

Hickory Street Office to Multi-Family Residential Conversion
FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
SCH# 2024091021

City of Escondido Planning Case Numbers: General Plan Amendment Case No. PL23-0190, Zone Map Amendment Case No. PL24-0225, Master and Precise Development Plan Case Nos. PL23-0191/PL24-0215, and Design Review Permit Case No. PL24-0229



Prepared for

City of Escondido
Planning Division
201 North Broadway
Escondido, California 92025

Prepared by



EPC Environmental Inc.
11801 Pierce Street, Ste. 200
Riverside, California 92025

October 16, 2024

Table of Contents

Section	Page
1.0	Introduction..... 1
1.1	Purpose 1
1.2	Project Description 1
1.3	Public Review of the Draft IS/MND 2
1.4	Repository for the Final IS/MND..... 3
1.5	Mitigation Monitoring Plan..... 3
1.6	Organization of the Final IS/MND 3
2.0	Comments Received and Responses 4
3.0	Revisions to the Draft IS/MND 9
4.0	Mitigation Monitoring and Reporting Program 10

Appendices

Appendix A – Notice of Intent to Adopt.....	17
Appendix B – Notice of Completion	18
Appendix C – Draft Initial Study/Mitigated Negative Declaration.....	20

1.0 Introduction

1.1 Purpose

This Final Initial Study and Mitigated Negative Declaration (IS/MND) has been prepared for the Hickory Street Office to Multi-Family Residential Conversion Project ("Project") in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines, §15070 to §15075.2.¹ The City of Escondido is acting as the Lead Agency, as defined by CEQA, for the environmental review of the proposed Project.

The City prepared a Draft IS/MND to evaluate the potential environmental consequences associated with the Project. The Draft IS/MND was circulated for public and agency comments between September 26, 2024, and October 15, 2024. Based on the comments received during the 20-day review period, the City has prepared this Final MND.

1.2 Project Description

Escondido Investments, LLC (Applicant) proposes to renovate an existing 19,431-square-foot, three-story vacant office building into 21 residential units (Proposed Project), located at 240 South Hickory Street (Project Site). The one- and two-bedroom units would range from 419 square feet (SF) to 1,026 SF. Amenities include an on-site shared laundry rooms. The 0.69-acre Project Site, known as Assessor's Parcel Number (APN) 229-492-14-00 is currently zoned Hospital Professional. The concurrent entitlements include:

- **General Plan Amendment (Planning Case No. PL23-0190)** to amend the General Plan designation from Office (O) to Urban V (U5) to accommodate a residential density of 30 units per acre;
- **Zone Map Amendment (Planning Case No. PL24-0225)** to rezone the subject property from Hospital Professional (H-P) to Very High Multifamily Residential (R-5);
- **Master and Precise Development Plan (Planning Case Nos. PL23-0191/PL24-0215)** to adopt a Planned Development Zone pursuant to Article 19 of the Escondido Zoning Code. The Planned Development Zone would permit the conversion of the existing vacant office building into residential units at the permitted density under the proposed General Plan Amendment and Zone Map Amendment. The Project also includes a request for a density bonus agreement to exceed the maximum permitted density under the proposed General Plan Amendment for a total of 21 dwelling units (20 base units plus 1 bonus unit), with 2 of the units being deed-restricted for low-income households. The project includes incentives/concessions and waivers for on-site and off-site improvements as permitted by the Escondido Zoning Code and State Density Bonus Law; and

¹ California Code of Regulations, CEQA Guidelines §§15070–15075.
https://www.califaep.org/docs/2024_CEQA_Statute_and_Guidelines_Handbook.pdf

- **Design Review Permit (Planning Case Nos. PL24-0229)** for the adoption of the Planned Development Zone as required by Article 64 (Design Review).

