration (“IS/MND”), the Project with mitigation measures incorporated would not have a significant effect on the environment. The Project complies with the development standards related to commercial drive-through facilities as outlined Article 16 of the Escondido Zoning Code and those development standards outlined within the Specific Plan for the 13th Avenue Corners District. The Project would demolish an existing vacant restaurant and underutilized parking areas. The technical studies and analysis conducted for the proposed Project found that the Project would not be detrimental towards surrounding properties, including the mobile home residential uses to the south.

- c) *A conditional use permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located;*

The Project site is located in the southwest corner of W. 13th Avenue and S. Pine Street intersection. The subject site is within South Centre City Specific Plan (“SCCSP”) and the Project is subject to the design guidelines and standards specified within the SCCSP. The request to amend the SCCSP to add a new land use category within the 13th Avenue Corners District of “eating establishments with a drive-through” would include such uses made subject to a Conditional Use Permit. The Specific Plan Amendment enables the review and consideration of the site development application through the issuance of a CUP. The amendment would only permit such use within a limited specified area (i.e., Project site) within the 13th Avenue Corners District in order to limit proliferation of drive-through uses within the district. Such limitation ensures consistency and alignment with the goals of both the Specific Plan and district. Specifically, Table 4.2 of the SCCSP would be modified to allow drive-through operations under a CUP process and the addition of Footnote #4 would allow this use on a site-specific basis for only the southwestern corner. Here, the granting of the proposed Conditional Use Permit is consistent with the historical restaurant use within the Specific Plan and aims to provide economic benefit to the community through new job opportunities for surrounding residents and provide for new development in an area that has not seen redevelopment recently.

4. Design Review Permit Findings (PL24-0217) (Section 33-1359 of Article 64 – Design Review of the Escondido Zoning Code)

With respect to Planning Case No. PL24-0217, the Planning Commission finds and recommends that the City Council make the following findings for approval:

- a) *The proposed site plan has been designed in a manner which is compatible with the natural and urban characteristics of the site and the surrounding neighborhood;*

The proposed Project is replacing a vacant underutilized restaurant use with another restaurant with a drive-through component. The proposed Project is considered an urban in-fill project that has been designed with minimal grading, and existing infrastructure and utility availability that is complimentary with the neighborhood. The proposed Project would promote pedestrian activity through its unique walk-up design and enhanced outdoor dining area, and utilizes site design that promotes walkability, and bicycle uses, all in a design package that is similar in size, scale, and character of the adjacent commercial uses.

b) *The bulk, scale, and architectural design of the proposed structure are compatible with the character of the surrounding neighborhood;*

The proposed Project will replace the existing large scale and bulky restaurant structure (9,558 square feet) with a restaurant of reduced profile that is smaller in scale, size (3,126 square feet), and massing. The architectural designs are complimentary to surrounding color schemes, and provide a mixture of materials, and enhanced visibility (into and from the site). The proposed Project includes compatibility in terms of design and landscape components to that of the surrounding community. The proposed building's façades along W. 13th Avenue (i.e., the primary street) and S. Pine Street would include large windows, which would allow clear views into the interior to the restaurant. The use of lattice screening (low/high height) for the open-air dining and ordering/pickup areas would facilitate visual transparency and interest into the site and the new structures.

c) *The project incorporates landscaping, irrigation and screening which is drought tolerant, appropriate for the site, and in compliance with the landscape standards established by the city;*

The conceptual landscape design plans have been reviewed by City staff for community design and implementation of landscape palettes, color schemes, consistent public right of way enhancements, screening where appropriate, and to encourage the use of drought tolerant and/or native plant materials. The landscape designs are complimentary in use of plants, colors, shade trees (35 trees), and buffer plantings. The irrigation system proposes to incorporate water conservative measures and devices, and install flow and rain sensors to reduce water usage consistent with Article 62 of the Zoning Code.

d) *All grading related to the project is in conformance to design standards set by Article 55, Grading and Erosion Control;*

The Project site is an existing vacant restaurant use previously developed with parking area and landscaping. The grading activities would be concentrated around the removal of the existing building including the foundation, parking lot areas, and landscaping, as well as any necessary trenching for

utility purposes and/or right-of-way improvements. All of the proposed grading would be reviewed during the final engineering process, subject to City grading standards, erosion control measures, and polices. The proposed conceptual grading is consistent with those requirements, and further detail and information necessary for earthwork would adhere and be reviewed through the post-entitlement final engineering process.

