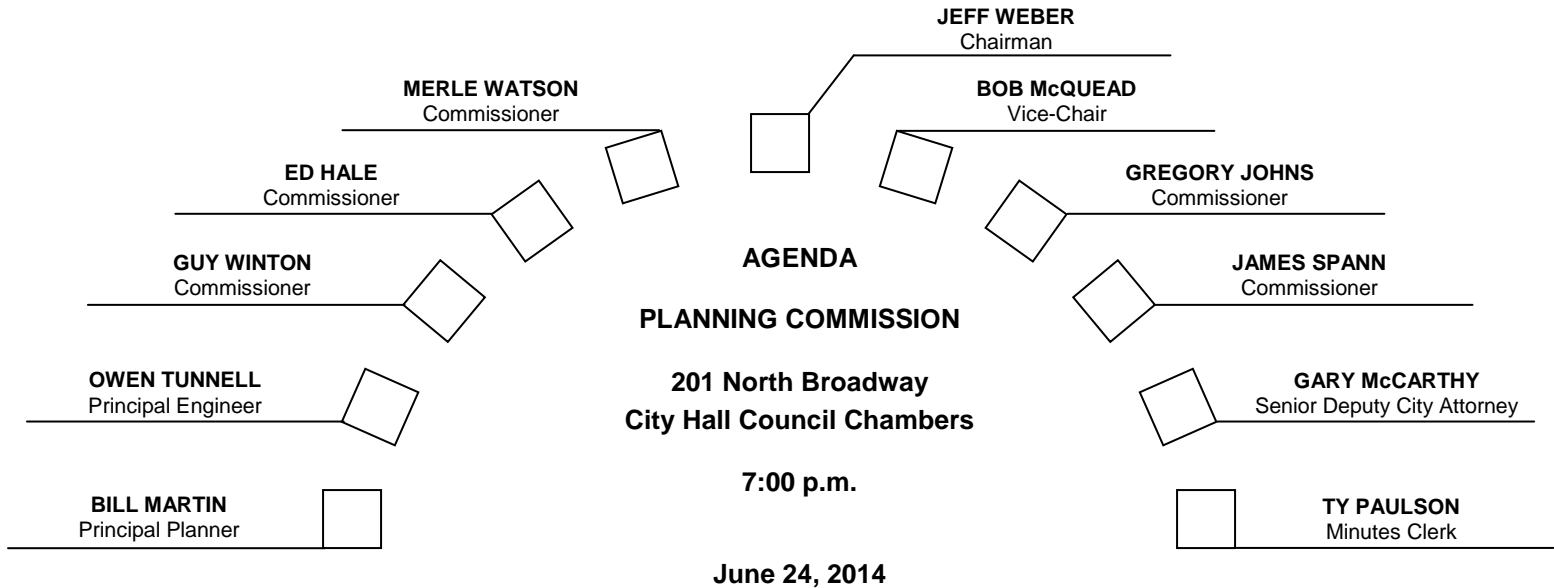


CITY OF ESCONDIDO

Planning Commission and Staff Seating



A. CALL TO ORDER: 7:00 p.m.

B. FLAG SALUTE

C. ROLL CALL:

D. MINUTES: 05/27/14

The Brown Act provides an opportunity for members of the public to directly address the Planning Commission on any item of interest to the public before or during the Planning Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the minutes clerk who will forward it to the chairman.

Electronic Media: Electronic media which members of the public wish to be used during any public comment period should be submitted to the Planning Division at least 24 hours prior to the meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Commission during the meeting are part of the public record and may be retained by the City.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications" which is listed at the beginning and end of the agenda. All persons addressing the Planning Commission are asked to state their names for the public record.

Availability of supplemental materials after agenda posting: any supplemental writings or documents provided to the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

The City of Escondido recognizes its obligation to provide equal access to public services for individuals with disabilities. Please contact the A.D.A. Coordinator, (760) 839-4641, with any requests for reasonable accommodation at least 24 hours prior to the meeting.

The Planning Division is the coordinating division for the Planning Commission.
For information, call (760) 839-4671.

E. 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."

1. Future Neighborhood Meetings

F. ORAL COMMUNICATIONS:

"Under State law, all items under Oral Communications can have no action, and may 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.

G. PUBLIC HEARINGS:

Please try to limit your testimony to 2-5 minutes.

1. TENTATIVE SUBDIVISION MAP – SUB 13-0005:

REQUEST: A proposed 6-lot single-family residential subdivision on a 1.15-acre site that has previously been approved for a 5-lot Tentative Subdivision Map (TR 859). Proposed lot sizes range from approximately 6,007 SF to 8,350 SF. Access would be provided by a new cul-de-sac street intersecting El Norte Parkway. The existing single-family residence located on the site is proposed to be relocated off site or demolished. The project also includes adoption of the environmental determination prepared for the project.

PROPERTY LOCATION: The property consists of 1.15 acres of land on the southwestern corner of El Norte Parkway and East Valley Parkway, addressed as 3129 El Norte Parkway (APN 231-660-43).

ENVIRONMENTAL STATUS: On November 9, 2004 the Escondido Planning Commission adopted a Final Mitigated Negative Declaration (City File No. ER 2003-24) for the previously approved residential subdivision. An Addendum to the adopted Mitigated Negative Declaration has been prepared to evaluate the proposed modifications to the approved project in conformance Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.

APPLICANT: John Culver

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

2. CONDITIONAL USE PERMIT AND EXTENSION OF TIME – PHG 14-0017:

REQUEST: A Conditional Use Permit for Government Services to operate a 96-bed unaccompanied youth care facility serving minors between 6 and 17 years of age, within an existing 35,200 SF building in the RE-20 zone. The facility would be operated by Southwest Key on behalf of the United States Department of Health and Human Services. The applicant is proposing to install six-foot-high fencing and a required trash enclosure cover; no other new construction or exterior modifications are proposed. The project also includes an extension of time for the existing skilled nursing residential care facility Conditional Use Permit so that it can be reactivated when the Conditional Use Permit for the unaccompanied youth care facility is terminated. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY LOCATION: The property consists of a 2.31-acre parcel on the southern side of Avenida del Diablo, between Valley Parkway and del Dios Road, addressed as 1817 Avenida del Diablo.

ENVIRONMENTAL STATUS: The proposed project is categorically exempt from environmental review in conformance with CEQA Section 15301, "Existing Facilities."

APPLICANT: U.S. Department of Health and Human Services

STAFF RECOMMENDATION: Receive testimony and direct staff on the appropriateness of the Conditional Use Permit request.

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

H. CURRENT BUSINESS:

Note: Current Business items are those which under state law and local ordinances do not require either public notice or public hearings. Public comments will be limited to a maximum time of three minutes per person.

I. ORAL COMMUNICATIONS:

"Under State law, all items under Oral Communications can have no action and may be referred to 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.

J. PLANNING COMMISSIONERS

K. ADJOURNMENT

CITY OF ESCONDIDO

**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION**

May 27, 2014

The meeting of the Escondido Planning Commission was called to order at 7:00 p.m. by Chairman Weber in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Jeffery Weber, Chairman; Bob McQuead Vice-chairman; Ed Hale, Commissioner; Gregory Johns, Commissioner; James Spann, Commissioner; and Commissioner Guy Winton III.

Commissioners absent: Merle Watson, Commissioner.

Staff present: Bill Martin, Principal Planner; Jay Petrek, Assistant Planning Director; Homi Namdari, Assistant City Engineer; Gary McCarthy, Senior Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Winton, seconded by Commissioner Hale, to approve the minutes of the April 22, 2014, meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **ZONE CHANGE, SUBDIVISION MAP AND ADOPTION OF A
MITIGATED NEGATIVE DECLARATION – PHG 13-0003; SUB 13-0001
AND ENV 13-0004:**

REQUEST: A request for a change of zoning for twenty-one (21) parcels from RE-30 Zone (Residential Estates, 30,000 SF minimum lot size) to RE-20 zone (Residential Estates, 20,000 SF minimum lot size), in conjunction with the subdivision of two parcels totaling 7.41-acres into six (6) residential lots, ranging

in size from 20,210 SF to 31,237 SF, and off-site improvements to the existing water mains in Cranston Drive (approximately 500 feet) which will extend south just past Citracado Parkway. Said project is located in the RE-30 zone (Residential Estates, 30,000 SF minimum lot size) and the Estate II (E2) General Plan Land Use designation

PROPERTY SIZE AND LOCATION: Approximately 7.41-acres, located on the east side of Cranston Drive, just north of Citracado parkway and south of Brotherton Road, addressed as 2460 & 2466 Cranston Drive (APN 238-142-25 & 26)

Jay Petrek, Assistant Planning Director, referenced the staff report and noted staff issues were whether the proposed Zone Change from RE-30 to RE-20 was appropriate, and the appropriateness of the project design, grading, and whether the proposed subdivision would be compatible with the surrounding development. Staff recommended approval based on the following: 1) Staff felt that the Zone Change from RE-30 zone (Residential Estates, 30,000 SF minimum lot size) to RE-20 zone (Residential Estates, 20,000 SF minimum lot size) was appropriate since the proposed zoning designation would be consistent with the current Estate II (E2) General Plan designation, and with the surrounding properties and existing pattern of development; 2) Staff felt the proposed six lots, would be consistent with surrounding development patterns and lot sizes; adequate parking could be provided on each lot; sufficient fire access could be maintained, and no grading exemptions were needed. The access easement would not adversely impact any native vegetation or mature trees and would be in the same location as the existing driveway; and 3) The proposed lots would meet all requirements of the proposed RE-20 zone, including minimum lot size, lot frontage, and lot width.

Commissioner McQuead and staff discussed the sewer conditions.

Armin Luther, Escondido, noted that his property was located on Cranston Crest and questioned whether he could maintain the gate to his back yard in conjunction with the subject request. Mr. Martin noted that staff had no condition to require removal of the subject gate.

ACTION:

Moved by Commissioner Winton, seconded by Commissioner Johns, to approve staff's recommendation. Motion carried unanimously. (6-0)

2. TENTATIVE MAP, GRADING EXEMPTIONS AND DEVELOPMENT AGREEMENT – SUB 13-0003:

REQUEST: A proposed Tentative Subdivision Map with 16 single-family residential lots and seven grading exemptions for fill slopes up to 13 feet in height on a 4.63-acre parcel (Boer Property) on the southern side of Stanley Avenue in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes range from 10,013 SF to 11,830 SF. Access to the new residences would be provided from a single cul-de-sac street extending south from Stanley Avenue. The project also includes a proposed Development Agreement with a five-year term to authorize residential construction within the North Broadway Deficiency Area in return for payment of fees and construction of necessary upgrades to streets and infrastructure in the area.

PROPERTY SIZE AND LOCATION: The project site is a vacant parcel of land located on the southern side of Stanley Avenue and northern side of Lehner Avenue, between Conway Drive and Ash Street (APN 224-142-04).

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were whether the proposed design for the subdivision was consistent with the density conformance requirements of the Subdivision Ordinance (Section 32.202.03), the appropriateness of the proposed grading exemptions and alternative mass grading plan, and whether the proposed Development Agreement adequately addresses infrastructure deficiencies in the area. Staff recommended approval based on the following: 1) The General Plan land use designation on the site was Suburban which allowed up to 3.3 dwelling units per acre. The project density of 3.45 du/acre slightly exceeded the allowable density for the Suburban designation. However, Section 32.202.03 of the Subdivision Ordinance states Tentative Subdivision Maps may be considered in conformance with the density requirements of the General Plan if it could be determined that the project conformed with the minimum lot size specified in the General Plan and zoning designations, the project was infill and proposes lot sizes that were compatible with the size and design of surrounding properties, and the project conformed with General Plan Goals regarding the preservation of sensitive resources. Staff felt the proposed development was consistent with these criteria; 2) The applicant was proposing seven Grading Exemptions, all of which are for fill slopes that exceed 10 feet in height within 50 feet of the property boundaries. The slope areas would be most visible from southern properties, particularly the Rincon Middle School located across Lehner Avenue. Views of the slope areas would not be unimpeded as the slopes would be partially screened by the proposed homes and landscaping. Staff felt the proposed exemptions would be appropriate given the screening that will occur, combined with limited view opportunities from nearby residences and the minimal increase

over the allowed height specified in the Grading Ordinance. The applicant has indicated that he intends to market all of his "Stanley Block" subdivisions together to a single homebuilder. It was anticipated that the homebuilder would then revise all of the individual grading plans to a single grading plan that employs a comprehensive drainage plan and eliminates mid-slope property lines between the tracts. If the properties were consolidated into a single development, the proposed Development Agreement includes language that specifies the property lines between the individual tracts would no longer be considered exterior boundaries. This would likely eliminate most of the proposed Grading Exemptions because the 13-foot-high slopes would be interior to the overall project where a 20-foot height limit was permitted by the Grading Ordinance; and 3) Staff felt the Deficiency Fee and other terms proposed in the Development Agreement were reasonable and prudent since the agreement would allow the construction of the residential development and street and water line improvements in a coordinated fashion that will result in reduced costs while maximizing public and private resources to construct necessary public infrastructure at the earliest practicable time

Discussion ensued regarding a clarification of the pedestrian access routes for the project.

Commissioner Johns questioned whether the cumulative impact of the projects on the schools had been considered. Mr. Martin replied in the affirmative and noted there was no indication from the School District that they could not handle the students generated from the subject projects.

Discussion ensued regarding a clarification of the drainage for the subject property.

Pat Mues, Escondido, expressed her concern with City Council reducing the North Broadway Deficiency fee from the \$17,000 previously recommended by staff to \$12,500, which equated to a loss of \$572,000 needed to mitigate existing deficiencies. She asked that the Commission recommend to City Council to reinstate the higher fee.

Patricia Borchmann, Escondido, stated that she had been following the subject project as well as other projects by Pacific Land Investors, feeling some of the projects were not fully mitigating their impacts. She expressed her concern with the North Broadway Deficiency fees being reduced. She was also concerned with the proposed street patterns of the project proposing cul-de-sacs with no secondary access.

Dave Ferguson, Escondido, representing Pacific Land Investors, noted that the two projects the Commission was considering had been already been approved by the Commission but had to be abandoned due to economical issues. He stated that the projects would improve drainage and traffic for the subject area. He also noted that the projects in question had been evaluated together in order to mitigate the cumulative impacts.

Commissioner Spann asked if the Fire Department had approved the cul-de-sac dimensions. Mr. Namdari replied in the affirmative.

Commissioner McQuead questioned whether his understanding was correct that the Commission could not take action regarding fee policies. Mr. McCarthy replied in the affirmative.

Chairman Weber felt that it was unfair to place the burden of upgrading neighborhood infrastructure on the last person developing in the area when all residents of the area would benefit from the new improvements. He felt it would be more reasonable if future developers and existing residents shared the cost of correcting existing infrastructure deficiencies and constructing neighborhood upgrades through the formation of an improvement district or some other financing mechanism.

ACTION:

Moved by Commissioner McQuead, seconded by Commissioner Johns, to approve staff's recommendation. Motion carried unanimously. (6-0)

3. TENTATIVE MAP, GRADING EXEMPTIONS AND DEVELOPMENT AGREEMENT – SUB 13-0010:

REQUEST: A proposed Tentative Subdivision Map with 16 single-family residential lots and five grading exemptions for fill slopes up to 20 feet in height on two parcels totaling 4.63 acres (Baker Property) on the southern side of Stanley Avenue in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes range from 10,012 SF to 13,245 SF. Access to the new residences would be provided from a single cul-de-sac street extending south from Stanley Avenue. The project also includes a proposed Development Agreement with a five-year term to authorize residential construction within the North Broadway Deficiency Area in return for payment of fees and construction of necessary upgrades to streets and infrastructure in the area.

PROPERTY SIZE AND LOCATION: The project site has two existing residences (to be demolished) and is located on the southern side of Stanley Avenue and northern side of Lehner Avenue, between Conway Drive and Ash Street, addressed as 839 Stanley Avenue and 926 Lehner Avenue.

Bill Martin, Principal Planner, referenced the staff report and noted staff issues were whether the proposed design for the subdivision was consistent with the density conformance requirements of the Subdivision Ordinance (Section 32.202.03), the appropriateness of the proposed grading exemptions and alternative mass grading plan, and whether the proposed Development Agreement adequately addressed infrastructure deficiencies in the area. Staff recommended approval based on the following: 1) The General Plan land use designation on the site was Suburban which allowed up to 3.3 dwelling units per acre. The project density of 3.45 du/acre slightly exceeded the allowable density for the Suburban designation. However, Section 32.202.03 of the Subdivision Ordinance states Tentative Subdivision Maps may be considered in conformance with the density requirements of the General Plan if it could be determined that the project conformed with the minimum lot size specified in the General Plan and zoning designations, the project was infill and proposes lot sizes that were compatible with the size and design of surrounding properties, and the project conforms with General Plan Goals regarding the preservation of sensitive resources. Staff feels the proposed development is consistent with these criteria; 2) The applicant was proposing five Grading Exemptions, all of which were for fill slopes that exceed 10 feet in height within 50 feet of the property boundaries. The slope areas would be most visible from southern properties and future adjacent parcels the applicant is proposing for development. Views of the slope areas would not be unimpeded as the slopes would be partially screened by the proposed homes, future adjacent homes and landscaping. Staff felt the proposed exemptions would be appropriate given the screening that will occur, combined with limited view opportunities from existing nearby residences. The applicant had indicated that he intended to market all of his "Stanley Block" subdivisions together to a single homebuilder. It was anticipated that the homebuilder would then revise all of the individual grading plans to a single grading plan that employs a comprehensive drainage plan and eliminates mid-slope brow ditches and property lines between the tracts. If the properties were consolidated into a single development, the proposed Development Agreement includes language that specifies the property lines between the individual tracts would no longer be considered exterior boundaries. This would likely eliminate most of the proposed Grading Exemptions because the fill slopes would be interior to the overall project where a 20-foot height limit was permitted by the Grading Ordinance; and 3) Staff felt the Deficiency Fee and other terms proposed in the Development Agreement were reasonable and prudent since the agreement would allow the construction of the residential development and street and water line

improvements in a coordinated fashion that would result in reduced costs while maximizing public and private resources to construct necessary public infrastructure at the earliest practicable time

Commissioner Johns asked if the School District was approached with the concept of handling all of the projects being proposed. Mr. Martin replied in the affirmative with the exception of one that had not been received yet by the Planning Division.

Commissioner Spann and staff discussed the status of the retention basins.

Patricia Borchmann, Escondido, expressed her concern with property in question having sensitive vegetation that would be removed as a result of the project and asked that the mitigation plan be improved. She also felt the North Broadway Deficiency fees should not be waived, feeling the long-term impacts needed to be considered.

Barry Baker, Escondido, noted that he owned the property in question. He stated that most of the green matter in the photographs was vegetation in containers due to the property being rented to a nursery and would be moved off of the property.

Commissioner Spann felt increasing the North Broadway Deficiency fee would increase the cost of the homes.

ACTION:

Moved by Commissioner Winton, seconded by Chairman Weber, to approve staff's recommendation. Motion carried unanimously. (6-0)

CURRENT BUSINESS:

- 1. General Plan Conformance Finding (pursuant to Government Code Section 65402) for County of San Diego lease of property at 649 W. Mission Ave. for proposed offices for the Health and Human Services Agency (HHSA) and Department of Child Support Services (Case No. ADM 14-0070).**

Location: 649 W. Mission Ave

Jay Petrek, Assistant Planning Director, referenced the staff report and noted that staff felt that the proposed use of the existing commercial building by County HHSA for office, administrative and general service purposes was in substantial

conformance with the Land-Use and Community Health and Services Elements of the General Plan, and goals and policies discussed above; and therefore recommended that the Planning Commission determine that the acquisitions conformed to the General Plan in accordance with Section 65402 of the Government Code.

County Supervisor Dave Roberts, Representing the 3rd District, stated that he loved the City of Escondido, noting that he opened his first district office in Escondido. He indicated that the County Board of Supervisors voted unanimously to consolidate its health and human services operations in North County at the subject location. He noted that the subject location fit in with the City's plan to develop the area as a business park and would bring over 400 high-paying jobs to the area. He stated that the project would include a new Veterans service center and an innovation facility that would work with nonprofits. He then encouraged the Commission to approve staff's recommendation.

Don Greene, Escondido, supported staff's recommendation. He stated that the project would benefit all of the residents of North County. He stated that the project would provide over 400 high-paying quality jobs, occupy a vacant property, and keep existing services in the City. He then thanked Supervisor Roberts and the Board of Supervisor for their recommendation.

Michael Abrams, Diamond Development Company, stated that the subject revitalization project would optimize the use of a property that had been vacant since June of 2006. He noted that the project would provide over \$10 million in property renovations, provide a county health services center with over 400 high-paying jobs, provide small ancillary services, and supported the City vision for property revitalization.

Chairman Weber asked if the site would contain a cafeteria. Mr. Abrams replied in the negative.

Carl Harry, Escondido, Real Estate Manager, noted that they were available for questions.

Brian Mooney, San Diego, Mooney Planning Consultants, thanked staff for a job well done. He stated that the project was in conformance with the City's land use policies, would create 414 jobs, provide street and landscape improvements, and be architectural compatible.

Adam Wineberg, Chief of Real Estate for the County of San Diego, noted that he was available for questions.

Commissioner Winton asked if the County would be paying the City in lieu property taxes for the subject property. Mr. Harry noted the County would be leasing the property and that Diamond Development or one of their entities would be paying the property taxes.

Roy Garrett, Escondido, was in favor of the project and asked that the Commission approve the project.

Patricia Borchmann, Escondido, was in favor of the project and asked that the Commission approve the project.

Olga Diaz, Escondido Deputy Mayor, supported the project and asked that the Commission approve staff's recommendation. She stated that she and City Council supported the project. She noted that this project provided the most real and significant opportunity for the subject area in years. She indicated that over \$10 million would be put into renovating the property along with the developer not asking for subsidies or fee waivers. She felt this project would be the catalyst for future projects in the area.

ACTION:

Moved by Chairman Weber, seconded by Commissioner Spann, to approve staff's recommendation. Motion carried unanimously. (6-0)

- 2. A request for design review (Case No. ADM 14-0062) of a new freestanding pole sign proposed for the Grocery Outlet store. The proposed sign structure would be 15' high by 9'-10" wide with a main sign cabinet area of 48 SF and a side panel showing the address.**

Location: 1516 E. Valley Parkway

Bill Martin, Principal Planner, referenced the staff report and noted staff recommended approval of a modified monument-style sign either for staff design review or as a continued item to come back to the Planning Commission.

Commissioner McQuead asked if the sign could be moved into the future right-of-way. Mr. Namdari noted that the ordinance allowed for signage under \$5,000 to be allowed to put in the future right-of-way as long as the sign could be easily relocated. Commissioner McQuead asked if a condition could be added to allow the sign to be put in the future right-of-way. Mr. Namdari replied in the affirmative.

Commissioner Hale asked if one of the design criteria was the mass of the sign. Mr. Martin replied in the affirmative.

Commissioner Hale asked if the applicant was made aware of staff's concerns. Mr. Martin replied in the affirmative.

Marcy Williams, Applicant/Owner, did not feel it was fair to deny their signage when similar signage was approved for Wal-Mart. She stated that new customers were indicating that they were not aware of the store, noting she was looking for help from the City.

Frank Williams, Applicant/Owner, stated that he and his wife had been in the grocery business for 55 combined years. He stated that they were owner operators trying to run a successful business in the city. He noted that they worked with the high schools, provided scholarships, and provide employment in the City. He elaborated that they were subject to the decisions of the City and Grocery Outlet Incorporated. He indicated that they needed the sign to attract customers.

Chairman Weber asked if Grocery Outlet Incorporated drove the design for the sign. Mr. Williams noted that it was a combined effort. Chairman Weber asked if they had other sign designs to pull from. Mr. Williams stated that they might but noted they would like to have the sign they submitted.

Marc Drasin, Vice-President of Real Estate for Grocery Outlet Incorporated, stated that the subject business provided a service to the community by providing national brand foods at lower prices. He stated that the subject store had poor visibility and needed better signage. He noted that they had redesigned the sign to match the color and architecture of the building. He also indicated that that they would adhere to staff's recommendations.

Commissioner Johns asked how a pole sign was distinguished from a monument sign, noting he felt the proposed sign was a monument sign. Mr. Martin provided a brief description of the City's definition of a pole sign and monument sign.

Commissioner Johns felt the City's definition of a monument sign was incorrect, noting that the subject sign was a monument sign according to industry standards.

Commissioner McQuead suggested that the applicant work out the details at an 8- to 10-foot height and that it be allowed to be located in the future right-of-way. Chairman Weber concurred.

Commissioner Winton felt the East Valley Parkway Plan was flawed and need to include site-specific context. He stated that he supported the applicant's request.

Commissioner Hale was in favor of the applicant's request, noting that it was unfair to allow Wal-Mart to install similar signage while requiring smaller competitors to operate with less exposure. He felt the applicant's design was appropriate.

Commissioner Spann was in favor of the applicant's request, noting that it was unfair to allow Wal-Mart to install similar signage. He felt the applicant's design was appropriate.

ACTION:

Moved by Commissioner McQuead, seconded by Chairman Weber, to direct the applicant to work with staff regarding revising the location and size of the signage. Motion did not carry. Ayes: McQuead and Weber. Noes: Winton, Hale, Johns, and Spann. (2-4)

ACTION:

Moved by Commissioner Hale, seconded by Commissioner Johns, to approve the sign as proposed by the applicant. Motion carried. Ayes: Winton, Hale, Johns, and Spann. Noes: McQuead and Weber. (4-2)

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS: No comments.

ADJOURNMENT:

Chairman Weber adjourned the meeting at 9:08 p.m. The next meeting was scheduled for June 24, 2014, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Bill Martin, Secretary to the Escondido
Planning Commission

Ty Paulson, Minutes Clerk

PLANNING COMMISSION

Agenda Item No.: G.1
Date: June 24, 2014

CASE NUMBER: SUB 13-0005

APPLICANT: John Culver

LOCATION: On the southwestern corner of El Norte Parkway and East Valley Parkway, addressed as 3129 East Washington Avenue (APN 231-660-43)

TYPE OF PROJECT: Tentative Subdivision Map

PROJECT DESCRIPTION: A 6-lot Tentative Subdivision Map on approximately 1.15 acres in the R-1-6 (Single-Family Residential) zone. Proposed lot sizes range from 6,007 SF to 8,350 SF

STAFF RECOMMENDATION: Approval of the Tentative Subdivision Map and adopt the Addendum to the Mitigated Negative Declaration.