1.3 Public Review of the Draft IS/MND

On September 26, 2024, the City circulated a Notice of Intent (NOI) (refer to **Appendix A**) of the Draft IS/MND for review and comment by the public and by responsible and reviewing agencies. The review period ended on October 15, 2024. In accordance with the CEQA Guidelines §15072, the City filed the Draft IS/MND with the State Clearinghouse (SCH) for them to circulate to appropriate State Agencies (SCH number 2024091021); a copy of the Notice of Completion (NOC) filed with the SCH is provided in **Appendix B**.

In accordance with the CEQA Guidelines §15072, the City mailed a copy of the NOI to the appropriate local and regional public agencies.

Pursuant to AB 52 and SB18, the City provided notification of the Proposed Project to the Native American Historical Commission (NAHC), and notification letters were sent to the Mesa Grande Band, of Mission Indians, Rincon Band of Luiseño Indians, San Pasqual Band, of Mission Indians, San Luis Rey Band, of Mission Indians, and Soboba Band of Luiseño on May 31, 2023. The San Pasqual requested formal consultation, and the City met with Angelina Gutierrez January 31, 2024, and September 5, 2024. The San Luis Rey Band requested formal consultation, and the City met with Carmen Mojado on August 03, 2023, and August 22, 2024. Both of these consultations closed on September 5, 2024. The Rincon Band of Luiseño Indians requested consultation and consultations between the City and Rincon Band were held on March 31, 2024, and concluded consultation on April 5, 2024.

The following summarizes the results of the consultation.

- **San Pasqual Band** – Did not express any concerns or recommend any mitigation measures due to project description (office conversion) very limited ground disturbance and developed nature of the site.
- **San Luis Rey Band** – Did not express any concerns or recommend any mitigation measures due to project description (office conversion) very limited ground disturbance and develop nature of the site.
- **Rincon Band** – Stated a previously recorded significant habitation site is within 0.25 miles of the project property, and additional Luiseño placenames are nearby. They provided a written request for consultation regarding the project as it lies within their ancestral tribal territory, meaning belonging to or inherited from, which is a higher degree of kinship than traditional or cultural affiliation.

Mitigation Measures TCR-1 through TCR-10 are required to ensure potential resources to tribal cultural resources would be mitigated to a less than significant level.

1.4 Repository for the Final IS/MND

The Final IS/MND and Draft IS/MND are available at the in the Escondido Planning Division located at 201 N. Broadway, and on the City's website at:

<https://www.escondido.gov/1225/Hickory-Street-Office-to-Residential-Con>

The Final IS/MND, when combined with the Draft IS/MND, constitutes the complete environmental review document for the Project to be considered by the City. CEQA Guidelines require that the Lead Agency consider the IS/MND together with any comments received during the public review prior to approving a project.² The Lead Agency shall adopt the Final IS/MND only if it finds, on the basis of the whole record before it (including the Draft IS/MND and any comments received), that there is no substantial evidence that the Project will have a significant effect on the environment and that the Final IS/MND reflects the Lead Agency's independent judgment and analysis.

1.5 Mitigation Monitoring Plan

The CEQA Guidelines require that the Lead Agency adopt a mitigation monitoring program for reporting on or monitoring the physical changes of the Project Site and mitigating significant environmental effects.

1.6 Organization of the Final IS/MND

As required by CEQA Guidelines, the Final IS/MND consists of the following components:

- Comments received from reviewing agencies on the Draft IS/MND during the public review process and responses to those comments (see **Section 2.0**).
- Revisions to the Draft IS/MND (see **Section 3.0**).
- A Mitigation Monitoring and Reporting Program (MMRP), which provides a summary of impacts, mitigation measures, and implementation procedures (see **Section 4.0**).
- Notice of Intent (NOI) (see **Appendix A**)
- Notice of Completion (NOC) (see **Appendix B**)
- Final Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration (see **Appendix C** under separate cover).

² CEQA Guidelines §15074 (b)

2.0 Comments Received and Responses

The CEQA Guidelines³ require that the Lead Agency consider the proposed IS together with any comments received during the public review process prior to approving a project.