- e) *The project has incorporated the applicable design review standards contained in the ordinance codified in this section and other applicable ordinances into the site layout and building design;*

The proposed Project incorporates applicable design review standards, such as appropriate size and scale of the proposed restaurant structure; provides landscape buffers along Project edges; enhances public right-of-way by installing direct pedestrian connections from W. 13th Avenue and S. Pine Street; and includes onsite internal pathways and lighting safety features.

- f) *The project is consistent with the goals and objectives on the city general plan;*

The proposed Project would be consistent with the goals and polices of the General Plan in that specific plans are documents designed and written to implement the goals and policies of a general plan. The vision for the SCCSP includes developing the specific plan area with attractive design and economically viable development. Goals of the SCCSP include developing neighborhood-serving specific commercial uses, as well as preserving and enhancing commercial development key nodes. The 13th Avenue Corners District is identified as a key commercial node that seeks to improve this specific intersection (Centre City Parkway and 13th Avenue) for the purposes of enhancing safety and increasing pedestrian and bicycling opportunities and amenities. While the Project would entail permitting of a drive-through use, the Project design integrates key pedestrian-oriented features intended to serve the surrounding neighborhoods and local uses. These include facets of the Project design not typically seen in intensive auto-oriented areas, such as a smaller building design with walk-up ordering only; an enlarged outdoor dining area; identified pedestrian access from both street frontages--including striped pedestrian crosswalks on-site; and enhanced landscaping and buffering of the outdoor dining area from the drive-aisles. Therefore, the proposed Project is consistent with the vision and goals of the SCCSP.

The Project is also consistent with policies outlined in the Economic Prosperity Element chapter of the City's 2012 General Plan, specifically:

- a) *Employment Acreage Policy 1.4 Promote quality economic development that fosters job availability, economic revitalization, and tax revenues.*

The Project would allow for additional employment (short/long term) opportunities within the SCCSP area, that are walkable, and bikeable to many of the area residents. The proposed restaurant use is replacing an existing vacant restaurant and is not anticipated to generate noise, traffic, lighting, or other impacts that would be detrimental to adjacent properties or uses than what was previously experienced.

In accordance with CEQA Guidelines, an Initial Study/Mitigated Negative Declaration (“IS/MND”) was prepared for the project. The preparation of the environmental review in accordance with CEQA Guidelines and Article 47 of the Escondido Zoning Code ensures the Project’s consistency with the General Plan’s Environmental Review Goal 18.

In addition to the required findings for the requested entitlements, the South Centre City Specific Plan requires the additional specific findings for any major project within the Specific Plan area.

5. South Centre City Specific Plan Findings for Approval (Section 9.2.2.1 of Chapter 9 of the South Centre City Specific Plan)

With respect to the Project, the Planning Commission finds and recommends that the City Council make the following findings for approval of the Project:

a) *The project successfully reflects the goals and vision of the Specific Plan;*

The Project site is governed by the South Centre City Specific Plan (“SCCSP”). Specific Plans are documents designed and written to implement the goals and policies of a general plan. The vision for the SCCSP includes developing the specific plan area with attractive design and economically viable development. Goals of the SCCSP include developing neighborhood-serving specific commercial uses, as well as preserving and enhancing commercial development key nodes. The 13th Avenue Corners District is identified as a key commercial node that seeks to improve this specific intersection (Centre City Parkway and 13th Avenue) for the purposes of enhancing safety and increasing pedestrian and bicycling opportunities and amenities. While the Project would entail permitting of a drive-through use, the Project design integrates key pedestrian-oriented features intended to serve the surrounding neighborhoods and local uses. These include facets of the Project design not typically seen in intensive auto-oriented areas, such as a smaller building design with walk-up ordering only; an enlarged outdoor dining area; identified pedestrian access from both street frontages--including striped pedestrian crosswalks on-site; and enhanced landscaping and buffering of the outdoor dining area from the drive-aisles. Therefore, the proposed Project is consistent with the vision and goals of the SCCSP.

b) *The project represents successful implementation of the Specific Plan’s development standards and complies with all other applicable provisions of local and State law;*

The Project complies with development standards outlined in the Specific Plan, and Article 16 (Commercial Zones) of the Escondido Zoning Code which further regulates auto-oriented uses. An

Initial Study/Mitigated Negative Declaration was prepared in accordance with State Law, and found that any impacts from the Project may be mitigated to less than significant with mitigation incorporated.