GENERAL PLAN DESIGNATION/TIER: Urban I (up to 5.5 du/acre)

ZONING: R-1-6 (Single-Family Residential, 6,000 SF minimum lot size)

BACKGROUND/SUMMARY OF ISSUES: The Planning Commission approved a Tentative Subdivision Map (TR 859) in 2004 to subdivide the 1.15-acre parcel into five single-family residential lots with access provided from a new cul-de-sac street intersecting El Norte Parkway on the north. The project applicant has submitted a revised design to subdivide the site into six single-family residential lots and to conform with current storm water (SUSMP) requirements. Access to the project would be provided from a new cul-de-sac street and intersecting El Norte Parkway on the north, and sound walls would be constructed along the East Valley Parkway and El Norte Parkway frontages. The property contains a single-family residence and shop building that were constructed in 1932, and listed on the City of Escondido Survey of Historic Resources. The applicant proposes to remove the residence from the site and relocate it elsewhere in Escondido, but the home also could be demolished if relocation ultimately is not feasible. To date, the approved five-lot tentative map has not been recorded or plans submitted to develop the project. However, the tentative map is still valid. Approval of this new proposed tentative map would invalidate the previous tentative map approval.

Staff feels that the issues are as follow:

1. Whether the revised six-lot residential project is compatible with adjacent development and appropriate for the site.
2. Whether appropriate on-site and on-street parking would be available with the additional lot.

REASONS FOR STAFF RECOMMENDATION:

1. Staff feels that proposed six-lot subdivision would be appropriate for the site since it would be in conformance with the underlying R-1-6 zoning requirements, and the lot sizes and project density would be

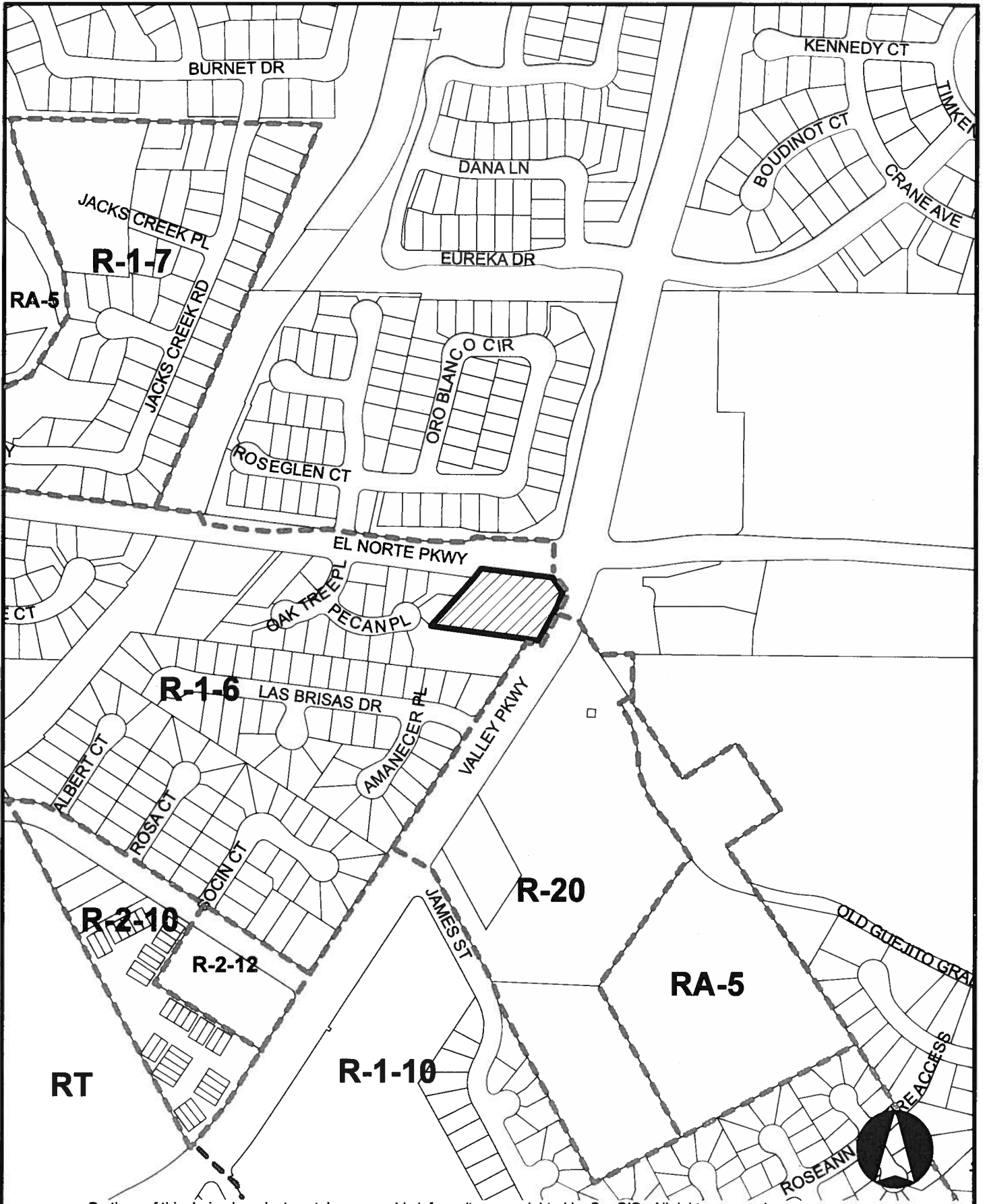
compatible with the surrounding single- and multi-family residential development. Appropriate buildable and open space areas could be provided for the lots.

2. Although on-site parking would be limited due to the design and length of the new cul-de-sac street, each lot would be able to provide appropriate on-site parking for residents and guests with the condition to provide for six parking spaces on each lot. This could be accommodated with either a three-car garage and additional driveway parking areas, or a two-car garage and a longer driveway.

Respectfully submitted,



Jay Paul
Associate Planner

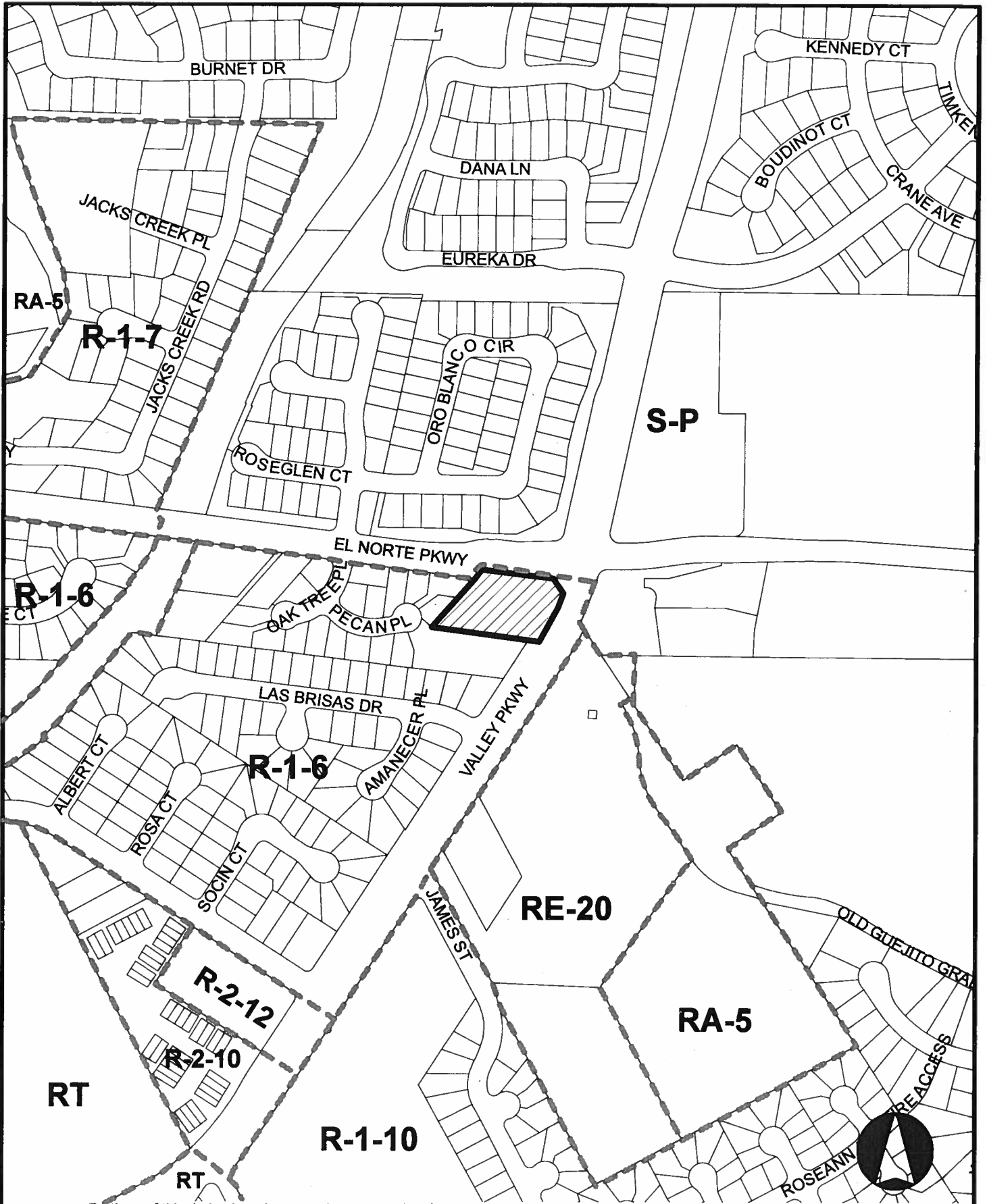


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PROPOSED PROJECT
SUB 13-0005

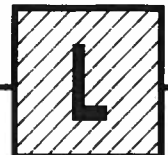


GENERAL PLAN

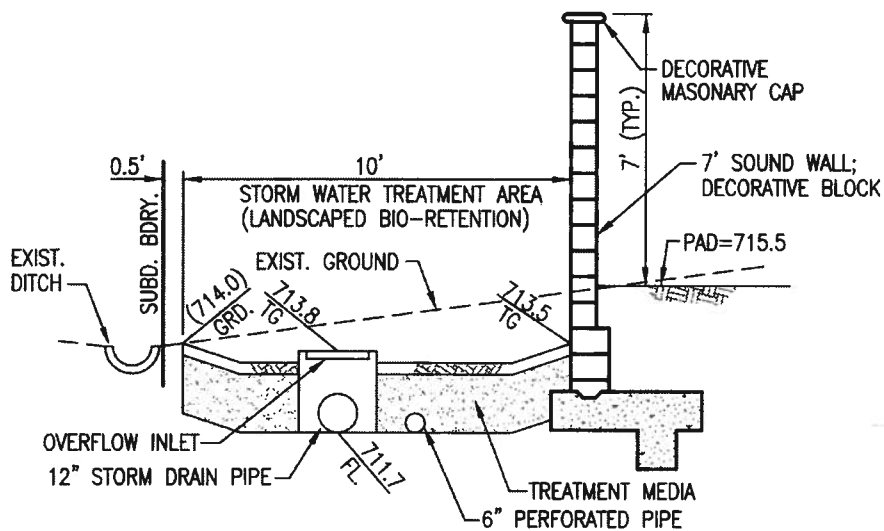
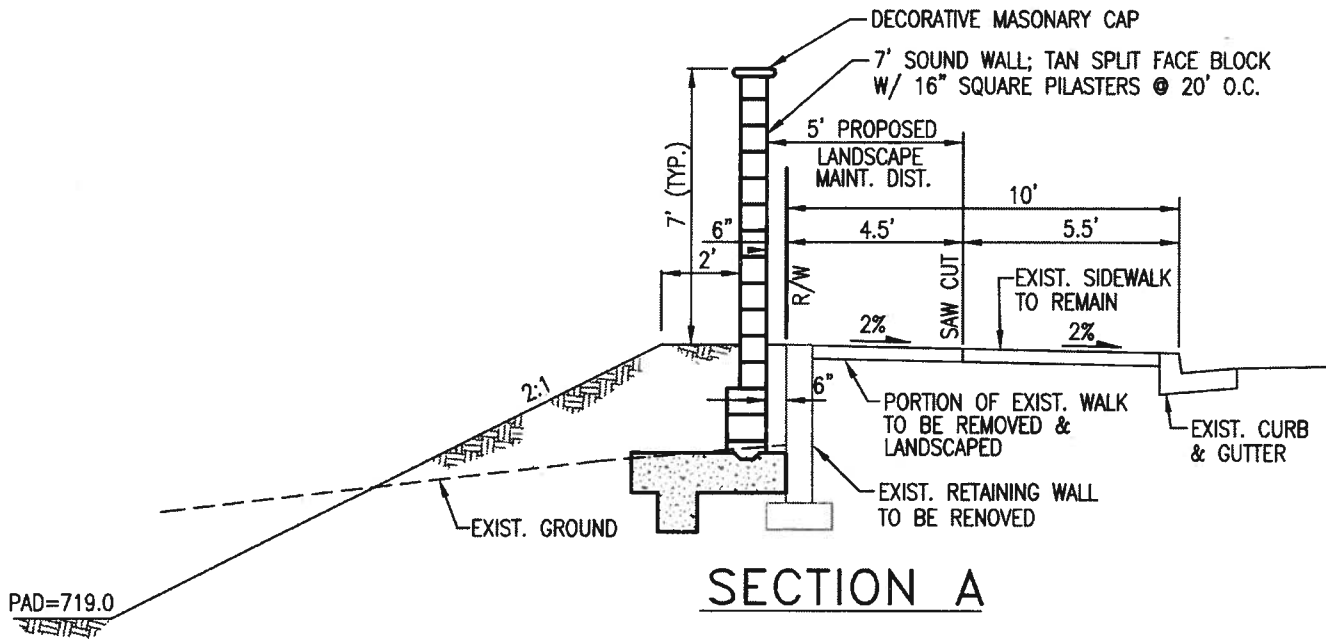
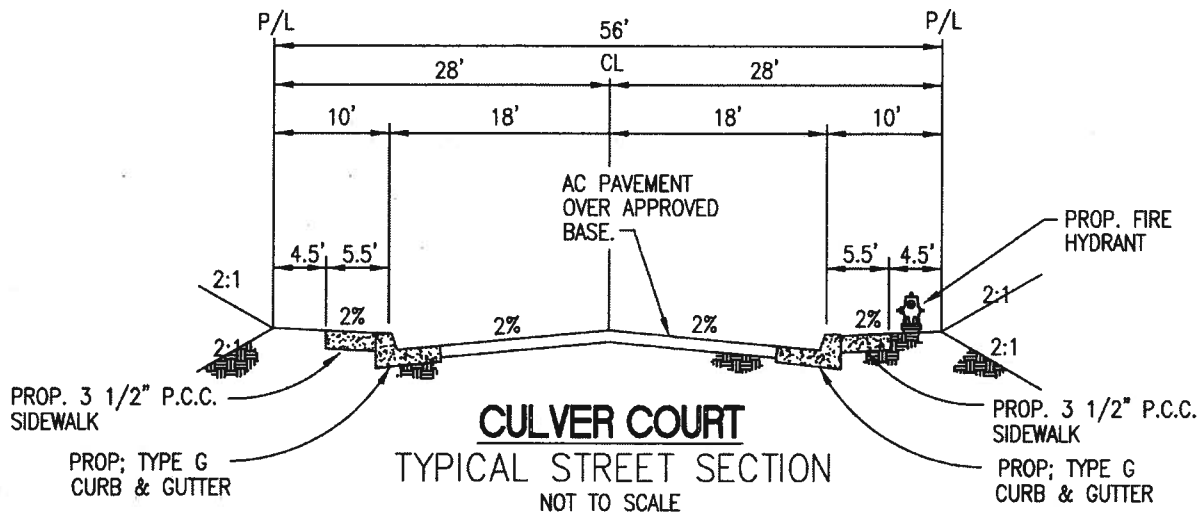


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PROPOSED PROJECT
SUB 13-0005



LOCATION/ZONING



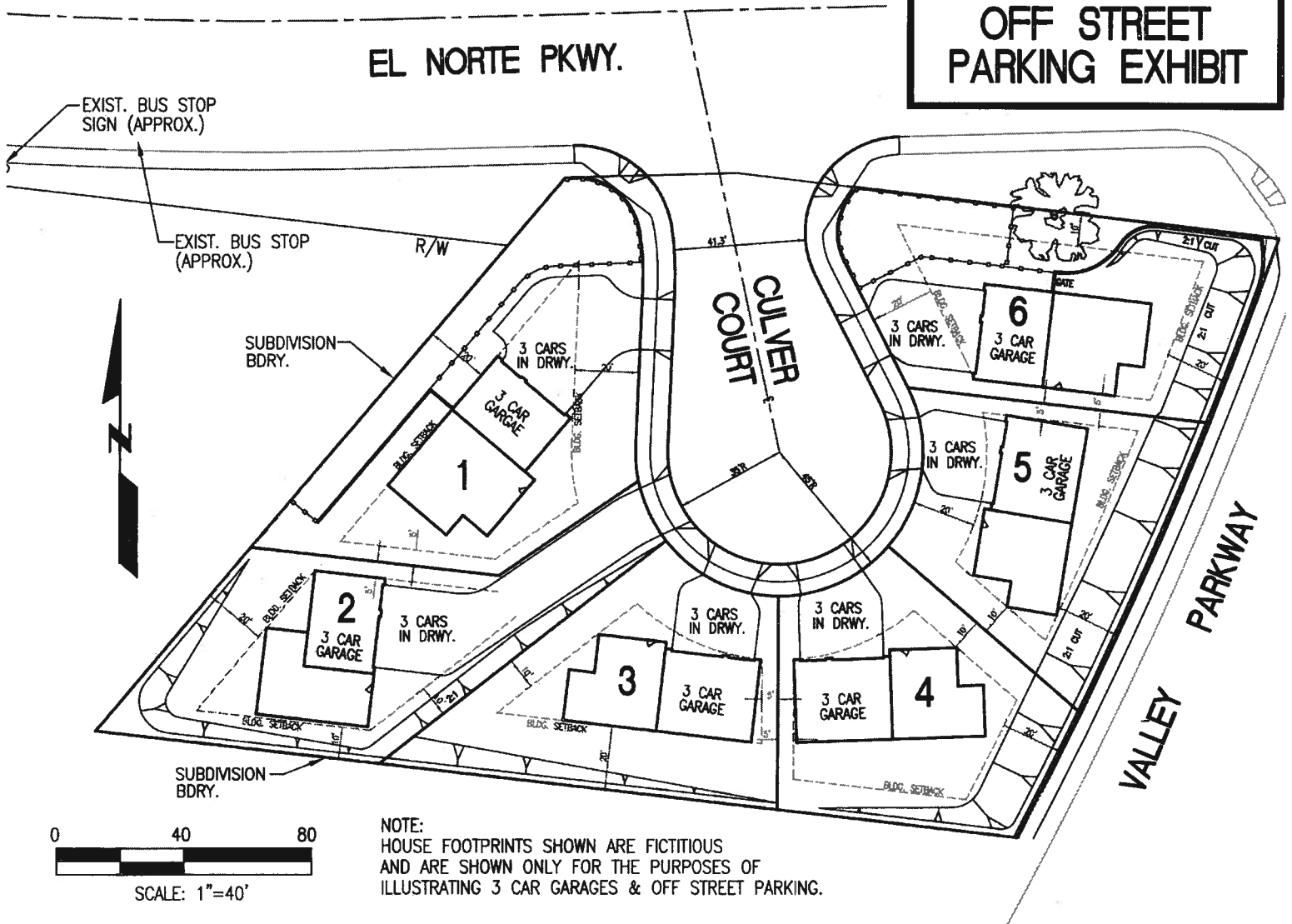
PROPOSED PROJECT

SUB 13-0005



DETAILS

SUB 13-0005 OFF STREET PARKING EXHIBIT



**PROPOSED PROJECT
SUB 13-0005**



SITE PLAN

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

- NORTH** – SP zone (Specific Plan) – Single-family residential homes (one- and two-story) within the Eureka Ranch Planned Development are located north of the project site El Norte Parkway. El Norte Parkway has been constructed to its ultimate width across the El Norte Parkway frontage, including curb, gutter and sidewalk. The intersection of El Norte Parkway/East Valley Parkway is signalized.
- SOUTH** - R-1-6 zone (Single Family Residential, 6,000 SF minimum lot size) – A two-story, multi-family residential complex is located on a 39,204 SF lot to the south. The carports of the complex are located along the northern property boundary adjacent to the project site. Single-family residential development (single-story homes) on approximately 6,000 SF lots are located further to the south. The southwestern portion of the project site would be situated approximately 1 to 2 feet higher than the adjacent lots to the west and south with combination cut slopes and retaining walls.
- EAST** - SP, OS-P (Open Space Parks), RA-5 (Residential Agricultural, 5 acre minimum) and RE-20 zones (Single-Family Residential Estates, 20,000 SF minimum lot size) – Vacant property, a high school, a public park and scattered single-family residences are located across Valley Parkway to the northeast and east. The lots along the eastern boundary of the site (Lots 4, 5 and 6) would be situated approximately 3 to 4 feet lower than East Valley Parkway.
- WEST** - R-1-6 zone – Single-family residences (single-story) on approximately 6,000 SF lots are located to the west. The rear and side yard of the homes orient towards the project site.

B. AVAILABILITY OF PUBLIC SERVICES

1. **Effect on Police Service** – The Police Department has expressed no concern regarding its ability to provide service to the site.
2. **Effect on Fire Service** – The Fire Department has expressed no concerns relative to its ability to provide service to the site. The site will be served by Fire Station No. 2 located at 421 North Midway Drive, which is within the five minute response time mandated by the General Plan.
3. **Traffic** –The project fronts onto El Norte Parkway and East Valley Parkway and access would be provided from a new cul-de-sac street from El Norte Parkway. Access to the project would be right-in/right-out only because of the raised center median within El Norte Parkway. East Valley Parkway is classified as a 6-lane Prime Arterial (126' R.O.W) in the City's Circulation Element and El Norte Parkway is a 4-lane Major Road (102' R.O.W). East Valley Parkway currently carries approximately 20,900 ADT (Average Daily Trips) and operates at a Level of Service "A." El Norte Parkway currently carries approximately 13,400 ADT (Average Daily Trips) and operates at a Level of Service "C" in the vicinity of the project site. Access to the project would be from El Norte Parkway, and each lot would take access from a new, public cul-de-sac street. The intersection of El Norte Parkway and East Valley Parkway is signalized. The approved 5-lot project was anticipated to generate 40 new ADTs (4 new homes/lots with credit for the existing home/lot). The revised project would result in an additional 10 ADTs (10 trips per lot) to the surrounding streets. The Engineering Department has indicated that the traffic generated by this revised project would not materially degrade the levels of service of the adjacent streets.
4. **Utilities** – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining street or easement. Water service is provided by the City of Escondido. The project does not materially degrade the levels of service of the public sewer and water system.

5. Drainage – There are no significant drainage courses within or adjoining the property. The project is conditioned to provide a final Water Quality Technical Report/drainage study to the satisfaction of the City Engineer, which will determine the extent of drainage facilities required to control runoff. Runoff from the project first would be direct to new on-site storm water facilities per SUSMP requirements, and then would be directed to the adjoining public street or other appropriate drainage facility. The Engineering Division indicated the project would not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

A Mitigated Negative Declaration (MND) (City File No. ER 2003-24) was adopted by the Planning Commission for the previously approved five-lot subdivision in conformance with the California Environmental Quality Act (CEQA) which is attached with this report. The MND identified potential impacts to the environment as a result of the project in the areas of noise, but mitigation measures were adopted with the Final MND to reduce the impacts to less than significant levels. The project is required to install noise attenuation walls (min. 6 feet in height) along the El Norte Parkway and E. Valley Parkway frontages.

An Addendum to the adopted MND has been prepared to addresses potential impacts of the proposed changes in the proposed modified project. Under CEQA (Guidelines § 15164) an Addendum to a Negative Declaration may be appropriate if modifications to a project are proposed and only if the modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164(c)); however, an Addendum is to be considered along with the adopted mitigated negative declaration by the decision-making body prior to making a decision on the project (CEQA Guidelines § 15164(d)). This Addendum demonstrates and concludes that the environmental analysis, impacts and mitigation requirements identified in the adopted 2003 MND remain substantively unchanged and supports the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2003 MND. Therefore, a subsequent Mitigated Negative Declaration would not be required under CEQA to implement the proposed project modifications and recirculation of the adopted MND for public review is not required.

D. CONFORMANCE WITH CITY POLICY

General Plan Density Requirements

The General Plan land use designation on the site is Urban I, which allows up to 5.5 dwelling units per acre and requires a minimum lot size of 6,000 SF. Based on the net area of the site and General Plan yield provisions, the site could support up to six single-family residential lots. The project density of 5.21 du/acre (6 units on 1.15 acres) is consistent with the Urban I designation. Proposed lot sizes ranging from 6,007 SF to 8,350 SF which is consistent with the Urban 1 requirements and R-1-6 zoning standards.

Appropriateness of the Proposed Project Design

The proposed single-family subdivision is an infill project and is surrounded by residential development of similar density and lot sizes on the north, south and west. The design of the proposed lots meet all the R-1-6 development standards, including minimum lot size of 6,000 SF, average lot width of 60 feet, and minimum street frontage of 35 feet, except for one panhandle lot. Panhandle lots are discouraged, but are allowed if they conform to the minimum net lot area of the underlying zone (panhandle driveway does not count towards net lot area); the panhandle section does not exceed 120 feet in length; the orientation of the lot is appropriate for the site and the surrounding development pattern; and the lot provides sufficient buildable and open space areas. The proposed panhandle lot (Lot 2) would meet all of these requirements. Each of the other lots also have an adequate pad size to accommodate a single-family residence with appropriate open space areas. An existing, mature oak tree located towards the northeastern portion of the site is proposed to be retained and incorporated into the landscape design of Lot 6 and placed within a landscape easement. All other ornamental trees that would be removed as a result of the development would be replaced as required by the Tree Preservation Ordinance. The project has been designed to conform to current storm water requirements,

which includes two bioswale/detention features located along the western side of Lot 1 and northern side of Lot 6. The storm water features would be landscaped and maintained by the project homeowners association. The project streetscape features along El Norte Parkway and Valley Parkway would either be maintained by the project HOA or Landscape Maintenance District (LMD).

Parking – A single-family residential subdivision typically provides six parking spaces per lot, which consists of a two-car garage, two spaces in the driveway, and usually two on the street along the lot frontage (typical 60 foot lot frontage). Parking along the bulb of a cul-de-sac generally is limited or not available due to the number and location of driveways. All of the proposed lots would front onto and take access from a new, short cul-de-sac street that would provide approximately four on-street parking spaces. Parking along adjacent El Norte Parkway and East Valley Parkway is restricted. Due to the limited number of on-street spaces and lack of overflow parking on adjacent streets, the project has been conditioned to provide a least six on-site parking spaces for each lot. This generally can be provided by a three-car garage with a wider driveway to accommodate three cars. Lots with longer driveways (40 feet or greater in length) could provide a two-car garage since four or more cars could be accommodated within the longer driveways. The project applicant has provided a concept plan detailing how this requirement could be met, which is attached with this report.