The following comment letter was received regarding the Draft IS/MND:

- A. Department of Toxic Substances Control, October 8, 2024.

This space was intentionally left blank

³ California Code of Regulations, CEQA Guidelines §150742

LETTER A



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

October 8, 2024

Ivan Flores
Senior Planner
City of Escondido
201 North Broadway
Escondido, CA 92025
ivan.flores@escondido.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE HICKORY STREET OFFICE
TO MULTI-FAMILY RESIDENTIAL CONVERSION DATED SEPTEMBER 25, 2024,
STATE CLEARINGHOUSE NUMBER [2024091021](#)

Dear Ivan Flores,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Hickory Street Office to Multi-Family Residential Conversion (project). The proposed project includes:

- a General Plan Amendment (Planning Case No. PL23-0190) to amend the General Plan designation from Office to Urban to accommodate a residential density of 30 units per acre
- a Zone Map Amendment (Planning Case No. PL24-0225) to rezone the subject property from Hospital Professional to Very High Multifamily Residential
- a Master and Precise Development Plan (Planning Case Nos. PL23-0191/PL24-0215) to adopt a Planned Development Zone to permit the conversion of the existing vacant office building into residential units

Ivan Flores
October 8, 2024
Page 2

- and, a Design Review Permit (Planning Case Nos. PL24-0229) for the adoption of the Planned Development Zone as required by Article 64 (Design Review).

After reviewing the Project, DTSC recommends and requests consideration of the following comments:

1. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).
2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's PEA Guidance Manual](#).

A-1

A-2

DTSC appreciates the opportunity to comment on the MND for the Hickory Street Office to Multi-Family Residential Conversion Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Ivan Flores
October 8, 2024
Page 3

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

cc: (via email)
Governor’s Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Milan Mistry
Project Applicant
Escondido Investments, LLC
Devassistant@hotelinvestmentgroup.com

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

Response To Comment Letter A
Department of Toxic Substances Control (DRSC)
Dated October 8, 2024

Comment A-1

DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern and meet screening levels as outlined in DTSC's *Preliminary Endangerment Assessment (PEA) Guidance Manual*. Additionally, DTSC advises referencing the *DTSC Information Advisory Clean Imported Fill Material Fact Sheet* if importing fill is necessary.

Response A-1

There is no grading proposed. Ground disturbing activities are limited to parking lot repairs, including repaving, restriping, and space labeling and renovated landscaping.

Comment A-2

DTSC advises that If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk.

Response A-2

The Project is not demolishing buildings. Improvements primarily occur in the interior of the existing Interior and primarily include:

- New paint and flooring
- Drywall, stucco, and roof repairs
- Installation of kitchens in all units, with space for a refrigerator, a sink, cooking facilities, a food preparation counter, and storage cabinets
- Installation of bathrooms in all units
- Installation of shared laundry facility

Exterior improvements generally include:

- Signage Rebranding
- Retrofitted dumpster area, as needed

As required by the City an interior demolition permit is required that includes a completed and approved San Diego Regional Hazardous Materials Questionnaire be submitted to the Building Division, an asbestos certification if asbestos containing material (ACM) is required to be removed, and a Construction Waste Management Plan (CWMP) be submitted and approved demonstrating at least 65% of non-hazardous construction debris is diverted from landfills. Additionally, the removal, demolition, and disposal of any of the above-mentioned hazardous materials should be conducted in compliance with California environmental regulations and policies.

3.0 Revisions to the Draft IS/MND

As a result of public comments, no updates or clarifications were required for the Draft IS/MND.

This space was intentionally left blank

4.0 Mitigation Monitoring and Reporting Program

As the Lead Agency under CEQA, the City of Escondido ("City") is required to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted to mitigate or avoid significant effects on the environment as defined in the 501/503 W. Mission Avenue Project Initial Study/Mitigated Negative Declaration. The Lead Agency's responsibility originates in Public Resources Code §21081.6(a) (Findings), and in the CEQA Guidelines, §15091(d) (Findings) and §15097 (Mitigation Monitoring or Reporting).

The Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of the mitigation measures identified for the Project. The MMRP is subject to review and approval by the Lead Agency as part of the adoption of the Mitigated Negative Declaration and approval of project conditions. The required mitigation measures are listed in **Table 1: Summary of Mitigation Measures and Implementation Responsibility** and categorized by impact area, as identified in the Initial Study.

The first column of the MMRP table identifies the Mitigation Measures. The second column identifies the monitoring schedule or timing, while the third column names the party responsible for monitoring the required action. The fourth column "Monitoring Procedure" outlines the steps for monitoring the action identified in the mitigation measure. The fifth and sixth columns deal with reporting and provide spaces for comments and dates and initials. These last columns will be used by the City to ensure that individual mitigation measures have been monitored.

The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The MMRP performance shall be monitored and reported annually to determine the effectiveness of the measures implemented in any given year and reevaluate the mitigation needs for the upcoming year.

Table 1. Summary of Mitigation Measures and Implementation Responsibility

Mitigation Measures (MM)	Responsible Party	Timing of Compliance	Signature and Date of Compliance
Biological Resources			
<p>MM BIO-1: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts on nesting birds (common and special status) during the nesting season, the Applicant shall retain a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys before project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity, and duration of disturbance. The nests and buffer</p>	<p>Project Developer Project Biologist</p>	<p>Prior to ground disturbing activities</p>	
Noise			
<p>MM NOI-1: Prior to issuance of grading and/or building permits, a note shall be provided on grading and building plans indicating that, during grading and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ul style="list-style-type: none"> • The construction contractor shall ensure that all internal combustion engine driven equipment is equipped with mufflers that are in good condition and appropriate for the equipment. • The construction contractor shall locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. In addition, the Project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site. • The construction contractor shall prohibit unnecessary idling (no more than 5 minutes) of internal combustion engines. • Equipment shall not be operated along the eastern boundary of the site for more than 30 minutes in duration per hour during construction. 	<p>Project Developer Building Department</p>	<p>Prior to the issuance of a building permit</p>	

Hickory Street Office to Multi-Family Residential Conversion

<ul style="list-style-type: none"> • The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the Project site during all project construction. • The construction contractor shall designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., a bad muffler) and shall require that measures be implemented to correct the problem. • These measures may only be granted an exception if an application for construction-related exception is made to and considered by the Building Official of the City 			
Tribal Cultural Resources			
<p>TCR-1. Prior to the issuance of a grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”). The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures MM-TCR-2 through MM-TCR-10, and the following information:</p> <ul style="list-style-type: none"> • Parties entering into the agreement and contact information. • Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors. • Project grading and development scheduling, including determination of authority to adjust in the event of unexpected discovery, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement. • Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled 	Project Developer TCA Tribe	Prior to ground disturbing activities	

Hickory Street Office to Multi-Family Residential Conversion

<p>vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.</p> <ul style="list-style-type: none"> • Treatment of identified Native American cultural materials. • Treatment of Native American human remains and associated grave goods. • Confidentiality of cultural information including location and data. • Negotiation of disagreements should they arise. • Regulations that apply to cultural resources that have been identified or may be identified during project construction. 			
<p>TCR-2. Prior to issuance of a grading permit, the Applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the Project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	
<p>TCR-3. The qualified archaeologist and a Native American monitor shall attend all applicable preconstruction meetings with the General Contractor and/or associated subcontractors to explain and coordinate the requirements of the monitoring program.</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	
<p>TCR-4. During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the topsoil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code §21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	

Hickory Street Office to Multi-Family Residential Conversion

<p>potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock).</p>			
<p>TCR-5. In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code §21083.2(g) and §21074, and CEQA Guidelines §15064 and §15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly nonsignificant deposits shall be documented in the field and collected and monitored grading can immediately proceed. All unearthened archaeological resources or tribal cultural resources shall be collected, temporarily stored in a secure location, and repatriated for later reburial on the project site, pursuant to the terms of the Pre-Excavation Agreement.</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	
<p>TCR-6. If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code §21083.2(g) and §21074, and CEQA Guidelines §15064 and §15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the consulting TCA Tribe(s), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe(s) and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code §21074(a) through (c), appropriate treatment measures will be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code §21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	