- c) *The Project exhibits overall, successful implementation of site and building design guidelines and the project reinforces the design context of the surrounding area;*

The Project site is governed by the South Centre City Specific Plan (“SCCSP”). Specific Plans are documents designed and written to implement the goals and policies of a general plan. The vision for the SCCSP includes developing the specific plan area with attractive design and economically viable development. Goals of the SCCSP include developing neighborhood-serving specific commercial uses, as well as preserving and enhancing commercial development key nodes. The 13th Avenue Corners District is identified as a key commercial node that seeks to improve this specific intersection (Centre City Parkway and W. 13th Avenue) for the purposes of enhancing safety and increasing pedestrian and bicycling opportunities and amenities. While the Project would entail permitting of a drive-through use, the Project design integrates key pedestrian-oriented features intended to serve the surrounding neighborhoods and local uses. These include facets of the Project design not typically seen in intensive auto-oriented areas, such as a smaller building design with walk-up ordering only; an enlarged outdoor dining area; identified pedestrian access from both street frontages—including striped pedestrian crosswalks on-site; and enhanced landscaping and buffering of the outdoor dining area from the drive-aisles. Therefore, the proposed Project is consistent with the vision and goals of the SCCSP.

The proposed Project would replace the existing large scale and bulky restaurant structure (9,558 square feet) with a restaurant of reduced profile that is smaller in scale, size (3,126 square feet), and massing. The architectural designs are complimentary to surrounding color schemes, and provide a mixture of materials, and enhanced visibility (into and from the site). The proposed Project includes compatibility in terms of design and landscape components to that of the surrounding community through use of buffered landscape areas between the adjacent public right-of-way and the site improvements. The proposed building’s façades along W. 13th Avenue (i.e., the primary street) and S. Pine Street would include large windows, which would allow clear views into the interior to the restaurant. The use of lattice screening (low/high height) for the open-air dining and ordering/pickup areas would facilitate visual transparency and interest into the site and the new structures.

EXHIBIT "G"**PLANNING CASE NOS. PL23-0296/PL23-0297/PL24-0217****CONDITIONS OF APPROVAL****(Specific Plan Amendment, Conditional Use Permit, and Design Review Permit)**

This Project is conditionally approved as set forth on the application received by the City of Escondido on **June 7, 2023**, and the Project drawings consisting of Site Plans, Architectural Elevations, Civil Sheets/Grading, Conceptual Landscape Plans, and Colored Elevations; all designated as recommend for approval **October 8, 2024**, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term "Applicant" shall also include the Project proponent, owner, permittee, and the Applicant's successors in interest, as may be applicable.

A. General:

- 1. Acceptance of Permit.** If the Applicant fails 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 automatically expire after two years from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 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. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. 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 use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
 - 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. 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 building permit issuance, 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 term's 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.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

11. 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.

12. Clerk Recording.

- a. **Exemption.** If the environmental determination prepared for the Project is a categorical exemption, the City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50 in order to file a Notice of Exemption. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Guidelines section 15062, the Applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the Project (the final approval being the date of this letter) a certified check payable to the "County Clerk" in the amount of \$50. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the Project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations period will apply.
- 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.

13. 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.

14. 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.

- 15. Revocation, Suspension, Modification.** At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Development Services for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

16. 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 Development Services, 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.

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 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. 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.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering 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 is 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 Development Services 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.
- 16. Phasing.** A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the

project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

C. Parking and Loading/Unloading.

1. A minimum of 56 parking spaces shall be provided at all times. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.
3. In accordance with the California Green Building Standard Code, required spaces shall be designated for clean air vehicles (CAV), and shall be shown on the revised site plan to the satisfaction of the Planning and Building divisions.
4. 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.