Noise Mitigation

A Noise Study was prepared in 2004 for the original five-lot subdivision that indicated an existing noise level on the site between approximately 69 dB and 71 dB CNEL, with anticipated future noise levels up to approximately 72 dB due to vehicular traffic along El Norte Parkway and East Valley Parkway. The General Plan Noise Element goal for outdoor noise levels for residential development is 60 dB, but also recognizes this goal may not be able to be reached in all areas within the realm of economic or aesthetic feasibility. In order to mitigate outdoor noise levels to 60 dB or less, the study indicated that a six-foot to nine-foot-high noise barrier would need to be installed along the along a section of the western property boundary, and a 12-foot-high noise barrier along the El Norte Parkway and East Valley Parkway frontages. The Study also indicated the noise level could be mitigated to 65 dB or less with a six- to seven-foot-high noise barrier along Lots 1, and 4-6. The General Plan considers 65 dB conditionally acceptable in a residential zone. The project has been conditioned to install a decorative masonry block wall seven-foot-high along the Valley Parkway and El Norte Parkway (Lots 4, 5 and 6) and a separate seven-foot-high wall along a portion of the western boundary of Lot 1. An interior noise study would be required prior to issuing building permits to ensure that the interior noise level would not exceed 45 dB for all of the homes.

Removal of the Existing Historic Residential Structures

The site contains a craftsmanesque style single-family residence and a detached wood frame shop that were both constructed in 1932, which are proposed to be removed in conjunction with development of the property. The structures are included in the Citywide Inventory of Historic Resources because they are over 50 years old, but are not listed on the City's Local Register of Historical Places. A Historic Resources Assessment was conducted by Archaeos that indicates the structures do not meet the criteria to be considered a significant resource due to their architectural character, setting or historical context. However, the builder of the residence was George A. Mace, who lived in the house for more than 50 years until he died in 1988. Mr. Mace was well-known for his inventions and building designs, and is credited with authoring the nation's first Uniform Building Code; designing several buildings in the City of Escondido; inventing the pineapple hand grenade; and designing and constructing seismic stations in California, Chile and Peru. The Historic Resource Assessment concluded the resources would be considered significant because the original building and resident is recognized as regionally important; the structures meet at least one of the City's criteria for local significance; and therefore would qualify for nomination to the California Register of Historical Resources.

Due to the historic significance, mitigation options available to reduce the impacts from removing the structures from the site include preserving the resource in situ; designing the project around the resource; or relocation to an off-site location, preferably in Escondido, and photo documenting the resource in accordance with Historic American Building Survey. The Assessment recommends one of the first three mitigation measures, with

consideration of the fourth only if the others are not feasible. The project applicant feels the first two options are not feasible because the house is situated in the center of the proposed project, and the site is too small to incorporate the house into the project design. The option preferred by the Cultural Consultant Archaeos is to relocate the residence to an appropriate off-site locale because it is not considered a resource due to its architectural value or visual location, and also is not a recognized landmark in the community. However, if for some reason the structure cannot be moved, appropriate photo documentation of the resources would be required and the Historical Society would have the opportunity to salvage and remove items from the structure for study/collection prior to demolition. This has been added as a condition of the project's approval.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The project site is located on the southwestern corner of El Norte Parkway and East Valley Parkway. The property contains one single-family residence and several out-buildings, that are over 50 year old. There are variety of mature trees located throughout the site, including pines, citrus, eucalyptus, and macadamia trees. There is an oak tree of approximately 28" dbh (diameter breast height) in the northeastern portion of the site, which would remain. Two small oaks are located towards the southeastern corner of the site, that would be removed. Access to the site is from El Norte Parkway. The property also fronts onto East Valley Parkway, but access is restricted. The site contains curb, gutter and sidewalk along both frontages. The site is fairly level, sloping downward and draining towards the southwest. Elevations range from approximately 725' along the eastern boundary to 712' towards the southwestern corner. There is an existing masonry block wall along a portion of the southern property line.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 1.15 acres
2. Number of Lots: 6
3. Lot Size: Minimum: 6,007 SF
Maximum: 8,350 SF
4. Gross and Net Lot Area:

Lot 1	8,350 SF gross	6,412 SF net
Lot 2	7,091 SF gross	6,015 SF net
Lot 6	7,300 SF gross	6,122 SF net
5. Grading: No exemptions to the Grading Ordinance are proposed. Approximately 2,000 cubic yards of material is proposed to be exported. The previous grading design anticipated that approximately 520 cubic yards of fill would be imported to the site.
6. Perimeter Noise Walls: Min. 7 feet in height decorative masonry block with pilasters along Lots 4, 5, 6 and Western side Lot 1:

C. CODE COMPLIANCE ANALYSIS

	<u>Proposed Development</u>	<u>Previous Project</u>	<u>R-1-6 Zoning Requirements</u>
1 Density:	5.2 du/ac	4.34 du/ac	Up to 5.5 du/acre
2. Lot Size:	6,007 SF min.	6,063 SF min.	6,000 SF min.
3. Lot Width:	60 feet minimum	60 feet min.	60 feet average

EXHIBIT "A"

FINDINGS OF FACT SUB13-0005

1. The proposed map with a density of 5.2 du/acre is consistent with the General Plan land-use designation of Urban I, which permits a maximum of 5.5 du/acre. The design and improvements of the proposed subdivision are consistent with all requirements of the General Plan and the Zoning Code, since the proposed lot sizes and configuration are conform to the Urban I designation and the R-1-6 zoning design requirements.
2. The site is physically suitable for the proposed density and residential development proposed because the project is zoned for single-family residential development, and is infill in nature with limited topographic constraints. Adequate building pads and usable open space area can be provided for each lot. The proposed map would be compatible with the surrounding area because the property is bordered by existing residential development of similar density and lot sizes to the north, south and east. The site has an average slope of less than 10% and all grading would be in accordance with the requirements of the Grading Ordinance. The proposed grading design would not result in any significant visual or compatibility impacts with adjacent lots, nor block any significant views. Appropriate access and utilities are available to serve the proposed site. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas since the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features.
3. The design of the map and proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish, wildlife, or their habitat since no stream course, sensitive habitat or endangered wildlife occurs on the property or adjacent to the project site, as determined during the environmental review of the project. The removal of mature trees will be replaced in accordance with the City's Grading and Landscape Ordinance requirements.
4. The design of the map and the type of improvements are not likely to cause serious public health problems, or be detrimental to surrounding properties because the project will not degrade the levels of service on the adjoining streets or drainage system, and city sewer and water are available, or can be provided with minor extension of nearby facilities. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.
5. The design of the map and the type of improvements will not conflict with existing easements of record, or easements established through court judgments or acquired by the population at large, for access through, or use of, property within the proposed map. This was based on a review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents.
6. The requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant affect on the environment as demonstrated in the Final Mitigated Negative Declaration that was adopted for the project (City Log No. 2003-24). An Addendum to the adopted MND has been prepared to addresses potential impacts of the proposed changes in the proposed modified project. Under CEQA (Guidelines § 15164) an Addendum to a Negative Declaration may be appropriate if modifications to a project are proposed and only if the modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164(c)); however, an Addendum is to be

considered along with the adopted mitigated negative declaration by the decision-making body prior to making a decision on the project (CEQA Guidelines § 15164(d)). This Addendum demonstrates and concludes that the environmental analysis, impacts and mitigation requirements identified in the adopted 2003 MND remain substantively unchanged and supports the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2003 MND. Therefore, a subsequent Mitigated Negative Declaration would not be required under CEQA to implement the proposed project modifications and recirculation of the adopted MND for public review is not required.

7. The design of the Subdivision map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Lot and unit configuration provide opportunities for passive/solar heating and landscaping would provide shading opportunities for each unit.
8. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to the recordation of the map.

EXHIBIT "B"

CONDITIONS OF APPROVAL SUB13-0005

General

1. This approval terminates the previous Tentative Map (TR 859) approved for the project site.
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, including any applicable citywide facilities fees.
3. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
4. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
5. 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.
6. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to 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.
7. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
8. One fire hydrant capable of producing 2,500 gpm at 20 psi, will be required in a location approved by the Fire Department.
9. Access for use of heavy fire-fighting equipment, as required by the Fire Marshal, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials and no foundation inspections until adequate fire suppression requirements are in place to the satisfaction of the Fire Marshal.
10. The design of the project shall conform to the exhibits and references in the staff report to the satisfaction of the Planning Division. All lots shall meet the min. net lot area of 6,000 SF and this shall be demonstrated on the Certified Tentative Map
11. All new utilities shall be underground.
12. Staff Design Review approval of the proposed plotting and architectural design of the residences within the subdivision shall be required prior to the submittal of the plans for building permit. Appropriate colored elevations and materials samples shall be submitted. Due to the design constraints on certain lots and requirements for three-car garages to provide appropriate on-site parking, the design of the homes shall incorporate appropriate one and two-story elements into the architecture to break up the overall mass and scale of the units, as well as appropriate upper story setbacks above the garages, to the satisfaction of the Planning Division.

13. **Mitigation Measure:** *Prior to occupancy of the residence on Lot 1, a solid, minimum, 6-foot-high decorative, masonry wall shall be located along the along the western and eastern property boundaries of Lot 1. The wall shall return to the house or wrap around the front yard (on the east) approximately 60 feet from Washington Avenue. Prior to occupancy of the residences on Lots 3-5, a solid, minimum, 6-foot-high decorative, masonry wall plus a minimum of one-foot of berming shall be located along the Washington Avenue and Valley Parkway frontages. The wall shall adjoin the wall on the adjacent project to the south, with no openings, and shall return to the house on Lot 5. The height and materials of the wall/berm shall be as shown on Figure 4B in the noise study conducted by Pacific Noise Control, dated March 16, 2004, and shall be to the satisfaction of the Planning Division.*
14. **Mitigation Measure:** *Prior to the issuance of building permits for Lots 1 and 3-5, an interior acoustical analysis shall be completed to determine if those residences require attenuation measures such as dual-pane glazing or mechanical ventilation to be incorporated into those residences to reduce interior noise levels to 45 dB. The findings of the interior acoustical analysis shall be incorporated into the building plans for the affected units.*
15. The required sound wall along East Valley Parkway and Washington Avenue shall be of a decorative material, and shall match the existing wall(s) adjacent to the property, to the satisfaction of the Planning Division. Stucco finished walls also shall not be allowed. The wall shall include a decorative masonry cap and a rolled mortar cap shall not be allowed. The wall also shall include decorative pilasters at appropriate intervals. The exterior walls shall include an anti-graffiti coating.
16. Any proposed retaining walls shall be of a decorative split-face or slumpstone block, with a neutral color, to the satisfaction of the Planning Division.
17. Prior to approval of the final map, the applicant shall submit two copies of a map exhibiting the entire subdivision on one page and drawn to a scale of 1 inch = 200 inches to the Planning Division. This map shall show all lot lines, public and private streets, and conservation easements. Road or access easements shall be depicted with a dashed line.
18. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
19. Three copies of the Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.
20. No street names are part of this approval. A separate request shall be submitted prior to final map.
21. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform to the conceptual grading as shown on the Tentative Map.
22. The applicant shall submit evidence of a good-faith effort to make the structure(s) available for relocation. If a moving contractor determines that the existing single-family residence cannot be successfully relocated off-site, and/or relocation is determined infeasible/practical, the Historical Society shall be given the opportunity to salvage materials from the structure prior to its demolition. Documentation of the structure(s) also shall be required in accordance with Heritage Documentation Programs Historic American Buildings Survey (HABS) guidelines, to the satisfaction of the Planning Division.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division prior to Final Map and issuance of Grading Permits, along with the appropriate plan check fee. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in

Zoning Code Article 62 (Water Efficient Landscape Regulations). The plans shall be prepared by, or under the supervision of a licensed landscape architect.

2. Street trees shall be provided along every frontage within, or adjacent to, this subdivision in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Prior to occupancy of any units, all perimeter, slope and street landscaping shall be installed. All vegetation shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
3. The storm water treatment and landscape areas along the El Norte Parkway frontage shall be designed as a significant visual amenity and entry feature for the project. The project landscape architect should be involved early in the design of the proposed storm water design. Appropriate sight distance shall be maintained at the new cul-de-sac street entrance.
4. The removal of any mature trees shall be replaced as required by the Tree Preservation Ordinance (Ord. 93-11) to the satisfaction of the Planning Division. Specimen sized trees (min. 24"-box size) shall be used for the street trees along the new cul-de-sac and also along the El Norte Parkway street frontage. As proposed, the existing oak tree in the northeastern portion of the project site shall be retained and incorporated into the project. Appropriate fencing shall be installed and maintained around the oak tree (out to the limits of the tree canopy) to prevent disturbance of the root zone during all phases of construction. This requirement shall be included on the grading plan. If it becomes infeasible to retain the oak on site, an arborist shall be hired to determine feasible options, in conformance with the Tree Preservation Ordinance (Ord. 93-11). The removal of the other two oak trees shall be mitigated at a 1:1 ratio with min. 24" box-sized oak trees or 2:1 with 15 gallon oak trees. Any existing trees to remain within the project shall be identified on the landscape and grading plans, noted as "to remain."
5. Street trees shall be provided along every frontage within, or adjacent to, this subdivision in conformance with the Landscape Ordinance and the City of Escondido Street Tree List.
6. Details of project walls and fencing, including materials and colors, shall be provided on the landscape plans. An appropriate low-maintenance and heavy-duty/durable fencing materials shall be used for the proposed split-rail fencing (such as pre-cast concrete ranch/rail type materials).
7. There shall be a minimum five-foot-wide landscape easement between the proposed wall and the right-of-way at El Norte Parkway and East Valley Parkway. The area shall be landscaped to the satisfaction of the Planning Division. Prior to recordation of the final map, that area shall be annexed into the City's Landscape Maintenance District, to the satisfaction of the Engineering Division. As an alternative the applicant may form a homeowner's association to assume responsibility for maintenance of the landscaped area.
8. 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.

ENGINEERING CONDITIONS OF APPROVAL ESCONDIDO TRACT NUMBER SUB13-0005

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The developer shall annex this project into a City Landscape Maintenance District for the maintenance of landscaping along Valley Parkway and El Norte Parkway prior to approval of the Final Map.
3. The location of all on-site utilities shall be determined by the Developer's engineer. If a conflict occurs with proposed project, these utilities shall be relocated by the developer at his/her expense.
4. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.
5. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
6. 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.
7. 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.
8. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets adjoining the project boundary:

STREET

"Culver Court"

CLASSIFICATION

Residential Cul-de-Sac
(36' min. curb to curb w/ 35' min. rad. CDS)

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall be responsible for the removal and reconstruction of a section of the existing improvements on El Norte Parkway to allow for construction of the "Culver Court" intersection improvements to the satisfaction of the City Engineer.
4. The developer shall remove and replace all damaged sections of concrete sidewalk and curb & gutter along the project frontage on El Norte Parkway and Valley Parkway to the satisfaction of the City Engineer.
5. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
6. The address of each dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer and Fire Marshal.
7. Any removal of existing striping and all new signing and striping shall be done by a private contractor at the developer's expense.
8. As directed by the City Field Engineer, additional 1 1/2" grind and 2" min. AC overlay may be required on El Norte Parkway to repair any degraded condition of the roadway due to utility trench patches associated with this project.
9. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
10. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.
11. The developer shall be required to construct a 5600 lumen minimum street light in accordance with Escondido Standard Drawing No. E-1-E at the project entrance.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report and on the

grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his/her recommendations.

2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.
3. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of a building structure will be permitted as part of the Building Dept. plan review and permit process.
4. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
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 General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one (1) or more acres.
7. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
8. All existing foundations and structures, other than those designated "to remain" on the Tentative Map, shall be removed or demolished from the site subject to Planning Department approval and the issuance of a Building Permit.
9. All lot lines shall be located at the top of slopes unless otherwise approved by the City Engineer.
10. 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.
11. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.

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 Developer's engineer. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The project shall limit drainage flows to their pre-construction rates. Details and calculations for detention basins shall be submitted in the drainage study and approved as part of the grading plan check.

3. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval together with the final improvement and grading plans. The Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements.
4. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
5. Landscaping in and around the proposed Bio-retention basins shall be restricted to low shrubs and plants with minimal root systems and able to flourish in the well-draining soils required in the basins. No trees.
6. All storm drain systems and storm water treatment and retention facilities within the project including the bio-retention basins shall be considered private. The responsibility for maintenance of these post construction storm water treatment facilities shall be that of the Property Owner's Association. Provisions stating this shall be included in the CC&Rs.
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. This Agreement shall be referenced in the CC&Rs.

WATER SUPPLY

1. All onsite public water main locations and sizing shall be to the satisfaction of the Utilities Engineer. Required water main improvements shall include a minimum 8" PVC onsite public water main designed for the required domestic and fire flows.
2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
3. If fire sprinklers are required by the Fire Department, a 1" minimum water service, 1" water meter, and back flow prevention device shall be required for each lot. Water meters and back flow prevention devices shall not be installed within the driveway apron or private drive areas. All water services shall be to the satisfaction of the Utilities Engineer.
4. All on-site water lines and backflow prevention devices beyond the City water meter will be considered a private water system. The property owner will be responsible for all maintenance of these water lines and backflow prevention devices.
5. No trees or deep rooted plants shall be planted within 10 feet of any water service.
6. All water services shall be installed per current City of Escondido Design Standards and Standard Drawings.
7. The developer is required to install separate irrigation system(s) including water meter(s) and backflow prevention device(s) for the Landscape Maintenance District Areas and/or Home

Owner's Association maintained areas. This system shall be built to the satisfaction Utilities Engineer.

SEWER

1. All sewer main extensions and the location and sizing of mains shall be to the satisfaction of the Utilities Engineer. Required onsite sewer main improvements include an 8-inch PVC public main connecting to the existing 8-inch sewer in El Norte Parkway with a new 5' diameter manhole and extending into the project such that sewer laterals for each building can be constructed per City Standard and Uniform Plumbing Code. A 5' diameter sewer manhole shall be constructed at the end of this new sewer main extension.
2. Sewer manholes less than 4 feet deep shall be per special design as directed by the Utilities Engineer.
3. A private 4" minimum PVC sewer lateral with a standard clean-out within 18" of the right-of way shall be constructed for each Lot and shown on the Improvement plans. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings. The construction of all sewer laterals shall be included in the improvement plans and bonding quantities.
4. No trees or deep rooted bushes shall be planted within 10' of any sewer main or lateral.
5. All sewer laterals will be considered private. Individual home owners will be responsible for all maintenance and repair of their sewer laterals. This shall be clearly stated in the CC&R's.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications for public rights-of-way on the following street within the project to bring the roadways to the indicated classification.

STREET	CLASSIFICATION
"Culver Court"	Residential Street (56' min. RW w/ min. 45' rad. CDS)

2. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
3. Necessary public Landscape Maintenance Easements shall be granted to the City on the Final Map for any areas to be maintained by a Landscape Maintenance District.
4. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the final map. 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 Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services.
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.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association of private storm drains, storm water treatment basins and facilities, and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Water Quality Technical Report for the project.
4. The CC&R's must state that the Property Owners' Association assumes liability for damage and repair to City utilities in the event that damage is caused by the Property Owners' Association when repair or replacement of private utilities is done.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

ADDENDUM

to the

3129 E. EL NORTE PARKWAY RESIDENTIAL SUBDIVISION

Case Nos. TR 859, ER 2003-24

FINAL MITIGATED NEGATIVE DECLARATION

For the proposed

REVISION TO CHANGE THE PREVIOUSLY APPROVED 5-LOT SUBDIVISION TO A
6-LOT SUBDIVISION ON A 1.15-ACRE SITE LOCATED ON THE SOUTHWEST
CORNER OF EAST EL NORTE PARKWAY AND EAST VALLEY PARKWAY

SUB 13-0005

Prepared by:

City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025

March 31, 2014

INTRODUCTION

On November 9, 2004, the Escondido Planning Commission adopted a Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (City File No. ER 2003-24) for the Culver Residential Subdivision Project (Planning Commission Resolution No. 5579). The Initial Study and MND evaluated the impacts of the proposed subdivision to create five (5) residential lots and a new cul-de-sac street extending south from E. El Norte Parkway on the 1.15-acre Culver property (Tract 859). The analysis identified mitigation measures to address and mitigate potentially significant impacts to less than significant levels. The mitigation measures identified in the adopted MND are associated with impacts to Cultural Resources and Noise and would still be required to properly mitigate potential impacts associated with the revised project design.

Since the approval of Tract 859 in 2004, the applicant prepared grading and improvement plans and a final map, but the final map never recorded. The applicant requested an extension of time for the subdivision in November of 2007 and was granted an extension by the Planning Commission (Resolution No. 5808) on January 22, 2008. That action extended the life of the Tentative Map to November 9, 2010, at which point the map became eligible for a series of time extensions granted by the state legislature that have extended the life of Tract 859 to November 9, 2017.

The applicant has now filed a new Tentative Map application (SUB 13-0005) to subdivide the 1.15-acre Culver property into six lots instead of the original five lots shown on Tract 859. Accordingly, this Addendum addresses proposed changes to the approved Tract 859 project and evaluates associated potential environmental impacts. This Addendum is an informational document, intended to be used in the planning and decision making process as provided for under Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Addendum does not recommend approval or denial of the proposed modifications to the project. The fundamental conclusions of this Addendum are that the proposed changes to the project will not: (1) result in any new significant impacts; or (2) substantially increase the severity of previously disclosed impacts beyond those already identified in the adopted MND.

STATUTORY BACKGROUND

The City of Escondido (City) is the CEQA lead agency responsible for the proposed Culver Subdivision Project. Under CEQA, an Addendum to a certified Environmental Impact Report (EIR) or Negative Declaration (ND) may be appropriate if minor technical changes or modifications to the proposed project occur (CEQA Guidelines §15164). Specifically, an addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. An Addendum need not be circulated for public review (CEQA Guidelines §15164[c]), although it must be considered by the decision making body, along with the adopted EIR or ND, prior to making a decision on the project (CEQA Guidelines §15164[d]).

This MND Addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the previous Culver Subdivision MND (ER 2003-24) remain substantively unchanged by the situation described herein, and supports the finding that the proposed project modifications would not result in any new significant impacts and would not exceed the level of impacts identified in the previous MND. Accordingly, recirculation of the adopted Culver Subdivision MND for

public review is not required, pursuant to Section 15164 of the CEQA Guidelines. The City has also determined that preparation of a Subsequent EIR or ND is not required under Section 15162 of the CEQA Guidelines. To support this decision, the following discussion describes the proposed project modifications and the associated environmental analysis.

SUMMARY OF ORIGINAL PROJECT DESCRIPTION

The original project description analyzed under the Initial Study/MND (ER 2003-24) consisted of a 5-lot residential subdivision on a 1.15-acre site, with lots ranging in size from 6,063 to 10,390 square feet (SF). The project site is located in the northeastern area of the City, on the southwest corner of East El Norte Parkway and East Valley Parkway. The property contains one existing single-family residence with associated accessory structures. The residence is estimated to have been constructed in approximately 1932, and is listed on the City of Escondido Survey of Historic Resources. The structure is not listed on the City's Local Register of Historic Places and the original application and MND indicated all structures were being removed from the property. The mitigation options for the structure included relocation, if possible. If relocation is not possible, then the Historical Society would have the opportunity to salvage and remove historical items from the structure prior to demolition. No additional impacts are foreseen with the proposed modification and therefore no additional mitigation measures are needed.

The project site is also located adjacent to two main street corridors which have a projected noise of 65 dBA CNEL. The City's General Plan Noise Element contains noise policies which require residential outdoor noise levels to be at or below 60 dBA if feasible, or otherwise mitigated to a conditionally acceptable level of 65 dBA. The mitigation originally approved six to seven-foot high masonry walls along the East Valley Parkway frontage and also along the western property line for Lot 1 of the subdivision. These measures will remain in effect with no additional impacts anticipated with the modification to the project and therefore no additional mitigation measures are needed.

PROJECT REVISIONS

The proposed project modification consists of subdividing the 1.15 acre site into six (6) single-family residential lots instead of the original five lots. The resulting lots would range from 6,007 SF to 8,350 SF in size. The site would remain under the 5.5 units per acre permitted by the Urban 1 (U1) General Plan designation and all lots would be over the minimum 6,000 SF in size required by the Single-Family Residential (R-1-6) zoning designation. Access to all of the proposed lots would be provided by a new public cul-de-sac street extending approximately 140 feet south from East El Norte Parkway. The proposal also includes two shallow storm water detention basins on Lot 1 and Lot 6 that would be maintained by the Homeowner's Association. Proposed landscaping along the East Valley Parkway and East El Norte Parkway street frontages would be maintained by the City's Landscape Maintenance District.

Location: The 1.15 acre site is located on the southwest corner of El Norte Parkway and Valley Parkway, and is addressed as 3129 El Norte Parkway.

Assessor Parcel Number: 231-660-43

Applicant/Owner: John Culver

IMPACT ANALYSIS

City staff have reviewed the Culver Initial Study/MND in conjunction with the current modification project, and it has been determined that the proposed changes described in this Addendum would not result in any new significant impacts or a substantial increase in the severity of significant impacts identified for the previously adopted MND. Analysis of the current project compared to the previously approved development is as follows:

AESTHETICS - Visual impacts expected from the original project were anticipated to be minor and have no impact or less than significant impacts. The revised project would not result in any effects to visual resources that are more severe than those described in the original Mitigated Negative Declaration. The modified project proposes six single-family lots instead of five. Any light and glare produced by the additional single-family residence will be minimal and shall meet the City's outdoor lighting standards. As with the approved project, the modified project's aesthetic impact would be less than significant.

AGRICULTURAL RESOURCES - The modified project includes a six lot subdivision instead of five lots and would not result in any new or substantially increased significant impacts related to Farmland designations, agricultural zoning/Williamson Act contracts, or conversion of Farmland to non-agricultural uses. The site is not farmland and is occupied with a single-family residence and associated landscaping. Therefore, as with the original project, the modified project would have no impacts on agricultural resources or farmland in Escondido or North San Diego County.

AIR QUALITY - As described for the previous project description in the adopted Culver Subdivision MND, all construction and operation-related emissions would be below established thresholds and subject to applicable regulatory standards for issues such as dust control. The 1.15-acre size of the construction area remains the same and the additional vehicular trips generated by the added residence would be inconsequential. Accordingly, the modified project would not generate new significant impacts related to air quality or substantially increase the severity of previously disclosed impacts.