Hickory Street Office to Multi-Family Residential Conversion

<p>TCR-7. All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated in consultation with the TCA Tribe(s) as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City's Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe(s), making a determination of infeasibility that takes into account the factors listed in California Public Resources Code §21061.1 and §21081 (a)(3), and CEQA Guidelines §15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. No artifact sampling for analysis is allowed, unless requested and approved by the consulting TCA Tribe(s). Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	
<p>TCR-8. As specified by California Health and Safety Code §7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to a temporary off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	

Hickory Street Office to Multi-Family Residential Conversion

<p>§5097.98) for proper treatment and disposition in accordance with California Public Resources Code §5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code §5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code §5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of the MLD, unless the forensic anthropologist and the MLD agree to remove the remains to an off-site location for examination.</p>			
<p>TCR-9. If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources for later reburial on the Project site or storage at a local curation facility. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe for reburial on the Project site. Should the TCA Tribe(s) decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	
<p>TCR-10. Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources. A copy of the final report will be submitted to the South Coastal Information Center after approval by the City.</p>	<p>Project Developer TCA Tribe</p>	<p>Prior to ground disturbing activities</p>	

Appendix A – Notice of Intent to Adopt



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

**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION FOR
General Plan Map Amendment, Zone Map
Amendment, Master Plan and Precise Plan Permit, and
Design Review Permit
City File No. PL23-0190, PL24-0225, PL23-
0191/PL24-0215, PL24-0229**

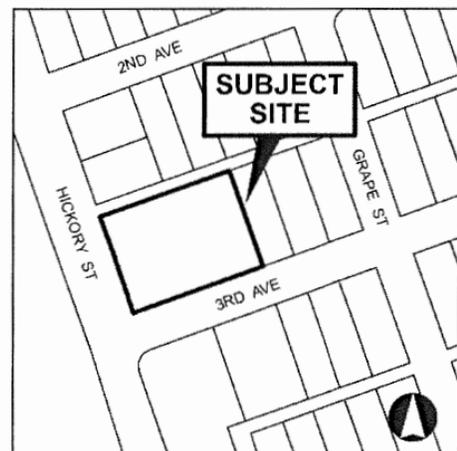
A draft Initial Study Mitigated Negative Declaration ("IS/MND") has been prepared for the project described below. A Mitigated Negative Declaration is prepared when an Initial Study identifies project related impacts that might be potentially significant, but revisions in the project plans and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts to the environment are reduced to less than a significant level. The description of the project is as follows:

PROJECT DESCRIPTION: A request for a General Plan Map Amendment to amend the underlying land use designation from Office (O) to Urban V (U5) to permit a maximum residential density of up to 30 dwelling units per acre; a Zone Map Amendment to amend the City's Zoning Map to rezone the subject property from Hospital Professional (H-P) to Very High Multifamily Residential (R-5); a Master Plan and Precise Plan, and Design Review Permit to adopt a Planned Development Zone and allow for the conversion of an existing office building into 21 residential dwelling units, along with ancillary improvements. The Project also includes a Density Bonus Request to exceed the allowable density of the site, and includes two "low-income units" for an additional unit over the maximum permitted of 20 dwelling units (20 base units + 1 bonus unit), and incentives/concessions and waivers as permitted by State Density Bonus Law and Article 67 (Density Bonus and Residential Incentives). The Project also includes adoption of the environmental document prepared for the Project.

LOCATION: The property is located at the northeast corner of S. Hickory Street and E. 3rd Avenue, and is bounded by S. Grape Street to the east and E. 2nd Avenue to the north, addressed as 240 S. Hickory Street (APN: 229-492-14-00).