D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls 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 final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Engineering Services Department for review and approval, 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 if 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 Department 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.
 - c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she 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. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast-growing shrubbery that will screen the enclosures wall surface. The Director of Development Services shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

1. The Applicant shall be responsible for ensuring that all mitigation measures identified in the Mitigation Monitoring and Reporting Program, included as Exhibit B to this resolution, are implemented.
2. All uses, hours of operation, and activities shall be substantially consistent with the Details of Request on-file with the Planning Division, and as described within this report. Any substantial changes to the hours of operation shall subject to review and written approval by the Director of Community Development or their designee.
3. All new mechanical equipment (e.g., air conditioning units) and appurtenances placed on the roof structure shall be screened from public view to the satisfaction of the Planning Division. The preferred method of screening is by parapet wall or other architecture feature, which shall be clearly demonstrated on the building plans to the satisfaction of the Planning Division.
4. No outside storage is approved for this site, except the proposed long/short term bicycle storage areas adjacent to the outdoor dining area.
5. The Project proponent shall obtain a demolition permit for the existing restaurant structure, and shall comply with construction waste management requirements.
6. No expansion of the drive-through business would be allowed without a Conditional Use Permit modification.
7. Approval of this Conditional Use Permit in no way implies approval of any sign or sign location. A separate permit is required for all signs which are subject to compliance with the Specific Plan and/or Article 66.

8. The Applicant shall provide street trees along S. Pine Street within the existing five tree planting wells or modified relocations acceptable to the engineering division. Street tree selection shall be from the "Approved Street Tree List", and shown on the planting and irrigation plans, per Zoning Code Article 62.
9. The Applicant shall texture or paint the proposed exterior masonry block wall along the westerly edge of the property to match the color palette, materials and/or textures for the proposed restaurant.

F. Specific Building Division Conditions:

1. Approval and subsequent development are subject to all conditions and requirements of the California Building Code and Building Division.

G. Specific Engineering Division Conditions:

GENERAL

1. The Developer shall provide the City Engineer with a current Preliminary Title Report covering subject property.
2. The location of all existing on-site and adjacent utilities shall be determined by the Developer's engineer. If a conflict occurs with the proposed project or improvements, these utilities shall be relocated subject to approval of the owner of the utility/facility prior to approval of Grading plans and issuance of Building Permits.
3. Improvement plans prepared by a Civil Engineer, required for all public street, traffic, utility, and storm drain improvements, and Grading/Private Improvement plans prepared by Civil Engineer, required for all grading, drainage and private onsite improvement design, shall be submitted for review through the virtual plan review portal as a single package containing all items on the Engineering Initial Submittal Checklists. Landscaping Plans shall be prepared by a Landscape Architect.
4. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Grading and Improvements Cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up deposit for all grading, landscaping, private Improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. This Cash Clean Up Deposit amount shall be 10% of the total cost of the project private improvements, drainage and landscaping. 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 Warrantee (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.

5. As surety for the construction of any required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the Developer with the City of Escondido prior to the approval of any building permit.
6. If site conditions change adjacent to the proposed development prior to completion of the project, the Developer will be responsible to modify their improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
7. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be corrected by the Developer to the satisfaction of the City Engineer.
8. The Developer's engineer shall submit to the Planning Department a copy of the Plot Plan as conditionally approved. This copy shall be signed by the Planning Department certifying that this is a copy of the final approved Plot Plan and a PDF of this must be uploaded with the first Final Engineering submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. All project driveways shall be alley-type in accordance with Escondido Standard Drawing No. G-5-E, with a minimum throat width of 24'.
2. The Developer shall install a High-visibility Crosswalk together with a Rectangular Rapid Flashing Red Beacon (RRFB) system across 13th Avenue on the east side of its intersection with Quince Street.
3. The Developer shall install two (2) High-visibility Crosswalks across Pine Street, one at the north and one at the south leg of its intersection with 13th Avenue.
4. The Developer shall restripe 13th Avenue at the Orange Street intersection to provide dedicated left turn pockets together with centerline transitions for both the east bound and west bound directions of 13th Avenue. This dedicated left turn pocket restriping will also require the removal of curb side parking along sections of 13th Avenue adjacent to these left turn pockets and the centerline striping transitions.
5. The Developer will be responsible for removal of all existing and the design, furnishing, and installation of all new signing and striping in compliance with current CA MUTCD standards and to the satisfaction of the City Engineer.
6. The Developer shall submit separate traffic equipment and signing and striping improvement plans prepared by a Traffic Engineer for review and approval by the City Engineer for the above conditioned items of work.