BIOLOGICAL RESOURCES - The site has been developed with a single-family residence and associated accessory structures. There are existing trees throughout the property that are proposed to be removed as part of the development. The applicant has submitted a tree survey and per the requirements of the Tree Preservation Ordinance (Ord. 91-54) replacement trees will be incorporated into the project design as required by the original approval. An oak tree with a diameter breast height (dbh) of approximately 2'4" is located on the northeast portion of the lot and is being preserved and incorporated into the design of the project. Because the entire site has been disturbed by on-going residential use, the project area does not support environmentally sensitive habitat and the modified proposal would not result in any significant impacts to biological resources.

CULTURAL RESOURCES - There is one existing single-family residence and associated out-buildings on the site. The structure is not listed on the City's Local Register of Historic Places, but is included in the Citywide Inventory of Historic Resources. All structures on the site are proposed to be removed in conjunction with the both the previously approved development and the modified proposal. A Historic Resources Assessment of the structures on the site was conducted by Archaeos on August 7, 2002. The assessment indicates that the craftsman style main house was constructed in 1932.

As listed in the Culver Subdivision MND, in order to qualify for listing under the California Register/National Register a resource must be significant within a historic context and meet one or more

of the following criteria: A) Be associated with an event or series of events that have made a significant contribution to the broad pattern of history; B) Have an unequivocal association with the lives of people significant in the past; C) Embody distinctive characteristics of a type, period, or method of construction; and D) Have yielded or may be likely to yield information important in local, state, or national prehistory or history. The City of Escondido also has significance criteria for the Local Register of Historic Properties. Although the resource is not architecturally important, the assessment by Archaeos study concludes that the resource is significant under California Register criterion B, since the original builder and resident is recognized as regionally important, and that it meets at least one of the local criteria for significance. It concludes that the subject property would qualify for nomination to the California Register of Historical Resources.

The revised project would require the removal of the historic residence just like the previously approved project so the mitigation options remain the same as the approved MND. The applicant will attempt to find an interested person capable of relocating the residence to a suitable off-site location, preferably in Escondido, along with photo documenting the resource in accordance with Historic American Building Survey standards. If for some reason the structure cannot be moved, the Historical Society would have the opportunity to salvage and remove items from the structure for study/collection prior to demolition. Accordingly, no new or substantial increased significant impacts to cultural resources would result from the revised project.

GEOLOGY/SOILS - No significant impacts related to geology/soils were identified in the adopted Culver Subdivision MND based on the location of the site relative to active faults and requirements for conformance to applicable design, construction and inspection standards for the project. Because the modified project is within the same development envelope and would also be subject to the same development/grading standards, it would not generate any new significant impacts related to geology/soils or substantially increase the severity of previously disclosed impacts.

GREENHOUSE GAS EMISSIONS – The previous Culver Subdivision MND was approved in 2004 and did not contain a Greenhouse Gas Emissions section. The applicant as part of their submission to modify the previous project submitted a Greenhouse Gas Emissions Assessment, prepared by Investigative Science and Engineering, Inc. (ISE), dated November 19, 2013. While there would be minimal impacts during construction and annual impacts from six single-family residences, the project would not, directly or indirectly, generate greenhouse gas emissions that would significantly impact the environment.

Furthermore, the City of Escondido adopted a Climate Action Plan (CAP) in December 2013 which established CEQA thresholds for significant impacts due to greenhouse gases. The threshold of 2,500 metric tons (MT) per year is used to define “small projects” that would be considered less than significant and would not require any further analysis. According to the ISE study the modified project would generate a daily operational CO₂e level of approximately 68.6 MT per year or about 2.7% of the City’s allowable threshold. Thus, no significant impacts are expected as a result of the modified project.

HAZARDS AND HAZARDOUS MATERIALS – The modified project would still be residential in nature and as identified in the previous MND there would be no significant impacts from hazards or hazardous materials. The project will comply with all applicable building and fire codes. The site is not located near an airport and the site is not on any hazardous waste list. Therefore, no impacts are expected as a result of the original or modified project.

HYDROLOGY/WATER QUALITY – Based on the original project MND there are no significant impacts on hydrology or water quality. The modified project would add another single-family residence

to the impervious surfaces (i.e. roof, hardscaping, driveway, etc.) but this amount of run-off would be negligible and the project continues to have less than significant impacts. An updated Water Quality Technical Report prepared by Wunderlin Engineering, dated June 21, 2013, indicates the extent of permanent and construction storm water best management practices needed to ensure proper water quality treatment for the development. The Engineering Department has indicated that the modified project would not impact levels of service to existing drainage facilities or impact water resources. Therefore, the modified project is not expected to have any significant impacts.

LAND USE AND PLANNING – The modified project would have the same exterior boundaries as the original site and would include the same residential type of land use. The project site is located within the R-1-6 zone (Single-Family Residential, 6,000 SF minimum lot size) and the Urban 1 (up to 5.5 du/acre) General Plan designation. The modified project is still below the maximum allowable General Plan density at 5.2 dwelling units per acre. The modified proposal will not disrupt or divide the community because the proposed lot sizes would be in character with surrounding single-family development. The modified proposal, as with the original subdivision, would not alter the views of the site or result in substantial adverse effect on a scenic vista as there are no significant views through the property from adjacent residences. Therefore, no significant land use impacts are anticipated with the modified project.

MINERAL RESOURCES - The adopted Culver Subdivision MND concluded that the project site does not contain any significant mineral resources and no associated adverse impacts were identified. Based on the similar development footprint and nature of the modified project design, this conclusion would also be applicable to the revised project. As a result, no new or substantially increased significant impacts related to mineral resources would result from implementation of the revised project.

NOISE – The modified project would have the same development footprint but include six lots instead of five. Both El Norte Parkway and Valley Parkway are within a noise corridor of 65 dBA and as with the original Culver Subdivision MND there would be noise impacts to the proposed lots. The original Noise Study, completed by Pacific Noise Control on March 16, 2004, recommended mitigation measures that are still valid and the addition of a sixth lot within the same development footprint would not change or alter the mitigation measures significantly. Lot numbers in the proposed subdivision have changed due to the addition of another lot within the same development footprint. The previously approved mitigation measures have been clarified to coincide with the renumbered lots and are restated here:

- 1. Prior to occupancy of the residence on Lot 1, a solid, minimum 6-foot high, decorative masonry wall shall be located along the western property boundary of Lot 1. The wall shall return to the house or wrap around the front yard approximately 60 feet from El Norte Parkway. Prior to occupancy of residences on Lots 4 through 6, a solid, minimum 6-foot high decorative masonry wall plus a minimum one-foot berm (overall seven-foot high wall or wall/berm combination) shall be located along the Valley Parkway (eastern property line) and El Norte Parkway frontages. The Valley Parkway wall shall adjoin the wall on the adjacent property to the south, with no openings, and shall return to the house on Lot 6. The height and materials of the walls shall be consistent with the noise study conducted by Pacific Noise Control to the satisfaction of the Planning Division.**
- 2. Prior to issuance of a building permits for Lots 1 and 4-6, an interior acoustical analysis shall be completed to determine if those residences require any further attenuation measures such as dual-pane glazing or mechanical ventilation to be incorporated into the design of**

those residences. The findings of the interior analysis to reduce interior noise levels to 45dBA shall be incorporated into the building plans for the affected units.

Short-term noise generated from construction activities is not anticipated to change with the addition of one more lot to the project. These are temporary impacts associated with excavation, grading, construction, hauling/importing soil, and landscaping, etc. All construction activities are subject to the City's construction noise limit of 75 dBA and no mitigation is required for short term construction related noise. As a result, with the continued application of the mitigation measures from the previous MND, no new or substantial impacts related to noise would result from the implementation of the revised project

POPULATION and HOUSING - The adopted Culver Subdivision MND concluded that the original project design would be consistent with applicable criteria in the City General Plan regarding the number, type, and density of proposed residential development. The revised project design would not change the previously proposed residential uses and the property is adequate in size to subdivide into six lots. As a result, no new or substantially increased significant impacts related to population/housing would result from implementation of the revised project.

PUBLIC SERVICES - Based on technical studies, analysis by applicable City departments, and review of related planning documents, the adopted Culver Subdivision MND concluded that the original project design would not result in significant impacts to services including sewer, municipal water, storm water, refuse collection/disposal, fire protection, law enforcement, schools, or parks. The development of five additional single-family residences instead of four would incrementally add to the expected student population generated by the development by less than one student. This amount and the other incremental increases to public services are not considered to be a significant impact.

RECREATION - The adopted Culver Subdivision MND concluded that the original project would not adversely affect existing recreational opportunities on site because none currently existed and the site was not listed as a potential park site in the City's Master Plan of Parks and Trails. The revised project would not change that status and the incremental increase in demand for recreation associated with the project would be addressed by required development fees and the site's proximity to existing park facilities. As a result, no new or substantially increased significant impacts related to recreation would result from implementation of the revised project.

TRANSPORTATION/TRAFFIC – The revised project would continue to provide access to all lots from a new cul-de-sac extending south from El Norte Parkway. The original and modified project description would result in an identical development type (single-family residences). The site contains an existing residence and the original development added four new residences to the site which would generate 40 additional ADT's (Average Daily Trips). The addition of one more lot to the project would add 10 additional ADT's for a total of 50 ADT's for the site over the current condition. The Engineering Division has determined this amount to be negligible. The revised project will not have a significant impact on transportation or circulation.

UTILITIES and SERVICE SYSTEMS – The adopted Culver Subdivision MND concluded that potential impacts associated utilities and services would be less than significant, based on considerations including the nature, location and extent of project-related disturbance and requirements for conformance with applicable regulatory and industry standards. The original and revised project descriptions would affect essentially the same areas, include the same type of land use, and would be constructed using similar grading/building practices. Accordingly, the revised project

would not generate new significant impacts related to public services/utilities or substantially increase the severity of previously disclosed impacts.

SUMMARY AND FINDINGS

For all impact areas, review indicated that the proposed project modifications are in substantial conformance with the original design of the project. Accordingly, based on the impact comparisons provided above, the revised project would not result in new significant impacts, or a substantial increase in the severity of impacts previously identified in the adopted Culver Subdivision MND (ER 2003-24).

Thus, the revised project would not: (1) result in new or substantially increased impacts related to degradation of the environment, including floral or faunal habitats/species and historical/archaeological resources; (2) result in substantially increased cumulative impacts; or (3) result in increased substantial adverse effects on human beings, either directly or indirectly. No significant impacts to the environment as a result of this project have been identified when considering the mitigation measures included as part of the development plan. Approval of the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effects on human beings, either directly or indirectly provided all mitigation measures and normal project conditions are followed. The Mitigation Monitoring and Reporting Program included as part of the adopted Culver Subdivision MND remains valid and in force.

In summary, the analysis concludes that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Negative Declaration would occur from the proposed project modifications, and thus an Addendum to the Culver Subdivision MND is appropriate to satisfy CEQA requirements for the proposed project pursuant to Section 15164 of the State CEQA Guidelines. The evidence in the file supports the conclusion that no circumstances or conditions requiring the preparation of a subsequent MND are present in this case.



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

MITIGATED NEGATIVE DECLARATION

CASE NO.: ER-2003-24

DATE ISSUED: June 15, 2004

PUBLIC REVIEW PERIOD: June 16, 2004 – July 6, 2004


PROJECT DESCRIPTION: A request for a five-lot Tentative Subdivision Map on 1.15 acres in the R-1-6 zone. The resulting lots would range in size from 6,063 SF to 10,390 SF. The site contains a single-family residence in excess of 50 years old which would be relocated off-site. All new lots would take access from a new cul-de-sac street, with none of the lots taking direct access from Washington Avenue.

LOCATION: On the southwestern corner of Washington Avenue and Valley Parkway, addressed as 3129 East Washington Avenue

APPLICANT: John Culver

An Initial Study has been prepared to assess this project as required by the California Environmental Quality Act, and Guidelines, Ordinances and Regulations of the City of Escondido. The Initial Study is on file in the City of Escondido Planning Division.

FINDINGS: The findings of this review are that the Initial Study identified impacts that might be potentially significant, but mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level.


Kristina Baker
Assistant Planner II

INITIAL STUDY PART II
Supplemental Comments
Tract 859, ER 2003-24

GENERAL PURPOSE The following section evaluates the potential impacts of the proposed Tentative Subdivision Map on approximately 1.15 acres at 3129 East Washington Avenue. The attached environmental checklist, consistent with the California Environmental Quality Act (CEQA) Guidelines, was used to focus this study on physical factors that may be further impacted by the proposed project. The Initial Study will serve to identify, evaluate and mitigate any effects determined to be potentially significant leading to the issuance of a Negative Declaration.

PROJECT DESCRIPTION A request for a five-lot Tentative Subdivision Map on 1.15 acres in the R-1-6 zone. The resulting lots would range in size from 6,063 SF to 10,390 SF. The site contains a single-family residence in excess of 50 years old which would be relocated off-site. All new lots would take access from a new cul-de-sac street, with none of the lots taking direct access from Washington Avenue.

ENVIRONMENTAL SETTING The project site is located on the southwestern corner of Washington Avenue and Valley Parkway. The property contains one single-family residence and several out-buildings. There are several existing, mature trees on the site, including pines, citrus, eucalyptus, and macadamia trees. There is an oak tree of approximately 2'4" dbh (diameter breast height) in the northeastern portion of the site, which would remain. The majority of the trees on the site would be removed when the project is constructed. The project site is located in the Urban I/Tier 2A (East Grove) designated area of the General Plan. Access the site is from Washington Avenue, a Major Road in the City's Circulation Element. The site also fronts on Valley Parkway, but there would be no access. The site is fairly level, sloping gently upwards towards the east. The existing residence is located at approximately 718 feet above mean sea level (MSL). There is an existing five-foot-high decorative block wall along the eastern property line.

The area surrounding the site is generally residential in character. Adjacent land uses and zoning are as follows:

- | | |
|--------|---|
| North: | SP zoning/ Vacant residentially zoned property, future site of proposed Eureka Ranch residential project. |
| West: | R-1-6 zoning/ Single-family residences on lots approximately 6,000 SF in size. |
| East: | SP and RE-20 zoning/ Vacant residentially zoned property, future site of proposed Eureka Ranch residential project. |
| South: | R-1-6 zoning/ A multi-family apartment project is located to the south. |

I. LAND USE AND PLANNING

The project site is located in the R-1-6 zone (Single-Family Residential, 6,000 SF minimum lot size), and the Urban I/Tier 2A (East Grove) designated area of the General Plan. The 1.15-acre site contains one single-family residence, which would be removed from the site and relocated. The proposed Tentative Subdivision Map would create five parcels, ranging in size from 6,063 SF to 10,390 SF, which could each accommodate one new single-family residence.

The proposal will not disrupt or divide the physical arrangement of an established community, since the site is surrounded by residentially zoned property of similar sizes and density, and the site would remain residentially zoned with single-family residences. The proposed Tentative Subdivision Map would not alter the character or views of the site, or result in a substantial adverse effect on a scenic vista, as there are no significant views through the subject property from adjacent residential properties. Therefore, no significant land-use impacts are anticipated to occur with development of the proposed project.

II. AGRICULTURAL RESOURCES

The project site contains one single-family residence and ornamental vegetation. The property has been planted with mature fruit and nut trees over several years. The potential for future agricultural production on the site is insignificant, since the site is relatively small, and is designated as Urban in the Final Environmental Impact Report for the 2000 General Plan Update (Figure 5.12-5). Historically, the area was located in the heart of Escondido's rural ranching and farming belt, and the site was surrounded by grapes, avocado and citrus groves. The area to the north of the project site is classified as prime farmland, and the area to the east contains unique farmland and farmland of local importance, although a large, residential subdivision has been approved on the site. The subject site does not contain any Prime Agricultural lands. Therefore, the proposed project would have no significant effects on agricultural resources or farmland in Escondido or North San Diego County.

III. TRANSPORTATION/TRAFFIC

The project site fronts on both Washington Avenue and Valley Parkway. Washington Avenue is classified as a Major Road (102' r.o.w.), and Valley Parkway is classified as a Prime Arterial (126' r.o.w.) in the City's Circulation Element. The project would take access from a new residential cul-de-sac off Washington Avenue. There would be no access from Valley Parkway. There is one existing single-family residence on the site, which would be relocated off-site. The net addition of four residences would be expected to generate 40 ADT's (Average Daily Trips), according to the San Diego Association of Governments (SANDAG) traffic generation rates for the San Diego region. The Engineering Department has indicated that this project would not materially degrade the levels of service of the adjacent streets, therefore, this project will not have a significant impact on transportation or circulation.

IV. AIR QUALITY

The San Diego Air Basin is a non-attainment area for federal and state air quality standards for ozone. Local air-quality impacts are directly related to the number of vehicle trips and operation levels on adjacent streets and intersections. The project is expected to generate 40 additional average daily trips. The addition of 40 daily trips generated by the site would not significantly impact the existing level-of-service on the adjacent roadway network. These trips were anticipated when the EIR for the General Plan revisions was certified in 2000. Since the project would not deteriorate the Level of Service on adjacent streets or intersections, and the project would not exceed SCAQMD thresholds of significance, the project would not result in a significant impact to local or regional air quality.

The proposed development itself is not anticipated to significantly deteriorate air quality since the project does not involve any manufacturing, and residential uses are not expected to create objectionable odors or noxious conditions. Project construction would generate short-term emission of air pollutants. Dust or particulate matter emission would be generated by any necessary grading, moving of earth, hauling and other site preparation and construction activities. Due to the small amount of grading that would be necessary, and with the appropriate use of grading and operating procedures, the project would not generate significant emissions of particulate matter or dust.

V. BIOLOGICAL RESOURCES

The project site has been developed with one single-family residence and associated out-buildings. There are existing, mature fruit and nut trees, and other mature, ornamental trees throughout the property. The majority of trees on the site would be removed with the construction of the proposed project. Replacement trees would be incorporated into the project design per the requirements of the Tree Preservation Ordinance (Ord. 91-54). An oak tree with a diameter breast height (dbh) of approximately 2'4" is located in the northeastern portion of the site along Washington Avenue and would remain, incorporated into the project design. The site is listed as developed/disturbed land on SANDAG's City of Escondido Draft Focused Plan Area Map.

The proposed Subdivision Map would not result in any significant impact on the City's biological resources, since the site has been previously disturbed, existing residential development surrounds the project site, and the area is not environmentally sensitive. The proposed project would not have any potential, adverse, individual or cumulative impacts on wildlife resources.

VI. CULTURAL RESOURCES

There is one existing single-family residence and associated out-buildings on the site. The structure is not listed on the City's Local Register of Historical Places, but is included in the Citywide Inventory of Historic Resources. All structures on the site are proposed to be removed in conjunction with the proposed development. A Historic Resources Assessment of the structures on the site was conducted by Archaeos on August 7, 2002. The assessment indicates that the craftsmanesque style, main house was constructed in 1932. There is a wood frame shop with a corrugated metal roof, which was constructed at the same time as the house. A smaller, newer, wood shed is also on the property.

In order to qualify for listing under the California Register/National Register a resource must be significant within a historic context and meet one or more of the following criteria: A) Be associated with an event or series of events that have made a significant contribution to the broad pattern of history; B) Have an unequivocal association with the lives of people significant in the past; C) Embody distinctive characteristics of a type, period, or method of construction; and D) Have yielded or may be likely to yield information important in local, state, or national prehistory or history. The City of Escondido also has significance criteria for the Local Register of Historic Properties. The assessment by Archaeos concludes that the resource is significant under California Register criterion B, since the original builder and resident is recognized as regionally important, and that it meets at least one of the local criteria for significance. It concludes that the subject property would qualify for nomination to the California Register of Historical Resources. The mitigation options available to reduce the impacts from removing the structure from the site include preserving the resource in situ, designing the project around the resource, relocation to an off-site location, preferably in Escondido, and photo documenting the resource in accordance with Historic American Building Survey. Archaeos recommends one of the first three mitigation measures, with consideration of the fourth only if the others are not feasible. According to the applicant, the first two options are not feasible since the house is situated in the center of the proposed project, and the site is too small to incorporate the house into the project design. The Principal at Archaeos considers the preferred option to be relocating the residence to an appropriate off-site locale, since the resource is not considered a resource because of its architectural value or its visual location, and is not a recognized landmark in the community. The applicant has made a tentative agreement to have the residence moved off the site, and relocated, possibly in Escondido, if the moving contractor determines that it is feasible. If it cannot be moved, the Historical Society would have the opportunity to salvage and remove items from the structure for study/collection.

Since there is no evidence of archaeological or paleontological resources on the site, and since the residence would be relocated off-site, the proposed project will not result in any significant, adverse impact to any cultural, archaeological or paleontological resources.

VII. GEOLOGY AND SOILS

The project site is fairly level and slopes gently upwards towards the east. There are no significant topographic features on the property. As part of the proposed Tentative Subdivision Map some minor grading and the construction of a four new single-family residences would occur. A cut slope of approximately three to five feet is proposed along the eastern boundary. It is anticipated that a net of 520 cubic yards would be imported with the project.

According to the project engineer the average slope of the project site is under 10%. All future grading on the site would be reviewed to ensure that it is consistent with the Grading Ordinance, that it would not result in a significant visual impact, and that the height of the slopes and location of the pads would not block adjacent views. Appropriate slope landscaping also would be provided where required to screen and soften visual effects of the manufactured slopes, as well as views from surrounding properties. Any grading and subsequent compaction of the site, as necessary, would be per City standards to the satisfaction of the City Engineer. No significant impacts are anticipated.

The project would not expose people or structures to geologic hazards since there are no known active faults within the immediate vicinity and the North County region is not known for its seismic activity. Escondido is within a seismic zone 4, and the nearest active faults are the Rose Canyon fault approximately 15 miles east of the Escondido planning area, the Elsinore fault approximately 20 miles southwest of the planning area, and the Zone of Reformation approximately 22 miles to the northeast of the planning area. In the event of a major earthquake on these or other faults in the southern California region, the site could be subjected to moderate to severe ground shaking. However, the site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general. Therefore, no significant impacts to geology or soils are expected.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Due to the residential nature of the development and the lack of hazardous materials associated with residential development, the project would not result in the creation of any health hazard, the release of any hazardous substance, or the exposure of people to potential health hazards. In addition, the project would comply with all applicable building and fire codes. The project site is not located near an airport or private airstrip and the site has not been identified on the Hazardous Waste Sites List which is published by the California Environmental Protection Agency (CAL/EPA) through the County Health Department's HMMD (Hazardous Material Management Division). Also, the site is not located within a Fire Hazard Area, as identified in the Final Environmental Impact Report for the 2000 General Plan Update (Figure 5.7-2). Consequently, no adverse impacts with regards to hazards will occur.

IX. HYDROLOGY AND WATER QUALITY

The project site is currently developed with one single-family residence and associated structures. The amount of run-off would be expected to increase incrementally when the site is developed with five new single-family residences, due to the amount of impervious surfaces (i.e. roofs, hardscape, driveways, etc.). The amount of additional water runoff and change to absorption rates due to the proposed five-lot Tentative Subdivision Map would be insignificant as any runoff would be directed to an approved drainage facility. No significant negative impacts on water quality or drainage are anticipated. The Engineering Department has indicated that the project would not materially degrade levels of service of existing drainage facilities or have a significant impact to water resources. Any future construction of

single-family residences would require a detailed drainage study which would determine the extent of the drainage improvements necessary to control run-off.

The property is not located within a 100-year flood area. In addition, there are no surface bodies of water on or adjacent to the site. Proposed street improvements and grading are not anticipated to impact any nearby wells, and the project would be served by City water. No significant impacts on water quality or drainage are anticipated.

X. MINERAL RESOURCES

The project will not result in the use or depletion of nonrenewable, natural mineral resources or existing energy or mineral resources, since there is no evidence that the subject property contains such extractable natural resources on-site. Also, energy services are currently available to the site. Therefore, no impact upon existing on-site energy and mineral resources will result.

XI. NOISE

The project site is located within a projected noise corridor of 65 dBA. Both Washington Avenue and Valley Parkway are classified streets in the City's circulation element. The City's General Plan Noise Element contains noise policies, which outline acceptable noise levels associated with each type of land use. Policy E1.6 outlines the measures to be implemented to minimize impacts on and from new projects. The policy also establishes noise/land use compatibility guidelines and states that the City's Noise Ordinance shall be used to control noise from other than transportation sources. The General Plan goal for outdoor noise levels in residential areas is a CNEL of 60 dB or less, especially where outdoor use is a major consideration such as backyards.

A Noise Study was completed by Pacific Noise Control on March 16, 2004. It indicates that the existing noise level on the site is approximately 69 dB to 71 dB CNEL, and the future noise level at the site would range up to approximately 72 dB, with the primary noise source being vehicular traffic along Washington Avenue and Valley Parkway. According to the study, in order to mitigate noise levels to 60 dB or less, a six-foot to nine-foot-high noise barrier along Lot 1, and a 12-foot-high noise barrier along Lots 3-5 would be required. The Noise Element notes that 60 dB is a goal which cannot necessarily be reached in all areas within the realm of economic or aesthetic feasibility. The noise level could be mitigated to 65 dB or less with a six to seven-foot-high noise barrier, relative to the top of the slopes, along Lots 1, and 3-5. The barriers could be constructed as a wall, berm or both, and could include masonry, plexiglass or a combination. The General Plan considers 65 dB conditionally acceptable. The wall would be constructed along Valley Parkway, connecting to an existing wall at the project boundary to the southeast, and wrapping around Washington Avenue and returning to the residence on Lot 5. The wall also would be constructed along the western and eastern property lines on Lot 1, returning to the house or wrapping around the yard. An interior noise study for the residences on Lots 1 and 3-5 would be required prior to issuing building permits to ensure that the interior noise level would not exceed 45 dB.

Mitigation Measures:

1. Prior to occupancy of the residence on Lot 1, a solid, minimum, 6-foot-high decorative, masonry wall shall be located along the along the western and eastern property boundaries of Lot 1. The wall shall return to the house or wrap around the front yard (on the east) approximately 60 feet from Washington Avenue. Prior to occupancy of the residences on Lots 3-5, a solid, minimum, 6-foot-high decorative, masonry wall plus a minimum of one-foot of berming shall be located along the Washington Avenue and Valley Parkway frontages. The

wall shall adjoin the wall on the adjacent project to the south, with no openings, and shall return to the house on Lot 5. The height and materials of the wall/berm shall be as shown on Figure 4B in the noise study conducted by Pacific Noise Control on March 16, 2004, and shall be to the satisfaction of the Planning Division.