APPLICANT: Escondido Investments, LLC

PUBLIC REVIEW PERIOD: The review and comment period will begin on **September 26, 2024** and end at 5:00 p.m., on **October 15, 2024**. Copies of the draft IS/MND are on file and available for public review in the Escondido Planning Division, at 201 N. Broadway, and posted on the City of Escondido website: <https://www.escondido.gov/1225/Hickory-Street-Office-to-Residential-Con> and may be obtained by contacting **Ivan Flores, Senior Planner, (760) 839-4529** or via email ivan.flores@escondido.gov. Please refer to Case Nos. PL23-0190/PL24-0225/PL23-0191/PL24-0215/PL24-0229. The Final IS/MND will require consideration and adoption by the City Council, subject to recommendation by the Planning Commission. A Planning Commission meeting date has been **tentatively scheduled** for **November 12, 2024** at 7 p.m. to be held at 201 N. Broadway, Escondido, 92025. The City Council meeting date will be established subsequent to Planning Commission recommendation.




Veronica Morones, City Planner

Dated: September 23, 2024

Appendix B – Notice of Completion

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Hickory Street Office to Multi-Family Residential Conversion

Lead Agency: City of Escondido Contact Person: Ivan Flores, Senior Planner
 Mailing Address: 201 North Broadway Phone: 760-839-4529
 City: Escondido Zip: 92025 County: San Diego

Project Location: County: San Diego City/Nearest Community: Escondido
 Cross Streets: South Hickory Street and 3rd Avenue Zip Code: 92025

Longitude/Latitude (degrees, minutes and seconds): 33 ° 07 ' 19.55 " N / 117 ° 04 ' 23.97 " W Total Acres: 0.69
 Assessor's Parcel No.: 229-492-14-00 Section: 00 Twp.: 12S Range: W Base: San Bernardino
 Within 2 Miles: State Hwy #: 78 Waterways: _____
 Airports: _____ Railways: _____ Schools: Escondido High School

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: Planned Development Permit and Desi

Development Type:

Residential: Units 21 Acres 0.69
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational: _____ Waste Treatment: Type _____ MGD _____
 Recreational: _____ Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD _____ Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

Medical Office Building/Hospital Professional (HP)/Office (O)

Project Description: (please use a separate page if necessary)

General Plan Amendment (Planning Case No. PL23-0190) to amend the General Plan designation from Office (O) to Urban V (U5) to accommodate a residential density of 30 units per acre; Zone Map Amendment (Planning Case No. PL24-0225) to rezone the subject property from Hospital Professional (H-P) to Very High Multifamily Residential (R-5); Master and Precise Development Plan (Planning Case Nos. PL23-0191/PL24-0215) to adopt a Planned Development Zone to permit the conversion of the existing vacant office building into residential units including a density bonus agreement to exceed the maximum permitted density under the proposed General Plan Amendment for a total of 21 dwelling units (20 base units + 1 bonus unit), with 2 of the units being deed-restricted for low-income households; and Design Review Permit (Planning Case Nos. PL24-0229) for the adoption of the Planned Development Zone as required by Article 64 (Design Review).

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

Hickory Street Office to Multi-Family Residential Conversion

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|--|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date September 26, 2024 Ending Date October 15, 2024

Lead Agency (Complete if applicable):

Consulting Firm: <u>N/A</u>	Applicant: <u>Escondido Investments, LLC</u>
Address: _____	Address: <u>1650 Hotel Circle North, Suite 110</u>
City/State/Zip: _____	City/State/Zip: <u>San Deigo, CA 92108</u>
Contact: _____	Phone: <u>619-293-3349</u>
Phone: _____	

Signature of Lead Agency Representative: [Signature] Date: 9/18/24

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Revised 2010

Appendix C – Draft Initial Study/Mitigated Negative Declaration

A hard copy is available at:

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

An electronic copy is available at:

<https://www.escondido.gov/1225/Hickory-Street-Office-to-Residential-Con>