7. The Developer shall repaint all pavement striping and markings adjacent to the project that have been damaged and prematurely faded due to project construction traffic to the satisfaction of the City Engineer.
8. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards.
9. The Developer shall remove and replace all damaged sidewalk, curb and gutter, along all project frontages to the satisfaction of the City Engineer prior to issuance of a Certificate of Occupancy.
10. The Developer may be responsible for an overlay of portions 13th Avenue due to utility trenches necessary to serve this project. The determination of the extent of any required overlay shall be to the satisfaction of the City Engineer.
11. Pedestrian access routes meeting current ADA requirements shall be provided into the project to the satisfaction of the City Engineer and City Building Official.
12. Adequate horizontal sight distance shall be provided at all driveway entrances and at the project corner of 13th Avenue and Pine Street. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
13. The Developer will be required to provide a detailed detour and traffic control plan, for all construction activities in the public right-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.

GRADING

1. A site grading and erosion control plan prepared by a registered Civil Engineer shall be approved by the Engineering Department prior to issuance of building permits. The first submittal of the grading plan shall be accompanied by a copy of the preliminary soils and geotechnical report. The Soils Engineer will be required to indicate in the soils report that they have reviewed the grading design and found it to be in conformance with their recommendations.
2. Any proposed retaining walls not a part of the building foundations or stem walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. The Developer will be required to pay for all required third party structural engineering review of these structural calculations and details. Stem walls, foundation structures, or deepened footings that are to be constructed as part of a building structure will be permitted as part of the Building Department plan review and Building Permit process.

3. All retaining walls and screen walls, stairs and raised landings shall be constructed completely within the Project property and shall not encroach into the public R/W.
4. The Developer will be required to obtain permission from adjoining property owners for any off-site grading or other work necessary to construct the project and/or the required improvements.
5. 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.
6. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
7. All existing foundations, structures, trees not otherwise designated "to remain" on the Plot plan, shall be removed or demolished from the site.
8. The Developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
9. All private access drives and parking areas shall be paved with a minimum of 3" asphalt concrete over 6" of aggregate base or 5.5" of Portland cement concrete over 6" aggregate base. All drive-through lanes shall be paved with Portland cement concrete.
10. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.

DRAINAGE

1. Final storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a Final Drainage Study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. All on-site storm drains and basins are private. The responsibility for maintenance of these storm drains shall be that of the Property Owner.
3. The project shall limit drainage flows to their pre-construction rates. Details and calculations for any detention vaults shall be submitted and approved as part of the grading plan check.
4. A Final Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include calculations for treatment, hydromodification, and storage volumes. The SWQMP shall include detailed maintenance requirements and responsibilities for all onsite conveyance, treatment, hydromodification, and detention facilities. The SWQMP shall demonstrate how any proposed

proprietary best management practices like modular wetlands meet bio-filtration treatment requirements in accordance with the City's Storm Water Design Manual.

5. All site drainage with emphasis on the roadway, parking and driveway areas shall be treated to remove expected contaminants. The City highly encourages the use of bio-retention basins where possible as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
6. Trash enclosures shall be covered and be constructed to comply with storm water quality management requirements to the satisfaction of the City Engineer.
7. The Developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.
8. All project installed storm water treatment and retention facilities and their drains including underground storage, any permeable paver areas shall be considered private. The maintenance and repair of all project constructed/installed post construction storm water treatment facilities shall be the responsibility of the Property Owner.

WATER SUPPLY

1. If required, fire hydrants and/or detector check assemblies together with an adequate water supply shall be installed at locations approved by the Fire Marshal. Fire hydrants and detector check assemblies shall connect to a minimum 8-inch water main.
2. If required, 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 Fire Marshal.
3. Any required 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 and shall be approved by a separate submittal to the Building Department. Although private and approved by separate plans and permit, any fire suppression lines shall be shown for reference and review on the various final engineering plan sets.
4. Any on-site water lines and backflow prevention devices beyond a City water meter or DDCA 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.
6. No trees or deep-rooted bushes shall be planted within 10-feet of any water mains or services.