2. Prior to the issuance of building permits for Lots 1 and 3-5, an interior acoustical analysis shall be completed to determine if those residences require attenuation measures such as dual-pane glazing or mechanical ventilation to be incorporated into those residences. The findings of the interior acoustical analysis to reduce interior noise levels to 45 dB shall be incorporated into the building plans for the affected units.

The project would introduce five single-family residences and their associated traffic into the area. According to SANDAG's traffic generation rates for the San Diego region, approval of the project would result in an increase of 40 average daily trips (ADT). Development of the homes would incrementally increase noise levels with the immediate area. However, there would not be any new or unusual noise sources introduced to the area which would impact existing residences adjacent to the project site since the project also is proposing single-family residences. Noises would be those associated with typical domestic activities and would not be considered significant.

Construction of the project and any off-site infrastructure (e.g., roads, utilities, etc.) would create a temporary increase in the noise level and a temporary impact both on-site and at nearby existing residences. Activities would include excavation, grading, house construction, landscaping, etc. Haulage trucks also can be expected along some area roads. Modern construction equipment, properly used and maintained, meet the noise limits contained in the City's Noise Ordinance (Ord. 90-08). In addition, all construction activities would be subject to the time limits of the Noise Ordinance. Upon completion of the project, all construction noise would cease. No mitigation is required for construction-related noise impacts.

No negative noise impacts on the project have been identified relating to noise, with the addition of the mitigation measures.

XII. POPULATION AND HOUSING

The project site is zoned R-1-6 (Single-Family Residential, 6,000 SF minimum lot size) and the General Plan Land-Use Designation is Urban I (up to 5.5 du/acre). The existing zoning is in conformance with the General Plan. The proposed Tentative Subdivision Map would result in a gain of four single-family residential units. Population within the surrounding area and the City of Escondido would increase incrementally as a result of the proposed project. The proposed project would not significantly alter the location, distribution or population density within the area, nor would it impact the City's housing demand.

The proposed project would add minimally to the existing housing stock and would not create a demand for additional housing since it would be a small residential subdivision consisting of four additional single-family homes. The proposed development would not be considered growth inducing since the project site is located within a developing residential area and public facilities are available to the site or can be provided via a nominal extension.

XIII. PUBLIC SERVICES

The proposed modification would result in a minimal increase in demand for Police services, and no significant impacts to police services are anticipated.

The subject site is served by Fire Station No. 4, which is located at 3301 Bear Valley Parkway. The proposed residential subdivision would not result in an incremental increase in demand for fire services. The Fire Department has indicated their ability to adequately serve the project and no significant impacts to fire services are anticipated.

Development of four additional residences would generate approximately 1 elementary school (K-8) student (4 x .268) and approximately 1 high school student (4 x 0.13). The Escondido Elementary School District and Escondido High School District indicated that due to the continuing growth throughout the area, they are unable to meet the Quality-of-Life Standards approved within the City of Escondido's General Plan without mitigation of student housing needs generated by new development. However, the incremental impact of proposed residential developments on the school system would be offset by the future impact fees collected upon issuance of building permits. These fees are set by the school district. The City's Growth Management provisions require a will serve letter from the school district prior to issuance of building permits.

XIV. RECREATION

The proposed residential development will not impact the quality or quantity of existing recreational opportunities since the site does not contain existing recreational amenities that would be modified or eliminated, and it is not listed as a potential park site in the City's Master Plan of Parks and Trails. In addition, there are no proposed trails on the property, or trails that would be affected by the proposed project. The proposed Subdivision Map would result in an incremental increase in the demand for recreational facilities in the City. However, this increase in demand would be offset by the park fees, in the amount of \$1,098 per unit, paid by the project applicant.

XV. UTILITIES AND SERVICE SYSTEMS

The majority of fuel and energy usage associated with this development would be for space and water heating needs (natural gas) and for everyday lighting and power needs (electricity). The proposal would not utilize substantial amounts of fuel or energy, or require the development of new sources of energy due to its limited size and energy requirements.

Escondido Disposal, Inc. (EDI) currently provides solid waste removal service for the Escondido area. EDI also operates a solid waste transfer station at their Washington Avenue site where solid waste is consolidated into larger transfer trucks and taken to a class III landfill for disposal. Solid waste pick-up will be available for the project by EDI for all phases of project implementation, including from construction to residential curbside collection. No significant solid waste disposal impacts are anticipated.

Adequate public facilities are existing and City water and sewer service is existing and available to the entire site. Since the site and the area surrounding this site have been previously developed with residential uses, and the site is currently served by public water, sewer and utility services, the proposed project would not result in a need for new systems. The Engineering Division will require submittal of a drainage study to determine the extent of drainage facilities necessary to control runoff. No significant drainage impacts are anticipated based on the preliminary grading plan and the anticipated use of the site. No adverse impacts to city utilities will occur with the construction of the proposed project and no significant impacts will result

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

In staff's opinion the proposed project would not have a significant individual or cumulative impact to the environment, with adoption of the proposed mitigation measures. No significant biological resource exists on site, therefore there will be no adverse effect on any animal or plant species. The project will not degrade the quality of the environment for plant or animal communities since the project will not cause fish and wildlife populations to drop below self-sustaining levels nor reduce the number or restrict the range of endangered plants or animals. The project will not materially degrade levels of service of the adjacent streets, intersections or utilities.



CITY OF ESCONDIDO
Planning Division
201 North Broadway
Escondido, CA 92025-2798
(760) 839-4671

Environmental Checklist Form

1. Project title: Tract 859, ER 2003-24
2. Lead agency name and address: City of Escondido Planning Division
201 North Broadway
Escondido, CA 92025
3. Contact person and phone number: Kristina Baker, Assistant Planner II, (760) 839-4310
4. Project location: On the southwestern corner of Washington Avenue and Bear Valley Parkway, addressed as 3129 East Washington Avenue.
APNs 231-660-43
5. Project sponsor's name and address: John Culver
Jauregui & Culver
959 West Mission Avenue
Escondido, CA 92025
6. General Plan designation: Urban I (5.5 du/acre)
7. Zoning: R-1-6 (Single-Family Residential, 6,000 SF minimum lot size)

Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

7. A five-lot Tentative Subdivision Map on 1.15 acres in the R-1-6 zone. The resulting lots would range in size from 6,063 SF to 10,390 SF. The site contains a single-family residence, in excess of 50 years old, which would be removed and relocated off-site. All new lots would take access from a new cul-de-sac street, with none of the lots taking direct access from Washington Avenue.
8. Surrounding land uses and setting (briefly describe the project's surroundings):
The subject site is surrounded to the north and east by vacant SP zoned property (proposed Eureka Ranch project), and RE-20 zoned property to the southeast. An apartment building in the R-1-6 zone is located to the south, and single-family residences on approximately 6,000 SF lots in the R-1-6 zone are located to the west.
9. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).
None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be affected by this project involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
- ☒ I find that, although the proposed project might have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by, or agreed to, the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
- ☐ I find that the proposed project might have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT shall be required.
- ☐ I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT shall be required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that, although the proposed project might have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further shall be required.

Signature

Date

Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take into account the whole action involved, including off-site, on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact might occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect might be significant. If there are one or more "Potentially Significant Impact" entries once the determination is made, an EIR shall be required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to the tiering, program EIR, or other CEQA. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where it is available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of an adequately analyzed earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate references to information sources for potential impacts into the checklist (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies normally should address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance of criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant

SAMPLE QUESTION

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. <u>LAND USE AND PLANNING</u>				
Would the project:				
a. Physically divide an established community? (1, 3, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (8, 10, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have a substantial adverse effect on a scenic vista? (1, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (8, 10, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Substantially degrade the existing visual character or quality of the site and its surroundings? (8, 10, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (3, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
II. <u>AGRICULTURE RESOURCES</u>				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. TRANSPORTATION/TRAFFIC

Would the project:

a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)? (1, 2, 4, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (1, 2, 4, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1, 2, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access? (1, 2, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity? (3, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (1, 2, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. AIR QUALITY

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan? (2, 4, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (2, 4, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (2, 4, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations? (2, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people? (2, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. BIOLOGICAL RESOURCES

Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1, 2, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1, 2, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally projected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (1, 2, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1, 2, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance? (1, 2, 3, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1, 2, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. CULTURAL RESOURCES

Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (1, 2, 3, 7, 8, 10, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (1, 2, 8, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 2, 8, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries? (1, 2, 7, 8, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. GEOLOGY AND SOILS

Would the project:

a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
(2, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
(2, 9, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
(1, 2, 3, 8, 9, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
(1, 2, 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?
(1, 2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
(1, 2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?
(1, 2, 9, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
(1, 2, 8, 9, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)?
(2, 8, 9, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Cause significant alteration of receiving water quality during or following construction? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Cause an increase of impervious surfaces and associated run-off? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Cause potentially significant adverse impact on ground water quality? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses? (2, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? (2, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Create or exacerbate already existing environmentally sensitive areas? (2, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters? (2, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Impact aquatic, wetland or riparian habitat? (2, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. Otherwise substantially degrade water quality? (2, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (2, 5, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
r. Inundation by seiche, tsunami, or mudflow? (2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. MINERAL RESOURCES				
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1, 2, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan? (1, 2, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. NOISE				
Would the project result in:				
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (1, 2, 10, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels? (1, 2, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1, 2, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1, 2, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. <u>POPULATION AND HOUSING</u>				
Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (1, 2, 3, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1, 3, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1, 3, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. <u>PUBLIC SERVICES</u>				
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: (1, 2, 9, 10)				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. <u>RECREATION</u>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1, 2, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (1, 2, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 5, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source of Information/Material Used in Preparation of this Analysis

1. Escondido General Plan – 1990
2. Escondido General Plan EIR, April 2000
3. Escondido Zoning Code and Land Use Map
4. SANDAG Summary of Trip Generation Rates
5. Escondido Drainage Master Plan (1995)
6. County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List
7. Escondido Historical Resources Survey
8. Site Visits/Field Inspection
9. Comments from other Departments:
 - Engineering
 - Building
 - Fire
10. Project Description and Preliminary Information
11. Acoustical Study by Pacific Noise Control, dated March 16, 2004.
12. Historical Building Assessment by Archaeos, August 7, 2002.

ATTACHMENT A

MITIGATION MEASURES

ER 2003-24

Tract 859

3129 East Washington Avenue

Applicant's Mitigation Measures:

Noise:

1. Prior to occupancy of the residence on Lot 1, a solid, minimum, 6-foot-high decorative, masonry wall shall be located along the along the western and eastern property boundaries of Lot 1. The wall shall return to the house or wrap around the front yard (on the east) approximately 60 feet from Washington Avenue. Prior to occupancy of the residences on Lots 3-5, a solid, minimum, 6-foot-high decorative, masonry wall plus a minimum of one-foot of berming shall be located along the Washington Avenue and Valley Parkway frontages. The wall shall adjoin the wall on the adjacent project to the south, with no openings, and shall return to the house on Lot 5. The height and materials of the wall/berm shall be as shown on Figure 4B in the noise study conducted by Pacific Noise Control on March 16, 2004, and shall be to the satisfaction of the Planning Division.
2. Prior to the issuance of building permits for Lots 1 and 3-5, an interior acoustical analysis shall be completed to determine if those residences require attenuation measures such as dual-pane glazing or mechanical ventilation to be incorporated into those residences. The findings of the interior acoustical analysis to reduce interior noise levels to 45 dB shall be incorporated into the building plans for the affected units.

ATTACHMENT "A" **MITIGATION MONITORING REPORT**

PROJECT NAME: 3129 East Washington Avenue
PROJECT DESCRIPTION: 5-lot subdivision

NEG.DEC. NO.: ER 2003-24
ASSOC. CASE NO: Tract 859

PROJECT LOCATION: 3129 East Washington Avenue

APPROVAL BODY/DATE:
PROJECT MANAGER:

CONTACT PERSON: John Culver
PHONE NUMBER: (760) 743-0518

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION. NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Noise	<p>1. Prior to occupancy of the residence on Lot 1, a solid, minimum, 6-foot-high decorative, masonry wall shall be located along the along the western and eastern property boundaries of Lot 1. The wall shall return to the house or wrap around the front yard (on the east) approximately 60 feet from Washington Avenue. Prior to occupancy of the residences on Lots 3-5, a solid, minimum, 6-foot-high decorative, masonry wall plus a minimum of one-foot of berming shall be located along the Washington Avenue and Valley Parkway frontages. The wall shall adjoin the wall on the adjacent project to the south, with no openings, and shall return to the house on Lot 5. The height and materials of the wall/berm shall be as shown on Figure 4B in the noise study conducted by Pacific Noise Control on March 16, 2004, and shall be to the satisfaction of the Planning Division.</p>	Noise, #1	Applicant		
Noise	<p>Staff to review grading plans to confirm incorporation of required walls and berms.</p> <p>Prior to the issuance of building permits for Lots 1 and 3-5, an interior acoustical analysis shall be completed to determine if those residences require attenuation measures such as dual-pane glazing or mechanical ventilation to be incorporated into those residences. The findings of the interior acoustical analysis to reduce interior noise levels to 45 dB shall be incorporated into the building plans for the affected units.</p> <p>Staff to review acoustical analysis, and building plans to confirm incorporation of results from acoustical analysis.</p>	<p>Noise, #1</p> <p>Noise, #2</p> <p>Noise, #2</p>	<p>Planning Division</p> <p>Applicant</p> <p>Planning/ Building Divisions</p>		

PLANNING COMMISSION

Agenda Item No.: G.2
Date: June 24, 2014

CASE NUMBER: PHG 14-0017

APPLICANT: U.S. Department of Health and Human Services

The 2.31-acre project site is located on the southern side of Avenida del Diablo, between Valley Parkway and Del Dios Road, addressed as 1817 Avenida del Diablo (APN 235-180-32)

TYPE OF PROJECT: Conditional Use Permit and Extension of Time

PROJECT DESCRIPTION: A Conditional Use Permit (CUP) for Government Services to operate a 96-bed unaccompanied youth care facility serving minors between 6 and 17 years of age, within an existing 35,200 SF building in the RE-20 zone. The facility would be operated by Southwest Key (SWK), on behalf of the United States Department of Health and Human Services. The applicant is proposing to install six-foot-high decorative tubular steel fencing and will be required to construct a solid cover over the existing trash enclosure; no other new construction or exterior modifications are proposed. The project also includes an extension of time for the existing skilled nursing residential care facility CUP allowing it to be reactivated when the CUP for the unaccompanied youth care facility is terminated. The proposal also includes the adoption of the environmental determination prepared for the project.

STAFF RECOMMENDATION: Receive testimony and approve, conditionally approve, or deny the CUP request.

GENERAL PLAN DESIGNATION: Estate II (2 du/acre maximum)

ZONING: RE-20 (Residential Estates, 20,000 SF minimum lot size)

BACKGROUND/SUMMARY OF ISSUES:

"Governmental services" (all levels of government including immigration protective functions, but excluding correctional institutions) is identified as a conditionally permitted use in the RE zone. The applicant is requesting a Conditional Use Permit (CUP) for governmental services to operate a 96-bed youth care facility that would temporarily shelter unaccompanied minors under the protective care of the U.S. government. The request includes the ability to preserve/extend the existing skilled nursing facility CUP for reactivation by the property owner at a future date when the lease for unaccompanied youth care facility expires.

A Conditional Use Permit was approved on the subject site for the construction and operation of a 31,000 SF, 96-bed intermediate care facility in 1981 (81-193-CUP). Several revisions to the CUP were approved over the next few years however the number of patient beds remained constant. The CUP revisions involved converting the use to a skilled nursing facility in 1986 (86-123-CUP), an expansion to add 2,000 SF to the building as well as add 23 parking spaces in 1987 (87-36-CUP), and construction of a temporary, 1,200 SF office building in 1989 (88-122-CUP). An administrative approval was granted in 1991 to construct an approximate 1,000 SF addition. The CUP request for the current proposal includes extending the conditions of the skilled nursing facility to re-open and operate under the previously approved CUP upon closure or abandonment of the youth care facility (Exhibit "C").

The previous owner of the site (Palomar Pomerado Health Systems) has entered escrow to sell the property and Southwest Key (SWK) is proposing to lease the site from the new owners. SWK (www.swkey.org) is a contractor for the U.S. Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR). SWK proposes to use the existing 35,200 SF facility for a 24-hour, live-in youth care facility to provide daily living services to a maximum of 96 minors at a time, ranging in age from 6 to 17 years.

According to the U.S. Department of Health and Human Services thousands of unaccompanied minors, primarily between the ages of 14-17 from Central American countries, travel to the United States each year. The reasons for entering the country vary, including violence or poverty in their home country, and/or a desire to find work to support family members. Many unaccompanied minors end up in the care and custody of the U.S. government. The Department of Health and Human Services (Office of Refugee Resettlement) contracts with Southwest Key (SWK) a non-profit organization that operates several services for children and families, including an Unaccompanied Minor Program.

SWK states that the mission for their Unaccompanied Minor Program involves "reunifying unaccompanied immigrant children with their families while providing shelter and services in a nurturing and therapeutic environment." Minors in SWK's program are provided temporary shelter and services, including education, case management, counseling, legal, recreation and medical services while they await reunification with relatives and/or resolution of their legal case. Typically, the length of stay in the shelter is approximately 10-60 days. SWK caseworkers work closely with the Office of Refugee and Resettlement, the Bureau of Immigration, Customs Enforcement, pro-bono attorneys and the client's family to facilitate the re-unification process.

A total of 90 staff would be employed on the subject site, including 40 from 8 am to 4 pm, 30 from 4 pm to 12 am, and 20 from 12 am to 8 am. The ratio of staff members to minors would range from 1:2.5 during the day to 1:5 during the overnight hours. Staff members include case managers, nurses, teachers, cooks, and clinicians. The annual operating budget for the proposed facility is approximately \$6-7 million dollars. Annual employee salaries for this facility range from \$27,000 for cooks and youth care workers to \$70,000 - \$80,000 for the Assistant Program Director and Director. SWK operates other similar facilities throughout the southwestern United States, including two smaller facilities in San Diego County. A letter from the Mayor of Youngtown, AZ discussing his community's positive experience with a local SWK facility is attached to this report as Exhibit "E."

STAFF RECOMMENDATION:

Staff recommends that the Commission receive testimony and approve, conditionally approve, or deny the request based on the totality of information provided at the meeting. Alternative CUP Findings of Fact have been written (Exhibit "A"). Conditions of Approval are proposed if the Planning Commission determines that the CUP should be conditionally approved (Exhibit B). The Planning Commission's decision is considered final unless appealed to the City Council within 10 days of action.

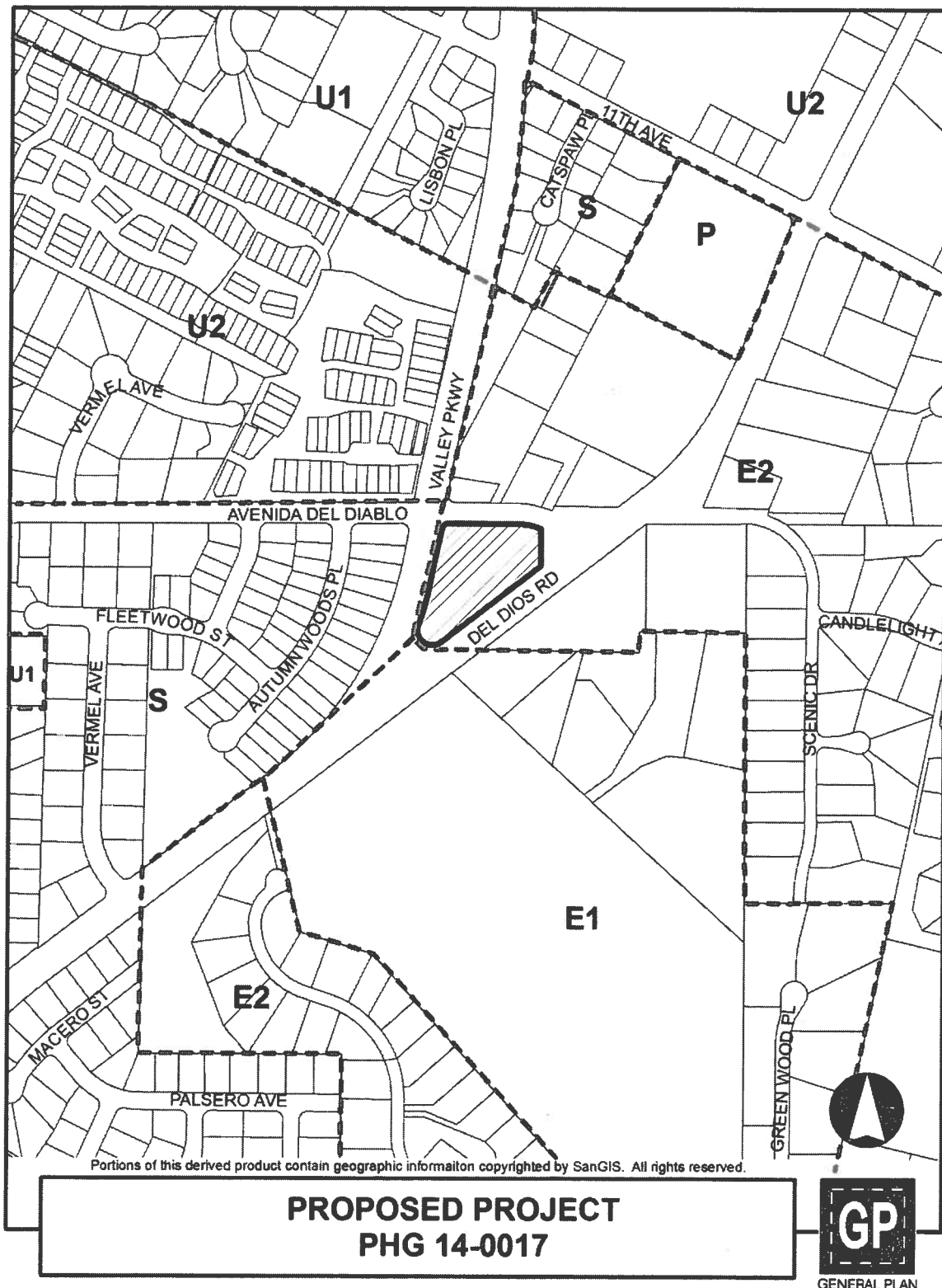
Staff feels that the issues are as follow:

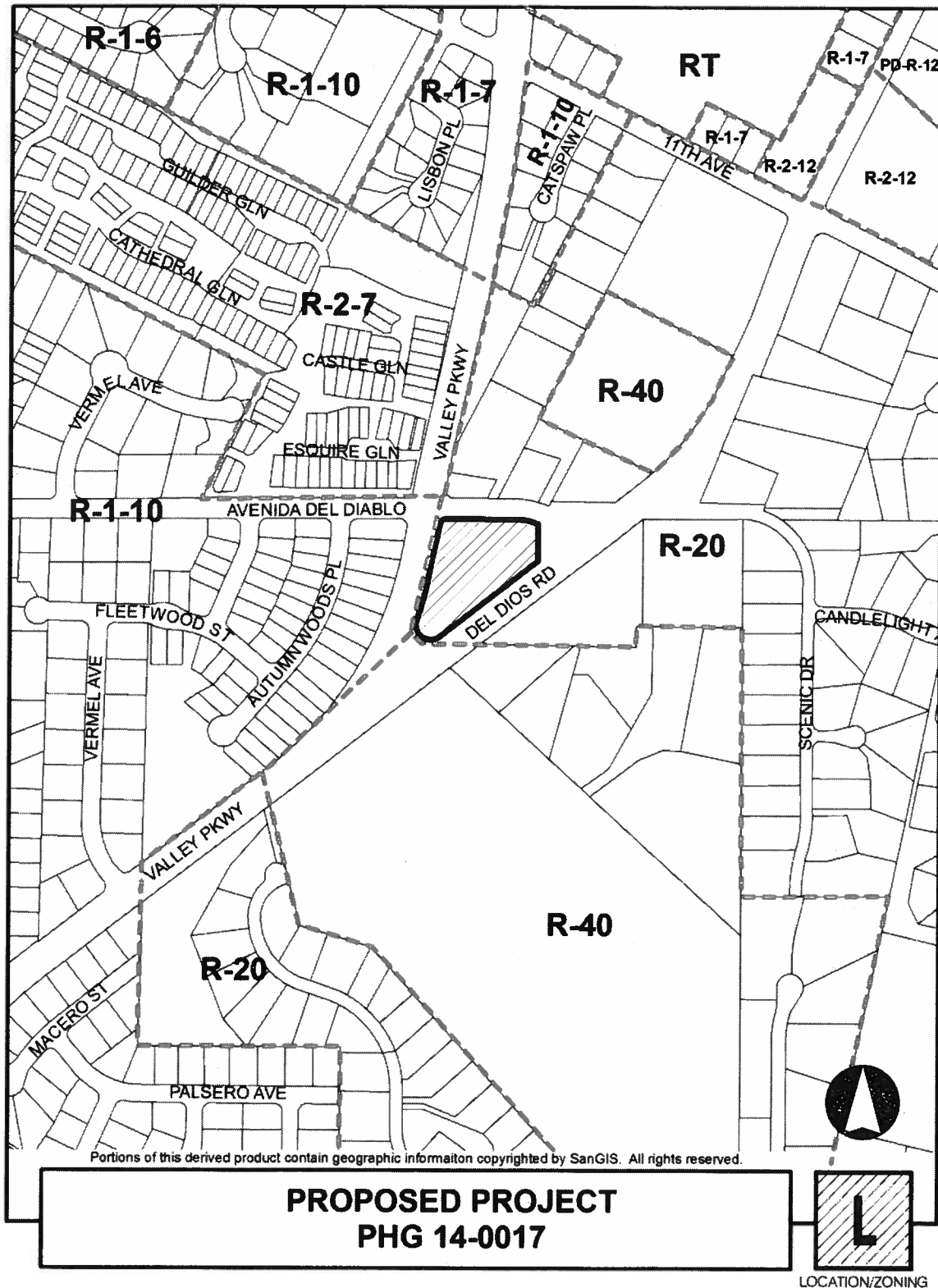
1. Whether the site is appropriate for use as an unaccompanied youth care facility.
2. Whether the existing Conditional Use Permit for a residential care facility should be suspended or extended and permitted to be used in the future.

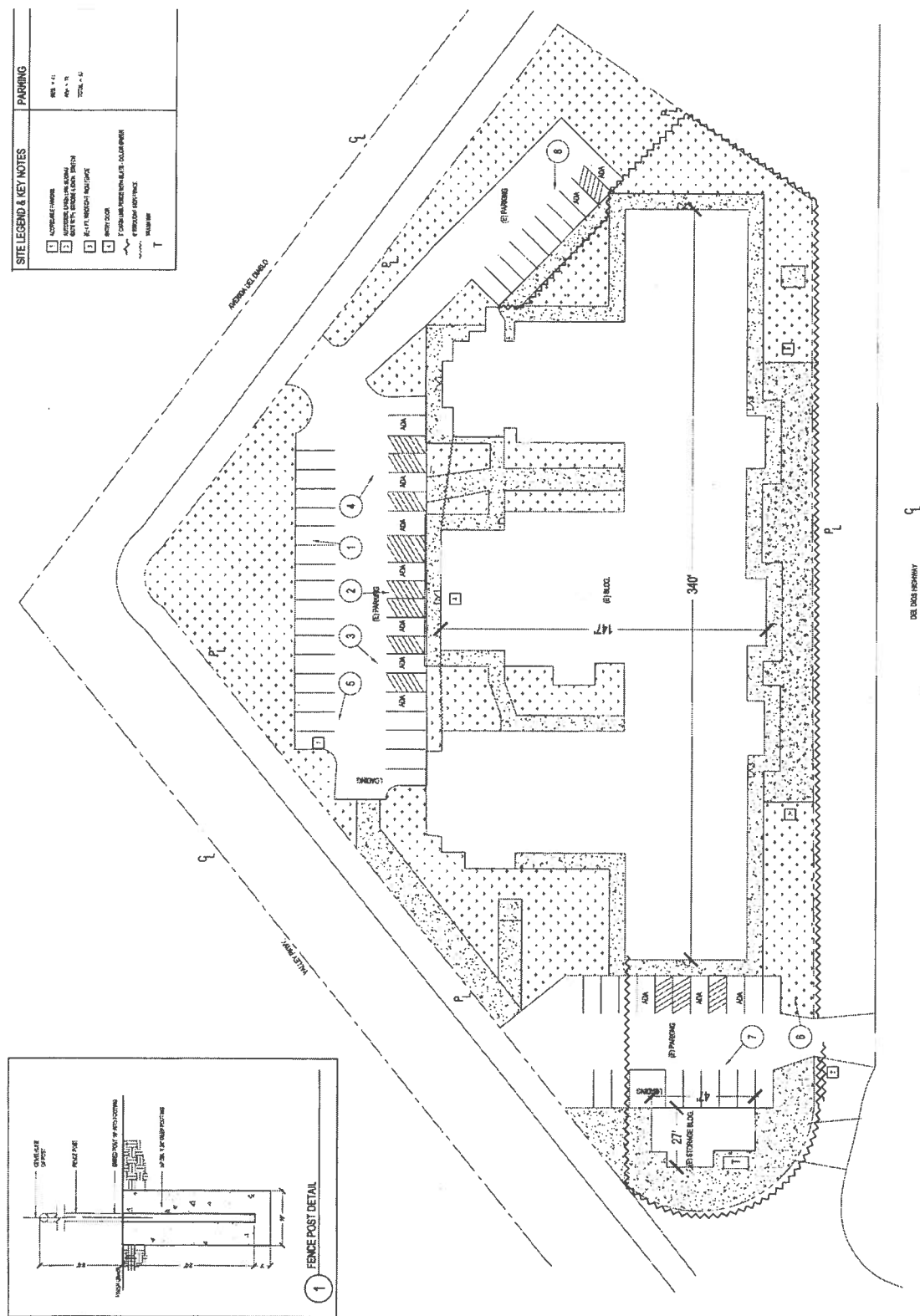
Respectfully Submitted,



Jay Petrek, AICP
Assistant Planning Director





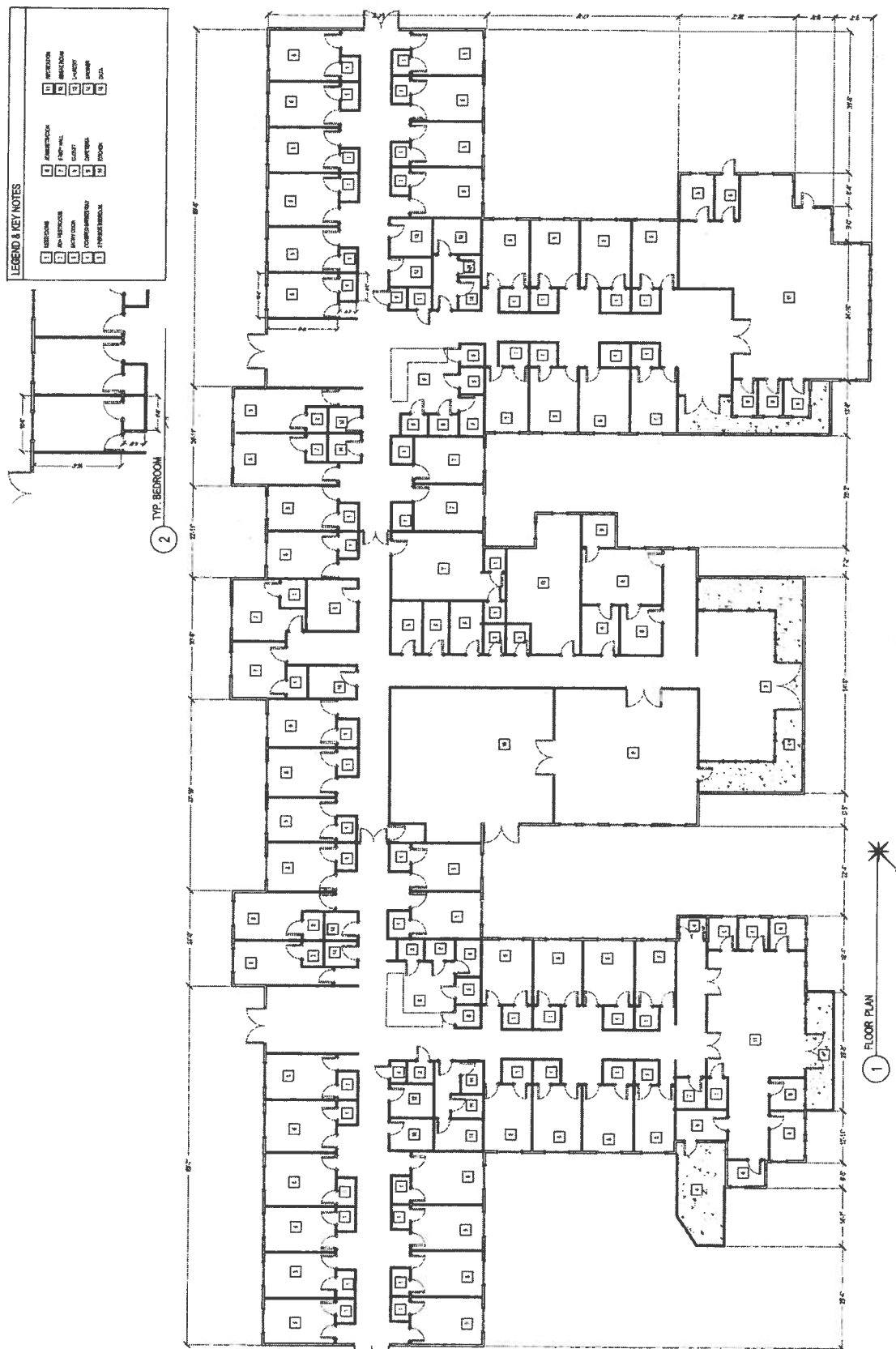


**PROPOSED PROJECT
PHG 14-0017**

SITE PLAN



SITE PLAN



FLOOR PLAN

**PROPOSED PROJECT
PHG 14-0017**

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

- NORTH** - RE-20 zoning (Residential Estates, 20,000 SF minimum lot size) – On the northern side of Avenida del Diablo is a Sikh religious facility and single-family residences on lots ranging in size from approximately 0.5 acre to over 4 acres. The nearest residence is approximately 150 feet away, across Avenida del Diablo.
- SOUTH** - RE-40 zoning (Residential Estates, 40,000 SF minimum lot size) – Del Lago Academy High School is located to the south of the project site, on the other side of the Del Dios Road. The nearest residence is approximately 180 feet away, across Del Dios Road.
- EAST** - RE-20 and RE-40 zoning – Scattered single-family residences are located to the east of the site, on the eastern side of Del Dios Road, on lots ranging in size from approximately 1 acre to 3 acres. The nearest residence is approximately 180 feet away, across Del Dios Road.
- WEST** - R-1-10 zoning (Single-family residential, 10,000 SF minimum lot size) – West of the project site, on the western side of Valley Parkway, are single-family residences on lots approximately 7,500 SF in size. The nearest residence is approximately 200 feet away, across Valley Parkway.

B. AVAILABILITY OF PUBLIC SERVICES

1. **Effect on Police Service** – The Police Department has expressed no concern regarding the proposed development and their ability to continue to provide service to the site. The Police Department requests that a contact person and phone number be provided 24 hours a day, seven days a week, to resolve any issue with the residents or the facility that may arise, and supports providing fencing for the facility.
2. **Effect on Fire Service** – The Escondido Fire Department has indicated their ability to continue adequately serving the proposed project site with respect to day-to-day fire suppression and EMS services. The site is served by Fire Station No. 6 (1735 Del Dios Road), which is located approximately 600 feet from the site. The property is within the seven and one-half minute Quality of Life Standard response time specified for urbanized areas in the General Plan. The proposed use is not expected to contribute any increases in demand or create significant impacts on fire services.
3. **Traffic** – The project takes access from Avenida del Diablo and Del Dios Road. Del Dios Road is unclassified in the City's Circulation Element and currently terminates in a cul-de-sac at the property. Avenida Del Diablo is classified as a Local Collector. The majority of traffic would enter the site via the existing driveway on Avenida del Diablo, which provides access to the majority of parking spaces and the main entrance to the building. Secondary access for emergency vehicles and deliveries is provided from Del Dios Road. A total of 53 parking spaces are provided on-site, including 12 ADA accessible spaces.
4. **Utilities** – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining streets. No expansions of existing facilities are proposed. The project would not materially degrade the levels of service of the public sewer and water system.
5. **Drainage** – The project site is not located within a 100-year Flood Zone as indicated on current FEMA maps. There are no significant drainage courses within or adjoining the property. No grading or site modifications are proposed in conjunction with the project. Runoff from the site enters existing on-site or adjacent drainage facilities. The project does not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. A Notice of Exemption was issued on June 10, 2014, in accordance with California Environmental Quality Act (CEQA) Section 15301 (Existing Facilities).
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.
3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan

The General Plan land use designation on the subject site is Estate II, which allows 20,000 SF minimum lot sizes and a maximum density of 2 dwellings/acre. The designation accommodates detached single-family homes on large lots on the edge of urban development or in an area already characterized by an estate development pattern. Other similar residential uses as well as Governmental Services are customarily permitted in residential zones with a Conditional Use Permit when conditioned to meet the underlying zone and related restrictions and when compatible with surrounding properties.

Whether the Site is Appropriate for the Proposed Use

The existing facility on the site has been used as a residential care facility (Palomar Continuing Care Center) for more than 30 years. City staff determined that, based on the description of the proposed unaccompanied youth care facility, the proposed use is more consistent with a boarding house or shelter rather than a skilled nursing or residential care facility. Since the proposed operator of the facility is a contractor for the U.S. Department of Health and Human Services, the use is classified as "Government Services," which requires a Conditional Use Permit.

While an unaccompanied youth care facility is not the same use as a skilled nursing facility, and a new Conditional Use Permit is required, there are certain similar operational characteristics. The proposed SWK facility would have the same number of residents as the previous skilled nursing facility, with each of the 48 bedrooms having double occupancy for a total of 96 residents. The minors of the proposed residential facility are not considered detainees but are residents of the facility which provides daily living services to them, similar to the previous use. On-site activities will primarily occur indoors, outside areas will be limited to eating, studying or other quiet activities; no active recreation, loudspeakers would be permitted.

Southwest Key staff act as parental authorities; minors are constantly supervised, whether inside or outside of the facility. The ratio of youth to staff range from 2.4:1 (8 am – 4 pm), 3.2:1 (4 pm – midnight), 4.8:1 (Midnight – 8 am). The minors would primarily arrive at the facility in small groups from other areas, including out-of state. The 'check-in' registration for new residents would be limited to 7:00 am – 9:00 pm. And all registration activities would occur indoors. The minors are roomed together according to age and gender, with the younger children separated from the older ones and all residents separated by gender. According to the population in the facility at any time, room assignments may be re-arranged.

Most services will be provided on-site, although the residents are always accompanied by a staff member(s) when they leave the facility. Off-site services may include religious services, medical or dental appointments, and educational or recreational field trips. SWK collaborates with the San Diego County Office of Education (SDCOE) to provide all education on-site (also see attached letter from SDCOE, Exhibit F). The children are also provided with medical and mental health screenings. Recreational activities are also provided, including physical activity and sports, English classes, crafts and games.

The proposed facility includes bedrooms with bathrooms, two interior recreation rooms, a central kitchen and cafeteria, individual study halls, a laundry area and administrative offices for staff. The recreation areas will include opportunities for games, arts and crafts, vocational classes, a computer lab and small gym. Larger recreational activities could include use of local parks and public school spaces. SWK has a regimented weekly and daily schedule for residents at an existing facility, including consistent wake-up times, meals, classes, homework, recreation and bed time. A sample of this schedule (Exhibit "D") is included, and a similar schedule would be developed for this site.

The Police Department reviewed the proposal and expressed a concern about the potential unauthorized departure of minors. They support securing the facility and request Southwest Key provide a 24/7 direct contact to the Police Department in case of any issues with the property or its residents, which is a condition of approval. Southwest Key's experience with other similar facilities that they operate throughout the southwestern United States indicates that the frequency of unauthorized departures is less than 1% of total residents.

The applicant is proposing six-foot-high decorative tubular steel fencing on the site in order to provide better security and keep residents from wandering off the site. The fencing is proposed along the southern (Del Dios Road) property line, in addition to other key areas that include some landscaped areas and paved patio areas. This will allow some secured outdoor areas for quiet activities. The applicant proposes some the fencing to be green vinyl-clad green chain link with slats. However, if approved, staff feels that all proposed fencing should be of tubular steel due to the visibility of the site, the residential nature of the surrounding area, the stability of the material, and consistency with other on-site fencing (Condition 11).

Conformance with Zoning Code Development Standards

The maximum building height in the RE zone is 35 feet and the existing structure is approximately 17 feet in height. The site was zoned R-1-10 (Single Family Residential; 10,000 SF minimum lot size) when the CUP was first approved and constructed in the 1980s. The structure does not conform to all of the setback requirements of the existing RE-20 zone, which are 25 feet (front yard), 10 feet (side yards) and 20 feet (rear yard). The frontages on Avenida del Diablo and Valley Parkway have been determined to be front yards, while the Del Dios Road frontage is a rear yard. The existing building meets all setbacks of the RE zone, except along the Valley Parkway frontage, where the setback is 22 feet rather than the required 25 feet. The only proposed exterior modifications are new six-foot-high fencing, which will conform to zoning requirements and a required cover over the existing trash enclosure. No other additions or modifications to the site plan or building are proposed. In addition, no exterior lighting or new signage is proposed.

Adequate Parking

Fifty-three parking spaces are on the site, including 12 accessible spaces. Thirty-eight spaces are located in the main parking lot on the north side of the site. Vehicles arriving and departing the facility to drop off and pick up minors are conditioned to primarily use the northern parking lot adjacent to Avenida del Diablo. Article 39 of the Zoning Code (Off-Street Parking) requires one parking space per three beds for children's homes and other similar uses. The shelter's 96 beds which would require a minimum of 32 total parking spaces. Applying the parking requirement for an emergency shelter (one space per three beds plus one space for each employee at the peak time) would not be appropriate since the residents of the proposed facility will not have vehicles or be able to drive. Vans accommodating eight passengers are used to transport the children and for emergency/evacuation, and approximately 12 vans will be parked on the site. Staff feels that the parking provided on the site would be adequate because the residents would not be driving, there would be few visitors to the site, and the largest number of employees at the site at one time is 40 during the day shift.

Concerns raised by area residents

The proposal has generated interest and concern from surrounding residents. Several comment letters have been received, which are included in the staff report. Three issues have been consistently raised regarding:

- a) Concern that the intake/processing of minors may occur during early morning or late evening and that some entry processing may occur outdoors causing a disruption for the surrounding neighborhood.
- b) Concern regarding the general health of some minors arriving at the facility and the potential of air-borne illnesses impacting the surrounding area.
- c) Concern that the facility may dramatically expand its occupancy in order to address a national crisis without further local discretion.

Staff forwarded these concerns to the applicant who has provided a response (see Exhibit "G")

Whether the Existing Conditional Permit for a skilled nursing facility should be suspended and permitted to be used in the future

Zoning Code Section 33-1206 specifies that when a conditional use permit is abandoned or terminated for a period of twelve consecutive months, the permit shall terminate, unless an extension of time is granted by the Planning Commission. The residential care/skilled nursing facility being operated by Palomar Pomerado Health Systems closed in December 2013, and the CUP would expire in December 2014. The current owner of the site has expressed an interest in using the site for a residential care facility in the future when the lease with SWK expires. The lease between the property owner and SWK is for five years with available extensions, so it is not certain when the owner would reactivate the CUP as a residential care/skilled nursing facility but would be required to update the facility as required for state licensing.

If the Planning Commission approves the Unaccompanied Youth Care Facility staff feels it is appropriate to allow the current CUP to reactivate in the future, because the interior of the building is specifically designed as a residential care facility, adequate parking is already provided, and any new State licensing requirements would be applied. Additionally, there have been no ongoing code enforcement issues, violations or complaints on the property related to the use as a skilled nursing facility.

SWK, as the government contractor operating the facility, does not propose any interior building modifications. Once SWK, or a subsequent government contractor operating the site, vacates/abandons the site the property owner would be allowed to again utilize the previously approved Conditional Use Permit, subject to all previous conditions in addition to any State requirements that are required at that time. The conditions of the previous Conditional Use Permits are included as Exhibit "C" to this staff report.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The project site is located on the southern side of Avenida del Diablo, between Del Dios Road and Valley Parkway. The site has been previously developed with a residential care facility and associated off-street parking spaces. Existing access to the site is via driveways from Avenida del Diablo and Del Dios Road. Del Dios Road terminates in a cul de sac just past (south of) the site. The site is fairly level, sloping up slightly towards the east. Vegetation on the site consists of mature, ornamental trees and shrubs and some grass areas. There is no native habitat remaining on the site. The site is mostly surrounded by single-family residences on medium-size to large-size lots, a religious facility and a public high school.

B. SUPPLEMENTAL DETAILS OF REQUEST

- | | |
|-------------------------------|---|
| 1. Property Size: | 2.31 acres |
| 2. Number of Lots: | One existing lot |
| 3. Building size: | 35,200 SF main structure (existing), 1,000 SF detached storage building (existing) |
| 4. Number of residents: | Maximum of 96 |
| 5. Number of employees: | Approximately 90 total

8 am - 4 pm: 40 employees
4 pm -12 am: 30 employees
12 am - 8 am: 20 employees |
| 6. Hours of Operation: | 24 hours/day |
| 7. Grading: | None proposed |
| 8. Landscaping: | All existing landscaping is to remain. |
| 9. Building Colors/Materials: | Existing Spanish Architecture: white stucco walls, red concrete tile roof. Black tubular steel fencing. |
| 10. Project Fencing: | The applicant proposes new 6-foot-high fencing in key locations to secure the site, including a combination of black tubular steel and green chain link with slats. The project is conditioned to provide only tubular steel fencing where fencing is proposed. |
| 11. Signage | No signage is proposed. The existing signage is proposed to be removed. |

C. CODE COMPLIANCE ANALYSIS

	<u>Required RE-20 Zone</u>	<u>Existing</u>
1. Setbacks:		
Front:	25 feet	
Valley Parkway		22 feet
Avenida del Diablo		38 feet
Rear (Del Dios Road):	20 feet	20 feet
2. Parking:		
	<u>(1 space per 3 beds)</u>	41 Regular spaces
	32 total spaces required	<u>12 Handicap accessible spaces</u>
		53 total spaces existing
3. Building Height:	35 feet	17', One story
4. Floor Area Ratio	0.5 maximum	.36

**FINDINGS OF FACT
PHG 14-0017
EXHIBIT "A"**

Conditional Use Permit

1. Granting the proposed Conditional Use Permit for a "Government Services" unaccompanied youth care facility at this location would/would not be based upon sound principles of land use and is/is not in response to services required by the community because the proposed youth shelter proposes housing and services for minors with no family in the area until their residency/legal cases are resolved. The proposed project would/would not diminish the quality of life for the area because the operational characteristics of the proposed project are/are not compatible and consistent with the surrounding neighborhood.
2. The proposed use for a "Government Services" unaccompanied youth care facility at this location would/would not cause a deterioration of bordering land uses and would/would not create special problems in the area in which the facility is located regarding potential noise, traffic, safety, health and general welfare concerns given the operational characteristics of the proposed use which is determined to be/not to be in character with bordering land uses.
3. The proposed Conditional Use Permit for a "Government Services" unaccompanied youth care facility at this location has been considered in relationship to its effect on the surrounding neighborhood and has been determined to be/not to be compatible with immediate surrounding properties that primarily include single family residential uses and taking into account the concentration of other non-residential uses in the neighborhood involving a church, public high school and fire station.

**CONDITIONS OF APPROVAL
PHG 14-0017
EXHIBIT "B"**

Planning Division Conditions

1. 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, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. 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.
4. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to 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.
5. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties or streets.
6. As proposed, a minimum of 53 striped parking spaces shall be provided in conjunction with this development, and maintained at all times. Said spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards.
7. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
8. An inspection by the Planning Division will be required prior to issuance of and certificates of occupancy. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, fencing, trash enclosure cover(s) as well as any outstanding condition(s) of approval. Improvements should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
9. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance, including shrubs and/or vines. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
10. The colors, materials, uses and design of the project shall conform with the plans, exhibits, details, references and conditions contained in the staff report to the satisfaction of the Planning Division.
11. Six-foot-high fencing shall be located on the property as shown on the attached exhibits and shall be constructed of black tubular steel, wrought iron, or other decorative material to the satisfaction of the city. No chain link fencing shall be located on the site.

12. No signage is approved as part of this permit. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code). A separate sign permit shall be required prior to the installation of any signs.
13. All new utilities shall be underground.
14. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
15. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.
16. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
17. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
18. This CUP authorizes operation of an unaccompanied youth care facility for a maximum of 96 unaccompanied minors at any one time on any given day. If the facility exceeds 96 unaccompanied minors at any time it shall be in violation of this CUP which shall be grounds for revocation.
19. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding performance of the operation of the facility and/or non-compliance with the conditions of the project approval.
20. All vegetation shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition. The existing landscaped area at the corner of Avenida del Diablo and Del Dios Road shall continue to be maintained.
21. The name e-mail and phone number of a responsible party shall be identified to the Police Department and Planning Division prior to opening of the facility and shall be updated as necessary. The responsible party or parties shall be available 24/7 to address issues with the site or the residents.
22. The security gate across the driveway off Del Dios Road shall be subject to approval by the Engineering, Planning and Building Divisions and the Fire Department.4. The gate shall meet requirements for security gates, including stacking, access, Knox box and setbacks. Fencing and gate shall be of black tubular steel, wrought iron or other decorative material to the satisfaction of the city. An electrical permit through the Building Division is required for the gate.
23. The City shall be notified in writing if and when a contractor other than Southwest Key assumes the government contract for the site in order to operate the facility. Any new contractor shall abide by all the conditions of this Conditional Use Permit.

24. No organized recreational activities will be located on the exterior of the building. No outdoor loudspeakers or sound systems shall be installed. The only activities located outside shall be conducted in a manner so as not to disrupt surrounding properties. They shall include eating, studying, or other quiet activities. No active recreation shall be permitted outside. Adult supervision shall be provided whenever unaccompanied youth are outside in order to minimize disruption to surrounding properties.
25. Vehicles arriving or departing the site to drop off and pick up youths shall use the northern driveway and parking lot off Avenida del Diablo. The intake, check-in, registration, and processing of unaccompanied minors shall be conducted only between the hours of 7:00 a.m. and 9:00 p.m. and shall occur inside the facility to minimize disruption to surrounding properties.
26. Pursuant to Escondido Zoning Code Section 33-1206, within twelve months of the date when the lease expires for the SWK youth care facility or when the site is vacated, the existing Conditional Use Permit for a residential care/skilled nursing facility may be utilized, subject to the previous Conditions of Approval (81-193-CUP, 86-123-CUP, 87-36-CUP and 88-122-CUP), attached as Exhibit "C," and any State conditions needed to satisfy licensing requirements.

Building Division Conditions

1. Prior to occupancy the Building Division will need to verify the occupancy classification, including occupant load, with the applicant. Additional detail on the floor plan may be required.
2. Prior to occupancy the applicant shall work with the Building Division to ensure that egress and safe dispersal requirements are met where the area adjacent to a building exit is fenced.

Fire Department Conditions

1. All gated entrances shall be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police with Knox box and locks. Electric gates shall be operable by Fire Department strobe detectors and allow free exiting, to the satisfaction of the Fire Department.
2. A minimum four-foot-wide gate shall be provided in fencing to align with building exists. Knox lock shall be provided to the satisfaction of the Fire Department.
3. An evacuation plan for the facility, including gathering places, shall be provided to the Fire Department, prior to occupancy of the site.

**CONDITIONS OF APPROVAL
EXTENSION OF TIME
RESIDENTIAL CARE FACILITY/SKILLED NURSING FACILITY
EXHIBIT "C"**

81-193-CUP

1. A cul-de-sac shall be constructed on Del Dios Highway in conformance with City standards with a 28 foot minimum curb radius. A 10' wide bicycle/pedestrian path shall be constructed from the cul-de-sac- to Del Dios Highway in a manner approved by the City Engineering Department.
2. Street improvements shall be constructed on all frontage in conformance with the City of Escondido designed standards. Valley Parkway shall be designed to Major Road standards and Avenida Del Diablo and Del Dios Highway shall be designed to Local Collector standards. Necessary right-of-way shall be dedicated to the City as required.
3. Vehicular access rights to Valley Parkway shall be dedicated to the City.
4. The proposed driveway on Avenida Del Diablo shall be alley type, conforming with City standards, with a minimum throat of 25' and 20' radius returns. The proposed driveway on Del Dios Highway shall be minimum throat width of 18' at the curb.
5. All drainage coursed emanating from outside the property and flowing through the site shall be improved in conformance with the City design standards.
6. A public sewer main shall be designed from the intersection of Valley Parkway and Avenida Del Diablo and Valley Parkway to the intersection of Del Dios Highway and Lorry Lane in conformance with City water and sewer master plan and the City design standards. This sewer shall be constructed by the developer in conjunction with this project. Sewer services for the building obtained from this line.
7. The site lines within the Rincon Del Diablo service area. Domestic service for the site shall be obtained from Rincon. Any request for fire sprinklers service from the City shall be subject to approval.
8. A study shall be made by the developer's engineer to show that adequate fire services can be obtained for the site per the requirements of the fire marshal.
9. A grading and drainage plan shall be approved by the Engineering Department prior to issuance of a Grading or Building Permit.
10. Six (6) copies of a revised plot plan shall be submitted to the Planning Department. Said plot plan shall indicate a revised parking lot layout with a circulation pattern acceptable to the enclosed trash containers.
11. Two (2) copies of detailed landscape plan shall be approved by the Planning Department prior to the issuance of Building Permits. The landscaping plan shall include a permanent irrigation system, a parkway wall along Valley Parkway, a large number of trees and shrubs throughout the project, the existing trees which are to remain and street trees.
12. Detailed elevation shall be submitted to and approved by the Planning Department. Said elevations shall note the exact type of finish materials to be used.