7. There shall be no permanent private structures located within the City's Public Utility Easements.
8. Improvement plans for any required public water mains 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 paving and not under curbs, gutters, median or sidewalks.
10. Backflow prevention assemblies are private and should be located on private property. Backflows shall be located directly behind the public meter.
11. 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 Director of Utilities and Water Distribution Department.
12. 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 Director of Utilities and Water Distribution Department.
13. The Developer shall disconnect at the public main, all water services and fire hydrants laterals to be abandoned, to the satisfaction of the Director of Utilities and Water Distribution Department.

SEWER

1. A private 6-inch minimum PVC sewer lateral with a standard clean-out within 18-inches of the Public Utility Easement or right-of-way shall be constructed for the project and shown on the Improvement and Grading plans. Sewer laterals less than 8-inches in diameter shall connect to the sewer main with a wye or Inserta-Tee.
2. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings within the right-of-way or public easement and per the current the Uniform Plumbing Code onsite.
3. 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.
4. 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.
5. The project design shall be such that all existing or new sewer manholes are accessible at all times by the City Vector truck for maintenance.
6. The Developer shall cap and plug at the public sewer main all sewer lines and laterals to be abandoned, to the satisfaction of the Director of Utilities and the City Inspector.
7. The location of all sewer laterals shall be shown on the grading and improvement plans.

LANDSCAPING

1. Project Landscaping and Irrigation plans for onsite and for all right-of-way areas along the project frontages shall be prepared by a Licensed Landscape Architect and submitted to the Engineering Department with the second submittal of the grading plans for review and approval by Engineering and Planning Departments. The initial submittal of the landscape plans shall include the required Planning Department Review fees in effect at the time of the submittal. The watering and maintenance of all landscaping and irrigation within the public right-of-way along the project frontages shall be the ongoing responsibility of the Property Owner.

EASEMENTS AND DEDICATIONS

1. All private and public easements affecting subject property both proposed and existing to remain shall be shown, delineated, dimensioned, and clearly labeled on all final engineering plan sets.
2. The Developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed project prior to issuance of Building Permits. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Grading plans. Building permits will not be issued for structures in which construction will conflict with existing easements or utilities, nor will any securities be released until the existing easements are quitclaimed.
3. If needed the Developer shall grant a public water easement to the City for the placement of water mains, water meters, DDCAs, and air valves to the satisfaction of the City Engineer and Director of Utilities.

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

SURVEYING AND MONUMENTATION

1. All property corners shall be verified to be monumented by a person authorized to practice land surveying and a Record of Survey Map (or Corner Record if appropriate) shall be recorded if new monuments need to be set.

FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install Best Management Practices devices and materials, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the Developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the

grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, retaining walls, walls, drainage facilities, landscaping and irrigation, and best management practices items of work up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.

2. The Developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when Building Permits are issued.

UTILITY UNDERGROUNDING AND RELOCATION

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



CITY of ESCONDIDO

STAFF REPORT

Agenda Item No. 4

October 8, 2024

Tentative Future Agenda Items

DATE: October 8, 2024
TO: Planning Commissioners
FROM: Veronica Morones, City Planner
SUBJECT: Tentative Future Agenda Items

The items listed below are anticipated to be brought to the Planning Commission for consideration, discussion, and/or recommendation to the City Council over the next several months. Because there are factors out of City staff's control, this list is subject to change. The intent is to provide visibility regarding projects that the Commission should expect to see in the near future. (Items are listed in no particular order.)

Additionally, these items shall not be considered to be agenda items for this meeting so no discussion is permitted other than clarification of what the item is.

Private Development Projects:

- General Plan Amendment to convert existing office to residential use
- New construction of an administrative building for an existing charter school
- Request to modify conditions of approval associated with off-site improvement requirements for a previously approved CUP

Policy Work:

- Annual Zoning Code Clean Up
- Housing Element Implementation Ordinances
- Planning Commission Bylaw Clean Up

Informational Presentations:

- California Environmental Quality Act
- North County Mall Permit History