13. A sewer repayment and storm drain repayment shall be made to the City of Escondido in a amount determined by the City Engineer.
14. Approval of this CUP on no way provided a guarantee or establishment of priority for sewer availability for all, or any portion, of this project.
15. Approval for any signs, including the one indicated on the site plan, shall be obtained under a separate permit. Approval of the type of sign shall be based upon consideration of the surrounding neighborhood and the location of the signs, and subject to the approval of the Planning Department. These signs shall not be internally lighted, nor shall a pole sign be allowed.

86-123-CUP

1. A revised site plan shall display 2 additional parking spaces by expanding the existing lot in front of the facility in a northeasterly direction to provide a total of 36 spaces. Additionally, one existing parking space shall be converted into a turnaround (striped and designated "No Parking") at the west end of the existing lot to allow vehicles to turn around and exit the lot in a forward motion. A note shall appear on the plans indication spaces will be double striped per City standards, with minimum dimension of 18' x 8.5'
2. The use of the facility shall conform to information contained in Details of Request in terms of the maximum number of 96 patients, employees, schedule patterns, and implementation of an employee ridership program for carpools, use of bus systems, limitation on visiting hours.
3. The parking lot shall be inspected by the Planning Department prior to notification by a letter to the State, regarding compliance with Conditional Use Permit conditions. Said inspection shall be performed to verify that 1 additional space and turnaround have been constructed, parking lot striping and signage (turnaround, visitor spaces, etc.) has been installed to the satisfaction of the Planning Department.
4. Visiting hours shall be restricted to avoid the peak afternoon shift overlap. Visiting hours shall be limited to 10:00 am – 2:45 p.m. and 3:45 p.m. – 7:00 p.m.
5. No exterior building modification are proposed or considered. The interior modifications are minor, and should not substantially change the previously approved floor plan.

87-36-CUP

Planning Department

1. The use of the facility shall conform to the Details of Request and Conditions of the previously approved Case 86-123-CUP, except as modified by this approval.
2. A minimum total of 47 parking spaces shall be provided and shall be double striped per City Standards, with minimum dimensions of 18' x 8.5' (a 2' vehicle overhang is permitted). The existing parking lot shall be resurfaced and double striped to City Standards. A minimum of two handicap parking space are required and shall be striped to Title 24 standard, 18' x 9' with an adjacent 5' wide loading/unloading area. The vehicle turnaround areas shall be striped and marked for no parking.
3. The new southerly parking lot shall be designated for staff parking only and shall be identified as such in the field, to the satisfaction of the Planning Department. Appropriate signage shall also be provided which identifies the visitor and patient parking area in the existing lot to the West of the building.

4. The exterior building modification shall be as shown in the Exhibits and shall match the existing structures, to the satisfaction of the Planning Department.
5. All new construction, landscaping, and the restriping of the existing parking lot shall be inspected by the Planning Department prior to notification by a letter to the State, regarding compliance with the Conditional Use Permit conditions.
6. Prior to commencement of construction, two sets of landscape and irrigation plans shall be submitted, which provided screening of the new parking lot from Del Dios Highway with a combination of berming and shrubs. Any existing vegetation to remain shall be identified , and the required trash enclosure and existing driveway to the storage building shall also be shown.
7. The existing trash containers shall be screened from public view. Size of the enclose, location, and method of screening shall be shall be approved by the Planning Department and detailed on the landscape plans.
8. All provisions of the Public Art Partnership Program, Ordinance 86-70, shall be satisfied prior to commencement of construction.

Fire Department

1. The new building addition shall be sprinklered to the satisfaction of the Fire Marshal.
2. Building plans must be submitted to the State Fire Marshal.

Building Department

1. Prior to commencing construction, appropriate fees shall be paid to the City Building Department.

Engineering Department

1. A site grading or drainage plan shall be approved to commencement of construction.
2. The proposed driveway shall be alley-type in conformance with Escondido Standard Drawings No. 3 with minimum throat width of 24 feet.

88-122-CUP

Planning

1. The Conditional Use Permit shall be used within one year or it shall be null and void. Extensions may be granted at the discretion of the Planning Commission.
2. The exterior materials, color, textures, etc. shall be consistent with the Details of Request to the satisfaction of the Planning Department. The exterior of the proposed building shall be painted to match the existing building, prior to occupancy.
3. All outside storage shall be screened from public view, in a manner satisfactory to the Planning Department.

4. All lighting shall be arranged so as not to reflect upon adjoining properties or streets. Any new lighting proposed shall conform to Ordinance 86-75, and details shall be provided prior to Building Permit issuance, to the satisfaction of the Planning Department.
5. All mechanical equipment and appurtenance not entirely enclosed within the structure, or placed on the roof structure, shall be screened from public view. The method used to accomplish the screening shall be indicated on the building plans, and approved by the Planning Department prior to issuance of building permits.
6. All new utility services shall be underground.
7. No utilities shall be released for any purposed until all requirements of the Fire, Planning, Engineering, and Building Department have be completed.
8. All requirements of the Public Art Partnership Program, Ordinance 86-70, shall be satisfied prior to building permit issuance.
9. Seven (7) copies of the revised site plan reflecting all of the modifications and conditions shall be submitted to the Planning Department and approved prior to issuance of building permits.
10. The design and used of the project , as well as the hours of operations, shall be restricted as noted in the Details of Request of the staff reports.
11. Prior to occupancy, any related development fees shall be paid to the satisfaction of the Building Department.

Landscape

1. Two (2) copies of detailed landscape and irrigation plans for the proposed building shall be submitted to the Planning Department prior to building permit issuance. These plans shall indicate the proposed landscaping and area of existing landscaping to remain in the vicinity of Avenida Del Diablo and Del Dios Highway. A combination of trees and shrubs shall be planted to provide screening of the structure to the satisfaction of the Planning Department.
2. All required landscape improvements shall be installed and all vegetation growing is an established, flourishing manner prior to occupancy. The required landscape areas shall be free of all foreign matter, weeds, and plant materials not approved as part of the landscape plan approval.
3. All landscape shall be permanently maintained in a flourishing manner.
4. Within 18 months of the approval, the applicants shall submit a complete Conditional Use Permit application for the permanent expansion.
5. Prior to building permit issuance bond shall be posted for the removal of the structure. The subject temporary structure shall be removed no later than April 11, 1992 to the satisfaction of the Planning Department and City Attorney's Office. In the event that the permanent facility is completed prior occupancy of the permanent structure.

Engineering

1. All outstanding sewer and water connection fees and monthly sewer services fees shall be paid to the City of Escondido. In lieu of payment of the connection fees, sewer, and water connection rights may be turned in to the City. The City Building Department will compute all connection fees. The Management Services Department will compute all monthly sewer service fees.

PHG 14.0017
June 24, 2014

Sample Weekly Schedule

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
6:30		wake-up	wake-up	wake-up	wake-up	wake-up	
7:00		breakfast	breakfast	breakfast	breakfast	breakfast	
7:30							
8:00							
8:30	wake up						
9:00	Breakfast						Wake up breakfast
9:30							
10:00	Community Meeting						Community Meeting
10:15					Morning Break		
10:30					Math		Chores/ outing
11:00	Religious Services						
11:30					Lunch		
12:15					Math		
12:30							
1:00	Lunch						Lunch
1:30					Health/History/Science		
2:00	Physical Education	Geography	Cooking/Art	Group Therapy	Keyboarding	Survival English	Physical Education
2:30							
3:00					Snack		
3:30			Cake Decorating	Computer Class	Free Time		
4:00					Physical Education		
4:30							
5:00					Dinner		
5:30							
6:00					Community Meeting/brushing teeth		
6:30					Showers/homework		
7:00							
7:30							
8:00					Evening Snack		
8:30					Bedtime	Movie night	Movie night
9:00							
9:30					Light out		
10:00						Bedtime	bedtime
10:30						Lights out	Lights out



**Town of Youngtown
12030 Clubhouse Square
Youngtown, Arizona 85363**

February 24, 2014

Ms. Cynthia Dunham, Executive Director
West Mesa Community Development Corporation
567 W. 10th St.
Mesa, AZ 85201

Dear Ms. Dunham:

Norman King and Larry LeSueur asked if I would be willing to contact you and share Youngtown's experience with Cornerstone Property Services and Southwest Key.

Prior to Town Council approval of the required special use permit, we thoroughly vetted the organization and principals involved. Included in this vetting process was a 'field trip' which took our entire Council to examine Southwest Key's Phoenix operation located at 2932 N. 14th Street. We interacted with staff, clients and principals during the vetting process. All feedback and investigation results were positive. There were no complaints from neighbors of existing facilities in other cities. Youngtown Town Council's approval of the special use permit was unanimous.

Southwest Key's Youngtown facility (La Hacienda del Sol) opened in May of last year and has quickly become a good neighbor and a valued addition to the community. The operation is a closed campus, located in what was a vacant property--last used as a nursing home. It is located in a mixed-use neighborhood with staff and clients quietly going about their mission of providing temporary housing for immigrant children while they are processed for return to their country of origin. Clients' average stay is around 35 days.

Both the building and the grounds were substantially rehabilitated and gentrified. The contractor partnered closely with our code and building inspection staffs to assure compliance with all life-safety, building and maintenance codes.

I would heartily recommend the organization to any municipality being considered for a facility location. Please feel free to contact me with any questions. My Cell # is 623.262.7744.

Sincerely,


Michael LeVault, Mayor

OFFICE OF THE MAYOR

Town Hall: (623) 833-8286 Public Safety: (623) 974-3665 Court: (623) 972-6226 Fax: (623) 933-5851 TDD: (623) 974-3666



SAN DIEGO COUNTY OFFICE OF EDUCATION

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (858) 292-3500

Superintendent of Schools

Randolph E. Ward, Ed.D.

June 17, 2014

I am pleased to hear that Southwest Key Programs, a non-profit, community based organization, is seeking a location at 1817 Avenida Del Diablo Road. Southwest Key has been a partner of the San Diego County Office of Education, Juvenile Court and Community Schools (JCCS) portfolio over the last few years. We have provided the educational services to their two south/east San Diego shelters. We support their expansion of shelter services which will continue to provide unaccompanied alien children in this region the support to reunite and/or find a safe transition location. Their work with the United States Department of Health and Human Services, Office of Refugee Resettlement/ Division of Children's Services (ORR/DCS) is one to be commended.

We have had the pleasure of observing Southwest Key's work in the delivery of these services first hand as they have provided an excellent, full range of residential services for unaccompanied alien children who enter the United States undocumented and who are currently in the custody of ORR/DCS. By providing Southwest Key Programs a use of this facility will provide additional services in this area will ensure that more unaccompanied minors will receive the highest quality of culturally competent physical and mental health, education, reunification, and residential services. I know that during their stay at a Southwest Key facility, every effort is made to achieve the goal of reunification with biological parents or other appropriate family members. This is a rewarding outcome for all parties.

As the Senior Director for JCCS, I would like to express my upmost support for Southwest Key's Unaccompanied Minors Shelter Care Program. We look forward to continue working in partnership with Southwest Key programs to continue providing these services to help improve the lives of these unaccompanied minors. We are confident that this collaboration will allow both organizations to stretch needed resources so that we may reach more children more profoundly.

Respectfully yours,

José Manuel Villarreal, Ed.D.

Senior Director

Board of Education

Mark C. Anderson Susan Hartley Sharon C. Jones Lyn Neylon Gregg Robinson

SERVICE AND LEADERSHIP

Exhibit "G"

Southwest Key Programs

Q: At similar facilities around the country nearby residents have complained that the intake of minors occurs at all hours of the day and night and it becomes a nuisance during quieter evening hours. Staff is considering applying a limitation on when 'check-in' could occur (perhaps 7:00 a.m. – 9:00 p.m.). In addition, that all 'check-in' procedures shall occur indoors, to alleviate concerns that minors are lining up outside the building awaiting to get processed for admission into the facility. I'd appreciate your input on these potential conditions.

A: Southwest Key policy is to conduct all intakes in the building. At no time will we have any adolescents standing in line outside of the building waiting for an intake to be conducted. Very few intakes occur in the evening and seldom do they occur in the late hours of the night. The majority of our intakes occur during traditional business hours 9am-5pm. Imposing a restriction on intakes from 9pm to 7am will have little to no impact on our program operation, therefore we would not oppose this type of restriction should the City require it.

Q: Concern has been raised that no/minimal health screening occurs until minors arrive at the facility, and minors with potential air-borne illnesses could infect the surrounding community. Please provide detailed information regarding the type of health screening minors undergo prior to their arrival at the facility.

A: Prior to being referred to the Southwest Key by the Office Refugee Resettlement, all Clients must have a Medical Screening conducted by ICE/Border Patrol, and be medically cleared prior to traveling to Southwest Key. If ICE/Border Patrol determines the minor is ill or requires medical attention then the minor is seen by a Dr. before to being referred to Southwest Key. ICE/Border Patrol have extensive training in recognizing and detecting air borne pathogens.

Q: Given the scope of this issue on a national level the facility will 'triple up' or 'quadruple' up each bedroom's occupancy after installation to address the crisis posed by the sheer number of anticipated youth, and that because this is a 'Federal Government Facility' residents will have no ability to protest. While the CUP will limit the number of minors to 96, are there any assurances from the applicant that no efforts will be made to expand the facility without going through the formal CUP expansion process? For example, how has expansion of similar facilities been conducted in other locations?

A: In California our programs are licensed under Community Care Licensing Division Title 22. In Title 22 it states that only 2 minors are able to reside in a bedroom regardless of size. As well, CCLD defers the occupancy to the Fire Dept. and the CUP occupancy. Although the Federal Government contracts us, we are still bound by state and local guidelines. In spite of the national crisis of UAC, our programs in CA have not expanded and fully abide by all applicable state and local guidelines.



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

Notice of Exemption

To: San Diego County Recorder's Office
Attn: James Scott
1600 Pacific Highway #260
P.O. Box 121750
San Diego, CA 92112-1750

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

Project Title/Case No.: Conditional Use Permit for unaccompanied youth care facility and Extension of Time for skilled nursing facility - PHG 14-0017

Project Location - Specific: The approximately 2.31-acre project site is located on the southern side of Avenida del Diablo, between Valley Parkway and Del Dios Road, addressed as 1817 Avenida del Diablo (APN 235-180-32).

Project Location - City: Escondido

Project Location - County: San Diego

Description of Project:

A Conditional Use Permit for Government Services to operate a 96-bed unaccompanied youth care facility serving minors between 6 and 17 years of age, within an existing 35,200 SF building in the RE-20 zone. The facility would be operated by Southwest Key Program, on behalf of the United States Department of Health and Human Services. The applicant is proposing to install six-foot-high fencing to secure the site; no other new construction or exterior modifications are proposed. The project also includes an extension of time for the existing Conditional Use Permit for a skilled nursing residential care facility, so that it can be utilized again when the Conditional Use Permit for the unaccompanied youth care facility is terminated.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Southwest Key Program for U.S. Department of Health and Human Services

Alexia Rodriguez, SWK Program, 6002 Jain Lane, Austin, TX 78721; Telephone: (512) 583-8548

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

Exempt Status:

Categorical Exemption. CEQA Section 15301, "Existing Facilities"

Reasons why project is exempt:

1. The proposed project consists of a Conditional Use Permit for an unaccompanied youth care facility in an existing structure currently used as a residential care facility. No physical expansion of the building is proposed. Physical improvements to the site are limited to the addition of six-foot-high fencing in key locations.
2. The proposed project would not substantially increase the number of daily vehicle trips to the site nor impact vehicular circulation on or around the site.
3. The project site has no value as habitat for endangered, rare or threatened species, as the site has been previously cleared and developed with a residential care facility, and does not contain any sensitive habitat or species.
4. The proposed project would not have the potential to cause an adverse impact on the environment. Therefore, the proposal is not subject to further CEQA review.
5. The site can be adequately served by all required utilities and public services.

Lead Agency Contact Person: Kristina Owens Area Code/Telephone/Extension (760) 839-4519

Signature: _____

Kristina Owens, Associate Planner

☒ Signed by Lead Agency

☐ Signed by Applicant

Date received for filing at OPR: _____

6/5/14
Date

OPEN HOUSE

*Come Learn More About
Southwest Key*

Sunday, June 22, 2014 at 6:00 PM

1817 Avenida Del Diablo
Escondido, CA 92029

Meet Southwest Key staff, ask questions, and learn more about the following topics:

- ☐ Southwest Key is the only company with a perfect score from the Council on Accreditation.
- ☐ Youngtown, Arizona Mayor Michael LeVault says Southwest Key's shelter in his city is, "a good neighbor and a valued addition to the community."
- ☐ Southwest Key services are self-contained and non-disruptive to the neighborhood.
- ☐ Southwest Key will bring approximately 115 jobs to Escondido.
- ☐ Southwest Key will infuse \$8.5 million annually into the local economy.
- ☐ Learn about the children we serve.



Jay Petrek

From: Iris Siefert <axlemom@att.net>
Sent: Monday, June 16, 2014 8:41 AM
To: Jay Petrek
Subject: Case PHG 14-0017 hearing delay request due to planning department unavailability

Mr. Petrick,

I would like to request that the CUP hearing for Case 14-0017 scheduled for June 24, 2014 be delayed because the planner assigned to this case, Kristina Owens, is unavailable until the date of the hearing. I have many questions and concerns and no one assigned to the specific case is available to answer my questions. I believe this puts me at a disadvantage for this upcoming hearing on an issue that will decimate my property value and cause extreme financial harm to my family. If this hearing is not delayed I have contacted my attorney and will contest any CUP issued on the basis of improper procedure, as the assigned planner should be available and responsive to questions and concerns and is not. Iris Siefert, 1720 Lorry Lane, Escondido, CA 92029 760-504-9000

1720 Lorry Lane

Escondido, Ca 9202

June 16, 2014

Jay Petrek, Escondido Planning Department, Case PHG 14-0017

I am writing to object to Escondido granting a Conditional Use Permit for a youth care facility for unaccompanied immigrant children to be run by Southwest Key Program. Please deny this request. In presenting my opinion, I will address both the suitability of this location for the children, and the suitability of this use for this particular location and neighborhood.

Before discussing my concerns, I would like to point out that your public notice regarding this hearing is incorrect in a very significant and misleading manner. Your picture on the notice shows this parcel as being surrounded on all sides by roads. In reality, Del Dios Road dead ends behind the facility and does not go through. There is simply a small open area between this facility and Del Lago Science and Technology Academy. This is an important flaw, as disease contamination is far more likely to occur on a property line where there is common pedestrian access to the fenceline,, and less likely to occur with a road acting as a barrier. Please correct you diagram to reflect the true nature of this facility's proximity to our newest beautiful high school.

SUITABILITY OF PARECEL FOR CHILDREN: The Palomar pomerado Continuing Care Center was built as a skilled nursing facility. The patients were generally not ambulatory. As a result, this facility is simply a building and a parking lot. There is essentially no outdoor space other than some small patios and a couple of tiny grassy sections next to the parking lot. There is no place for teenagers to get any exercise or outdoor activity. There is no gymnasium, simply a multi-purpose room. While this room may be large enough for younger children to play games, or for teenagers to take an instructor led dance class, it is grossly inadequate for teen boys. Kids this age need a place to at least be able to kick a ball around, and no such outdoor space exists. The kids will go stir-crazy. I was told this issue is irrelevant because the average stay is only 34 days. If you've ever raised a teen age boy, imagine his mood after 34 days of rain, if he was unable to expend any energy outdoors. This facility was not designed for children, and it is not suitable.

DISEASES INTO HIGH SCHOOL CAMPUS: Arizona ABC Channel 15 did a report on these unaccompanied children and found that the Texas and Arizona processing centers don't screen for diseases. This kids are shipped out to facilities like the proposed as-is. This report found that 10-15% of these kids had Scabies, a parasitic skin disease. They also found chicken pox, MRSA staph infections, and assorted contagious viruses. If this facility was simply in a residential neighborhood and these contagions got out, they would probably sicken a small circle of residents. But this is being proposed directly adjacent to Del Lago Academy. If these contagions are airborne, or washed into the surrounding soil, we could see a disease

outbreak at the school which could rapidly be spread to hundreds of neighborhoods. It is not a good choice of location.

BUS ACTIVITY AND NEIGHBORHOOD DISRUPTION 24 HOURS/DAY: In San Benito, an existing shelter such as this has generated complaints from neighbors about a steady stream of buses dropping off the immigrants, where they then line up in full view for intake processing. According to Southwest Key's own website, "Children are accepted at our shelters anytime of the day or night". My neighborhood, Lorry Lane, is two-thirds older people who go to bed early and cherish the quiet character of the neighborhood. Now we face the prospect of belching buses chugging into the neighborhood from Texas and Arizona all hours of the night. This is not appropriate to inflict upon us.

SECURITY OF SITE AND OF CHILDREN: this facility will, I am told, have a six foot iron fence constructed. This will not be sufficient to keep teen-age boys in. Jay Petreck has said that in other facilities the rate of children leaving into the community is 1%. I don't know what that means. Does that mean that if all 96 beds are full, one child every night will enter our neighborhood? Or if three nights go by without incident, on the fourth a group of four teens will escape as a group?

NEIGHBORHOOD CHARACTER and GHETTOIZATION IMPACTS: 92029 tends to have higher property values (property tax base) and a productive citizenry. In making decisions for this city, one should make those choices which elevate poor neighborhoods, and protect those neighborhoods which are desirable already. Just since this facility was announced, I have seen an increase in No Trespassing signs, Beware of Dog signs, signs showing firearms, etc. The character of the neighborhood is deteriorating simply upon the threat of this inappropriate facility. I find these changes extremely sad. If city leaders wish to have a more affluent and successful population, this takes that desire in the wrong direction by changing the character of one of Escondido's nicest and best neighborhoods in a negative way.

CONCLUSION: Please deny the Conditional Use Permit for the immigrant youth care facility. It is not the right choice for the children that need some outdoor area, it is not the right choice for the neighborhood. Buses coming into our quiet neighborhood all hours of the night would cause an impossible condition for many of us. Surely Southwest Key can find a more suitable property.

Sincerely,

Iris Siefert

Jay Petrek

From: Larry Demry <2z06.hwyman@gmail.com>
Sent: Tuesday, June 17, 2014 10:44 PM
To: Jay Petrek
Subject: Fwd: Case PHG 14-0017 Request for Conditional Use Permit

June 17, 2014

To the Escondido Planning Commission

via Jay Petrek, Deputy Director Escondido Planning Department

As property owners and residents of the Rincon Del Diablo residential area, we strongly urge you to **NOT APPROVE** the C.U.P. for 1817 Avenida Del Diablo, Escondido, CA

After discussing the issue at great length this afternoon with deputy director Jay Petrek, we are compelled to immediately submit our concerns, as well as attend the June 24th Planning meeting with our neighbors.

You are looking to approve what amounts to a DETENTION CENTER for illegal immigration. We do not want a DETENTION CENTER of any sort in our residential community. You can not assure us that these unsupervised detainees can speak English if they were to get out into our community without permission. You can not assure us that these unsupervised detainees are not hardened or violent criminals. We already know they are criminals, they have broken our immigration laws. You can not assure us that they don't belong to gangs in their homeland. What about disease - smallpox, chickenpox, scabies and other diseases that these children coming illegally into our city may carry. You can not assure us that these "children" would not have these diseases, or that they have even been inoculated prior to their being housed in any detention facility. And this facility is next to a new multimillion dollar school. And in a residential community with a lot of new babies. And in a residential community with long time elderly residents. We do not need the introduction of disease and illness in our community. We do not need the introduction of unknown, unsupervised (without parental supervision) children to be housed behind a six foot fence with the pretense that this will keep these children where they belong in detention. It is probable that each of the detainees have already gone under, over or through a much more secure fence in their life. You can not assure us that this is not a potential hotbed for crime. The apparent lack of adult supervision is troubling, particularly when it comes to teenagers who will be emboldened by the fact they are not being deported and can apparently violate laws without repercussion. And so what does this do to our property values? Within a two mile radius, homes to the east currently range from \$500,000 to \$700,000; homes to the west range from \$300,000 to \$600,000; homes to the north up to the mid \$650,000's. A privately run, high traffic detention center with the potential for increased crime as a result of unsupervised children and teens does not bode well for property values of our homes. How does the Escondido city government plan to help us maintain our property values

if this CUP is approved. Will they be responsible for compensation of lost values if a detention center is allowed for up to ten years or more?

This facility had been used for the severely disabled and very elderly population. As such, some of the patients were housed in this residential facility for as many as twenty continuous years. The population had very low turnover, and was very sedate, which is more appropriate in a residential area. The current plan does not support that profile at all.

The current request for aged six to seventeen year old "children" with unknown background, unknown upbringing, unknown gang affiliations, etc. is inappropriate for a residential area where young children, and many elderly widows reside. We are concerned about noise, both in the facility and in the coming and going of the staff, the processing procedures, departures and returns for planned outings of the "children" since the facility can not support those required activities. As we understand it, there will be 24 hour staff in the facility but no permanent caretakers who live on site with these "children". We also understand that the staff that count toward care taking ratio include food services staff, janitors, case workers on site for a couple of hours, etc. This equates to UNSUPERVISED, primarily non English speaking youngsters and teenagers. A six foot fence wrought iron is not a deterrent to any teenager who wants to leave the facility for any reason; whether it be for unattended social activity, or violent crime such as murder, rape or theft. We do not want that in our residential community. No community wants their local government to support that kind of potential influx. If an eight or ten foot concertina fence was put in place, such as in prison facilities, that may be more of a deterrent to these unsupervised "children" who may attempt to leave the facility; however that would defeat the purpose of attempting to pretend this facility use is appropriate for unsupervised, "children" who have come into the United States in violation of our immigration laws. It would also boldly show the true situation of what this facility entails and why it is an inappropriate use for the existing building.

Allowing processing of these "children" in unknown quantities from 7 AM to 9 PM means that cars, buses, food and supply delivery, etc. will be in our residential area in unknown quantities and with unknown noise for potentially a 14 hour day seven days a week. That may be appropriate for commercial application, but not a residential area. With a possible expected turnover every 10 days of 96 beds, this is untenable. According to HHS officials, they estimate a steady stream of children will be housed in the facility and you would allow this in a 14 hour window daily. And you want to give HHS a five year use permit, with 5 year renewal -- 10 years of this business operation in our residential community? No thanks.

Limiting outside activity sounds reasonable so that the noise is kept to a minimum. But the reality of 96 or more "children" living in a detention center with the only possibility of exercise and physical activity is to be bussed out to some other location is a poor solution. A better solution is to find a facility that is not located in a populated residential area, which has appropriate room to bed these "children" and allow them room for their educational needs, their

physical activity needs, and the other needs that children require. The prison systems understand that unknown quantities and qualities of inmates are best served in unpopulated and remote areas. These HHS detention facilities need to be situated in the same way. Please do not compound this political situation with the federal government by creating inappropriate detention in residential areas; specifically this facility at 1817 Avenida Del Diablo, Escondido.

Additionally, not knowing the background of these "children" and not knowing the male/female ratios and knowing there is no parental supervision and the adults on site are 8 hour employees such as "cooks", "security", and at some times "case workers" opens the door for sexual and other violence inside and outside the facility. No one wants to find out that their neighbor, friend, wife or daughter was attacked by one of these unsupervised 17 year old "children" who inappropriately left the facility for some "fun" because no one knew their true roots.

It is the council's responsibility to maintain reasonable safety and security of the citizens of Escondido. Allowing this type of detention center in a residential area is not in the best interest of safety and security of your citizens. As leaders of this city, you also have a fiduciary responsibility to your constituents. We see no monetary gain for the city or residents; in fact we see a large potential for property value decline for all the nearby homes. We see numerous potential detrimental issues and absolutely zero potential benefits to our city and it's residents. Why would any reasonable person enter into such a contract? Why would anyone increase their risk potential without any potential gain? That is business and social and political suicide.

Please, this is not the correct facility or location to use to conduct this type of business. Protect the men, women and children in this community and vote NO to a conditional use permit for case PHG 14-0017.

We will continue to appeal any decision by Escondido city that allows HHS and Southwest Key Program to use this facility as a detention center for unaccompanied youth that have come to our country and city illegally.

Thank you.

Respectfully,

Larry & Kitty Demry
2219 Avenida del Diablo
Escondido, CA 92029

Jay Petrek

From: Larry Demry <2z06.hwyman@gmail.com>
Sent: Wednesday, June 18, 2014 1:14 PM
To: tom.stinson@asm.ca.gov; Jay Petrek; Clay Phillips; Jeffrey Epp; Craig Carter
Subject: Regarding: Notice of Public Hearing for Conditional Use Permit calendared June 24, 2014

Location: 1817 Avenida Del Diablo, Escondido, CA 92029

Case Number: PGH 14-0017

Date of Hearing: June 24, 2014

This request for information regards the City of Escondido Planning Department holding a hearing for a conditional use permit for Southwest Key Program under the auspices of U.S. Department of Health and Human Services.

We request the Escondido Planning Commission vote NO on this application until all the state required steps are completed to comply with State law. In that regard, we are requesting the assistance of Assemblymember Waldron (district 75) and her staff to voice the California State requirements and request all the appropriate reports and verification that the State Facility approvals are in place.

We also will forward this email to each of the entities that we believe are required to prepare reports of fact finding/expenses, and appropriate plans to deal with this type facility with the request for the approved plan from your department.

We would like to know who is Southwest Key Program? Are they a for-profit private entity? Is this private entity acting on behalf of the federal government as it appears to designate in the Public Hearing Notice?

It is our understanding that the current designation for this facility is HEALTH CARE. In order to use this facility for "unaccompanied youth" the designation must be changed and is either a) INCARCERATION or b) GROUP HOME. Can we be made aware of which designation the State of California is providing, and what steps are currently in place for Southwest Key Program to complete to have adequate study and enforcement of regulations in place for this requested use?

As required by California state law, in a designation change for a facility there are a series of steps which are required to be completed in order to have the designation change, and specific reports which must be filed and made available to the citizens.

We would like to be given a copy of the following reports that are mandatory when changing the usage designation:

1. approved EIR indicating the usage as incarceration or group home;
2. Escondido Planning Department Traffic Report for the traffic usage on the public roads in the area;
3. Escondido Police Department Chief Carter's report on potential crime; what the potential issues are and how they will be addressed;
4. City of Escondido Mayor Abed's review on the reports that address all affected costs that will be borne by the City of Escondido for this facility if used to house "unaccompanied youth";
5. San Diego County report on the costs for education, recreation, and food services. What are the costs and how they will be borne.
6. Health Department plan to ensure inoculation records and disease free "unaccompanied youth" are out in the community.

It is our understanding that the "unaccompanied youth" that are housed at this facility will be bused out for education, recreation, field trips, perhaps medical appointments, etc. In addition to the traffic, the unidentified costs borne by taxpayers, the noise, the possible crime, the loss in property value for surrounding homes, and the commercial like activity from processing "unaccompanied youth" from the commercial hours of 7 AM until 9 PM, we are concerned that the constraints in outdoor physical activity/play time for lack of facility space and in regards to noise concerns in the residential community will create "unaccompanied youth" to illegally leave the facility and enter the community.

Not knowing the background of these "unaccompanied youth" and not knowing the male/female ratios and knowing there is no parental supervision and the adults on site are 8 hour employees such as "cooks", "security", and at some times "case workers" opens the door for sexual and other violence inside and outside the facility. No one wants to find out that their neighbor, friend, wife or daughter was violently attacked, robbed, raped or murdered by one of these unsupervised 17 year old "unaccompanied youth" who inappropriately left the facility for some "fun" as a result of roots in gang activity from their home origin. With that thought, a detailed crime report by the Chief of Police Craig Carter is of particular interest.

All these steps (and perhaps others required by the State of California, with their approved reports, which we are requesting copies of, and the State of California review and enforcement mechanisms, should be in place before the City of Escondido can proceed with conditional use permits. We look forward to receiving the report that your department has prepared, and that has been approved by the City Council, and the State of California.

Thank you,

Larry and Kitty Demry
2219 Avenida Del Diablo

Dear Escondido Planning Commission and City Council,

This letter is to express concern and opposition to the proposed youth care facility at 1817 Avenida del Diablo operated by the Southwest Key Program. Though we believe a facility like this does have its place we feel that opening in this location, a heavily populated residential area and our community is not the proper fit. My home is located at 1410 Autumn Woods Place, directly across Valley Parkway and approximately 100 feet from the proposed "shelter". I live here with my wife and 14 month old son. We are happy to call this neighborhood home and we are proud residents of Escondido. This proposed youth shelter would negatively affect me, my family and my neighbors. Please allow me to express the concerns we have and that have also been echoed by many of the community residents that we have spoken to.

1. **Safety Concern:** This facility, operated by the Southwest Key Program, is intended to house up to 96 children and teenagers ages 6 to 17 who are in the United States illegally while they await "resolution of their legal case" (Southwest Key Website, www.swkey.org/programs/shelters/). While being held they are in essence being detained against their will until a resolution is found and they are moved to either their home country or another location. This is evidenced by the fact that the program proposes to install "six-foot high fencing" (Notice of Public Hearing, City of Escondido) around the facility. Though this fencing may in most cases do its job in holding in the children in there is a distinct possibility of one or more of the children or teens finding a way to leave or escape the shelter. If this were the case it is my belief that they would look for a nearby safe haven to hide from authorities. My home is directly across Valley Parkway from the site and our backyard faces the proposed facility. It would be very easy for one of the children to climb our short wall and use our yard as a place to temporarily hide. This is of massive concern as I am a father of a fourteen month old son and do not wish to give up my safety or peace of mind for a facility like this. Though this happening may not be likely, it is surely a possibility and this possibility disrupts our right to live peacefully in our home. I do not want to live in a place where I have to lock down every window at night for concern of someone entering my property.
2. **Diminished Property Value:** We as residents of Escondido are proud to live in this amazing city. We are excited that home values have increased in the past year. Increased home value means increased prosperity for residents, increased optimism, increased demand for local business and much more. The proposed facility at Avenida del Diablo is a detriment to property values of the homes surrounding it. Demand for housing in our neighborhood of Del Dios Woods and the other surrounding neighborhoods will greatly diminish if this facility were to be installed. Property values in the immediate area will decrease from this lack of demand and appeal for our neighborhood. A shelter with a six-foot fence surrounding it would frankly be a concern to families and homebuyers wishing to locate to the neighborhood. This facility does not represent something positive and appealing, it represents something that is of massive concern. I can tell you as a recent home purchaser I would not be as drawn to living in a neighborhood with a holding facility of this nature located in it. I expect this to be true for other homebuyers as well. Our homes are our safe havens, our places to be at peace and away from the some of the negativity we see in this world. We don't want to be confronted with the unfortunate situation of illegal homeless children and be reminded of this sadness every time we turn in to our neighborhood. Again, there is a place for this facility but it is not here among our homes and children.

3. **Lack of Service to our Community:** The proposed six-foot fence that would surround this shelter is not only something to keep the residents in but is representative of the separation between our community and the facility. This proposed center is not something that directly serves us, our community or the residents of Escondido. This facility serves another segment of the population altogether. Those of us living in the neighborhoods surrounding the site are US citizens. This program plans to bring in as many as 96 non-citizen immigrants to live in our neighborhood for as many as 45 days at a time. This is not representative of the demographic of the neighborhood and does not serve us as residents in any way. This land, in my opinion, should in some way benefit residents of Escondido. In its former use as a continuing care facility it did just that. Our direct neighbor benefited from its former use as her mother was once housed there. In addition, many other residents of our community were assisted at the site.

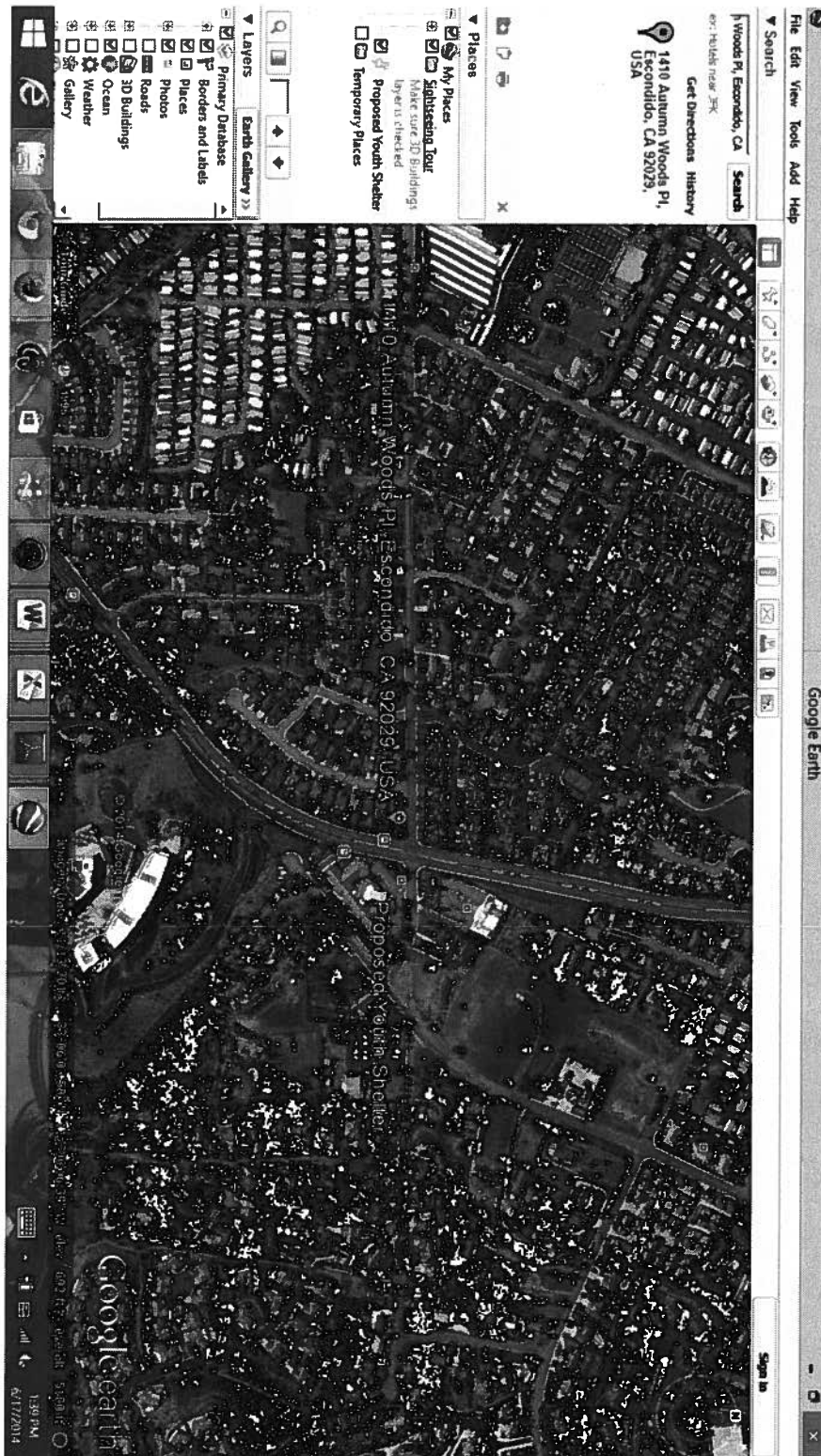
In conclusion, there is no benefit to our neighborhood and community with this facility. There are safety concerns for the residents and there is a potential decrease in the property values of the surrounding homes. It is for these reasons that we ask you, the planning commission and city council to hear our voices and vote with us opposing the conditional use permit for this site to be used as a youth facility operated by Southwest Key. Thank you for hearing us and supporting our community.

Elias Berlinger

Resident, Del Dios Woods, Escondido

Addendum

Map showing the proximity of the proposed youth facility to homes and neighborhoods:



Jay Petrek

From: Bill Martin
Sent: Wednesday, June 18, 2014 8:10 AM
To: Jay Petrek
Subject: FW: [Website Feedback]: Public Notice- Youth Special Needs Facility

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Tuesday, June 17, 2014 7:58 PM
To: Bill Martin
Subject: [Website Feedback]: Public Notice- Youth Special Needs Facility

Sharon
sharonmariekim@gmail.com

June 17, 2014

Escondido City Planning Commission
City Hall, First Floor
201 North Broadway
Escondido, CA 92025

Dear Ms. Barbara Redlitz, or To Whom It May Concern:

I recently saw the public notice posted by the City of Escondido describing plans and a hearing regarding the construction of a youth special needs facility. I am a homeowner in the View Terrace Neighborhood, and live on Cathedral Glen, which is less than a half mile away from the property that is being considered for the facility. I am writing a letter in lieu of being able to attend the public hearing taking place on June 24, 2014 @ 7 p.m.

I can appreciate the development of facilities that work toward serving special needs youth. The agency proposing to operate the facility, Southwest Keys appear to offer programs including: "mentoring system-involved youth, residential treatment, and alternatives to detention," however, which extends beyond "special needs" and into the realm of rehabilitation of individuals that are either in conflict or at risk of conflict with the law and raises concern considerably.

The construction of a six-foot fence around the 96-bed facility is troubling because it is highly visible creating an eyesore on a busy intersection but moreover, it is concerning because it indicates some serious risks the facility creates for the neighborhood. It indicates that either those inside may try to leave without permission, or worse, that those who are not permitted to enter may attempt to do so. In either situation, it poses a safety threat to the community surrounding it. The property identified for possible construction of the facility is residential and densely populated with children and families, in mobile and single family homes on either side of Valley Parkway, nearest to the facility. There are also two schools (Del Diablo Middle School and Del Lago Academy) nearby within less than a half mile distance of the proposed area.

As a social worker, I am interested in seeing that our youth, at-risk or otherwise receive the full array of services possible to help them achieve their full potential and would advocate that these programs are important and at times necessary for rehabilitation and safety. However, I do not find that a facility of such a large scale with 96 beds, belongs in any residential neighborhood. A site closer to juvenile hall, Regional Center, and Rady Children's Hospital would appear to be a more suitable location.

I urge you to seriously consider all of the objections to approval of a permit for this facility, and to halt any progress moving forward towards its construction. Thank you for your time and consideration.

Sincerely,

Sharon Kim

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Jay Petrek

From: kitty demry <2kittydemry@gmail.com>
Sent: Wednesday, June 18, 2014 1:33 PM
To: Jay Petrek
Subject: newspaper article on housing the youth crossing into US

link: <http://conservativebyte.com/2014/06/nyc-overwhelmed-illegal-immigrant-children/>



New York City Being Overwhelmed by Illegal Immigrant Children

by [Dan Riehl](#) 17 Jun 2014 [518](#) [post a comment](#)

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With some comparing it to a refugee crisis, New York City, among other areas, is struggling to deal with the explosion of illegal immigrant children brought about by the Obama administration's failed policies.

The fallout is being felt most acutely in places with large immigrant populations, like New York, where newly arrived children and their relatives are flooding community groups, seeking help in fighting deportation orders, getting health care, dealing with the psychological traumas of migration, managing the

challenges of family reunification and enrolling in school. "It's almost like a refugee crisis," said Steven Choi, executive director of the New York Immigration Coalition, an advocacy group.

And a lack of cooperation by Federal officials may not be making things any easier. They refuse to "reveal how many children they are holding, how many are being released or where they are being sent".

Advocacy organizations in the New York region are reporting "a stunning rise in the number of unaccompanied minors seeking help in the past several months," kicking into what many view as an already overwhelmed system.

"We are trying to triage," said Emma Kreyche, organizing and advocacy coordinator for the group. "I don't think anyone really knows what the scope of this is and how to see what's coming down the pike and figure out how to respond."

The New York Times<http://nyti.ms/1qouydn>

N.Y. / REGION | NYT NOW

Surge in Child Migrants Reaches New York, Overwhelming Advocates

By KIRK SEMPLE JUNE 17, 2014

For more than a month, 16-year-old Cristian threaded his way from his home in rural Guatemala to the United States, hoping to reunite with his father, whom he had not seen in nearly four years. Guided by smugglers, he rode in cars, buses and trains, walked countless miles, dodged the authorities in three countries, hid out in dreary safe houses and went days at a time without food.

But Cristian's trip came to an abrupt halt in March, when he was corralled on a patch of Texas ranchland by American law enforcements agents.

Now the daunting trials of his migration have been replaced by a new set of difficulties. Though he was released to his father, a kitchen worker in a restaurant in Ulster County, N.Y., Cristian has been ordered to appear in immigration court for a deportation hearing and is trying to find a low-cost lawyer to take his case while he also struggles to learn English, fit into a new high school and reacquaint himself with his father.

"I pray that they don't deport me," said Cristian, who asked that his full name not be used because he remains undocumented.

Cristian is one of the tens of thousands of unaccompanied minors who have illegally crossed the border with Mexico in recent months, in a wave that has overwhelmed immigration officials and prompted the Obama administration to declare a humanitarian crisis and open three emergency shelters, on military bases in California, Oklahoma and Texas.

But while the government's response has been largely focused on the Southwest, the surge of child migrants is quickly becoming a crisis around the country. The fallout is being felt most acutely in places with large immigrant

populations, like New York, where newly arrived children and their relatives are flooding community groups, seeking help in fighting deportation orders, getting health care, dealing with the psychological traumas of migration, managing the challenges of family reunification and enrolling in school.

“It’s almost like a refugee crisis,” said Steven Choi, executive director of the New York Immigration Coalition, an advocacy group.

Federal officials will not reveal how many children they are holding, how many are being released or where they are being sent. But in the New York region, immigrant advocacy organizations say they have seen a stunning rise in the number of unaccompanied minors seeking help in the past several months.

“All of a sudden it went from a trickle to more like a river,” said Anne Pilsbury, director of Central American Legal Assistance in Brooklyn.

At the Worker Justice Center of New York, a group based in Kingston, N.Y., that helps farmworkers and other low-wage workers, employees were caught off guard by a similarly sharp increase.

“We are trying to triage,” said Emma Kreyche, organizing and advocacy coordinator for the group. “I don’t think anyone really knows what the scope of this is and how to see what’s coming down the pike and figure out how to respond.”

Many of the unaccompanied minors say they have been driven to leave their home countries because of violence and the threat of gang recruitment. Others have been motivated by economic necessity, a desire to rejoin parents who came to the United States years ago or by a perceived change in American policy that would favor child immigrants. (The Obama administration has emphasized that there has been no such policy change.)

Most of the children who have been detained at the southwest border have been channeled into deportation proceedings and, within several days, handed over to the Department of Health and Human Services, which cares for them until they can be released to relatives or legal guardians in the United States.

The majority of the department’s 100 or so shelters are near the border, but others are scattered around the country, said Kenneth J. Wolfe, spokesman for the Administration for Children and Families, the division that oversees them. At least two are in the New York metropolitan area, housing a total of about 300 children; they have been at capacity for months, advocacy groups said.

Jay Petrek

From: Larry Demry <2z06.hwyman@gmail.com>
Sent: Wednesday, June 18, 2014 11:30 AM
To: Jay Petrek
Subject: Case PHG 14-0017 Request for Conditional Use Permit

<http://www.nytimes.com/2014/06/18/nyregion/immigration-child-migrant-surge-in-New-York-City.html?hpw&rref=nyregion>

Mr. Wolfe would not comment on the department's current capacity or whether the agency was planning to expand regional shelter capacity.

Leo, who also asked that his full name not be used because he remains undocumented, spent about two months at a shelter in the New York area waiting to be reunited with his brother, who was living in Brooklyn. Leo had left his home in Guatemala at the end of 2012, when he was 16, fleeing gangs in his hometown and hoping to find work in the United States. After traveling for three months he had been detained in Houston.

"I wanted to better myself," Leo, now 18, said during an interview at Atlas: DIY, a center for immigrant youths in Brooklyn, where he takes English classes and gets legal guidance.

Many of the children who have been released from detention and wind up in New York are funneled onto special monthly court dockets for minors. Those who arrive at court without a lawyer have the option of being screened by pro bono lawyers who will try to identify possible grounds for relief from deportation, such as political asylum, or for special visas for children who have been victims of crime or abuse.

On a recent Thursday morning, several dozen children clustered with their parents and other relatives in a hallway outside an immigration courtroom in downtown Manhattan. Several immigrant advocacy groups share responsibility for handling the special dockets, and in June the job fell to Safe Passage Project, a nonprofit based at New York Law School that provides free legal counsel to immigrant children facing deportation.

"Do you have an attorney?" asked Lenni Benson, the founder and director of Safe Passage, as she went from family to family introducing herself. "Do you want a free attorney?" Those without representation were led to a room where they were interviewed by a team of lawyers and paralegals.

It is unclear how many of the recently arrived minors will be allowed to stay permanently in the United States. But Ms. Benson said that nearly 90 percent of the unaccompanied minors her group encountered appeared to qualify for some form of immigration relief. Lawyers at the Door, another New York City group that provides free legal services to young immigrants, said that more than half of the children it screened during a special immigration court docket in May appeared to qualify for some form of relief.

Other groups who principally represent child immigrants also said the soaring demand, combined with limited resources, was prompting them to pick their cases carefully, focusing on those that had the best chance of success.

Beyond legal help, the immigrants have other urgent needs that are not necessarily being met, including health care, psychological counseling and educational support, advocates said.

Mario Russell, director of the Immigrant and Refugee Services Division for Catholic Charities Community Services in New York, said a lot of the children had suffered trauma, either in their home countries or en route to the United States.

“Over time, how do these kids receive the care that they need?” Mr. Russell asked. “How many will be lost into their communities? How many are going to be sent to work? How many will not go to school? How many are going to be sick?”

Service providers have begun discussing among themselves how to deal with the surge at this end of the pipeline, and wondering where they might get much-needed funding to provide additional help for the growing population of distressed immigrant children.

As he considered the challenge, Mr. Russell remembered a case he had several years ago. He had been working with a girl, an unauthorized immigrant, to legalize her status. Her deportation was dismissed and she was finally approved to receive a green card. But before she received it, she dropped off Mr. Russell’s radar.

“She just disappeared,” he recalled. “She could’ve been trafficked, working in an apple orchard. I have no idea.”

Mr. Russell was never able to locate her.

“Her card is still in my desk,” he said.

Correction: June 17, 2014

Because of an editing error, an earlier version of this article misidentified the school where Safe Passage Project is based. It is New York Law School, not New York University Law School. The error was repeated in a photo caption.

A version of this article appears in print on June 18, 2014, on page A19 of the New York edition with the headline: New York Strains to Handle Surge in Child Migrants.

Jay Petrek

From: Bill Martin
Sent: Thursday, June 19, 2014 1:35 PM
To: Jay Petrek
Subject: FW: [Website Feedback]: Proposed Immigrant Youth Shelter

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Thursday, June 19, 2014 12:29 PM
To: Bill Martin
Subject: [Website Feedback]: Proposed Immigrant Youth Shelter

Ricardo Rubio
rickyr0328@yahoo.com

Good Afternoon,

I'm writing you today as a concerned resident of Escondido regarding the proposed Immigrant Youth Shelter at 1817 Avenida del diablo. I've recently purchased a home near the site of the proposed shelter and have great concerns. First off, I have a four year old daughter and feel she'll be in danger if an immigrant teenager were to run away from this shelter. I would not feel safe with children from my neighborhood playing with each other in the afternoons knowing of the possibility of a runaway immigrant. I'm currently serving in the US Navy and there are times when I am gone for months at a time and won't be at peace knowing my family is in such close proximity of this shelter. I moved to this community because I thought it was safe and good neighborhood where I wouldn't have to worry. Also, does it make sense to you to have this type of shelter in a RESIDENTIAL AREA? It makes NO SENSE to me whatsoever and I find it unacceptable that it's being proposed. Ask yourselves if you would welcome this type of shelter in your own backyards. I assume none of you would agree to this. This shelter also brings no benefit to our community and if anything, would decrease home values. Being in the military has taught me to not only raise concerns of safety but also provide solutions. I recommend you look for a different site such as a building near city hall where this type of shelter can be closely monitored or in any other area EXCEPT in a residential area. Again, I completely disagree with this proposed shelter at 1817 Avenida del diablo and my neighbors all disagree with this proposal as well. I appreciate your time and consideration.

Thank you,

Ricardo Rubio

909-657-8655

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